

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, JUNE 11, 2019 7:00 P.M.

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

BOARD MEMBERS:

Brent Ferrell, Chairperson

David M. Byrwa

Linda Krieger

Cynthia Gronachan

Kevin Sanker

Michael Longo

ALSO PRESENT:

Gary Dovre, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan

Tuesday, June 11, 2019

7:00 p.m.

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CHAIRPERSON FERRELL: All right. Welcome to the Zoning Board of Appeals, Tuesday, June 11, 7 p.m. regular scheduled meeting. We call the meeting to order and then, if we just could all rise for the Pledge of Allegiance.

(Pledge of allegiance recited.)

CHAIRPERSON FERRELL: All right. Can you call roll, please, Katherine?

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Yes. Present.

MS. OPPERMAN: Chairperson Ferrell?

CHAIRPERSON FERRELL: Here.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Here.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Here.

MS. OPPERMAN: Member Peddiboyina is absent,

1 excused.

2 Member Sanker?

3 MEMBER SANKER: Here.

4 MS. OPPERMAN: And Member Sanghvi is also
5 absent, excused.

6 CHAIRPERSON FERRELL: Okay. This is a public
7 hearing. The format and the Rules of Conduct are in
8 the back of the room. And we ask at this time if
9 anybody has any cell phones on to please silence them
10 or turn them off.

11 Any changes to the agenda?

12 MS. OPPERMAN: No. None.

13 CHAIRPERSON FERRELL: Okay. Do I hear a
14 motion for approval of the agenda?

15 MEMBER GRONACHAN: So moved.

16 MEMBER SANKER: Second.

17 CHAIRPERSON FERRELL: All in favor?

18 (The Board responds "Aye" simultaneously.)

19 CHAIRPERSON FERRELL: Okay. Approval of
20 April and May 2019 minutes. Approval of the April
21 minutes, any changes or additions to that?

22 Do I hear a motion for that?

23 MEMBER GRONACHAN: So moved.

1 MEMBER SANKER: Second.

2 CHAIRPERSON FERRELL: All in favor say "Aye."

3 (The Board responds "Aye" simultaneously.)

4 CHAIRPERSON FERRELL: And now the May 2019
5 minutes, any additions to that?

6 MEMBER GRONACHAN: No changes.

7 CHAIRPERSON FERRELL: Do I hear a motion
8 to --

9 MEMBER GRONACHAN: Move to approve.

10 MEMBER BYRWA: Second.

11 CHAIRPERSON FERRELL: All in favor say "Aye."

12 (The Board responds "Aye" simultaneously.)

13 CHAIRPERSON FERRELL: All right. At this
14 time this is public remarks. If anybody has any
15 comments that they want to come and address the Board
16 with that doesn't have anything to do with any of the
17 cases that are being heard tonight, you can come up
18 now.

19 Okay. Seeing none. We'll get on to the
20 first case. PZ19-0018, Metro Detroit Signs/Starbucks
21 at 27795 Novi Road, west of Novi Road and south of
22 Twelve Mile Road. Parcel number 50-22-15-200-059.

23 MEMBER GRONACHAN: I don't think they're

1 here.

2 CHAIRPERSON FERRELL: Is the applicant here?

3 Yes.

4 Okay. Let me finish reading that. You can
5 come on down.

6 The applicant is requesting a variance from
7 the City of Novi Zoning, Code of Ordinance, Section
8 28-5(a) for a total of seven proposed signs; one
9 circular wall sign and one wall mounted drive-thru sign
10 on the east elevation, one wall mounted drive-thru sign
11 on the north elevation, four pole mounted ground
12 directional signs. One wall sign and one ground sign
13 allowed by code. This property is zoned Regional
14 Center, R-C.

15 If you're not an attorney, please raise your
16 right hand and be sworn in by our secretary.

17 MEMBER SANKER: First of all, spell your
18 first and last name.

19 MR. RODATZ: D-a-v-i-d, David. And then
20 Rodatz, R-o-d-a-t-z.

21 MEMBER SANKER: Thank you. And do you swear
22 or affirm to tell the truth in the matter before you?

23 MR. RODATZ: I do.

1 MEMBER SANKER: Okay.

2 CHAIRPERSON FERRELL: Go for it.

3 MR. RODATZ: This will be Starbucks on Novi
4 Road. And I hope you all had a chance to go by that
5 location and look at our banners for the proposed
6 signage. As it is now, it's a little awkward for what
7 it is on the current elevations because that current
8 space is to be expanded. It will still stay connected
9 to the Jared's Jewelers that is there, but it will
10 expand out into a drive-thru.

11 So the signage as it is now being proposed
12 with the banners that are there may look a little
13 strange. But as it is being proposed, with the design
14 of being expanded with the drive-thru, that's what
15 Starbucks has in mind. So that's certainly not what
16 Starbucks is looking for for what it looks like now, if
17 you did get a chance to view it.

18 But with their current signage in mind, with
19 the expansion pushing that drive-thru out, to them it
20 is important to expand that branding beyond one
21 building sign to give visibility and branding purposes
22 to the new location, especially from all angles of that
23 massive lot and from Novi Road.

1 That also pertains to the four directionals
2 that will be on both sides of the building.
3 Considering where each location is from the south and
4 for the north, Starbucks would like two directionals on
5 each side to help guide that traffic. Especially since
6 that drive-thru aspect will be new, they want to make
7 sure that traffic is controlled in that area and
8 there's not anyone even in the middle of that parking
9 lot that is a little confused as to where that
10 drive-thru entrance is.

11 So that's their main focus with the
12 drive-thru cabinet on the wall and the four
13 directionals is to give guidance to traffic. Make sure
14 that stays safe for both the foot traffic and the
15 vehicles alike. So ...

16 And then as far as the building sign
17 expansion, again, it goes back to giving visibility to
18 that lot as they expand out. Their fear is that if
19 it's just one wall sign, currently the Starbucks
20 channel letters, their fear is that there's going to be
21 a lot of missed opportunities for their branding and a
22 lot of customers will have missed what exactly is being
23 expanded and what is there, if it's just facing Novi

1 Road. So adding the additional building signage to
2 both the east and the north elevation gives them a
3 little bit stronger branding and helps advertise the
4 building as that drive-thru aspect is done.

5 CHAIRPERSON FERRELL: Is that it?

6 MR. RODATZ: Unless there are any questions.

7 CHAIRPERSON FERRELL: Do you is a picture? I
8 think it's in the packet, if you can throw that up on
9 the overhead.

10 MR. RODATZ: Yes. Of which elevation?

11 THE COURT: Just some of the directional
12 signs.

13 MR. RODATZ: Okay. Yes. I have a couple of
14 those.

15 Here's one of the expanded view.

16 MEMBER SANKER: The TV is not on.

17 CHAIRPERSON FERRELL: It is not.

18 MEMBER GRONACHAN: He's coming on down.

19 (Document displayed.)

20 MR. RODATZ: There we go.

21 CHAIRPERSON FERRELL: If you can kind of
22 point to where the signs are going to be at?

23 MR. RODATZ: You'll see D, which is the

1 directionals. Here at the north most point. So these
2 are the two northern directionals. This northern would
3 control traffic furthest from the point coming in from
4 both the north and east and west coming in from Novi
5 Road. And then you have a second one on the north
6 point that is right by the drive-thru entrance.

7 And then you have the two southern most
8 directionals here. One at the entrance of West Oaks
9 Drive and then one a little bit north of that kind of
10 in the middle of the parking lot to give some of the
11 traffic that may be coming in westbound to the
12 drive-thru. So you have two here in the south and then
13 two in the north.

14 CHAIRPERSON FERRELL: Is that going to be an
15 island? Like an island that you would drive around
16 after you go through the drive-thru?

17 MR. RODATZ: That is correct. Actually, I
18 have another additional drawing here that has a little
19 bit better idea of the island.

