



## PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**JUNE 24, 2015 7:00 PM**

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

### CALL TO ORDER

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

### ROLL CALL

**Present:** Member Baratta, Member Giacometti, Member Greco, Chair Pehrson, Member Lynch, Member Zuchlewski

**Absent:** Member Anthony (excused)

**Also Present:** Barbara McBeth, Community Development Deputy Director; Sri Komaragiri; Planner; Jeremy Miller, Engineer; Rick Meader, Landscape Architect; Gary Dovre, City Attorney

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Moved by Member Lynch and seconded by Member Zuchlewski:

**Motion to approve the June 24, 2015 Planning Commission Agenda. Motion carried 6-0**

### AUDIENCE PARTICIPATION

No one in the audience wished to participate and the audience participation was closed.

### CORRESPONDENCE

There was no correspondence

### COMMITTEE REPORTS

There were no committee reports

### COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Community Development Deputy Director reported that three of the Planning Commission members have been reappointed for an additional three year term: Members Lynch, Pehrson and Zuchlewski.

### CONSENT AGENDA – REMOVALS AND APPROVAL

#### 1. NOVI PLAZA FAÇADE JSP 15-40

Approval at the request of Scott Monchnik & Associates for Preliminary Site Plan and Section 9 Façade Waiver. The subject property is located in Section 26, south of Ten Mile Road and west of Meadowbrook Road, in the B-1, Local Business District. The subject property is

approximately 1.6 acres and the applicant is proposing to remodel the existing façade for Novi plaza shopping center along with modifications to the existing parking lot.

Moved by Member Lynch and seconded by Member Greco:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN AND SECTION 9 FAÇADE WAIVER APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:**

**In the matter of Novi Plaza Facade JSP 15-40, motion to approve the Preliminary Site Plan and a Section 9 Waiver, based on and subject to the following:**

- a. **To allow the overage of EIFS material on the north façade (25% allowed; 32% provided) because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted.**
- b. **The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.**

*This motion is made because the plan is otherwise in compliance with Article 3, Article 4 Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 6-0*

Moved by Member Lynch and seconded by Member Greco:

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN AND STORMWATER MANAGEMENT PLAN APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GRECO:**

**In the matter of Novi Plaza Facade JSP 15-40, 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 it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 6-0.***

**PUBLIC HEARINGS**

**1. KROGER D632 RETAIL FUEL CENTER JSP15-27**

Public hearing at the request of The Project Collaborative for Special Land Use Permit, Preliminary Site Plan and Storm Water Management Plan approval for JSP 15-27 Kroger D632 Retail Fuel Center. The subject property is located in Section 17, on the north side of Grand River Avenue between Beck and Wixom Roads, in the B-2, Community Business District. The subject property is approximately 8 acres and the applicant is proposing to construct a retail fuel center consisting of one 5,418 square foot canopy, one 198 square foot kiosk building and seven dispenser islands within West Market Shopping Center.

Planner Sri Komaragiri states that the subject property is located in southeast corner of West Market Shopping Center located north of Grand River Avenue and east of Beck Road opposite Providence Park Hospital campus.

The subject property is zoned B-2 Community business district and is bordered by OSC-office service commercial on the west and south and OST, Office Service Technology on the east. A fuelling station would require a Special Land Use Permit within B-2 zoning.

The Future Land Use Map indicates Local Commercial use for the subject property with Office Commercial on the south and Office Research Development with Retail Overlay on the east. The proposed use is compatible with our Future Land use Map.

There are no regulated wetlands and woodlands areas on the property.

The applicant is proposing to construct a retail fuel center consisting of one 5,418 square foot canopy, one 198 square foot kiosk building and seven dispenser islands. The applicant has shared colored renderings with us this afternoon that help us visually identify the before and after layouts of the site. Those renderings are provided on the display screen.

The proposed development will be replacing the existing parking lot serving the shopping center. The project is anticipated to be \$1.4 million including equipment. It will result in the equivalent of 4 full time jobs.

A fuelling station would require a Special Land Use Permit within B-2 zoning. The Planning Commission should consider the factors listed in Section 6.1.2.C of the Zoning Ordinance regarding the special land use request. Planning staff recommends approval with few minor comments to be addressed during final site plan.

Landscape has identified three deviations from the code which would require a Planning Commission waiver. One, for exceeding maximum allowed spaces per parking due to proposed site circulation to tie in with the existing driveway layout. Two, to allow absence of 11 required street trees contingent upon Road Commission of Oakland County's response to applicant's request to plant trees in their right of way. And the last waiver is to minimize the required berm size to preserve the existing berm and the trees. Landscape staff supports these waivers for the reasons mentioned earlier and recommends approval with additional comments to be addressed with final site plan.

Engineering and Traffic also recommend approval with additional comments.

