

# CITY of NOVI CITY COUNCIL

Agenda Item <sup>1</sup>  
July 6, 2009

Consideration of the request of 29 Park, Inc., for approval of a Preliminary Site Plan and Shared Parking Study. The subject property is located in Section 23, south of Grand River Avenue and east of Novi Road, in the TC-1, Town Center District. The applicant is proposing to occupy approximately 10,000 square feet of vacant tenant space at 43155 Main Street in the existing Novi Main Street Development.

*Bunick*  
**SUBMITTING DEPARTMENT:** Community Development Department - Planning

**CITY MANAGER APPROVAL** *[Signature]*

### BACKGROUND INFORMATION:

The applicant is proposing to occupy approximately 10,000 square feet of vacant tenant space at the existing Novi Main Street development. This is the site of the former Steak on Main and the Coffee Trader. The proposed nightclub use would have a maximum occupancy of 681 people and result in a change of use from restaurant to bar/nightclub. This necessitated an update of the Shared Parking Study. No exterior changes are proposed at this time.

Under Section 2505.8, the off-street parking standards of the ordinance, following recommendation by the Planning Commission, the City Council may reduce the number of parking spaces required based upon acceptance of a Shared Parking Study demonstrating how the parking can effectively function on site. The original approval of the Main Street plan allowed a reduction in the total number of required spaces, based on the City Council's approval of a Shared Parking Study showing a certain mix of uses, and acceptance of certain parking formulas. This original study included all existing parking areas surrounding the Main Street buildings and the underground parking located beneath the Atrium Building.

In early May, the applicant submitted a revised Shared Parking Study showing the current and proposed mix of uses on the site. This matter first appeared before the Planning Commission on May 20, 2009 with a Shared Parking Study based on a maximum occupancy of 800 people for this tenant space. The study showing the parking demands for the current mix of uses for the entire Main Street Development based on Zoning Ordinance standards, along with actual parking counts prepared over the course of one weekend to determine an actual baseline for parking demand, and used the assumption that the maximum occupancy for the proposed nightclub would be 800 people. Additionally, the study makes assumptions and provides adjustments for a greater parking demand expected in the month of December, and also accounts for a vacant tenant space which may be a restaurant use in the future. The results of the study prepared for the May 20<sup>th</sup> meeting concluded that there would be insufficient parking for the mix of uses. The study recommended off-site valet parking to supplement the on-site parking. At the May 20<sup>th</sup> meeting, the Planning Commission raised a number of issues concerning the overall parking deficiency and the logistics of the off-site valet. The matter was tabled until those issues could be addressed.

The applicant subsequently amended the Shared Parking Study based on a reduced maximum occupancy of 681 people for the 29 Park tenant space, and the matter was reviewed again at the Planning Commission meeting of June 24<sup>th</sup>. The revised occupancy number of 681 was reached based a preliminary review by the Building Division of actual floor plans and additional information

provided. Given the reduced occupant load, the Shared Parking Study now demonstrates a surplus of 8 spaces at the peak operating time, based on the factors identified above. Valet parking is no longer proposed. Since there will be a surplus of 8 spaces, the staff and consultant's recommendation would allow the actual maximum occupant load to be a maximum of 689 people, based on final review by the building division. Please see the traffic engineering review letter for additional information.

The applicant appeared before the Planning Commission with a revised Shared Parking Study on June 24, 2009. The Planning Commission made a positive recommendation to the City Council subject to a number of conditions, as noted below. Relevant meeting minutes are attached.

While not part of the request at this time, the applicant has indicated 29 Park has purchased a liquor license and is currently working to transfer the license to this location. The liquor license transfer will proceed to the City Council for consideration and approval at a subsequent meeting, if the Preliminary Site Plan and Shared Parking Study are approved.

**RECOMMENDED ACTION:** Approval of the Preliminary Site Plan and Shared Parking Study for 29 Park Proposed Nightclub at Main Street, SP09-11B subject to the following

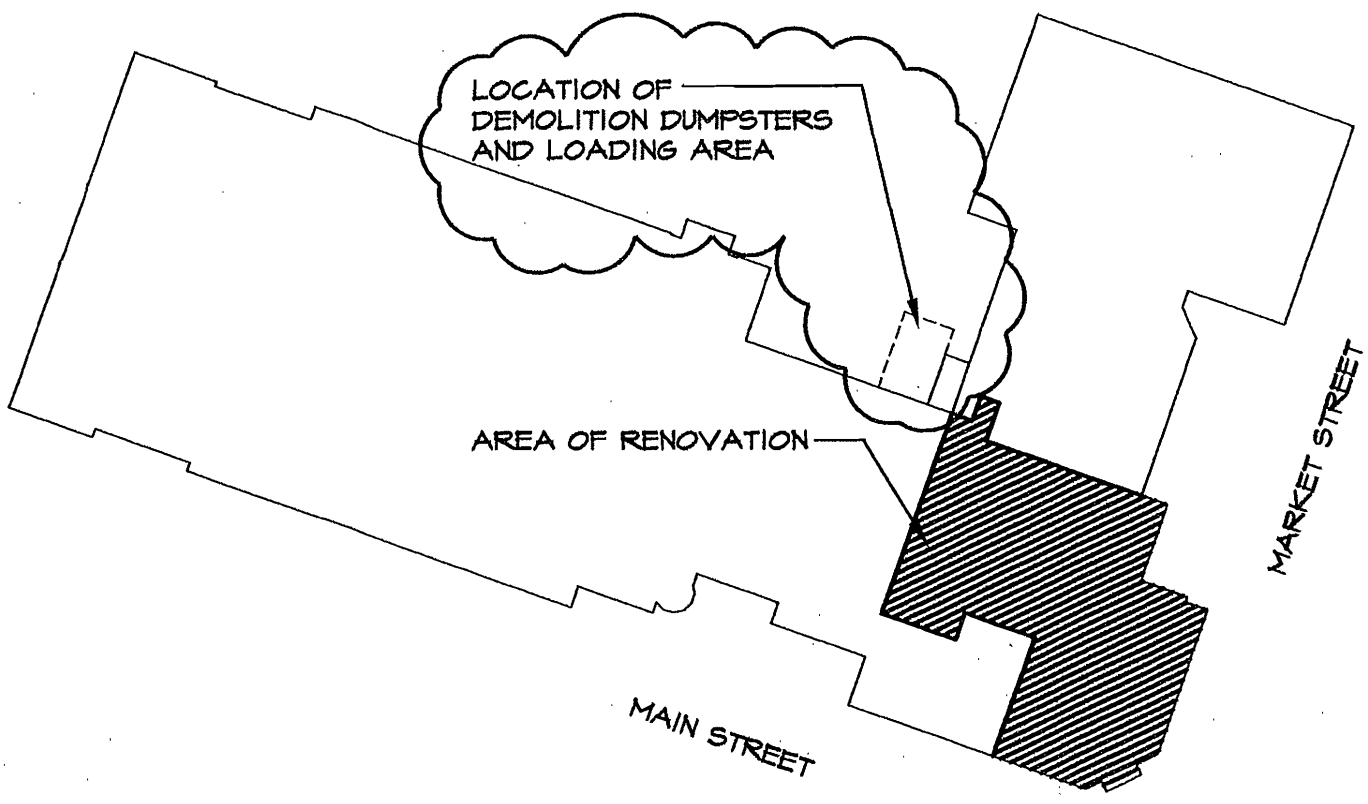
- a. The maximum occupancy load of the proposed nightclub shall not exceed 689 people, including employees;
- b. The opening time for patrons shall be no earlier than 9PM;
- c. Any changes that increase the occupant load beyond 689 people or that alter the start time of business hours will require additional review and approval from the appropriate bodies;
- d. A valet parking operation, if later proposed, must be reviewed by staff and consultants and approved by the appropriate bodies after the submission of a plan showing the queuing and parking areas to be used, expected peak demand, average arrival rates, average service rates, queuing analysis and number of valets required;
- e. The revised Shared Parking Study indicates a projected parking surplus of 8 spaces at the peak-demand hour of 11PM for the entire development, including the proposed nightclub (1000 spaces needed, 1008 spaces provided);
- f. Additional comments in the staff and consultant review letters being addressed on the Stamping Set submittal;

for the reasons that the proposed site plan is otherwise in compliance with Article 25 and Article 16 of the Zoning Ordinance and all other applicable provisions of the Ordinance and the proposed Shared Parking Study demonstrates that adequate parking will be provided to support the mix of uses.