20 CHAIRPERSON FERRELL: Okay.

21 MR. RODATZ: That wasn't part of our scope,
22 but the landlord and his architect's team have a little
23 bit better idea of what the surrounding area will look

1 like outside the building. So there will be islands
2 there, as you see here, and also as you exit the
3 drive-thru.

4 I have another drawing there.

5 (Document displayed.)

6 MR. RODATZ: So you'll see the island right
7 there as you come out of the drive-thru. There's a
8 discussion here of also creating directionals that will
9 help guide traffic back to West Oaks Drive. And that
10 island or the islands will help serve that purpose to
11 help guide traffic in this area since it is a large
12 lot. That's the intention of those islands.

13 CHAIRPERSON FERRELL: All right. Okay.
14 Anything else you want to add?

15 MR. RODATZ: No, sir.

16 CHAIRPERSON FERRELL: Anybody in the
17 audience? This is the time where anybody in the
18 audience can come up and speak pertaining to this
19 case.

20 Seeing none. Go to the City. Anything from
21 the City?

22 MR. BUTLER: Yeah. We did review the
23 drawings and the signage that was requested and due to

1 the fact that this huge parking lot it was going to be
2 somewhat hidden from the public view coming in from all
3 different directions, it was determined they would
4 probably would need additional signs both for vehicular
5 and pedestrian traffic to get over and get in there
6 safely.

7 CHAIRPERSON FERRELL: Okay. Thank you.

8 And, Mr. Secretary, any correspondence?

9 MEMBER SANKER: 40 letters sent, one
10 returned; zero approvals and zero denials.

11 CHAIRPERSON FERRELL: Okay. Up to the board
12 for discussion with.

13 Yes?

14 MEMBER GRONACHAN: Hi. Good evening.

15 MR. RODATZ: Hi.

16 MEMBER GRONACHAN: So this is an existing
17 Starbucks, is it not?

18 MR. RODATZ: Yes, it is.

19 MEMBER GRONACHAN: And can you clarify?
20 What's the square footage that you're adding to this
21 building?

22 MR. RODATZ: I don't have the current square
23 footage, but I do know the new proposal square footage.

1 It's just a little bit north of 2400 square feet.

2 MEMBER GRONACHAN: That you're adding 2400
3 square feet?

4 MR. RODATZ: No. That would be --

5 MEMBER GRONACHAN: You might want to turn
6 your mic on.

7 MR. RODATZ: That would be the final square
8 footage, the 2400. I'm not sure what the current
9 square footage is of the building as it is now.

10 MEMBER GRONACHAN: And could you help us out
11 by pointing out just exactly what signs you're looking
12 for. Specifically, with your drawings, point out which
13 signs you need variances for.

14 MR. RODATZ: Yes.

15 MEMBER GRONACHAN: And give us a little
16 background, if you don't mind.

17 MR. RODATZ: So here is the east elevation.
18 This is what is facing Novi Road. And since there is
19 only one building signage allowed this time, at the
20 current location there is a Starbucks coffee channel
21 letters and we would update that to just go to
22 Starbucks. And we would ...

23 Since it is expanding, it's a little bit

1 difficult time to explain where exactly it will be as
2 you look at the building now. But the channel letters,
3 Starbucks would keep by default. And there are various
4 packages. We would request that -- we're adding this
5 siren logo and this drive-thru cabinet to that
6 elevation that faces Novi Road.

7 And then the north elevation, which will be
8 the drive-thru elevation once it's complete, would be
9 adding this siren logo and drive-thru cabinet.

10 MEMBER GRONACHAN: So it's two logo signs, is
11 that correct, that you're looking for?

12 MR. RODATZ: Yes. Two logo signs and two
13 drive-thru cabinets.

14 MEMBER GRONACHAN: So it's four total?

15 MR. RODATZ: Yes, ma'am.

16 MEMBER GRONACHAN: Not eight?

17 MR. RODATZ: Correct. If you count the
18 directionals as well, but as far as building signs,
19 yes. It's four total.

20 MEMBER GRONACHAN: And four directional.

21 MR. RODATZ: Yes, ma'am.

22 MEMBER GRONACHAN: I have some concerns. I
23 don't have a problem with the directional signs. I

1 really don't. That parking lot is a hazard on a good
2 day. People thrive drive through and with this
3 expansion -- and you've been there a long time.
4 Starbucks has been there a long time and fairly
5 successful from whenever I'm in there, and I think it's
6 established. My struggle that I have is that this has
7 been an established business that's doing an addition
8 and I don't know that all the additional signage, with
9 the exception of the directional, is necessary.

10 Having said that, I wanted to put my
11 concerns, you know, for my fellow board members and
12 I'll -- I'm going to hold my judgment and listen to my
13 other peers. Thank you.

14 CHAIRPERSON FERRELL: Thank you.

15 Anybody else?

16 MEMBER SANKER: So what about the property is
17 unique that you think requires the extra building
18 signs?

19 MR. RODATZ: I think due to the expansion.
20 Especially now that you're adding a drive-thru scope
21 the branding visibility for that drive-thru is
22 important for Starbucks.

23 They don't want to just lose all that

1 visibility for branding because right now as it stands
2 with just one wall sign, they would have a Starbucks
3 facing Novi Road and that would be it. So in the
4 addition of a much larger elevation for the drive-thru,
5 they would like for their brand on that drive true
6 elevation as well. Not just outside of a drive-thru
7 cabinet to help guide traffic, but also just have, you
8 know, branding stamped on their building to know that
9 they're newly renovated and it's their new location.

10 MEMBER SANKER: Okay.

11 CHAIRPERSON FERRELL: Okay. Thank you.

12 Anybody else?

13 Yes?

14 MEMBER KRIEGER: There's a Starbucks on the
15 east side and north side. Is there a way you can just
16 have a Starbucks on the east side and the logo on the
17 north side? Wouldn't there be more, like,
18 identification in the glass on the windows as well?

19 MR. RODATZ: Typically, Starbucks strays away
20 from having too much of their actual branding in the
21 windows. Some locations do have, like, a window logo,
22 but that's -- it's not too common, typically, with the
23 windows or anything interior. It's just various

1 decorative looks, nothing that's strictly defined to
2 Starbucks.

3 MEMBER KRIEGER: So the logo, then, would be
4 necessary for the east side?

5 MR. RODATZ: (No response.)

6 MEMBER KRIEGER: You having two logo lines?

7 MR. RODATZ: Oh, yes. Sorry. Yes. For the
8 east elevation they would like that logo on the far
9 end. Since that elevation would be expanding out, they
10 would like that logo there on the elevation to catch
11 traffic on Novi Road.

12 MEMBER KRIEGER: Otherwise, I can understand
13 the drive-thru. Because in that area, other than
14 Christmas, is pretty open for being able to drive. So
15 having a drive-thru would be good for a Starbucks since
16 they've been there established, as a previous member
17 stated. And it seem the like that's the way of
18 businesses with coffee shops these days. So I would be
19 able to support the drive-thru signs.

20 Thank you.

21 CHAIRPERSON FERRELL: Thank you.

22 I think what the biggest thing is is that
23 putting the two signs. One is the Starbucks and then

1 the logo on the east elevation side. And I know it
2 would probably look cooler to have the logo right
3 around the corner, because that's pretty much where
4 it's going to be because the entrance is on the other
5 side just right around it.

6 MR. RODATZ: Um-hmm.

7 CHAIRPERSON FERRELL: I think that's kind of
8 where the struggle may be with the board as far as
9 having the two signs on the east elevation.

10 Yeah. I mean, I think the two signs on the
11 east Elevation are probably the most important ones
12 because that's the ones that are going to face Novi
13 Road, but I'm not sure.

14 Yes?

15 MEMBER GRONACHAN: I have another question.
16 Thank you for jogging my memory.

17 CHAIRPERSON FERRELL: Sure.

18 MEMBER GRONACHAN: So they don't come in off
19 of Novi Road by the building, do they? They come in --
20 If you could put that other map up.

21 (Document displayed.)