A Section 9 waiver is required for the proposed façade design for the overage of EIFS material and underage of brick on the canopy structure. The applicant has submitted a façade board with materials adequately matches the existing. Façade review recommends approval of the Site Plan.

The Planning Commission should consider the factors listed in Section 6.1.2.C of the Zoning Ordinance regarding the special land use request. The planning commission is asked to approve the special land use permit, preliminary site plan and storm water management.

The applicant, Matthew Pisko from Project Collaborative was present to address the Planning Commission. This Kroger fueling station fits the traditional Kroger model in that they would like it in the parking lot. We took the angle parking and straightened it out because it is going to be dedicated to Staples. It is now in a straight direction. The land next to Staples that was going to be buildable is now going to be used for parking. We are not taking a green site we are taking an underutilized portion of the parcel and matched architectural elements of the shopping center with the canopy columns with different types of brick and sandstone coursing earth tone on the canopy fascia. This is not a convenience store it is a fuel station with a few sundry sales. Purchases occur at the vehicle dispenser via card reader. It is in the shopping center, it is not going to be highly visible from the street. We are using a lot of the current plant material and will

disperse it through to maintain the appropriate amount of landscaping. Regarding the waivers we agreed to the conditions of all the reviews. We concur and we have the letter written saying so.

Chair Pehrson opened the Public Hearing for anyone in the audience that wanted to address the Planning Commission.

Novi resident Bob Cuelan addresses the Commission. Mr. Cuelan mentions that this particular retail facility does not have job opportunities. There are already facilities in the area that can provide the necessary fueling for the community. The curb cuts and all of the concessions that need to be made in order for this to come through seem a little bit far reaching as a benefit to the community. He mentions the traffic congestion and all the other things that the addition does to that center.

Member Lynch read the correspondence from Song Li at 47770 Grand River, Novi. Mr. Li supports this and adds the comment "good".

There was no other correspondence and Chair Pehrson closed the public hearing. The matter was turned over to the Planning Commission for their input and consideration.

Member Lynch stated that he looked at the site and feels that that the area in question seems to be out of place anyway. He does not have an issue with the traffic congestion. Member Lynch had a question for staff about the maximum number of parking places.

Planner Komaragiri responded that was a typo of the traffic reviewers referring to the wavier that was part of the motion. The code allows fifteen spaces between a landscape island and another landscape island. At some places they propose 16 and 17 spaces in order to be able to keep with the existing drive that goes along the parking lot.

Member Lynch agreed with the berm and landscaping. He feels that the canopy trees will be an improvement. He feels that the parking lot will look finished. He supports this.

Member Baratta had questions for the representative from Kroger, Matthew Pisko regarding the height of the canopy verses the road. The finished floor elevation is about 967 feet adding about 19 feet at the highest point. So you're going to be 986 feet That is about 20 feet above the road grade. Member Baratta asked if the applicant is going to look for a sign on the side of the canopy?

Mr. Pisko responded that in the very near future that they will petition the Zoning Board of Appeals for a small monument sign on the front of the property. They do not want it on the canopy. They may seek a sign on the back short side of the canopy, but it is not proposed at this time.

Member Baratta questioned the direction of the cars, if there is problem with turns and also questions an island and wonders if cars might run into the curb.

Mr. Pisko responded that the general habit of the customers is that they shop get the fuel points and then proceed to the pumps. The number of dispensers is critical. Seven is the number that will keep traffic moving. Regarding the island, the end cap is a requirement of being part of a parking island. It is a curbed island. We can expand it and put some landscaping there.

Member Zuchlewski questioned the handicap facilities, hours of operation and displaying items outside, like windshield solvent, etc.

Mr. Pisko responded that as with the store, handicap assistance is available if needed. Referring to the hours of operation, the fueling station will be open during the same hours as that of the store. We will not be displaying anything outdoors as outdoor sales are prohibited.

Mr. Pisko also pointed out that they have essentially created a pedestrian destination, that has bike racks and place where people can accumulate. They have kind of connected all the sidewalks from Grand River through the existing approach and then moving east, west and across just so that in addition to the fuel station we encourage pedestrian and bike traffic throughout the lot.

Member Giacometti asked Deputy Director McBeth if the scope of the traffic study is strictly traffic or traffic flow through the parking lot.

Deputy Director McBeth responded that in this case it was primarily the traffic flow through the parking lot.

Member Giacometti felt that this plan will increase the traffic congestion in the parking lot.

Mr. Pisko explained that in several ways this plan would be an improvement in the parking lot. The larger island will be removed and create parallel parking which is far more conducive to normal traffic flow. They are reworking the parking area to improve circulation in the parking lot.

Member Giacometti stated that he is skeptical of how something that would generate more business to the shopping center that is auto focused wouldn't make matters worse.

