



# PLANNING COMMISSION MINUTES

CITY OF NOVI  
Regular Meeting  
**April 10, 2024 7:00 PM**

Council Chambers | Novi Civic Center  
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

## CALL TO ORDER

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

## ROLL CALL

Present: Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney, Member Verma

Absent Excused: Member Avdoulos

Staff: Barb McBeth, City Planner; Beth Saarela, City Attorney; James Hill, Planner; Rick Meader, Landscape Architect

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Motion made by Member Becker and seconded by Member Lynch to approve the April 10, 2024 Planning Commission Agenda.

**ROLL CALL VOTE ON MOTION TO APPROVE THE APRIL 10, 2024 PLANNING COMMISSION AGENDA MOVED BY MEMBER BECKER AND SECONDED BY MEMBER LYNCH. *Motion carried 6-0.***

## AUDIENCE PARTICIPATION

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the first audience participation to come forward. Seeing no one, Chair Pehrson closed the first public audience participation.

## CORRESPONDENCE

There was not any correspondence.

## COMMITTEE REPORTS

There were no Committee reports.

## CITY PLANNER REPORT

There was no City Planner report.

## CONSENT AGENDA - REMOVALS AND APPROVALS

There were no Consent Agenda – Removals and Approvals.

## PUBLIC HEARINGS

### 1. PSLU24-02 WE ROCK THE SPECTRUM KID'S GYM

Public hearing at the request of Oliver Oasis, LLC, for Special Land Use approval to operate an indoor recreation area specialized for children who are neurodiverse within a unit of an existing shopping center. The subject unit totals 6,444 square feet and is located at 22104 Novi Road in Section 35, south of Nine Mile Road and east of Novi Road. The site is subject to a consent

judgment that requires special land use approval for this specific use and size.

Planner James Hill stated the applicant, We Rock the Spectrum, is a company that specializes in creating indoor play areas for children who are neurodiverse. The indoor recreation facility is proposed within a unit at the Oak Pointe Plaza Shopping Center on the east side of Novi Road, south of Nine Mile Road. The unit is approximately 6,444 square feet in size. No site changes are proposed and no changes to the façade are proposed except for adding two new windows on the south side of the building.

Although the current zoning of the parcel is I-1 Light Industrial, the uses in the Oak Pointe Plaza Shopping Center are governed by a Consent Judgment, which was amended for a third time in 2022. An excerpt from the third amendment to the Consent Judgment is included in the Planning Commission packet. The language of the amended consent judgment permits by right indoor recreational uses up to 2,000 square feet in size, and by Special Land Use if the use is greater than 2,000 square feet. Adjacent zoning includes Light Industrial to the south and east, units also governed by the same consent judgment to the north, and R-3 One Family Residential to the west across Novi Road.

The Future Land Use map contemplates local commercial for the site, which is consistent with the intent of the consent judgment. Similarly to the north and south the Future Land Use is contemplated for Local Commercial. To the east, the Future Land Use is Industrial Research Development and Technology and to the west is Single Family.

There are no natural features on site except for some wetland shown along the rear of the site, which is Thornton Creek. No site changes are proposed, however.

As there are no site changes proposed, the Planning Commission primarily is asked to consider the use itself and how it fares when addressing the factors of Special Land Use approval. As far as any interior changes go, the applicant will need to work with the Building Department to ensure that the renovations are up to code. Specifically, the Fire Marshal has requested that updates to the fire alarm and fire suppression system be submitted for their change.

The Special Land Use considerations include how the use will impact existing traffic, public utilities and facilities, natural features, and adjacent uses. Given that the applicant intends to use an existing space and there is a shared parking agreement in place, staff has found that there is no expected negative impact. Additionally, it is consistent with the goals of the City's Master Plan to attract new types of businesses to the City.

The Planning Commission is asked to hold the public hearing for PSLU24-02 We Rock The Spectrum Kid's Gym, and approve or deny the Special Land Use Permit. Yushu Zhou, the applicant, and David Landry, the applicant's representative, are in attendance to answer any questions you may have, in addition to providing a short presentation. Staff is also available.