22 MEMBER GRONACHAN: They come in. -- there's
23 not an entrance -- if memory services me correct, the

1 road that you're coming in on is either to the south of
2 the building, correct, or way to the north?

3 MR. RODATZ: Yes. You can come in from the
4 north or you come in the south around West Oaks Drive.

5 MEMBER GRONACHAN: So to the south, right?

6 MR. RODATZ: Um-hmm.

7 MEMBER GRONACHAN: Or to the north. You can
8 come in through the north and come around into that
9 building, correct?

10 MR. RODATZ: Correct.

11 MEMBER GRONACHAN: That's why I think, then,
12 the sign on the north end is more important because
13 nothing is coming in off of the east. When you come
14 into that, down that street, off of West Oaks, off of
15 Novi Road, you already know Starbucks is there.

16 MR. RODATZ: Yes.

17 MEMBER GRONACHAN: So that's why I would
18 support the north end given that that's where the new
19 construction is going to be; is that correct?

20 MR. RODATZ: Yes.

21 MEMBER GRONACHAN: Is that the new expansion?

22 MR. RODATZ: Correct.

23 MEMBER GRONACHAN: I would not have a problem

1 approving the second -- or the -- let me get it into my
2 head.

3 The emblem sign to the north with the
4 directional signs. But I think it's excessive to have
5 another emblem sign on the east. And the reason being
6 is because you're already going to have the words
7 "Starbucks". My reasoning behind it -- my mic's not
8 on.

9 My reasoning behind it is because you already
10 have the word "Starbucks" on the building. It's an
11 established business. I'm always about less is better
12 and I think that when you have -- I don't see the
13 grounds for -- I don't see the grounds for two signs.
14 Especially when everybody's talking about elevation.
15 The east part of the building hasn't changed any. It's
16 the addition that we need to identify with that
17 drive-thru.

18 So I think that we'd be missing something if
19 we didn't add identification to the north end of that
20 building and leave the end east end alone except for
21 the verbiage Starbucks.

22 And then, because when you're coming in off
23 of the north end of that parking lot and it's so vast,

1 I think that's where you need a big sign that says
2 Starbucks. I don't really think that you're going to
3 see it coming in from West Oaks with the trees and
4 with, you know, everything going on. I think as you
5 focus -- let's face it. A lot of people now, if
6 they're from out of town, they're going to look it up
7 on their iPhone somewhere of where the nearest
8 Starbucks is. And usually Alexa or Siri or whoever it
9 is is going to be telling then how to get there.

10 So those are my thoughts behind it and I
11 would be prepared to make a motion if everybody -- we
12 can see what is going to go.

13 CHAIRPERSON FERRELL: Thank you.

14 I have a question for the City.

15 MR. BUTLER: Yes.

16 CHAIRPERSON FERRELL: If the logo and the
17 Starbucks words were touching together, would that be
18 one sign or two signs?

19 MR. BUTLER: They're usually two separate
20 signs. You have the letters and then you have the
21 logo.

22 CHAIRPERSON FERRELL: They're separate.

23 MR. BUTLER: They're still separate, I

1 believe. They're not connecting anything new with
2 that.

3 MR. RODATZ: They're not connecting.

4 CHAIRPERSON FERRELL: No. But, I mean, if
5 they were connected, would that be considered one or
6 two signs?

7 MR. BUTLER: That would be one sign, if they
8 were connected.

9 CHAIRPERSON FERRELL: If they were touching
10 each other?

11 MR. BUTLER: Yes. It would just be one sign.
12 It would just be the square footage is different size
13 from one sign --

14 CHAIRPERSON FERRELL: Thank you. I only ask
15 that is because if that is something that if the logo
16 is needed as part of the branding with the Starbucks'
17 name and having them together. I don't know if that
18 would change any dynamic at all.

19 MEMBER GRONACHAN: It would because the one
20 is approved already under the permit. So this one is
21 already approved. So then if they add this to this --

22 CHAIRPERSON FERRELL: Well, they can ask for
23 a different approval.

1 MEMBER GRONACHAN: Well, then they would have
2 to go back to the drawing board all over again.

3 CHAIRPERSON FERRELL: Right. No. I know.
4 I'm just saying that would be an option if that is
5 something Starbucks had to have is the branding.

6 Okay. Anybody else? Anymore questions?

7 No. All right. Do I hear a motion, then?

8 MEMBER GRONACHAN: I'll give it a shot.

9 CHAIRPERSON FERRELL: Okay.

10 MEMBER GRONACHAN: I think first I would just
11 like to pose this question to the petitioner. Are you
12 comfortable with that arrangement?

13 MR. RODATZ: Just to clarify, with the logo
14 on the north, are you in favor of both the logo and the
15 drive-thru cabinet below it?

16 MEMBER GRONACHAN: And the drive-thru ...

17 MR. RODATZ: The drive-thru cabinet below it?
18 The logo and the drive-thru cabinet to help drive
19 traffic.

20 MEMBER GRONACHAN: Yes. The directionals?
21 The four directionals?

22 MR. RODATZ: But when you say directionals
23 I'm also thinking of the ground directionals as well.

1 MEMBER GRONACHAN: Correct.

2 MR. RODATZ: Just making sure that those are
3 included in what you're saying as well and not just the
4 logo.

5 MEMBER GRONACHAN: The only thing is -- my
6 suggestion would be is to remove the logo off the north
7 end. Or off the east end.

8 MR. RODATZ: Okay. Understood.

9 MEMBER GRONACHAN: Okay.

10 CHAIRPERSON FERRELL: There was a directional
11 sign underneath that logo, too.

12 MEMBER GRONACHAN: Yes. That's what he's
13 asking about.

14 CHAIRPERSON FERRELL: No. He's asking about
15 the one on the north end. This is the one on the east
16 end.

17 MR. RODATZ: Well, both north and east, if
18 you're in favor of both directionals being on the
19 building.

20 CHAIRPERSON FERRELL: I think the one on the
21 east probably should be there as well.

22 MEMBER GRONACHAN: I don't see one in my
23 picture. So I'm missing ...

1 MEMBER BYRWA: That's Number C.

2 MEMBER GRONACHAN: Oh, okay. So that's two
3 separate signs.

4 I'm only talking about the emblem sign.

5 CHAIRPERSON FERRELL: Yeah. That directional
6 sign on that I would suggest to keep.

7 MEMBER GRONACHAN: Right. But I'm in favor
8 of all the directional signs.

9 CHAIRPERSON FERRELL: Yes. Right.

10 MEMBER GRONACHAN: Including the one on the
11 building.

12 CHAIRPERSON FERRELL: Well, there's two.

13 MEMBER GRONACHAN: Yeah. Let me do the
14 motion and then we can tweak it. How's that?

15 CHAIRPERSON FERRELL: Sure.

16 MEMBER GRONACHAN: I was looking for the
17 list of the -- what I was looking for was the list of
18 the signs, but they don't appear to be anywhere. So we
19 can spell it out.

20 Do we have it in the case file?

21 MR. DOVRE: The agenda may be of assistance.
22 It talks about seven signs. Then it goes on to say one
23 circular wall sign and one wall mounted drive-thru sign

1 on the east elevation.

2 MEMBER GRONACHAN: Okay. Thank you.

3 MR. DOVRE: You're welcome.

4 And then it goes on to say the same
5 description on the north.

6 MEMBER GRONACHAN: Okay. For some reason I
7 didn't see that when I was reading it.

8 Okay. Now that we've got this pulled
9 together, I move that we grant the variance in case
10 number PZ19-0018 sought by Metro Detroit Signs and
11 Starbucks for the following signs because the petition
12 never has shown a practical difficulty requiring
13 additional identification of a new building.

14 Without the variance, the petitioner will
15 unreasonably be prevented or limited with respect to
16 the use of the property because of the location of the
17 building, the elevation of the land, the new addition
18 to the building and traffic flow throughout this
19 parking lot.

20 The property is unique because of the, again,
21 elevation of the property, the expanding parking lot
22 with multiple entrances to the business.