	1	2	Y	N
Mayor Landry				
Mayor Pro-Tem Gatt				
Council Member Burke				
Council Member Crawford				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

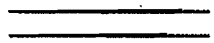


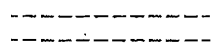
**PROPOSED TENANT SPACE  
LOCATION**



**KEY PLAN**

N.T.S.

**DEMOLITION KEY:**

	EXISTING WALL TO REMAIN
	EXISTING WINDOW TO REMAIN
	EXISTING DOOR TO REMAIN
H	EXISTING COLUMN TO REMAIN
	WALL TO BE REMOVED

-EXISTING LOBBY

**PROPOSED DEMOLITION  
PLAN**



**MAPS**

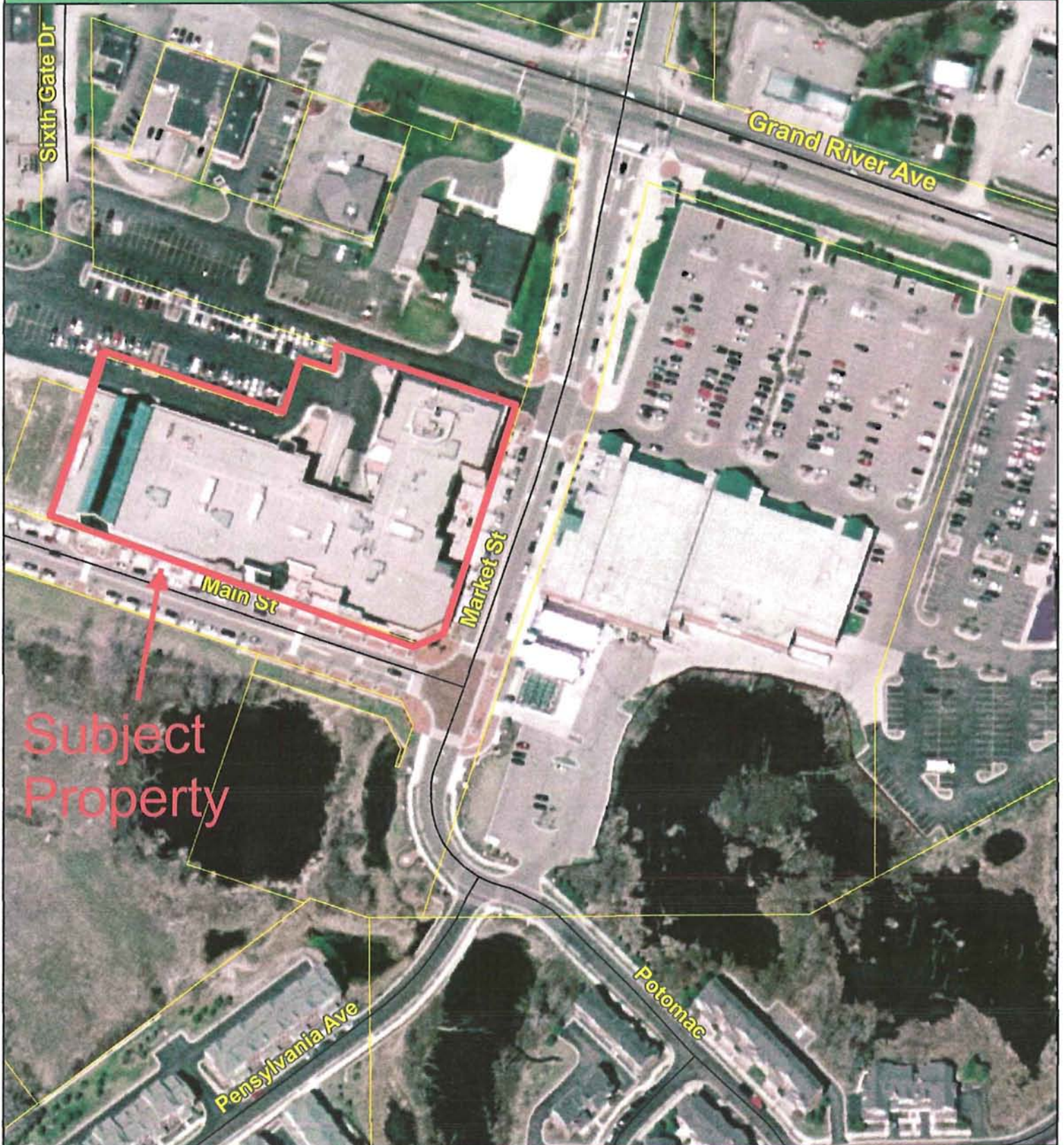
**Location/Air Photo  
Zoning  
Future Land Use**