Chair Pehrson invited the applicant to address the Planning Commission.

Attorney David Landry stated as staff indicated the zoning is controlled by a consent judgment which was entered decades ago but has been amended three times. Most recently in 2022, City Council approved another applicant specifically to allow indoor recreational use, but they did not follow through.

This indoor recreational use is a little more than half the size of the previous approval. The Oak Pointe Plaza property has four buildings on it, the space that will be used is the extreme southern end of the Nova Oak Pointe property building.

The footprint and parking are not changing. There is a shared parking agreement, and there are no changes to the exterior of the building. There is no detrimental effect on traffic for ingress or egress, and no detrimental effect on public services. The fire department noted that there is a fire suppression system, and it may need to be updated. The owner of the building recognizes that and has agreed to update it if needed. No natural features are affected. Connected compatible uses are commercial. It is Master Plan consistent, and City Council has approved the specific use.

One of the criteria for Special Land Use is whether the private use of land is socially and economically desirable. This is a pretty unique use. It's an indoor play area that specifically addresses children with neuro conditions. We are all familiar with Chuckie Cheese and McDonald's play areas and children with a neuro condition can go there, they are sort of tolerated. This place specifically caters to all and is a place where parents can go and don't have to explain their child. That is specifically what this kid's gym is geared

towards.

Yushu Zhou acknowledged there are many indoor play areas already existing. She shared a slide presentation featuring the story of the We Rock the Spectrum founder Dina Kimmel, who founded the first We Rock the Spectrum (WRTS) inside her home. In 2009, Dina installed occupational therapy equipment for her son, Gabriel, who had been diagnosed with ASD.

After a year, Dina knew there were other families needing the benefit of daily usage of this equipment as well in a full inclusion environment where kids of all abilities can connect, play, and grow develop both physical and social skills. The first WRTS kid's gym opened in September 2010 in Tarzana, CA. Today, the WRTS family is now a franchise company in over 30 states, and 8 countries with 150+ locations.

The four core values of the company or the gym are 1) to be all inclusive and build awareness, 2) with sensory safe equipment, 3) to be community leaders for not only the children, but also to empower families, and 4) to be a place where everyone can come play, work and grow with a purpose.

The gyms feature a large open space for play equipment, an imagination station space, an arts and crafts space and a specialized space for infants and toddlers. The gym will offer open play times, events and parties, classes, and a retail shop.

Lastly, Ms. Zhou provided her background information. She came to the United States 15 years ago with two suitcases. She was blessed to have the opportunity to attend Cornell and Harvard and spent the past decades devoting herself to senior living, hospitality, and talent development. She and her husband had a son, Oliver, in 2020. With the COVID lockdown, they had firsthand insight into the challenges many families face daily. So today, Ms. Zhou has a new purpose to bring We Rock the Spectrum gym to the Novi community and hopes to uplift, empower more families, and make a difference.

Chair Pehrson opened the Public Hearing and invited members of the audience who wished to participate to approach the podium. Seeing no one, and confirming there was no correspondence, Chair Pehrson closed the Public Hearing and turned the matter over to the Planning Commission.

Member Lynch thanked the applicant for working with staff and getting any open issues resolved. He has no concerns.

Motion made by Member Lynch to approve the Special Land Use permit for We Rock the Spectrum Kid's Gym and seconded by Member Roney.

**In the matter of We Rock the Spectrum Kid's Gym, PSLU24-02, motion to approve the Special Land Use Permit based on and subject to the following:**

**a. Relative to other feasible uses of the site:**

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off street parking, off-street loading/unloading, travel times, and thoroughfare level of service (as it is being operated out of an existing building).**
- ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal, and police and fire protection to serve existing and planned uses in the area (no impacts to utilities are anticipated).**
- iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats (no impacts to existing natural features are proposed).**
- iv. The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood.**
- v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan or Land Use (as it fulfills one of the Master plan objectives**

to attract new businesses to the City of Novi).

vi. The proposed use will promote the use of land in a socially and economically desirable manner (as it fulfills one of the Master plan objectives to attract new businesses to the City of Novi).

vii. 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.