23 The petitioner did not create this condition

1 because they have established there for many years and
2 are just trying to improve their business by adding an
3 additional square footage to their business.

4 The relief granted will not unreasonably
5 interfere with adjacent or surrounding properties and
6 the relief is consistent with the intent and spirit of
7 the ordinance. And I move that the following be
8 approved: One circular sign and one wall mounted
9 sign -- correction.

10 One wall mounted drive-thru sign on the north
11 elevation. One mounted drive-thru sign on the east
12 elevation. Four pole mounted ground directional signs.

13 This is a lesser variance than the petitioner
14 has requested and, therefore, I move that we grant this
15 variance with this amendment.

16 MEMBER KRIEGER: Second.

17 CHAIRPERSON FERRELL: It's a motion and a
18 second. Any further discussion?

19 MEMBER KRIEGER: I have a question, I'm
20 sorry.

21 CHAIRPERSON FERRELL: Yes.

22 MEMBER KRIEGER: For the addition in the
23 parking lot, do we need a letter from the owner of that

1 old property from the West Oaks?

2 MR. BUTLER: That's already been through
3 planning and approved.

4 MEMBER KRIEGER: All right. Cool. Thank
5 you.

6 CHAIRPERSON FERRELL: Do you have any other
7 discussion?

8 MEMBER KRIEGER: That's it.

9 CHAIRPERSON FERRELL: Okay. Katherine, can
10 you call role, please.

11 MS. OPPERMAN: Member Byrwa?

12 MEMBER BYRWA: Yes.

13 MS. OPPERMAN: Chairperson Ferrell?

14 CHAIRPERSON FERRELL: Yes.

15 MS. OPPERMAN: Member Gronachan?

16 MEMBER GRONACHAN: Yes.

17 MS. OPPERMAN: Member Krieger?

18 MEMBER KRIEGER: Yes.

19 MS. OPPERMAN: Member Longo?

20 MEMBER LONGO: Yes.

21 MS. OPPERMAN: And Member Sanker?

22 MEMBER SANKER: Yes.

23 MS. OPPERMAN: Motion passes.

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MEMBER KRIEGER: Congratulations.

MEMBER GRONACHAN: Congratulation.

MR. RODATZ: Thank you so much for your time.

MEMBER GRONACHAN: All right. Thank you.

Good luck.

CHAIRPERSON FERRELL: That takes us to the next case. PZ19-0019, Supply Line International, LLC, 42350 Grand River Ave. West of Meadowbrook Road and north of Grand River Ave. Parcel number 50-22-23-226-001. The applicant is requesting a variance from the City of Novi Zoning Ordinances Section 5.2.12 for the proposed modification to the number of parking spots per actual calculations and outlined in the attached parking study, 75 spaces. This property is zoned general business B-3.

State and spell your names. And if you're not attorneys, raise you right hands and be sworn in by the secretary.

MR KAPLAN: Josh, J-o-s-h, Kaplan, K-a-p-l-a-n.

MR. BERRIS: Ari, A-r-i. Berris, B-e-r-r-i-s.

MEMBER SANKER: Do you swear or affirm to

1 tell the truth in the matter before you?

2 MR KAPLAN: I do.

3 CHAIRPERSON KRIEGER: Go ahead.

4 MR KAPLAN: Thank you. And thank you for the
5 consideration here today. I'm with Supply Line
6 International. We have a building at 42350 Grand River
7 Avenue. We are hoping to change the use of part of the
8 building without changing the footprint with anything
9 significant.

10 But to be able to achieve that, we do need a
11 variance in relation to the parking. The City had
12 requested we get a parking study, which I believe the
13 City then ordered a verification of that study. And
14 it's all in support of the variance that we're looking
15 for.

16 What we are trying to accomplish is a
17 wellness center in the building that essentially all
18 shares the same patient volume and the same patient
19 load. Because of that, it is a drastic difference to
20 what the parking ordinance is because they're not
21 unique patients to each specialty that would be present
22 in the building.

23 So I appreciate your consideration today and

1 I'm happy to answer any questions you may have.

2 CHAIRPERSON FERRELL: Okay. Thank you.

3 Anybody in the audience have any comments
4 they would like to make on this case?

5 Seeing none.

6 Anything from the City?

7 MR. BUTLER: No questions at this time.

8 Standing by.

9 CHAIRPERSON KRIEGER: Okay. Thank you. Any
10 correspondence?

11 MEMBER SANKER: So there were 11 sent. Zero
12 returned, one approval and no denials.

13 CHAIRPERSON FERRELL: Okay. Thank you.

14 MEMBER SANKER: Yeah. It looks like there's
15 a ...

16 CHAIRPERSON FERRELL: Is that a letter from
17 them?

18 MEMBER SANKER: Yeah. Do I have to read this
19 into the record?

20 CHAIRPERSON FERRELL: Yeah.

21 MEMBER SANKER: This is from Liz Thomas,
22 administrative assistant for Infinity & Co. and she
23 says: "As the neighbor directly to the west of the

1 property, we do not have an issue with them
2 redeveloping their property for optimal use. After
3 reading the parking reports related to this project, we
4 understand that 75 spaces should accommodate their
5 parking needs for the time being. Our concern falls
6 with any need for overflow parking whether in the
7 future or for any events that would lead to more
8 visitors on the property. We do not want nor have the
9 room for their overflow parking to come on to our
10 property. Please take this into consideration while
11 making your decision on this matter."

12 CHAIRPERSON FERRELL: Okay. Thank you. Open
13 it up to the board for discussion.

14 MEMBER SANKER: So I guess I also had a
15 similar question. Is the new services you're providing
16 to the patients currently there or are you adding new
17 people driving to your facilities?

18 MR KAPLAN: So we're adding new people.
19 Currently it is not a medical facility, but we're also
20 expanding the parking lot. I believe we have roughly
21 38 spots now to accommodate the change of use.

22 CHAIRPERSON FERRELL: Okay. Anybody else?

23 Yes.

1 MEMBER GRONACHAN: Can you explain your
2 hours?

3 MR KAPLAN: Absolutely. So pretty general
4 medical hours from between 8:00 and 9:00 in the morning
5 until about 5 to 6 p.m., depending on the specialty.

6 MEMBER GRONACHAN: There's nothing in the
7 evening going on?

8 MR KAPLAN: No.

9 MEMBER GRONACHAN: What is it about this
10 particular expansion that you need additional parking?

11 Is it because of the type of business you're
12 growing the business part or can you explain that a
13 little bit?

14 MR KAPLAN: To support the patient volume for
15 the specialties that would be in the building, we need
16 to add parking count to what we have today. But we do
17 not need, based on the parking study and our business
18 use, anything more than the 75 spots. The actual study
19 I believe was supported saying that at maximum use we
20 needed 64 spots. So there's already an extra 11 spots
21 built into the plan.

22 MEMBER GRONACHAN: And you indicated that
23 this is not there now?

1 MR KAPLAN: The additional spots are not.
2 The building is there now. The footprint of the
3 building is not changing. It's just added parking to
4 support the additional traffic to the building.

5 MEMBER GRONACHAN: Okay. I have no further
6 questions.

7 CHAIRPERSON FERRELL: Okay. Thank you.
8 Yes?

9 MEMBER KRIEGER: So would the parking, then,
10 in the back of the building -- I drove by and there's
11 bays for trucks. That would end up being parking and
12 no more -- the truck bays would disappear?

13 MR KAPLAN: The majority of which.
14 Currently, only one of those truck bays are used and
15 that would remain in case it needed to be used, but the
16 others would be replaced with parking.

17 MEMBER KRIEGER: Very good.

18 CHAIRPERSON FERRELL: Any other discussion?

19 MEMBER SANKER: I have one. Real quick.

20 CHAIRPERSON FERRELL: Yes.

21 MEMBER SANKER: How about the possibility of
22 growth over the next several years still going to
23 sustain the park spaces available.

1 MR KAPLAN: Absolutely. There's only a
2 certain number of patients that can be serviced within
3 the building. So when you calculate the maximum number
4 of patients, it's the maximum number of parking that
5 was in our parking study.