Mr. Pisko stated that if they do get it wrong, Kroger is fanatical about the ease and comfort of customers approaching the store and for the rest of the neighbors in the shopping center. If we find in the future that something is wrong it will be responded to immediately.

Member Giacometti questioned if cars are lined up at the pumps this might create a detriment to the traffic flow?

Mr. Pisko responded that they don't anticipate a problem. We think that this island is the right size for this site.

Member Zuchlewski requested to see a queueing layout.

Mr. Pisko responded that he does not have a layout but they typically use a two car queue which would be allowed with a 24 foot aisle width all the way around it. These transactions are typically 3-4 minutes so there is not a lot of queueing time. This is based on a two car stack. Kroger is very intent on not having traffic issues in their parking lot.

Member Greco commented that he does not feel that this parking lot is that congested. He feels that this gas station is not an in and out quickly which is what many people are looking for. He does support this.

Moved by Member Greco and seconded by Member Lynch

**ROLL CALL VOTE ON THE SPECIAL LAND USE PERMIT APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH**

In the matter of Kroger D632 Retail Fuel Center JSP15-27, motion to approve the Special Land Use permit based on the following findings:

- a. Relative to other feasible uses of the site:
  - The proposed use will not cause any detrimental impact on existing *thoroughfares based on the findings from Traffic review*;
  - *The proposed use will not cause any detrimental impact on the capabilities of public services and facilities given the size of the new use, and that they are not adding any additional demand than anticipated*;
  - *The proposed use is compatible with the natural features and characteristics of the land because the plan does not contain any existing natural features*;
  - The proposed use is compatible with adjacent uses of land *given the type of use and the surrounding development*
  - The proposed use is consistent with the goals, objectives and recommendations of the City's Master Plan for Land Use *given there is no change in existing use*;
  - The proposed use will promote the use of land in a socially and economically desirable manner;
  - 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;
- b. The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed;

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 5-1(Giacopetti)*.

Moved by Member Greco and seconded by Member Lynch

**ROLL CALL VOTE ON THE PRELIMINARY SITE PLAN AND SECTION 9 FAÇADE WAIVER APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH**

In the matter of Kroger D632 Retail Fuel Center JSP15-27, motion to approve the Preliminary Site Plan and a section 9 waiver based on and subject to the following:

- a. A section 9 façade waiver to allow the overage of EIFS (25% maximum allowed; 66% proposed on the east and west sides, and 69% on the north and south sides) and the underage of Brick (25% minimum required; 14% proposed on the east and west sides, and 19% on the north and south sides) on the proposed canopy structure because the design is otherwise consistent with intent and purpose of the façade ordinance, which is hereby granted;
- b. A waiver to minimize the required berm size as listed in section 5.5.3.B.ii, of City zoning ordinance to preserve the existing berm and the existing trees, which is hereby granted;
- c. A waiver to allow absence of eleven required street trees along the Right of Way contingent upon Road Commission of Oakland County decision on applicant's request as listed in section 5.5.3.E.i.c which is hereby granted;
- d. A waiver, which is hereby granted, to exceed the maximum 15 allowed parking spaces between landscaped islands as listed in Section 5.5.3.C.ii, for 3 parking bays shown on

the plan to allow the 16,17 and 18 parking spaces proposed, with this waiver based on a determination that the proposal enhances the design of the site while still meeting the intent of the ordinance and will substantially improve traffic circulation

- d. The findings of compliance with Ordinance standards in the staff review letter and the conditions and the items listed in that letter being addressed.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4 Article 5 and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

Moved by Member Greco and seconded by Member Lynch

**ROLL CALL VOTE ON THE STORMWATER MANAGEMENT PLAN APPROVAL MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH**

In the matter of Kroger D632 Retail Fuel Center JSP15-27, 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 it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**MATTERS FOR CONSIDERATION**

**1. APPROVAL OF THE JUNE 10, 2015 PLANNING COMMISSION MINUTES**

Moved by Member Lynch, and seconded by Member Baratta:

**VOICE VOTE ON THE JUNE 10, 2015 PLANNING COMMISSION MINUTES APPROVAL MOTION MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

Motion to approve the June 10, 2015 Planning Commission Minutes. *Motion passes 6-0.*

**MATTERS FOR DISCUSSION**

There were no matters for discussion

**CONSENT AGENDA – REMOVALS AND APPROVAL**

There were no removals or approvals to the consent agenda

**SUPPLEMENTAL ISSUES**

There were no supplemental issues.

**AUDIENCE PARTICIPATION**

No one in the audience wished to speak.

**ADJOURNMENT**

Motion by Member Lynch and seconded by Member Baratta:

Motion to adjourn the June 24, 2015 Planning Commission meeting. *Motion carried 6-0.*

The meeting was adjourned at 7:35 PM.

Transcribed by Richelle Leskun

Date Approved: July 8, 2015

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Richelle Leskun, Planning Assistant  
Signature on File