# Nightclub at Novi Main Street SP 09-11

Location



## CITY OF NOVI

DEPARTMENT OF COMMUNITY DEVELOPMENT

45175 W. TEN MILE ROAD  
NOVI, MI 48375-3024  
(248) 347-0415

MAP AUTHOR: Kristen Kapelanski, Planner



1 INCH = 154 FEET

MAP PRINT DATE: 05/11/09

### MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.



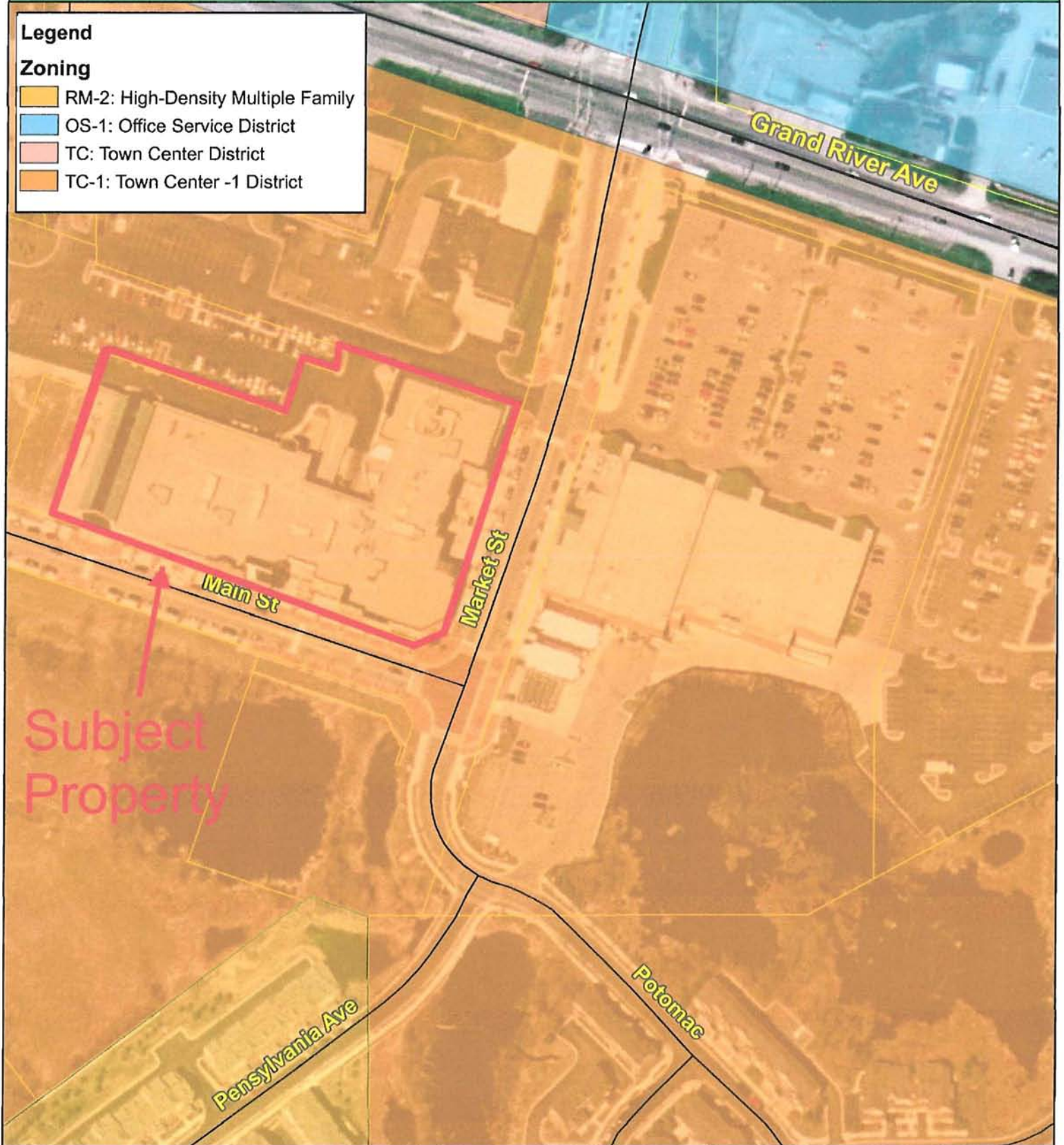


# Nightclub at Novi Main Street SP 09-11 Zoning

## Legend

### Zoning

-  RM-2: High-Density Multiple Family
-  OS-1: Office Service District
-  TC: Town Center District
-  TC-1: Town Center -1 District



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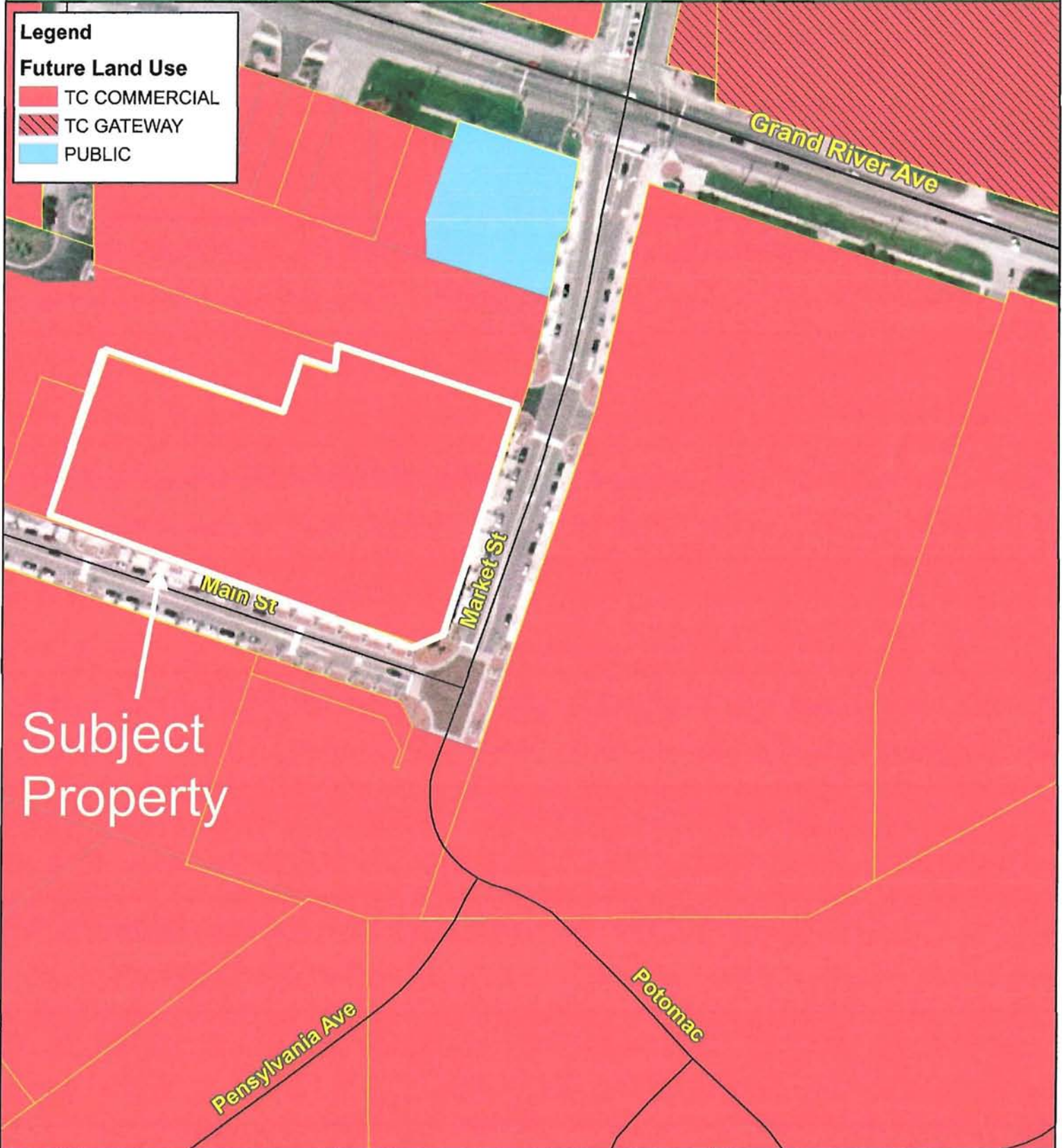
# Nightclub at Novi Main Street SP 09-11

## Future Land Use

### Legend

#### Future Land Use

- TC COMMERCIAL
- TC GATEWAY
- PUBLIC



Subject Property

### CITY OF NOVI

DEPARTMENT OF COMMUNITY DEVELOPMENT

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(248) 347-0415

MAP AUTHOR: Kristen Kapelanski, Planner



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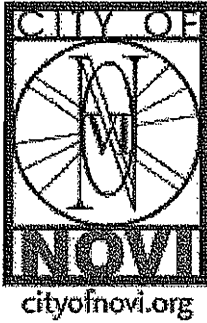
FEET

MAP PRINT DATE: 05/11/09

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## **PLANNING REVIEW**



## PLAN REVIEW CENTER REPORT

June 17, 2009

### Planning Review

29 Park - Nightclub at Novi Main Street

SP #09-11B

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#### **Petitioner**

Mike Sassine

#### **Review Type**

Preliminary Site Plan and revised Shared Parking Study

#### **Property Characteristics**

- Site Location: 43155 Main Street (northwest corner of Main Street and Market Street)
- Zoning: TC-1, Town Center
- Adjoining Zoning: North, South, East and West: TC-1
- Site Use(s): Retail/restaurant and office as part of the existing Novi Main Street development
- Adjoining Uses: North: Fire Station 1; East, West and South: Retail, restaurant/bar and office
- Parking Study Date: 06/10/09

#### **Project Summary**

The applicant is proposing to occupy approximately 10,000 sq. ft. of vacant space at the existing Novi Main Street development. This is the site of the former Steak on Main and The Coffee Trader. The proposed nightclub use would have a maximum occupancy of approximately 681 (previously 800) people and result in a change of use from restaurant to bar/nightclub. This necessitated an update of the shared parking study. No exterior changes are proposed at this time.

The applicant previously submitted a Shared Parking Study and appeared before the Planning Commission for their recommendation to City Council on May 20, 2009. At that meeting, the Planning Commission made the following motion:

**“In the matter of 29 Park Proposed Nightclub at Main Street, SP 09-11, a motion to postpone action on the matter until the proposed Shared Parking Study does demonstrate adequate parking for the existing and proposed uses, with the stipulation that the matter be brought back to the Planning Commission in a timely manner, and the applicant work with the City’s Traffic Consultant and Community Development Department to resolve the remaining issues.” *Motion carried 7-0.***

At that time, the applicant’s maximum occupancy was projected to be 800 people and the Shared Parking Study was based on this amount. The previous study demonstrated a deficit in

*Nightclub at Novi Main Street, SP# 09-11B  
Preliminary Site Plan  
June 17, 2009*

the number of parking spaces on site and the applicant was proposing off-site valet parking to accommodate additional patrons.