6 CHAIRPERSON FERRELL: All right. Sounds
7 good.

8 MEMBER GRONACHAN: Good question.

9 CHAIRPERSON FERRELL: Any other discussion.
10 Seeing none. Is anybody ready for a motion?

11 MEMBER SANKER: Sure. I can throw a motion
12 out there.

13 CHAIRPERSON FERRELL: Okay.

14 MEMBER SANKER: I move that we grant the
15 variance in case number PZ19-0019 sought by Supply Line
16 International Real Estate Holdings for 75 parking
17 spaces which is less than the required 120 because the
18 petitioner shown practical difficulty requiring a
19 variance. Without the variance, the petitioner will be
20 unreasonably prevent or limited with respect to the use
21 of the property because it will not be able to improve
22 its property.

23 The property is unique because of its shape

1 and size and the petitioner did not create the
2 condition. Also because of -- it purchased the
3 property in its current shape and size.

4 The relief granted will not unreasonably
5 interfere with adjacent or surrounding properties
6 because the 75 spaces was determined by an independent
7 parking study to be appropriate. And the relief is
8 consistent with the spirit and intent of the ordinance
9 because, again, the 75 spaces has been deemed
10 sufficient to accommodate the use requested by
11 petitioner.

12 And I would say that the variance should be
13 subject to the proposed use.

14 Is it possible that you guys could change the
15 use of the property?

16 MR. DOVRE: Mr. Chair?

17 MEMBER GRONACHAN: It's the City Attorney.

18 MEMBER SANKER: Yes.

19 MR. DOVRE: If I may? The 122 spaces that
20 are required -- I think your motion said 120.

21 But it's a function of the use. So when the
22 use changes, the City has a schedule of how many
23 parking spaces are required based on use. So I think

1 that's where the 122 came from.

2 MEMBER SANKER: Um-hmm.

3 MR. DOVRE: They want to put it just 75 so
4 it's a 47 space variance. If they were to change the
5 use to a less intensive use that under the ordinance
6 did not require as many park spaces, it wouldn't need
7 to come back here. If there is a more intensive use
8 that requires more parking spaces --

9 MEMBER GRONACHAN: Then they would have to
10 come back here.

11 MR. DOVRE: -- then they would, again, need a
12 variance.

13 MEMBER SANKER: Okay.

14 Or they change the square footage.

15 MR. DOVRE: Yes. But I would recommend that
16 you at some place in the motion include that the
17 variance is for the 47 spaces.

18 MEMBER SANKER: Okay.

19 CHAIRPERSON FERRELL: Thank you.

20 MEMBER GRONACHAN: I have a question.

21 CHAIRPERSON FERRELL: Yes?

22 MEMBER GRONACHAN: For the city attorney.
23 Could we say it's specific for this business only?

1 Would you recommend that?

2 MR. DOVRE: I have no issue with that as a
3 condition.

4 MEMBER GRONACHAN: Would you accept that as
5 friendly amendment and then that would resolve any
6 questions about ...

7 MEMBER SANKER: I would accept that.

8 MEMBER GRONACHAN: Okay.

9 MEMBER KRIEGER: That's a second?

10 MEMBER GRONACHAN: That's a second and an
11 amendment.

12 CHAIRPERSON FERRELL: So we have an amended
13 and a second?

14 MEMBER GRONACHAN: Yes.

15 CHAIRPERSON FERRELL: Any further discussion?

16 MEMBER GRONACHAN: No.

17 CHAIRPERSON FERRELL: Katherine, could you
18 call role, please?

19 MS. OPPERMAN: Member Sanker?

20 MEMBER SANKER: Yes.

21 MS. OPPERMAN: Member Longo?

22 MEMBER LONGO: Yes.

23 MS. OPPERMAN: Member Krieger?

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MEMBER KRIEGER: Yes.

MS. OPPERMAN: Member Gronachan?

MEMBER GRONACHAN: Yes.

MS. OPPERMAN: Chairperson Ferrell?

CHAIRPERSON FERRELL: Yes.

MS. OPPERMAN: And Member Byrwa?

MEMBER BYRWA: Yes.

MS. OPPERMAN: Motion passes.

MEMBER KRIEGER: Congratulations.

MR KAPLAN: Thank you very much.

MEMBER GRONACHAN: Good luck.

CHAIRPERSON FERRELL: All right. That moves us on to case number PZ19-0020. It's Terra fka Villa d'Este, East of Beck Road and north of Eight Mile Road. Parcels number 50-22-31-400-007 and 50-22-32-402-036.

The applicant is requesting a variance from the City of Novi Code of Ordinance section 28-5 for the installation of two proposed temporary signs beyond 64 days. One located at Garfield and Eight Mile Road and one at the right-of-way at Eight Mile and Beck. The maximum display time of free standing temporary signs is 64 days. This property is zoned general business, R-1.

1 Are you an attorney?

2 MR KAPLAN: No.

3 CHAIRPERSON FERRELL: Okay. Go ahead and
4 state and spell your name for me and then raise your
5 right hand to be sworn in by the secretary.

6 MR. GUIDOBONO: Yes. Marc Guidobono, spelled
7 G-u-i-d-o-b-o-n-o.

8 MEMBER SANKER: And do you swear or affirm to
9 tell the truth in the matter before you?

10 MR. GUIDOBONO: I do.

11 CHAIRPERSON FERRELL: All right. You may
12 proceed.

13 MR. GUIDOBONO: Thank you. Marc Guidobono
14 with Cambridge Homes. I'm a Novi resident and a Novi
15 business. We're bringing on our new empty nester
16 community in Novi called Terra that some of you may be
17 aware of. I did bring up a site plan and I believe
18 everybody got a packet.

19 The project here, it's a substantial
20 investment for us and exposure is very, very important
21 for a builder. Our hardship is that this site is at
22 Nine Mile and Garfield and Garfield is one of the
23 more -- one of the more poorer roads in the city and

1 for the next 12 months it's closed to through traffic.
2 That is our hardship.

3 We're asking for signs at two locations. One
4 at Eight Mile and Garfield. I have a picture of that
5 sign. I think it's done tastefully. It's 45 by 60.
6 It's to direct traffic from that location.

7 We are also asking for a sign at Eight Mile
8 and Beck. We believe that's probably a more sensitive
9 area. So I reduced the size of this sign to almost
10 half of the other sign.

11 It's probably -- it's about one foot taller
12 and one foot wider than the sign on the easel right
13 there. Just to give you an idea of the sign that we're
14 proposing at Eight and Beck, we're trying to keep that
15 small. It was up, but the sign disappeared. We don't
16 know. Maybe a competitor might have taken it, but it
17 was up at Eight and Beck.

18 The signs are done very tastefully. The
19 number one way builders get their business is from
20 signage. And so it's very important to the success of
21 this project and this investment that we have the
22 appropriate signage based -- because of the fact that
23 we really are on a road that is a big liability for the

1 next 12 months and possibly beyond.

2 So we're respectfully requesting a variance
3 for these two signs so we're able to conduct business
4 effectively at this location. And I'd be happy to
5 answer any questions anybody has.

6 CHAIRPERSON FERRELL: Okay. Thank you.

7 Anybody in the audience would like to come up
8 and make any comments about this case?

9 Seeing none.

10 Anything from the City?

11 MR. BUTLER: Yes. The applicant has for
12 requested two proposed temporary signs beyond 64 days,
13 but the Board needs to ask him how many days beyond the
14 64 he's expecting to have those signs.

15 CHAIRPERSON FERRELL: Okay. Thank you.

16 Any correspondence?

17 MEMBER SANKER: Twenty-eight letters were
18 sent. No returns. No approvals. And one denial.
19 That is from George Zerbos, maybe. Z-e-r-b --

20 MEMBER GRONACHAN: Zerbos.

21 MEMBER SANKER: Zerbos. Z-e-r-b-o-s. And
22 his comment is: "The sign has faulty advertising.
23 What happened to senior housing and condominiums? Not

1 single ranch homes."