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 the Electronic Stamping Set submittal.

**This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

Member Becker stated that it is fitting that the Planning Commission is being asked to approve a Special Land Use for a very special business. He inquired if this will be the first WRTS Kid's Gym in Michigan. Ms. Zhou responded that there will be a gym opening in Ann Arbor in May or June, and another opening soon in Grand Rapids, they are still looking for a space to lease. Member Becker also inquired as to the hours of operation. Ms. Zhou responded that right now they are expected to be open daily, roughly between 9:00 AM to 7:00 PM.

Member Dismondy had no questions.

Member Verma inquired if there will be babysitting services. Ms. Zhou responded that no there will be no babysitting service, parents will need to be with children while they play.

Member Roney stated this is clearly satisfying a unique use in the City and it is always welcome to see a new business come in, he wished the applicant good luck.

Chair Pehrson had no additional comments.

**ROLL CALL VOTE ON MOTION TO APPROVE THE SPECIAL LAND USE FOR PSLU24-02 WRTS KID'S GYM MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

## **MATTERS FOR CONSIDERATION**

### **1. JSP23-41 EL CAR WASH**

Consideration of El Car Wash for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is 1.22 acres in size and is located on the north side of Grand River Avenue, east of Wixom Road. The subject property is zoned B-3 General Business. The applicant is proposing to demolish the former PNC bank building and construct a 3,700 square foot drive-thru car wash.

Planner Hill stated the subject property is located on the north side of Grand River Avenue, east of Wixom Road. It is proposed to have a one-way exit onto 12 Mile Road to serve as a bypass lane for those who wish to exit the car wash line.

The current zoning of the site is B-3 General Business district, which permits car washes by right. Adjacent zoning to the east and west also includes B-3 General Business, and to the south across Grand River Avenue is I-1 Light Industrial. To the north across 12 Mile Road is the City of Wixom and the Varsity Lincoln collision center. The other adjacent uses include the Goddard School daycare to the east and Interior Environments to the west.

The Future Land Use map contemplates local commercial for the property, in addition to local commercial for the areas to the east and west. To the south is property contemplated for Office Research Development and Technology.

There are no current natural features on site.

The approval of the Preliminary Site Plan will be subject to the applicant being granted a variance by the Zoning Board of Appeals for the overhead door facing Grand River Avenue. The applicant has met the requirements for stacking spaces in the drive thru and as mentioned has provided for the equivalent of a bypass lane via the exit to 12 Mile Road. Additionally, the applicant has shown they will meet the noise requirements of the zoning ordinance by providing the decibel levels of their dryer equipment and distance away from the property line to ensure compliance. The site has 20 associated vacuum stations.

The applicant is proposing to enlarge the existing onsite detention basin, in addition to some underground detention. After review, the City's engineer concluded that the improvements on the above ground detention basin would be sufficient for stormwater requirements.

The applicant has committed to making the necessary changes called out in the landscape review letter.

The building is located in Façade region one, and as indicated by the Façade review letter, does not require a Section 9 façade waiver, as it meets the minimum requirement for brick and does not exceed the maximum requirement for EIFS and flat metal panels. The façade review letter in the Planning Commission packet does mention Section 5.15.2 of the Ordinance, which requires harmonious colors and prohibits the use of intense colors. It was determined that the colors used for the El Car Wash elevations, namely the hot pink and baby blue, were consistent with this section.

The Planning Commission is asked to consider JSP23-41 El Car Wash and approve or deny the Preliminary Site Plan and Stormwater Management Plan. David Landry, the applicant's representative, is in attendance to answer any questions. Staff is available as well.

Chair Pehrson invited the applicant to address the Planning Commission.

