



PLAN REVIEW CENTER REPORT

December 5, 2012

Planning Review

Panera Bread Drive-through

JSP12-48

Revised Preliminary Site Plan

Petitioner

Panera Bread, LLC

Review Type

Revised Preliminary Site Plan and Special Land Use

Property Characteristics

- Site Location: 25875 Novi Rd., Ste. 100, northeast corner of Novi Road and Flint Street (Section 22)
- Site Zoning: TC-1, Town Center
- Adjoining Zoning: North: TC and TC-1; East, West and South: TC-1
- Current Site Use: Existing City Center Plaza shopping center
- Adjoining Uses: North: Existing office/retail; East: Existing retail; West and South: Vacant industrial
- School District: Novi School District
- Site Size: 5.3 acres
- Plan Date: 11-16-12

Project Summary

The applicant is proposing to demolish the existing parking area on the south end of City Center Plaza, adjacent to Flint Street in order to construct a drive-through lane adjacent to the existing Panera Bread restaurant. A building addition totaling 468 sq. ft. would also be added to accommodate the drive-through facilities within the building and 26 parking spaces would be added back to the site.

Recommendation

Provided the applicant receives the necessary variances from the Zoning Board of Appeals, staff recommends approval of the Special Land Use Permit and Preliminary Site Plan as the applicant has generally met the requirements of the Zoning Ordinance. The revised Preliminary Site Plan will be forwarded to the Planning Commission/City Council for their review and approval.

Special Land Use Considerations

In the TC-1 District drive-through lanes fall under the Special Land Use requirements (Sections 1502.1 and 2102.1). Additionally, all developments on parcels over 5 acres in the TC-1 District must be approved by the City Council after review and recommendation by the Planning Commission. Section 2516.2.c of the Zoning Ordinance outlines specific factors the Planning Commission/City Council shall consider in the review of the Special Land Use Permit request:

- Whether, relative to other feasible uses of the site, the proposed use will 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.

- Whether, relative to other feasible uses of the site, the proposed use will 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 service existing and planned uses in the area.
- Whether, relative to other feasible uses of the site, the proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses and wildlife habitats.
- Whether, relative to other feasible uses of the site, 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.
- Whether, relative to other feasible uses of the site, the proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use.
- Whether, relative to other feasible uses of the site, the proposed use will promote the use of land in a socially and economically desirable manner.
- Whether, relative to other feasible uses of the site, the proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

Per Section 1602.4.h, "In addition to the special land use requirements noted in Section 2516.2(c), the Planning Commission/City Council shall make a finding that the proposed plan will not have an adverse impact on the site and on the adjacent lands and uses with respect to landscaping, screening, off-street parking, vehicular and pedestrian circulation, and the compatibility of its physical design with respect to adjacent buildings."

Ordinance Requirements

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 16 (TC and TC-1 Town Center Districts), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance. Items in **bold** below must be addressed by the applicant.

1. Building Setback: The proposed building addition is setback 176 feet in the southern exterior side yard. A maximum setback of 10' is permitted by the ordinance. **The applicant cannot reasonably adjust the site layout to accommodate the required setback and should seek a setback modification from the Planning Commission/City Council.** In the TC-1 District, the Planning Commission may modify building setbacks if the conditions listed in Section 1602.4 are met. Please refer to the planning review chart for specific conditions. Staff supports this reduction.
2. Parking Setback: The required front yard parking setback along Novi Road is 20 feet. The applicant has provided a 10 foot setback. The applicant has elected to seek a variance from the Zoning Board of Appeals. If the variance is not granted, plans will need to be modified to meet the required setback.
3. Drive-through Bypass Lane: All drive-through's are required to have an 18' bypass lane adjacent to the drive-through lane. No bypass lane has been provided and the applicant has elected to seek a variance from the Zoning Board of Appeals. If the variance is not granted, plans will need to be modified to meet the required setback.
4. Drive-through Canopy: A canopy is indicated in the area of the menu board but no elevations have been provided. **The applicant must provide elevations for the proposed canopy at the time of Final Site Plan submittal.**
5. Existing Loading Zone and Dumpster Location: The applicant has provided a note on the plans indicating deliveries and trash pick-up will be during off-peak hours. This will be noted as a condition of approval.

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6. Town Center Amenities: Properties in the TC-1 District are required to provide additional pedestrian amenities. Several such items already exist within the shopping plaza which will be maintained as a result of this plan.
7. Photometric Plan: If changes to the existing on-site lighting are proposed, a revised photometric plan must be submitted with the Final Site Plan.
8. Signs: Exterior business signage is not regulated by the Planning Division. It appears new signage is shown on the plan. Contact Jeannie Niland at 248-735-5678 for sign permit information if new signs are proposed.

Response Letter

A letter from either the applicant or the applicant's representative addressing comments in this and other review letters is required prior to consideration by the Planning Commission and with the next plan submittal.

Pre-Construction Meeting

Prior to the start of any work on the site, Pre-Construction (Pre-Con) meetings must be held with the applicant's contractor and the City's consulting engineer. Pre-Con meetings are generally held after Stamping Sets have been issued and prior to the start of any work on the site. There are a variety of requirements, fees and permits that must be issued before a Pre-Con can be scheduled. If you have questions regarding the checklist or the Pre-Con itself, please contact Sarah Marchioni [248.347.0430 or smarchioni@cityofnovi.org] in the Community Development Department.

Chapter 26.5

Chapter 26.5 of the City of Novi Code of Ordinances generally requires all projects be completed within two years of the issuance of any starting permit. Please contact Sarah Marchioni at 248-347-0430 for additional information on starting permits. The applicant should review and be aware of the requirements of Chapter 26.5 before starting construction.

If the applicant has any questions concerning the above review or the process in general, do not hesitate to contact me at 248.347.0586 or kkapelanski@cityofnovi.org.

Kristen Kapelanski, AICP, Planner
Attachments: Planning Review Chart



cityofnovi.org

ZONING BOARD OF APPEALS
CITY OF NOVI
 Community Development Department
 (248) 347-0415

For Official Use Only

ZBA Case No: P2170051 ZBA Date: 11/20/12 Payment Received: \$ 300 (Cash)
 Check # 1052 Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT
 Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name Mike Kalfayan Date 10/10/12

Company (if applicable) Panera, LLC

Address* 13080 Burns Road City Carleton ST MI ZIP 48117

*Where all case correspondence is to be mailed.

Applicant's E-mail Address: mike.kalfayan@panerabread.com

Phone Number (734) 231-1732 FAX Number () _____

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 25875 Novi Rd., Novi, MI ZIP 48374

2. Sidwell Number: 5022 - 22-227-029 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association jurisdiction? Yes No

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST TC-1 OTHER

5. Property Owner Name (if other than applicant) _____

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

7. Indicate ordinance section(s) and variances requested:

1. Section 1603-5. Variance requested 10' Parking Lot variance (to Novi Rd)
2. Section 2506-12.d Variance requested Requirement for 18' wide bypass lane adjacent to drive thru lane
3. Section _____ Variance requested _____
4. Section _____ Variance requested _____

8. Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
- b. The location and dimensions of all existing and proposed structures and uses on property.
- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