2 CHAIRPERSON FERRELL: Okay. Thank you.

3 Open it up to the board for discussion.

4 Yes.

5 MEMBER GRONACHAN: Good evening.

6 MR. GUIDOBONO: Good evening.

7 MEMBER GRONACHAN: I'm very familiar with
8 this project. I've had my eye on there -- on this
9 project for a long time and I am going to be on a soap
10 box for a minute.

11 This particular project has probably been on
12 the table or for discussion for the better part of
13 three and a half years. And you have been a builder in
14 this community for how long?

15 MR. GUIDOBONO: At least 20. I've been in
16 the business 40. So at least 20 in this community.

17 MEMBER GRONACHAN: But most of the projects
18 that you have done in Novi are above and beyond.

19 MR. GUIDOBONO: Yes, that's correct. We did
20 Bellagio and Tuscany Reserve are two of the ones we
21 did. We try to do nice projects.

22 MEMBER GRONACHAN: And most of the projects
23 that you have done in the past have been a little on

1 the unique side in regards to location. Have they not?
2 Beck Road, you've done that?

3 MR. GUIDOBONO: Yes.

4 MEMBER GRONACHAN: They're not on the beaten
5 path, so to speak.

6 MR. GUIDOBONO: You're right.

7 MEMBER GRONACHAN: This particular project,
8 the reason I'm speaking about it, is because I spent 30
9 years in this neighborhood at Garfield and Nine Mile.
10 And Nine Mile is anything but a pleasure to drive down.

11 Now, did I hear you correctly? Did you say
12 Nine Mile is going to be closed for a year or did you
13 say Garfield is going to be closed for a year?

14 MR. GUIDOBONO: Nine Nile is closed to
15 through traffic. So it's open but there's signs there
16 that they just want minimal traffic on that road
17 because of the sanitary sewer that is being put in
18 there. It's a year-long project.

19 MEMBER GRONACHAN: So this particular
20 protect, if you will, is in a very unique, were very
21 hidden location. Garfield road, if anybody doesn't
22 know is only one mile long. It is in a rural-type area
23 and it dead ends, if you will, or comes to an end, if

1 you will, on Nine Mile right where your development is
2 coming.

3 I don't know what the resident is talking
4 about, the false advertisement. I don't know if you
5 want to address that concern, but I feel that this
6 signage is very important out there. It's very wide.
7 It's very open. The traffic is very fast and I think
8 that the two signs are very minimal for the size of
9 project and for the quality of the project that you're
10 doing.

11 So I am full, hundred percent, in support of
12 your request. And the only thing I would like you to
13 ask is how long would you like this sign for?

14 Let me rephrase that question, for the
15 record. How long do you think you'll need this sign
16 for?

17 MR. GUIDOBONO: A good question. I'd like to
18 say that once we're sold out. That's my gut reaction.

19 MEMBER GRONACHAN: Okay. How long do you
20 think that would be given the challenges that you have
21 with Nine Mile being closed?

22 MR. GUIDOBONO: If I can get the proper
23 signage to direct traffic here, you know, I would hope

1 that I could be sold out in three years.

2 MEMBER GRONACHAN: I have to think about the
3 three years. But I am a sport and I'll wait to hear
4 from my other board members to decide -- to weigh in on
5 the length.

6 Okay. Thank you, Mr. Chair.

7 CHAIRPERSON FERRELL: Thank you. I had a
8 question for the City.

9 MR. BUTLER: Yes.

10 CHAIRPERSON FERRELL: The sign sizes, are
11 those within the ordinance?

12 MR. BUTLER: Those signs are within the
13 ordinance.

14 CHAIRPERSON FERRELL: They are.

15 MR. BUTLER: Yes.

16 CHAIRPERSON FERRELL: Any other discussions?

17 MEMBER KRIEGER: Um-hmm.

18 CHAIRPERSON FERRELL: Yes.

19 MEMBER KRIEGER: I have heard about the --
20 and watched the council meetings regarding this and I
21 wish you the best of luck with it. And I would also,
22 considering the location, be able to support the
23 signage. I just -- I did drive it and I was wondering

1 where all this construction was starting from, but once
2 you get up there, if a person drives following your
3 signs, where do they go after that?

4 MR. GUIDOBONO: Well, they would -- Garfield
5 road would actually go -- you would actually drive
6 straight into our development because our entranceway
7 is right across Nine Mile from Garfield. We'll
8 actually be paving the Garfield and Nine Mile
9 intersection, upgrading that whole intersection with
10 asphalt on Garfield and on Nine Mile to improve that
11 area.

12 So the residents would just go Eight Mile and
13 Garfield and they would take Garfield straight into the
14 development. They wouldn't even have to turn on Nine
15 Mile at all.

16 MEMBER KRIEGER: And then they'd just drive
17 to the construction trailer and ask where they want to
18 build a house?

19 MR. GUIDOBONO: Yes. We'll be putting up a
20 model and we'll be starting that this fall. And in the
21 meantime, we'll have a construction sales trailer at
22 the location to use as a sales office.

23 MEMBER KRIEGER: Very good. I'll be able to

1 support the request also. Usually we put it up for two
2 years and then -- or one year and have people come back
3 or until sold.

4 Or 75 or 80 percent sold out, up to two years
5 were whichever comes first?

6 MR. GUIDOBONO: Yes. That would be fine.

7 MEMBER KRIEGER: Okay.

8 CHAIRPERSON FERRELL: Thank you.

9 MR. GUIDOBONO: Thank you.

10 CHAIRPERSON FERRELL: Any other discussion?
11 Anybody ready for a motion?

12 MEMBER GRONACHAN: I can do that.

13 CHAIRPERSON FERRELL: Okay.

14 MEMBER GRONACHAN: In case number PZ19-0020,
15 Terra fka Villa d'Este, east of Beck and north of Eight
16 Mile sought by Marc Guidobono and Cambridge Homes for
17 a variance for two proposed temporary signs beyond the
18 64 days. I move that we approve this because the
19 petitioner has shown a practical difficulty requiring
20 both signs for up to two years and when he reaches
21 75 percent buildout.

22 Without the variance, the petitioner will
23 unreasonably be prevented or limited with respect to

1 the use of the property because, as stated in his
2 testimony, the construction that is going on Nine Mile,
3 which this piece of property is located off of, is
4 going to be closed to through traffic for the next year
5 due to constructions and improvements of Nine Mile.

6 The property is unique because, again, as
7 given in testimony and previously discussed, is the
8 location and the uniqueness of this property being
9 setback on the western most portion of Novi.

10 Southwest portion of Novi.

11 The petitioner did not create this condition
12 because he has been working on this project for three
13 years and his timing of setting this setup and then
14 having Nine Mile unfortunately closed because of all
15 the construction is out of his hands.

16 The relief granted will not unreasonably
17 interfere with the adjacent or surrounding properties
18 because this is an improvement to the neighborhood and
19 this long-awaited project has been approved by planning
20 and by city council.

21 The relief is consistent with the spirit and
22 intent of the ordinance because these signs are to help
23 identify this new construction and help with the sales

1 of this property.

2 Therefore, I move that this variance be
3 granted.

4 MR. DOVRE: Mr. Chair?

5 CHAIRPERSON FERRELL: Yes.

6 MR. DOVRE: Questions for the moving member.

7 If I heard your motion, it was to allow for
8 the temporary signage for two years or 75 percent
9 buildout?

10 MEMBER GRONACHAN: Or 75 percent buildout.

11 MR. DOVRE: Would the measure of 75 buildout
12 be 75 percent of the homes have certificates of
13 occupancy issued?

14 I was looking for a quantitative measure that
15 the City could administer. And I'm not saying that was
16 your intent, but I'd suggest trying to refine that
17 standard in your motion.

18 MEMBER GRONACHAN: Can we remove the 75
19 percent and have the petitioner come back in two years?
20 Would that clarify it a little more?