David Landry stated that this property is zoned B-3, the only zoning district that allows car washes. It's a principal permitted use, and administrative reviews have recommended approval. The location is interesting because it spans both Grand River and where 12 Mile curves around, which is kind of cool because the ordinance requests an escape lane if someone has an emergency.

As the administration noted the stormwater pond is being retained, making it deeper, and adding some underground storage so engineering has recommended approval.

One Planning Commission waiver is needed for landscaping for one tree in the interior, which the administration has recommended approval. A ZBA variance is needed for the overhead door facing Grand River.

One kind of cool aspect is a heated concrete area, so coming in or out of the car wash will not have ice or slush.

Mr. Landry stated engineering representatives, architectural representatives, and the owner are available for any questions.

Chair Pehrson turned the matter over to the Planning Commission for consideration.

Member Lynch stated he has no issue with the one tree. As far as the variance for the overhead door goes, there should not be an issue with that. The color is enough to make it distinct, but it is not unsightly.

Member Lynch think it looks fine and he appreciates the applicant working with the planning staff to get the project to the point where it makes the Planning Commission's job easy.

Motion to approve the JSP23-41 El Car Wash Preliminary Site Plan moved by Member Lynch and seconded by Member Becker.

**In the matter of El Car Wash, JSP23-41, motion to approve the Preliminary Site Plan based on and subject to the following:**

- a. The Zoning Board of Appeals granting a variance from Section 3.10.3 of the Zoning Ordinance for proposing an overhead door facing a major thoroughfare (Grand River Avenue) because there is existing and proposed landscaping to screen the overhead door from Grand River Avenue.**
- b. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

**c. Landscape waiver for one missing tree as noted in the Landscaping review letter.**

**This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

Member Becker seconded Member Lynch's statement that the Planning Commission's job is easy because the planning staff does so much work ahead of time. That would be a challenging piece of property to develop for anything, and rather than have an empty bank building sitting there, let's get something that will be good for the area. It's a brilliant use. Member Becker is in support.

Member Dismondy stated that it is a great redeveloped bank site, and confirmed his understanding that the noise test was passed.

Member Verma inquired about the location of another car wash in the area. Mr. Landry responded that there is an existing Zax Auto Wash off Grand River in Wixom just to the west.

Member Roney stated that he wondered if the Goddard School to the east had any concerns, especially to noise, but since no objections have been raised, he is fine with the project.

**ROLL CALL VOTE ON MOTION TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP23-41 EL CAR WASH MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER. Motion carried 6-0.**

Motion to approve the JSP23-41 El Car Wash Stormwater Management Plan moved by Member Lynch and seconded by Member Roney.

**In the matter of El Car Wash, JSP23-41, 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 Ordinances and all other applicable provisions of the Ordinance.**

**ROLL CALL VOTE ON MOTION TO APPROVE THE STORMWATER MANAGEMENT PLAN FOR JSP23-41 EL CAR WASH MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

**2. JSP23-39 GUERNSEY COOLER/FREEZER ADDITION**

Consideration of Guernsey Cooler/Freezer Addition for Preliminary Site Plan and Stormwater Management Plan approval. The subject property is located on the east side of Novi Road north of Eight Mile Road. The applicant is proposing to add to the existing building to incorporate more storage space for their product, in addition to some parking lot changes.

Planner Hill stated the Preliminary Site Plan and Stormwater Management Plan is for a 4,585 square foot addition to the existing Guernsey Farms Dairy building for additional freezer storage and some office space for meetings. Parking lot improvements and a loading area are proposed in the rear of the addition. The subject property is located on the east side of Novi Road north of Eight Mile Road. The size of the addition requires that the project seek site plan approval from the Planning Commission, in addition to any required waivers.

The current zoning of the site is B-3 General Business. To the north are other B-3 uses, including the neighboring On the Border Mexican Grill. Residential zoning is located to the east on the other side of the railroad tracks, in addition to across Novi Road to the west. The residential area immediately across the street from the Guernsey property is within the City of Northville.

Future Land Use contemplates local commercial for the site and the sites to the north, with some industrial research development and technology. To the east the Future Land Use map indicates Private Park as part of the Single Family development located on the other side of the railroad tracks.