The current Shared Parking Study is based on an occupancy of 681 people. This number is based a preliminary review by the Building Division of the actual floor plans. Given the reduced occupant load, the Shared Parking Study now demonstrates a surplus of 8 spaces at the peak operating time. Please see the traffic review letter for additional information.

### **Recommendation**

The Planning Division has no additional comments on the submitted Shared Parking Study beyond those noted in the traffic review letter. Projects in the TC-1 District larger than 5 acres require the approval of the City Council after a recommendation from the Planning Commission. Presently, shared parking agreements are in place so that the entire Main Street development shares all the parking on site. Therefore, the shared parking incorporated all buildings and uses within the existing Main Street, which is larger than 5 acres, necessitating Council approval.

### **Ordinance Requirements**

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 16 (Town Center Districts), Article 24 (Schedule of Regulations), Article 25 (General Provisions) and any other applicable provisions of the Zoning Ordinance.

1. **Shared Parking Study:** Section 2505.8 of the Zoning Ordinance allows for the submission of a Shared Parking Study in the instance of dual function of off-street parking. A Shared Parking Study was submitted and approved when the original Main Street plan was approved. Parking calculations were updated as new uses moved into the space. The applicant has now submitted a revised Shared Parking Study incorporating all existing uses as well as their proposed nightclub use. The Planning Commission and City Council should review the attached Shared Parking Study and traffic review letter.
2. **Exterior Signage:** Exterior signage is not regulated by the Planning Division or Planning Commission. Please contact Jeannie Niland at 248-347-0438 for information on sign permits.
3. **Exterior Changes:** The applicant is not currently proposing any exterior changes to the building or site. Please note, that any exterior changes would need to be reviewed by the Planning Division.
4. **Interior Changes:** All interior changes will require review and approval from the Building Division.

### **Response Letter**

A letter from either the applicant or the applicant's representative addressing comments in this, and in the other review letters, is requested **prior to the matter being reviewed by the Planning Commission.**

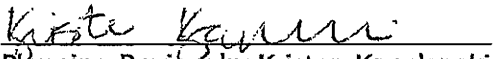
### **Stamping Set Approval**

The applicant should address the comments above and the comments in all review letters in a response letter to be submitted with the Stamping Sets/Finalized Shared Parking Study. The Stamping Sets/Finalized Shared Parking Study should address and incorporate all the comments



*Nightclub at Novi Main Street, SP# 09-11B*  
*Preliminary Site Plan*  
*June 17, 2009*

in the staff and consultant review letters. Four copies of the revised Shared Parking Study should be submitted to the Community Development Department for Stamping Set approval after City Council approval.

  
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Planning Review by Kristen Kapelanski  
248-347-0586 or [kkapelanski@cityofnovi.org](mailto:kkapelanski@cityofnovi.org)

**TRAFFIC REVIEW**

June 15, 2009

Barbara McBeth, AICP  
Deputy Director of Community Development  
City of Novi  
45175 W. Ten Mile Rd.  
Novi, MI 48375



**SUBJECT: Nightclub at Novi Main Street, SP#09-11B,  
Traffic Review of Second Revised Shared Parking Study**

Dear Ms. McBeth:

We have reviewed the second revised shared parking study by Rich & Associates, dated June 10, 2009. Our recommendations and supporting comments appear below.

**Recommendations**

We recommend that if granted by the City, preliminary site plan approval be based on the following conditions:

1. The "maximum occupancy load" of the proposed nightclub (per Section 2505 of the Novi Zoning Ordinance) shall be 689 persons (patrons *plus* employees).
2. The opening time for patrons shall be no earlier than 9:00 p.m.
3. Any change(s) to the above conditions will require the submission, review, and acceptance of a revised shared parking study.
4. A valet parking operation, if later proposed, must be approved by the City after the submission, review, and acceptance of a plan showing the queuing and parking areas to be used, expected peak demand, average arrival rates, average service rates, queuing analysis, and number of valets required.

**Comments**

What are the highlights of the revised shared parking study, and what issues need amplification?

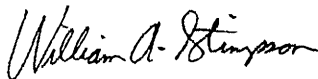
1. There are 1,008 parking spaces available within the Novi Main Street area (excluding businesses fronting on Grand River west of Market). Since all of these spaces are within about 850 ft or a three-minute walk of the proposed club, they can be considered as potentially available for nightclub parking.
2. On Friday, May 1, 2009, the above parking supply reached a peak usage of about 66% at 9:00 PM. This usage level was probably conservatively high, given the pleasant spring weather and the Red Wings playoff game drawing large bar and restaurant attendance that evening.

3. Based on published data, parking demand for the existing restaurant uses would peak on an evening in December at a level 5% higher than observed in May. Hence, the recent parking counts were adjusted upward by 5%.
4. The Atrium Building in which the club would be located also has 6,283 s.f. of vacant office space and 8,153 s.f. of vacant restaurant space. Based on the shared parking ratio originally approved for the building, that restaurant space would require an additional 94 spaces at its peak operating hour. According to the 2005 ULI shared parking model, that need would occur at 9:00 p.m. and decrease to 95% at 10:00 p.m., 75% at 11:00 p.m., 25% at midnight, and 0% later.
5. Per the City of Novi Zoning Ordinance, the proposed nightclub as a free-standing use would require 0.5 parking space per person within the building. Hence, the proposed 681-patron club would require 341 spaces for patrons, plus some additional spaces for employees. The expected number of employees on-site at the busiest times has not been provided.
6. Based on a survey of two similar clubs owned by the Applicant, both opening at 9:00 p.m., the percent of peak parking demand at various hours is expected to be 8% at 9:00 p.m., 37% at 10:00 p.m., 92% at 11:00 p.m., 100% at midnight, 98% at 1:00 a.m., and 76% at 2:00 a.m.
7. Adding the adjusted current parking occupancy (per item 3), the hour-specific parking need for the potential future restaurant (per item 4), and the hour-specific parking need for nightclub patrons (per items 5 and 6), the study determined that the overall peak demand would occur at 11:00 p.m., when 1,000 spaces would be needed for a maximum nightclub occupancy of 681 persons. Hence, there would be a surplus at that hour of 8 spaces, allowing the maximum occupancy load to rise to no more than 689 persons (patrons plus employees).

Sincerely,  
BIRCHLER ARROYO ASSOCIATES, INC.



Rodney L. Arroyo, AICP  
Vice President



William A. Stimpson, P.E.  
Director of Traffic Engineering



David R. Campbell  
Senior Associate

cc: Rich & Associates, Inc., 26877 Northwestern Highway, Suite 208, Southfield, MI 48033

**APPLICANT RESPONSE LETTER**





Rich & Associates  
Consulting, Inc.

Parking Consultants

June 17, 2009

Ms. Barbara McBeth, AICP  
Deputy Director of Community Development  
City of Novi  
45175 W. Ten Mile Rd.  
Novi, MI 48375

RE: Response to Birchler Arroyo Associates, Inc. review for 29 Park Nightclub

Dear Ms. McBeth,

We have reviewed the Birchler Arroyo Associates, Inc review of our second revised shared parking study and have discussed the recommendations contained in their review with the developer of 29 Park. The developer agrees to all of the four recommendations/conditions contained in the Birchler Arroyo letter dated June 15, 2009;

1. The "maximum occupancy load" of the proposed nightclub (per Section 2505 of the Novi Zoning Ordinance) shall be 689 persons (patrons plus employees).
2. The opening time for patrons shall be no earlier than 9:00 P.M.
3. Any change(s) to the above conditions will require the submission, review and acceptance of a revised shared parking study.
4. A valet parking operation, if later proposed, must be approved by the City after the submission, review and acceptance of a plan showing the queuing and parking areas to be used, expected peak demand, average arrival rates, average service rates, queuing analysis and the number of valets required.