21 MR. DOVRE: Certainly. You could grant the
22 variance for two years --

23 CHAIRPERSON FERRELL: I don't know if I would

1 want two years with not having some kind of percentage.
2 Because what if he's mostly sold out? What if he
3 reaches the 75 percent?

4 MEMBER GRONACHAN: Then the signs are going
5 to come down.

6 CHAIRPERSON FERRELL: Yeah.

7 MEMBER GRONACHAN: And given that he's losing
8 a year with the construction on Nine Mile -- I mean,
9 this place is right there, right where that
10 construction is going. I don't think that we're going
11 to have to worry about -- I mean, I would like to think
12 the buildout is going to happen, but ...

13 CHAIRPERSON FERRELL: But it might not be the
14 75 percent. I guess I'm confused.

15 MR. DOVRE: I mean, I didn't see any issue
16 with that as a standard. I'm just looking for
17 something the City staff would be able to administer.

18 MEMBER GRONACHAN: If you think we can put
19 certificate of occupancy for 75 percent of the homes
20 completed.

21 MR. DOVRE: Yeah.

22 MEMBER GRONACHAN: Would that be okay?

23 MEMBER GRONACHAN: Okay.

1 MR. DOVRE: That way the building department
2 and planning folks would be able to tell.

3 MEMBER GRONACHAN: Okay. I'm in agreement
4 with that. Thank you for your help and clarification.

5 CHAIRPERSON FERRELL: Thank you.

6 MEMBER KRIEGER: Second.

7 CHAIRPERSON FERRELL: So motion and a second.
8 Any further discussion?

9 Seeing none, Katherine, can you call the
10 roll, please?

11 MS. OPPERMAN: Member Byrwa?

12 MEMBER BYRWA: Yes.

13 MS. OPPERMAN: Chairperson Ferrell?

14 CHAIRPERSON FERRELL: Yes.

15 MS. OPPERMAN: Member Gronachan?

16 MEMBER GRONACHAN: Yes.

17 MS. OPPERMAN: Member Krieger?

18 MEMBER KRIEGER: Yes.

19 MS. OPPERMAN: Member Longo?

20 MEMBER LONGO: Yes.

21 MS. OPPERMAN: And Member Sanker?

22 MEMBER SANKER: Yes.

23 MS. OPPERMAN: Motion passes.

1 MR. GUIDOBONO: Thank you all.

2 MEMBER GRONACHAN: Good luck.

3 MEMBER KRIEGER: Best wishes.

4 MEMBER GRONACHAN: Here's hoping it's one
5 year buildup.

6 MR. GUIDOBONO: I know. It would be great.

7 MEMBER GRONACHAN: Linda and I will be by to
8 look. She won't be able to find it. I'll have to take
9 her there.

10 MR. GUIDOBONO: Thank you.

11 CHAIRPERSON FERRELL: All right. Moving on
12 to the next case. PZ19-0021, Onyx Plaza at 24555 Novi
13 Road, west of Novi Road and north of Ten Mile Road.
14 Parcel number 50-22-22-400-010. The applicant is
15 requesting a variance from the City of Novi Zoning
16 Ordinance, Section 4.19.2.F for the proposed location
17 of a dumpster in the interior side yard. Except where
18 otherwise permitted and regulated in the ordinance
19 refuse bins and their screening enclosures shall be
20 located in the rear yard.

21 Section 5.4.2 for locating a proposed loading
22 area in the interior side yard. Within the B, GE, FS,
23 RC, NCC, TC, and TC-1 districts, loading and unloading

1 spaces shall be provided in the year yard.

2 Section 4.19.2.A for the proposed location
3 for the transformer to the interior side yard.
4 Accessory structures except where otherwise permitted
5 and regulated in this ordinance shall be located in the
6 rear yard and shall meet the setback requirements of an
7 accessory building. This property is zoned general
8 business, B-3.

9 Are you an attorney?

10 MR. KLINKENBERGER: No, I am not.

11 CHAIRPERSON FERRELL: Go ahead and state and
12 spell your name and then raise your right hand and be
13 sworn in by the secretaryn.

14 MR. KLINKENBERGER: Hi. My name is James
15 Klinkenberger, K-l-i-n-k-e-n-b-e-r-g-e-r.

16 I'm with Nowak and Fraus. I'm the civil
17 engineer and project manager on the project. And as you
18 stated we're -- oh, I'm sorry.

19 CHAIRPERSON FERRELL: You need to get sworn
20 in.

21 MEMBER SANKER: Do you swear or affirm to
22 tell the truth in the matter before you?

23 MR. KLINKENBERGER: Yes, I do.

1 CHAIRPERSON FERRELL: Okay. Go ahead.

2 MR. KLINKENBERGER: As you stated, we are
3 here asking for three variances.

4 We're here asking for three variances. We're
5 asking to have a variance to allow for a dumpster to be
6 located in the side yard, a loading area to be in the
7 side yard and a transformer to be located in the side
8 yard. All three of these variances are, actually, per
9 the recommendation of other people. We have two
10 variances that are being recommended by the City staff.

11 We actually have a loading area in the rear
12 of the building, at the far rear of the building, on
13 the west side, but when we went through the planning
14 commission going through the planning stages, the City
15 felt that it might be good to have both the loading --
16 and, actually, these are added, additional areas for
17 loading and for dumpster enclosure.

18 Just for the feasibility of having the
19 dumpster in the loading area and the access for the
20 other. The north -- I'm sorry. The east portion of
21 the building.

22 The transformer being located in that same
23 area is also per recommendation by DTE. At the

1 planning stages we were look at having to move some of
2 the power poles out there. So when dealing with the
3 planners, the size of the building, they had
4 recommended the location of the transformer where it's
5 at. All three of these locations were, again, like I
6 said, recommended by other people. It's being tucked
7 into the building. It's not in a side yard where it's
8 going to be able to be well seen from Novi Road. Given
9 the use and to the south and the screening that's being
10 provided along through there, again, Planning
11 Commission had no issues with that and, again, it was a
12 recommendation by the City staff.

13 CHAIRPERSON FERRELL: Okay.

14 MR. KLINKENBERGER: So, like I said, we do
15 have loading in the rear and a dumpster in the rear.
16 These were something that the City staff thought it
17 would be beneficial and good for the use of the
18 building.

19 CHAIRPERSON FERRELL: Okay. Is that it?

20 MR. KLINKENBERGER: Yeah.

21 CHAIRPERSON FERRELL: All right. Thank you.

22 Anybody in the audience have any comments or
23 questions or concerns?

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No.

Go over to the City.

MR. BUTLER: Due to the uniqueness of the size of the lot and the location of the building, it was recommended by the City staff that he request the variances to try to locate those where he has them indicated on the drawing.

CHAIRPERSON FERRELL: And with the transformer?

MR. BUTLER: That's transformer and the dumpster.

CHAIRPERSON FERRELL: Any correspondence?

MEMBER SANKER: There were 17 letters sent. Zero returned. Zero approvals and zero denials.

CHAIRPERSON FERRELL: Thank you. Open up to the board for discussion.

Yes?

MEMBER KRIEGER: Hi.

MR. KLINKENBERGER: Hi.

MEMBER KRIEGER: You discussed that there was also a loading area in the back. You're going to have two?

MR. KLINKENBERGER: Yes. Yes. There's a

1 large loading area that would be -- it's at the far
2 west end of the building in the rear where it should
3 have been. That is where we had originally proposed
4 for that loading area to be. The square footage of
5 that meets the requirements for the whole building.
6 But, again, I think, when we were going through the
7 planning stages and being reviewed by the Planning
8 Commission and the planning staff, they just felt
9 that -- first they thought it would be good to have an
10 extra dumpster where we have it located right here now.

11 And it was recommended to us since there's
12 area in front of the dumpster that typically Novi has
13 in the past allowed to be designated as a loading area,
14 to go ahead and come -- we already had them come for
15 the dumpster and for the transformer. They recommended
16 that we also add that little area there and get a
17 variance for that to be designated as a loading area as
18 well.