There are no natural features on site, however some of the proposed work lies within the floodplain in the rear of the site. The applicant will need a floodplain permit and has been in discussion with the City and the Department of Environment Great Lakes and Energy on the process.

The approval of the site plan is subject to the applicant being granted a variance from the Zoning Board of Appeals for parking setbacks for the side yard to the north and the front yard to the west. The Planning Commission is able to modify setback requirements if doing so would keep the total setback area within what's required by the Ordinance. In this case, the applicant was over that minimum setback area and thus will require a variance from the ZBA.

Additionally, the applicant is seeking several landscape waivers that are supported by staff given the constraints of the site, in addition to the applicant offering alternative landscape options such as hedges in place of full berms. A waiver for 25 consecutive parking spaces is required and supported by staff as an existing condition.

From an engineering standpoint, there are no changes proposed to sanitary sewers, water mains, or existing leads. There is some minor stormwater work proposed. Overall, the plans are recommended for approval by the City's engineer.

The façade consultant recommended approval for the elevations as they were a continuation of existing façade materials and colors.

The Planning Commission is asked to consider JSP23-39 Guernsey Cooler Freezer Addition and approve or deny the Preliminary Site Plan and Stormwater Management Plan. The applicant's architect is in attendance for any questions in addition to staff standing by for questions.

Chair Pehrson invited the applicant to address the Planning Commission.

Architect Joe Phillips stated Guernsey Farms Dairy is a family-owned business recently recognized for its dairy products and as known to many people, a very kid-friendly zone. The business is really the gateway into the City of Novi and is highly visible. It's acknowledged for its presence in the community and would like to maintain and hopefully increase that.

The site is approximately three acres in size and has been operating there since about 1966. Guernsey is seeking approval for about a 4,600 square foot cooler, freezer and loading dock addition. Currently, some of that activity takes place on the north side of the building where the addition is going so some functions will move to the rear of the building and leave open space for parking and some landscaping. The height of the addition will match the height of the most current addition to the north. All the rooftop equipment will be screened by the parapet wall the same way as it is now. The addition is about 38 feet wide, 120 feet deep, and about 30 feet tall.

The addition is pulled back from the front of the existing building to provide a little green space out in front. The corporate entry was a side door along the north side where the loading dock was and there was nothing to identify it. The intention is to draw a little more attention to that with some landscape in that area with a canopy over the door for corporate clients. In addition to the freezer, cooler and loading zone, the addition will have a waiting room and small conference room near the business offices.

The façade materials will match the existing materials, except for the brick. The building has gone through about three additions and the brick is blended three different ways. Mr. Phillips picked the most dominant color and used a solid color brick rather than trying to match the existing brick. Other than that, all the materials will be sympathetic to what's there.

The addition will not increase the need for parking, the intention is for more storage space. There are actually two additional parking spaces added since there were formerly two drives that went around, one used exclusively for truck traffic. Now that has been combined so some room was able to be picked up for parking.

Chair Pehrson turned the matter over to the Planning Commission for consideration and inquired about favorite ice cream flavors.

Member Lynch stated that Guernsey has a special place in his heart as that is one of the first places he went when he was looking to move to Novi. His grandkids love it there. He appreciates that the applicant has resolved all the major issues with the planning staff, and he does not have an issue with the parking setback variance, but the ZBA will make the final decision there.

The floodplain permit is being addressed, and the landscaping waivers are fine if Landscape Architect Rick Meader is comfortable with them. This is going to be a good project. Member Lynch stated vanilla is his favorite ice cream flavor.

Motion to approve the JSP23-39 Guernsey Cooler Freezer Addition Preliminary Site Plan moved by Member Lynch and seconded by Member Roney.