If there are any questions please contact us.

Sincerely,

Richard A. Rich

**REVISED  
SHARED PARKING STUDY**



Rich & Associates  
Consulting, Inc.

Parking Consultants

June 10, 2009

Barbara McBeth, AICP  
Deputy Director of Community Development  
City of Novi  
45175 W. Ten Mile Rd.  
Novi, MI 48375

RE: Revised Parking Analysis for 29 Park Nightclub-June 9, 2009

Dear Ms. McBeth,

We have revised the parking study as a result of discussions with the applicant and with Rod Arroyo of Birchler/Arroyo. Our last revision on May 29<sup>th</sup> was to review the two existing nightclubs owned by the applicant to see how their use patterns compare to the 2005 ULI Shared Use Model and is incorporated into this report. Additionally, we have updated the restaurant parking demand and Table 2 for this revised report.

29 Park Nightclub Review

The 2005 edition of the ULI Shared Parking model notes that nightclub characteristics have been modeled based on casual dining and that data was collected and adjusted by the author team. This is a limitation in the nightclub model in the ULI Shared Parking model in our opinion. Additionally, the 2005 edition of the ULI Shared Parking model reflects an opening time for a nightclub as 6:00 P.M. The applicant has stated that their opening time for the 29 Park nightclub will be 9:00 P.M. which is consistent with the opening times of their other two nightclubs.

The applicant has two similar nightclubs in Windsor and London Ontario. We requested that they provide us with a count for a typical May at both locations. This information was provided and is shown as Table 1 of this letter. Both locations are basically operated the same and these two locations are a model for the planned 29 Park nightclub.

The London location had a legal occupancy of 502 people and the Windsor location a legal occupancy of 400 people. In both cases the nightclubs opened at 9:00 P.M. As was described by the applicant at the Planning Commission meeting on May 20<sup>th</sup>, when their nightclubs open up it takes time for the guests to be screened for attire, proof of age and to check their coats etc. Also, experience shows that guests going to a nightclub generally start their evening later. This was also observed at the Mixx Lounge when we completed our counts on May 1<sup>st</sup>. This can clearly be seen by the numbers provided by the applicant. In both nightclubs the peak attendance occurred from midnight to 1:00 A.M.

Barbara McBeth, AICP  
June 10, 2009  
Page 2 of 5

Acknowledging that the numbers provided for the two nightclubs were from the month of May, we adjusted the counts at the two existing nightclubs to reflect December occupancy in Table 1. In this case we followed the 2005 edition of the ULI Shared Use model which took the May counts and increased them by 10 percent. It was noted on Table 1 that between midnight and 1:00 A.M. the December occupancies would have exceeded the maximum allowable, so we capped the occupancy at legal maximum.

#### Re-occupancy of Vacant Space in Atrium Building

We then revised Table 2 from the revised draft report to reflect the calculations discussed above and to include the potential re-occupancy of existing vacant ground floor space as restaurant. As previously identified, there is 8,153 sf of existing ground floor space that we have assumed would be restaurant. We used 11.53 spaces per 1,000 sf for the parking generation rate resulting in a total need for 94 spaces at 100 percent utilization. The 11.53 parking generation rate is consistent with the parking generation rate used for restaurants in Novi Main Street.

#### Revised Table 2

Revised Table 2 (columns D, E and F) shows the projected utilization of parking for the proposed restaurant re-occupancy using the 2005 edition of the ULI Shared Use model. In the revised Table 2, we have adjusted the percent use of parking for nightclub (column H) based on the data provided to us by the applicant as shown in Table 1. In our opinion, the use of the actual nightclub occupancy data for the applicants two other nightclubs which are the model for the proposed 29 Park nightclub is reasonable and provides more relevant data than that provided in the 2005 edition of the ULI Shared Parking model. This is based on an opening time for 29 Park of 9:00 P.M. and not 6:00 P.M. in the ULI Shared Use model, and it is based upon a longer check-in time compared to a restaurant.

Column I shows the projected spaces needed for the nightclub. Column L shows that at peak time, which is estimated to be at 11:00 P.M., there is a projected surplus of eight parking spaces assuming that the vacant space in the Atrium Building is occupied with restaurant, and that 29 Park nightclub is developed.

It is important to note the following about these projections.

1. We have assumed the month of December as the worst case. From the 2005 edition of the ULI Shared Parking model, both the restaurant and nightclub use is lower in the remaining months; therefore the surplus in parking will be higher.

Barbara McBeth, AICP  
June 10, 2009  
Page 3 of 5

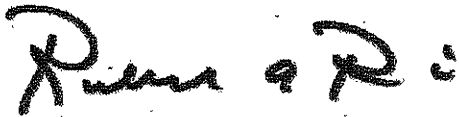
2. The utilization or percent use for the 29 Park nightclub reasonably assumes that there is a pattern similar to the two existing nightclubs owned by the applicants and that unlike a restaurant, entry into the club takes time for ID and dress code check, and then once inside a coat check depending on the weather.
3. The proposed maximum occupancy for the nightclub is 681 patrons.
4. We have assumed that the existing vacant ground floor space would be leased as restaurant.

Based on this analysis there is projected to be sufficient parking supply available during the peak month to accommodate the peak hour parking needs for the 29 Park nightclub. During the remaining months there will be more than enough parking to satisfy all parking demand.

The applicant wants to retain the option to provide valet parking at 29 Park as their business model continues to evolve in order to better serve their patrons. We acknowledge that should the applicant want to implement valet parking at a future date, the applicant must complete a valet plan showing the queuing and parking areas to be used, expected peak demand, arrival rates, service rates, number of valets during peak periods and a queuing analysis.

If there are any questions please contact us.

Sincerely,



Richard A. Rich

Attachments; Table 1, Table 2



Table 1  
Actual Occupancy Counts  
Ontario Nightclubs and Seasonal Adjustments

Friday Night/May London Location			Adjust for December 10 Percent		
Time	Occupancy	Percentage	Time	Occupancy	Percentage
9:00 PM	0	0.00%	9:00 PM	0	0.00%
9:30 PM	35	6.97%	9:30 PM	39	7.67%
10:00 PM	79	15.74%	10:00 PM	87	17.31%
10:30 PM	151	30.08%	10:30 PM	166	33.09%
11:00 PM	247	49.20%	11:00 PM	272	54.12%
11:30 PM	354	70.52%	11:30 PM	389	77.57%
12:00 AM	486	96.81%	12:00 AM	<b>502</b>	100.00%
12:30 AM	481	95.82%	12:30 AM	<b>502</b>	100.00%
1:00 AM	447	89.04%	1:00 AM	492	97.95%
1:30 AM	398	79.28%	1:30 AM	438	87.21%
2:00 AM	347	69.12%	2:00 AM	382	76.04%

Friday Night/May Windsor			Adjust for December 10 Percent		
Time	Occupancy	Percentage	Time	Occupancy	Percentage
9:00 PM	0	0.00%	9:00 PM	0	0.00%
9:30 PM	26	6.50%	9:30 PM	29	7.15%
10:00 PM	64	16.00%	10:00 PM	70	17.60%
10:30 PM	133	33.25%	10:30 PM	146	36.58%
11:00 PM	221	55.25%	11:00 PM	243	60.78%
11:30 PM	332	83.00%	11:30 PM	365	91.30%
12:00 AM	379	94.75%	12:00 AM	<b>400</b>	100.00%
12:30 AM	383	95.75%	12:30 AM	<b>400</b>	100.00%
1:00 AM	346	86.50%	1:00 AM	381	95.15%
1:30 AM	312	78.00%	1:30 AM	343	85.80%
2:00 AM	277	69.25%	2:00 AM	305	76.18%

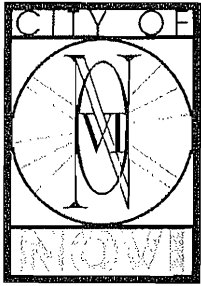
Where numbers are **bold**, the percentage increase could not be 10 percent as this would have exceeded the legal occupancy limits.  
The projected occupancy was capped at the maximum occupancy.