19 More for the east part of the building.
20 Because it is a long building. There's a theater
21 further to the west and they felt that it was a long
22 distance for any type of loading to be done at the far
23 end and bring everything to the front of the building,

1 then.

2 MEMBER KRIEGER: Very good.

3 And hours -- when do they anticipate the
4 dumpsters to be emptied?

5 MR. KLINKENBERGER: I don't know if that's
6 been decided yet, but in discussions with the City
7 staff there has been recommendation that we would set
8 up a schedule so the dumpsters would be picked up at a
9 specific time and the loading would take place at a
10 different time. That it would be scheduled that way.

11 MEMBER KRIEGER: Would there be screening and
12 landscaping around the area as well?

13 MR. KLINKENBERGER: Yes. There's screening
14 and landscaping in the green area there through here.
15 This is landscaped. This would all be landscaped and
16 along this whole area right here.

17 This is all heavily landscaped.

18 MEMBER KRIEGER: So that would help diminish
19 the noise of emptying of those big canisters?

20 MR. KLINKENBERGER: Yeah. And, again, as you
21 can see, the dumpster is back here tucked in behind.
22 The building wraps around. So you're going have the
23 building here. The use on this backside is, I think,

1 commercial or industrial back here. So this is not
2 residential area. So any type of noises taking place
3 here, the building would muffle that and then the
4 landscaping would also help with that.

5 MEMBER KRIEGER: So the neighbor is the
6 building to the south. The north end is their back, I
7 believe?

8 MR. KLINKENBERGER: Yes.

9 MEMBER KRIEGER: Okay. Very good. I would
10 be in support of what has been requested and as you
11 explained how it's going to be taken care of. Thank
12 you.

13 MR. KLINKENBERGER: Thank you.

14 CHAIRPERSON FERRELL: Thank you.

15 Any other discussion?

16 MEMBER BYRWA: Yeah. I have a question. It
17 looks like the handicapped parking spaces would be
18 shifting about eight spaces to the west and then you
19 would also do the appropriate curb cut signage,
20 striping of the lot and everything.

21 MR. KLINKENBERGER: Yes. Yeah.

22 MEMBER BYRWA: But you would have the same
23 amount of handicapped parking. You may need to do some

1 curve cuts and stuff for ramps.

2 MR. KLINKENBERGER: Yes. Yes. We would be
3 able to take care of that and everything would be ADA
4 compliant.

5 MEMBER BYRWA: Great.

6 MR. KLINKENBERGER: We just shifted the
7 handicapped parking spaces from the original plan
8 further to the west just to get it away from the
9 dumpster and the loading area for safety reasons,
10 yes.

11 MEMBER BYRWA: Thank you.

12 CHAIRPERSON FERRELL: Thank you. Any other
13 discussion?

14 Yes?

15 MEMBER GRONACHAN: Can you clarify what kind
16 of retail is going to be there? I mean, is it going to
17 be, like, stores? Shopping?

18 MR. KLINKENBERGER: I don't --

19 Well, nothing's been really leased or
20 nothing's been signed yet. I think the idea is to have
21 some shopping and restaurant type kind of
22 establishments there.

23 And then, again, like I said, to the larger

1 part of the building to the west is a theater.

2 MEMBER GRONACHAN: So could you move that
3 picture a little bit so we can get the whole building
4 in somewhat, if you can.

5 (New picture displayed.)

6 MEMBER GRONACHAN: And if you could clarify
7 on this picture where the dumpster is going to be.

8 MR. KLINKENBERGER: Yeah. On this one, this
9 is the additional dumpster that we are asking for the
10 variance on.

11 MEMBER GRONACHAN: Okay.

12 MR. KLINKENBERGER: There's another dumpster
13 located right here. And then right here is the loading
14 area that meets -- the total square footage that is
15 required for the building is located back inside here.

16 MEMBER GRONACHAN: So on the dumpster to
17 the --

18 MR. KLINKENBERGER: Right here?

19 MEMBER GRONACHAN: Yeah. To the east. Thank
20 you.

21 If there would be restaurants or that,
22 that's not parking for -- is that parking back there
23 for the ...

1 MR. KLINKENBERGER: I think the idea for this
2 right here would be more for employees.

3 MEMBER GRONACHAN: Okay. Because when I was
4 looking at this I was thinking maybe it would be
5 restaurants and they would be sitting outside and I
6 didn't get the picture part.

7 MR. KLINKENBERGER: Yeah, there wouldn't
8 be -- this is just like a landscape area through here
9 just to meet the landscaping ordinance.

10 MEMBER GRONACHAN: Okay. All right. So
11 really the front of the building is to the north.

12 MR. KLINKENBERGER: Yeah. And here is the
13 front.

14 MEMBER GRONACHAN: Okay.

15 MR. KLINKENBERGER: So really we're asking
16 for a side yard, but if you look at it as a building,
17 the dumpsters are really in the rear of the building.

18 MEMBER GRONACHAN: Right. Okay. I don't
19 have any problem. I just wanted to clarify so I didn't
20 go the walking down the road somewhere. All right.
21 Thank you.

22 MR. KLINKENBERGER: Okay.

23 CHAIRPERSON FERRELL: Thank you. Any other

1 discussions?

2 Do we have a motion?

3 MEMBER KRIEGER: Sure.

4 In case number PZ19-0021 Onyx Plaza, 24555
5 Novi Road, west of Novi Road and north of Ten Mile Road
6 parcel 50-22-22-400-010, I move to approve the request
7 for the dumpster being placed in the side yard and the
8 loading area as well, which will be to the south as
9 discussed in the -- during discussion. That the
10 transformer also will be in this area and the --
11 without the variance, the petitioner will unreasonably
12 be prevented and limited with respect to the use of the
13 their property because the placement of the building
14 and the use to the east being the front and the west --
15 north being the frontage of the building.

16 The property is unique because of its
17 placement and the placement of the dumpsters and
18 loading will be to the -- as the building sits to its
19 south and have enclosures as per the building
20 department. The petitioner did not create this
21 condition because of the placement and design and
22 recommendations for this site. The relief granted will
23 not unreasonably interfere with adjacent or surrounding

1 properties because the placement will be adjoined to
2 the back of the neighboring building, industrial area
3 and there will be screening to the west from the site
4 plan.

5 The relief is consistent with the spirit and
6 intent of the ordinance because it is a minimal
7 request.

8 MEMBER GRONACHAN: Second.

9 CHAIRPERSON FERRELL: Motion and second. Any
10 further discussion?

11 Seeing none. Katherine, can you call the
12 roll, please?

13 MS. OPPERMAN: Member Sanker?

14 MEMBER SANKER: Yes.

15 MS. OPPERMAN: Member Longo?

16 MEMBER LONGO: Yes.

17 MS. OPPERMAN: Member Krieger?

18 MEMBER KRIEGER: Yes.

19 MS. OPPERMAN: Member Gronachan?

20 MEMBER GRONACHAN: Yes.

21 MS. OPPERMAN: Chairperson Ferrell?

22 CHAIRPERSON FERRELL: Yes.

23 MS. OPPERMAN: And Member Byrwa?

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MEMBER BYRWA: Yes.

MS. OPPERMAN: Motion passes.

MR. KLINKENBERGER: Thank you very much for
your time.

MEMBER KRIEGER: Best wishes.

CHAIRPERSON FERRELL: This takes us to other
matters.

Anything anybody else wants to discuss or
bring up?

No? No takers.

MEMBER KRIEGER: Move to adjourn.

MEMBER BYRWA: Second bo.

CHAIRPERSON FERRELL: All right. We're
adjourned.

(At 8:10 p.m., matter concluded.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

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COUNTY OF OAKLAND)

I, Darlene K. May, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of one hundred twenty-one (121) typewritten pages, is a true and correct transcript of my said stenographic notes.

/s/ Darlene K. May
Darlene K. May, RPR/CSR-6479

July 9, 2019
(Date)