**In the matter of Guernsey Cooler Freezer Addition JSP23-39, motion to approve the Preliminary Site Plan based on and subject to the following:**

1. **Landscape waiver for lack of berm in greenbelt, as a hedge is being added, which is hereby granted.**
2. **Landscape waiver for exceeding the maximum number of parking spaces between landscape end islands. A maximum of 15 is allowed, the plans propose 25, as space is required for truck-turning movement, which is hereby granted.**
3. **Landscape waiver from Sec. 5.5.3.D for deficiency in foundation landscaping, as most of the required remaining area is being provided in the northwest corner, which is hereby granted.**
4. **Landscape waiver from Sec. 5.5.3.F.ii.B(2) for deficiency of interior parking perimeter trees, as it's an existing condition that is being improved, which is hereby granted.**
5. **Landscape waiver from Sec. 5.5.3.F.ii.B(2) for reduction in number of parking lot perimeter trees, which is hereby granted.**
6. **Landscape waiver for lack of a berm in the greenbelt, as a hedge is being provided, which is hereby granted.**
7. **Landscape waiver for a deficiency in subcanopy trees, as there is a lack of space between the road and the existing parking lot, which is hereby granted.**
8. **Subject to Zoning Board of Appeals variance for parking lot setback for the side yard facing north as shown on the site plan, as it is an existing nonconformity that is slightly being enlarged.**
9. **Subject to Zoning Board of Appeals variance for parking lot setback for the front yard facing west as shown on the site plan, as it is an existing nonconformity that is slightly being enlarged.**
10. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining items listed in those letters being addressed on the Final Site Plan.**

**This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

Member Becker stated back in 1956 when he first moved to Northville, he would ride his bike down Center Street to the very far northwest corner of the city and patronize Guernsey. He loves supporting Novi businesses and if more space is needed, he is in support. Member Becker stated lemon chiffon is his favorite flavor.

Member Dismondy stated the same favorite flavor, lemon chiffon, and he is in support.

Member Verma had no comment.

Member Roney stated he thinks it is great to support a business that has been in our City for 58 years and his favorite flavor is chocolate. He finds the project really doesn't change the character of the property, effectively it improves it, so Member Roney is definitely in support.

Chair Pehrson stated his favorite flavor is moose tracks.

**ROLL CALL VOTE ON MOTION TO APPROVE THE PRELIMINARY SITE PLAN FOR JSP23-39 GUERNSEY COOLER FREEZER ADDITION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

Motion to approve the JSP23-39 Guernsey Cooler Freezer Addition Stormwater Management Plan moved by Member Lynch and seconded by Member Roney.

**In the matter of Guernsey Cooler Freezer Addition JSP 23-39, 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 Ordinances and all other applicable provisions of the Ordinance.**

**ROLL CALL VOTE ON MOTION TO APPROVE THE STORMWATER MANAGEMENT PLAN FOR JSP23-39 GUERNSEY COOLER FREEZER ADDITION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. Motion carried 6-0.**

**3. JSP23-29 GRAND DINER**

Consideration of Grand Diner for Preliminary Site Plan approval. The subject property is located on the north side of Grand River Avenue and south side of 12 Mile Road, east of Wixom Road. The applicant is proposing a minor addition to the building footprint, in addition to an outdoor patio and a new entrance and exit off 12 Mile Road.

Planner Hill stated the Preliminary Site Plan is for a small interior addition and outdoor seating area for the Grand Diner. The plan also includes a new entrance off 12 Mile Road, in addition to some upgrades to the façade. As there are no proposed changes to the stormwater plan, the Planning Commission is asked only to consider a Preliminary Site Plan for approval.

The subject property is located on the north side of Grand River Avenue, east of Wixom Road.

The current zoning of the property is B-3 General Business. Adjacent property to the east is also B-3 General Business, along with property across Grand River Avenue to the south. Adjacent uses include Interior Environments to the east and the Grand Promenade Shopping Center to the south. To the north and west is the City of Wixom.

Future Land Use contemplates Local Commercial for the site, which is also contemplated for sites to the east and south, along with a portion of the properties to the south contemplated for office research development and technology.

There are no natural features located on the site.