Table 2  
Revised June 9, 2009  
Shared Use Parking Calculation for  
Novi Main Street  
Proposed Nightclub

	A Spaces Occupied Current May 1, 2009	B Adjustment Factor From May to December	C December Occupied Spaces Based on Current Uses	D Gross Number of Spaces Needed for Re-occupied Restaurant (1)	E Percent Use Based on Shared Use 2005 ULI	F Total Spaces Needed for Future Restaurant	G Gross Number of Spaces Need for Night Club(2)	H Percent Use From Actual Use at Similar Facilities	I Projected Total Spaces for Proposed Nightclub	J Total Spaces Needed for All Uses (C+F+I)	K Parking Spaces Currently Available	L Deficit or Surplus Parking Spaces
7:00 PM	651	5%	684	94	100%	94	341	0%	0	778	1,008	230
8:00 PM	657	5%	690	94	100%	94	341	0%	0	784	1,008	224
9:00 PM	665	5%	698	94	100%	94	341	8%	27	820	1,008	188
10:00 PM	628	5%	659	94	95%	89	341	37%	126	875	1,008	133
11:00 PM	586	5%	615	94	75%	71	341	92%	314	1000	1,008	8
12:00 AM	547	5%	574	94	25%	24	341	100%	341	959	1,008	69
1:00 AM	473	5%	497	94	0%	0	341	98%	334	831	1,008	177
2:00 AM	307	5%	322	94	0%	0	341	76%	259	582	1,008	426

(1) Assumes 8,153 sf restaurant @ 11.53 spaces per 1,000 sf per previously used parking generation rate for Novi Main Street  
 (2) Assumes a functional capacity of 681 patrons and a parking generation factor of .5 spaces per patron per City of Novi Code and December utilization

**PLANNING COMMISSION DRAFT MEETING MINUTES  
EXCERPT – June 24, 2009**



cityofnovi.org

## PLANNING COMMISSION

CITY OF NOVI

Regular Meeting

Wednesday, June 24, 2009 | 7 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 7:00PM.

### ROLL CALL

**Present:** Members David Baratta, Victor Cassis, Andy Gutman, Michael Lynch, Mark Pehrson

**Absent:** Member David Greco (excused), Brian Larson (excused), Michael Meyer (excused), Leland Prince (excused)

**Also Present:** Kristen Kapelanski, Planner; Jana Pritchard, Planner; Rod Arroyo, Traffic Consultant; Tom Schultz, City Attorney

### PLEDGE OF ALLEGIANCE

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

### APPROVAL OF AGENDA

Moved by Member Cassis, seconded by Member Gutman.

### VOICE VOTE ON THE AGENDA APPROVAL, MOTION MADE BY CASSIS AND SECONDED BY MEMBER GUTMAN:

A motion to approve the June 24, 2009 Planning Commission Agenda. *Motion carried 5-0.*

### AUDIENCE PARTICIPATION

No one from the audience wished to speak.

### CORRESPONDENCE

There was no Correspondence to share.

### COMMITTEE REPORTS

There were no Committee Reports.

### COMMUNITY DEVELOPMENT DEPUTY DIRECTOR REPORT

Kristen Kapelanski stated that she had just one thing to report this evening. City Council at their June 15, 2009 meeting approved the 2<sup>nd</sup> Reading of the Sign Ordinance.

### CONSENT AGENDA - REMOVALS AND APPROVAL

No Consent Agenda.

**Kristen Kapelanski, Planner stated that 29 Park, proposed Nightclub at Novi Main Street should be moved from the Consent Agenda to Matters for Consideration. Chairperson Pehrson stated, let the record show that 29 Park proposed Nightclub at Novi Main Street be moved to Matters for Consideration.**

### MATTERS FOR CONSIDERATION

#### 1. 29 PARK, PROPOSED NIGHTCLUB AT NOVI MAIN STREET DEVELOPMENT, SP09-11B

Consideration of the request of 29 Park, Inc., for a recommendation to City Council for Preliminary Site Plan and Shared Parking Study approval. The subject property is located in Section 23, south of Grand River Avenue and east of Novi Road, in the TC-1, Town Center District. The applicant is proposing to occupy approximately 10,000 square feet of vacant space at the existing Novi Main Street development located at 43155 Main Street.

Planner, Kristen Kapelanski stated that the applicant is proposing to occupy 10,000 square feet of vacant space at the corner of Main St. and Market St. The proposed nightclub would move into the space formerly occupied by Steak on Main and the Coffee Trader. The subject property is zoned TC-1 (Town Center District) and surrounded by TC zoning in all directions. Parking was a significant issue in the original Main Street approval, because all the various uses were to share the parking.

Under Section 2505.8 of the Ordinance, which is part of the Off-Street Parking Standards, the City Council after a recommendation from the Planning Commission is given the authority to reduce the number of parking spaces required. This is based upon acceptance of a Shared Parking Study demonstrating how the parking can effectively function on-site.

The original approval of the Main Street plan included a reduction in the number of otherwise required spaces, based on the City Council's approval of a Shared Parking Study showing a certain mix of uses. This Study included all parking areas surrounding the Main Street buildings and the underground parking located beneath the Atrium Building, all of which now exist. So, that would now include the parking that is under the building currently in question, as well as the parking behind there, and all the way up to Andiamos.

Although it was originally approved as a single site development, the Main Street area now has four separate property owners. All have access to the existing parking lots based on the Shared Parking Agreements in place. Restaurant uses were originally anticipated in the building areas where the nightclub is now proposed.

Given the fact that the applicant is now proposing a more intense nightclub use in terms of parking requirements than what was originally anticipated, the Shared Parking Study had to be updated, as a means of determining if sufficient parking for the proposed new use could be provided.

If you will recall, the applicant was previously before this Commission in May, 2009. The Commission chose to table the matter at that meeting until additional information could be provided regarding some assertions made in the Shared Parking Study, including the use of off-site valet parking.

Since that time, the applicant has submitted detailed floor plans to the Building Division. The Building Division has determined the maximum occupancy load to be approximately 681 people, which is far less than the originally anticipated 800 people.

Therefore, the Parking Study now demonstrates excess of 8 parking spaces on-site. The parking issues have been mostly resolved, and the valet parking is no longer needed.

The primary action to be taken by the Planning Commission tonight is the consideration of a recommendation to City Council of Preliminary Site Plan approval with the ancillary action of recommending acceptance or rejection of the Shared Parking Study. The Commission is also asked to consider the conditions listed in the recommended motion.

Planner, Kristen Kapelanski said she was available for questions along with our Traffic Consultant, Mr. Rod Arroyo. The applicant is available as well.

Chairperson Pehrson thanked Kristen Kapelanski.

Chairperson Pehrson asked if the applicant had anything to add. The applicant, Mike Sassine stated that he agreed to all the conditions. Mr. Sassine came forward and stated that he is one of the partners for 29 Park. Rob spoke to you the last time we were here and he has some personal matters tonight.

Mike Sassine stated that he and his partners have agreed to the conditions set up by the city. Mr. Sassine stated that they were willing to work within those parameters.

Chairperson Pehrson turned it over to Commission for their consideration.

Member Gutman stated that they were interested in having this project come to Novi. Member Gutman asked



Mr. Rod Arroyo, Traffic Consultant if he had reviewed this, and was he comfortable with the Analysis that was done.

Mr. Arroyo stated that they had reviewed it and were comfortable with the conclusions. Mr. Arroyo also stated that the biggest change has been the occupancy. Because of that change, it made it much easier to resolve the number of questions we had, and takes away the valet necessity. Mr. Arroyo stated they were comfortable with the conclusions of the Study and recommending approval of it.