The site plan does require a few landscape waivers that are supported by staff, mostly due to existing conditions, in addition to the applicant committing to restore the site's landscaping to what was originally approved.

The proposed façade elevations do require a Section 9 façade waiver. As detailed in the façade review letter, a Section 9 façade waiver was previously granted for the underage of brick and overage of stainless steel, but not the overage of EIFS. Therefore, this Section 9 façade waiver is for the overage of EIFS on the west façade, and is supported by the façade consultant.

The Planning Commission is asked to consider JSP23-29 Grand Diner and approve or deny the Preliminary Site Plan. The applicant is in attendance tonight for any questions, and staff is available as well.

Chair Pehrson invited the applicant to address the Planning Commission.

Tony Dedvukaj, owner of the Grand Diner, stated that he is looking to expand the building, keeping the same theme, and put an entrance on 12 Mile to make it easier for customers to come in and out. With the current construction on I-96 there can be gridlock at certain times.

Chair Pehrson turned the matter over to the Planning Commission for consideration.

Member Lynch thanked the applicant for working with the planning staff and thinks the landscaping issues have been addressed. Member Lynch has been to the diner many times and thinks it is a nice place.

Motion to approve the JSP23-29 Grand Diner Preliminary Site Plan moved by Member Lynch and seconded by Member Becker.

**In the matter of The Grand Diner, JSP23-29, motion to approve the Preliminary Site Plan based on and subject to the following:**

- 1. Landscape waiver for deficient berm width in greenbelt, as it is an existing condition, which is hereby granted.**

2. Landscape waiver for lack of required greenbelt landscaping west of parking lot, as it is an existing condition, which is hereby granted.
3. Landscape waiver for lack of greenbelt berms along both frontages, as it is an existing condition, which is hereby granted.
4. Landscape waiver for deficiency in foundation landscaping, as the applicant has committed to bring the site up to the standards of the original approved plan, which is hereby granted.
5. Section 9 Façade waiver for the overage of EIFS on the west elevation, 25% permitted, 40% proposed, as it provides the north, south, and west elevations with consistent facades, which is hereby granted.
6. The findings of compliance with Ordinance standards in the staff and consultant review letters and the remaining items listed in those letters being addressed on the Final Site Plan.

**This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance.**

Member Becker had no comments.

Member Dismondy had no comments.

Member Verma had no comments.

Member Roney stated that it's always great to support a business in the city and if this is going to make the traffic situation and business better then he is in support.

Chair Pehrson had no additional comments.

**ROLL CALL VOTE TO APPROVE THE JSP 23-29 GRAND DINER PRELIMINARY SITE PLAN MOVED BY MEMBER LYNCH AND SECONDED BY MEMBER BECKER. *Motion carried 6-0.***

#### **4. APPROVAL OF THE MARCH 20, 2024 PLANNING COMMISSION MINUTES**

Motion to approve the March 20, 2024 Planning Commission minutes made by Member Lynch and seconded by Member Verma.

**ROLL CALL VOTE ON MOTION TO APPROVE THE MARCH 20, 2024 PLANNING COMMISSION MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER VERMA. *Motion carried 6-0.***

#### **CONSENT AGENDA REMOVALS FOR COMMISSION ACTION**

There were no consent agenda items.

#### **SUPPLEMENTAL ISSUES/TRAINING UPDATES**

There were no Supplemental Issues/Training Updates.

#### **AUDIENCE PARTICIPATION**

Chair Pehrson invited members of the audience who wished to address the Planning Commission during the final audience participation to come forward. Seeing no one, Chair Pehrson closed the final audience participation.

#### **ADJOURNMENT**

Motion to adjourn the meeting made by Member Lynch and seconded by Member Roney.

**ROLL CALL VOTE ON MOTION TO ADJOURN THE APRIL 10, 2024 PLANNING COMMISSION MEETING MADE BY MEMBER LYNCH AND SECONDED BY MEMBER RONEY. *Motion carried 6-0.***

Meeting adjourned at 7:46 PM.

\*Actual language of the motion sheet subject to review.