With that, Member Lynch would like to make a motion to approve. In the matter of 29 Park Proposed Nightclub on Main Street, SP09-11B, motion to recommend approval to City Council for the Preliminary Site Plan and the Shared Parking Study subject to the following

**In the matter of 29 Park Proposed Nightclub at Main Street, SP 09-11B, motion to recommend approval to City Council for the Preliminary Site Plan and Shared Parking Study subject to the following:**

- a. **The maximum occupancy load of the proposed nightclub shall not exceed 689 people, including employees;**
- b. **The opening time for patrons shall be no earlier than 9PM;**
- c. **Any changes that increase the occupant load beyond 689 people or that alter the start time of business hours will require additional review and approval from the appropriate bodies;**
- d. **A valet parking operation, if later proposed, must be reviewed by staff and consultants and approved by the appropriate bodies after the submission of a plan showing the queuing and parking areas to be used, expected peak demand, average arrival rates, average service rates, queuing analysis and number of valets required;**
- e. **The revised Shared Parking Study indicates a projected parking surplus of 8 spaces at the peak-demand hour of 11:00 p.m. for the entire development, including the proposed nightclub (1000 spaces needed, 1008 spaces provided);**
- f. **Additional comments in the staff and consultant review letters being addressed on the Stamping Set submittal**

**For the reasons that the proposed site plan is otherwise in compliance with Article 25 and Article 16 of the Zoning Ordinance and all other applicable provisions of the Ordinance and the proposed Shared Parking Study demonstrates that adequate parking will be provided to support the mix of uses. *Motion carried 5-0.***

Motion made by Member Lynch, seconded by Member Baratta.

Member Cassis addressed Mr. Arroyo, Traffic Consultant and asked when calculating the shared parking, was it taken into consideration all of the properties, including Andiamos and O'Connors. Mr. Arroyo answered yes, and stated that the entire Main Street development including the vacant areas were taken into consideration.

Member Cassis said he was not sure about legalities about Shared Parking. Member Cassis asked that if those other areas were owned by different people, different corporations, would the shared parking become separate in its dimensions as compared with all of that area being under one ownership?

Through the Chair, City Attorney, Tom Schultz stated that they are actually owned by different people at this point. So, the Study itself doesn't concern itself under ownership. Mr. Schultz stated that it has more to do with the uses that are permitted or existing and the sharing of parking. Mr. Schultz said there is not necessarily an agreement; it is more a method of calculating how much is it for all those uses, all those buildings, regardless of the underlying owner.

Member Cassis asked what if the other owners do not want this use to share the parking, yet I know the owner of this building was here last time and said it was okay by him and whatever other outfits he owns there, like the jewelry store and so on and so forth. But we never entered into this situation and I didn't see any other owners from other buildings that came forward and said yes, we will allow shared parking in our parking spaces.

City Attorney, Tom Schultz stated that in the original approval of Main Street, there was one owner and there was one site plan and the parking was open to all those uses. Even though those parcels have been separated in terms of ownership, the ability to use all those parking spaces still exists.

City Attorney, Tom Schultz said he does not know if it ever got to the Planning Commission when this building that were talking about became part of a separate condo. There was an issue as to whether some of these parking areas were going to be limited to a particular condo owner. For the most part, at least with all the parking we are talking about tonight, the city was clear and this is open parking, and everyone gets to use it. So, regardless of the owner, it should all function as it did when originally approved back with the original Main Street development.

Member Cassis stated that Tom Schultz is our city attorney and that he respects his word, that it is a legal situation and that it is okay here. Member Cassis asked Attorney Tom Schultz; what if the other owners said they do not want these people to park here? Through the Chair, City Attorney, Tom Schultz explained that he was okay with that.

Member Cassis explained how Andiamos and Gus O'Connors, as well as this proposed development can get very busy and most of their clientele come after 9:00pm. Member Cassis stated that they read this in Police Reports all the time. Member Cassis asked what will happen if those people who own businesses say, we do not allow parking in our places. Member Cassis asked if the owners of the other properties have a right to say that. City Attorney, Tom Schultz said in our opinion, no. Based upon the approval for their plan, this plan, and the plan for parking there in general.

City Attorney, Tom Schultz stated to Mr. Cassis that the folks that you just named, there are some other parcels that are in the area, that aren't necessarily part of this study. City Attorney, Tom Schultz said the parking for all of the things Member Cassis mentioned, that is shared parking. Member Cassis told Attorney Schultz that he would accept his legal opinion.

Member Cassis stated that with the approval of our Traffic Consultant and our City Attorney whom he both respects. Member Cassis said he would then go along with this, and approves it and has nothing against this gentleman. Member Cassis said that we appreciate Mr. Sassine in coming to the city and establishing a business.

Member Cassis, said he will be voting for this, reluctantly and my situation is not because of the Study or our okay by the city attorney, but because we have been having a lot of trouble, police wise, with our bars in that particular area.

Member Cassis stated that he has no legitimate reason to be saying what I'm saying, as far as denying these people wanting to come to this community, and pay our taxes and so on, and we welcome them again.

Member Cassis stated that he just had to get his statement in as far as what was our aim or goal in Main Street. Member Cassis questioned whether it was to put bars in there, and have people travel there from all over to come here, or did we want a diversified Main Street with Boutique Shops. As I recall, I have been here, and I know what people were saying at that time. Member Cassis wondered where are the Boutique Shops. Member Cassis said that there is one beautiful Boutique Shop with the owner not being here tonight, one of our colleagues.

Chairperson Pehrson thanked Member Cassis.

Member Baratta stated that he was assuming that there was some sort of reciprocal easement that covers parking for all these individuals, or some condominium approval that covers parking, so there's the capability of using parking. Member Baratta asked if this was accurate.

Attorney Schultz stated that if these were developed as separate uses, they would clearly be that kind of a situation. What happened here is, it was originally one development when it got site plan approval, there had been some changes in ownership and I wasn't involved in documenting whether or not there were Cross Access Easements when that happened. But from the cities prospective, whether those exist or not, this is all from a regulatory perspective, a shared parking area. There maybe separate easements that have since been created, if so, fine. If not, from our prospective, that is fine as well, because we are all working on site plan issues and they are all coming to the city saying, we have the ability to use this parking area and the city saying, taking that into consideration, in the sense the city attorney is okay with it. I'm okay with the conclusion that they have the right to count this parking as available to them. Whether or not it's enough, is sort of on the issue of the Traffic Study and there's been no indication from any of the other property owners that we were aware of, that somehow, we shouldn't be counting the availability of those spaces. If that issue develops, we'll deal with it then, but it certainly not been raised at this point.

Chairperson Pehrson asked if there was any other discussion.

Chairperson Pehrson asked Planner, Kristen Kapelanski to call the roll please.

**Roll Call Vote: Commissioner Cassis, Commissioner Baratta, Commissioner Gutman, Commissioner Lynch, Commissioner Pehrson *MOTION PASSES 5-0.***

**SUPPLEMENTAL ISSUES:**

No supplemental issues.

Chairperson Pehrson asked that for the record, Mr. Meyer did acknowledge that he would be on vacation this week and absent, excuse him.

**AUDIENCE PARTICIPATION:**

No one else asked to speak.

**Chairperson Pehrson closed the audience participation and vote for adjournment.**

**Motion to adjourn made by Member Baratta, seconded by Member Lynch. *Motion passes 5-0.***

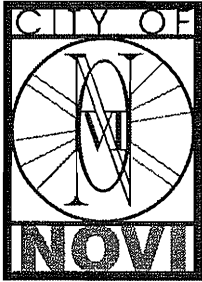
**ADJOURNMENT**

The meeting adjourned at 7:21PM.

**SCHEDULED AND ANTICIPATED MEETINGS**

FRI	07/03/09	CITY OFFICES CLOSED	
MON	07/06/09	CITY COUNCIL MEETING	7:00 PM
TUE	07/14/09	ZONING BOARD OF APPEALS	7:00 PM
WED	07/15/09	PLANNING COMMISSION MEETING	7:00 PM
THU	07/16/09	MASTER PLAN & ZONING MEETING	7:00 PM
MON	07/20/09	CITY COUNCIL MEETING	7:00 PM
WED	07/29/09	PLANNING COMMISSION MEETING	7:00 PM
THU	08/06/09	MASTER PLAN & ZONING MEETING	7:00 PM
MON	08/10/09	CITY COUNCIL MEETING	7:00 PM
TUE	08/11/09	ZONING BOARD OF APPEALS	7:00 PM
WED	08/12/09	PLANNING COMMISSION MEETING	7:00 PM

**PLANNING COMMISSION DRAFT MEETING MINUTES  
EXCERPT - May 20, 2009**



cityofnovi.org

# PLANNING COMMISSION

CITY OF NOVI

Regular Meeting

**Wednesday, May 20, 2009 | 7 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 7:00pm.

## ROLL CALL

**Present:** Members David Baratta, Victor Cassis, David Greco, Andy Gutman, Brian Larson, Michael Lynch, Michael Meyer, Leland Prince

**Absent:** Member Mark Pehrson (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Lindon Ivezaj, City Engineer; Rod Arroyo, Traffic Consultant; Tom Schultz, City Attorney.

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Lynch, seconded by Member Greco

## VOICE VOTE ON THE AGENDA APPROVAL MOTION:

**Motion to approve the May 20, 2009 Agenda. Motion carried 8-0.**

## MATTERS FOR CONSIDERATION

### 2. 29 PARK, PROPOSED NIGHTCLUB AT NOVI MAIN STREET DEVELOPMENT, SP09-11

Consideration of the request of 29 Park Inc. for a recommendation to City Council for Preliminary Site Plan and Shared Parking Study approval. The subject property is located in Section 23, south of Grand River Avenue and east of Novi Road, in the TC-1, Town Center District. The applicant is proposing to occupy approximately 10,000 square feet of vacant space at the existing Novi Main Street development located at 43155 Main Street.

Member Larson asked to be recued from the vote since he is a tenant in the building where this use would be located. It may be unclear whether it could have financial impact or whether Member Larson could be completely neutral on the question.

Chair Gutman stated that there needed to be a vote.

**ROLL CALL VOTE ON 29 PARK, NIGHTCLUB AT NOVI MAIN STREET DEVELOPMENT, SP09-11, WHICH WOULD ALLOW MEMBER LARSON TO BE RECUED FROM THE VOTE. MOTION MADE BY MEMBER CASSIS AND SECONDED BY MEMBER MEYER. (Yes: Baratta, Cassis, Greco, Chairperson Gutman, Lynch, Meyer, Prince. Motion carried 7-0**

Ms. Kristen Kapelanski described the project to the Planning Commission and stated that the applicant is proposing to occupy approximately 10,000 square feet of vacant space in the existing Novi Main Street development. The nightclub would be located in the space formerly occupied by Steak on Main in the Coffee Trader at the corner of Main Street and Market Street. The subject property is zoned TC-1 (Town Center District) and is surrounded by TC zoning in all directions. Parking was a significant issue in the original Town Center approval because all the uses proposed were to share the parking provided.

Under Section 2505.8 of the Ordinance, which is part of the Off-Street Parking Standards, the Planning Commission recommends approval to City Council, and the City Council is given authority to reduce the number

of parking spaces required. The original approval of the Main Street development included a reduction in the number of otherwise required spaces, based on the City Council's approval of a Shared Parking Study showing a certain mix of uses. This study included all existing parking areas surrounding the Main Street buildings and all the parking areas behind the building in question. It also included the underground parking at the Atrium Building, parking in front of Gus O'Connor's, parking in front of Andiamos, as well as the on-street parking. Originally approved as a single site development, the Main Street area now has four (4) separate property owners in which all have access to the existing parking lots per the Shared Parking Agreements.

Planner, Ms. Kapelanski stated that restaurant uses were anticipated in the building areas where the nightclub is now proposed. The applicant is proposing a more intense use in terms of parking requirements and the Shared Parking Study had to be updated to determine if there would be sufficient parking. The applicant has submitted an updated Shared Parking Study for the Planning Commission and the City Council's review. The Study shows 1,008 spaces existing and 1,195 spaces required for all the proposed areas of the buildings if they are fully occupied. The applicant is requesting a reduction of 187 spaces from the number required as determined by the Shared Parking Study.

The primary action to be taken by the Planning Commission this evening is consideration of a recommendation to City Council for Preliminary Site Plan approval. In order to approve the site plan, the City Council, after recommendation by the Planning Commission, would need to reduce the number of parking spaces required after considering the Shared Parking Study. So the ancillary action requested of the Planning Commission is also recommended acceptance or rejection of the Shared Parking Study itself.

The Planning Commission has the following options available this evening:

1. The Commission could recommend approval of the Shared Parking Study and the Preliminary Site Plan.
2. The Commission could recommend acceptance of the Shared Parking Study based on the fact that the methodology is sound, but table the Preliminary Site Plan, until additional information can be provided regarding the proposed valet operation and off-site parking.
3. The Commission could recommend acceptance of the Shared Parking Study again because the methodology is sound, but recommend denial of the Preliminary Site Plan because parking on-site is significantly deficient to accommodate the proposed use of the peak hour of parking demand.
4. The Commission could recommend denial of both the Shared Parking Study and the Preliminary Site Plan.

Ms. Kapelanski stated that the Community Development Department Staff and Traffic Consultant have all worked quickly with the applicant to bring this matter forward.

The applicant understands that there are some lingering issues regarding the conditions in the Shared Parking Study. One of the main concerns is the deficient 187 spaces on the site at the peak hours. The proponent has suggested securing approval of nearby property owners for off-site valet parking lots along the south side of Grand River Ave. The lots are identified in the most updated Shared Parking Study that was included in the Planning Commission's packets.

Ms. Kapelanski indicated that the applicant is proposing to pick up about 45 spaces at Tommy's Tire, 20 spaces behind Ms. Button's building and 34 spaces behind the Audio Visual Building. These are lots that are not currently part of the Shared Parking Agreements on Main Street and the valet parked cars would be using those lots only. This raises potential issues with regard to terms of any proposed Shared Parking Agreements and whether they can be made to last in perpetuity, or, for as long as the more intense use of these tenant spaces exist on the property.

The logistics of the valet parking operation would also need to be reviewed and how the obligation to use those off-site spots would be carried out by the proponent and what would happen if the obligation is not met. Directional signage has been discussed, but no specifics have been provided.

Under the Off-Street Parking Provisions of the Ordinance, Special Land Use approval is a requirement for the use of off-site parking lots. Since we have only recently received the proposal for off-site valet parking, we have not yet determined whether such a process is required. Ms. Kapelanski turned the floor over to the City's Traffic Consultant, Rod Arroyo, to go over more of the specifics of the Shared Parking Study.

Mr. Arroyo said that it would be helpful to go over the letter to help walk the Commission through the Shared Parking formulas. The applicant's Parking Consultant did a current count on the parking demand in the evening, starting at 7:00 p.m. through 2:00 a.m., to determine the overall parking demand. Mr. Arroyo noted that, with the originally approved Shared Parking Agreement, a specific formula was approved that allowed the development to provide less parking than required by ordinance because of the mix of uses.

It is appropriate to provide less parking with a mix of uses than if you were to look at the uses individually. Uses continue to change in the Main Street area, and this type of study continues to be a way of validating the current parking situation. Some uses are more intense in terms of parking demand, such as nightclubs and restaurants, which tend to be fairly high parking generators.

The actual parking count gave us a good indication of the parking demands. Mr. Arroyo worked with the applicant's Traffic Consultant to make sure the methodologies in the ULI Guidelines were followed. In a Shared Parking arrangement, a peak month for the year and a peak hour of the day are identified. In this case, the peak month is December and the counts for May were factored up by 5 percent to reflect that restaurants and nightclubs usually tend to peak in December, based upon research done nationally. Those parking counts were adjusted upward, and there is a current demand of 698 spaces.

Mr. Arroyo stated that the applicant was asked to identify additional vacant space in the development and found that the vacant former Mexican restaurant, which was 8,000 square feet, would generate a parking demand of 117 spaces.

The proposed nightclub has an 800 person capacity and based on the occupancy of 2 people per car, there is a 400 parking space demand for that use. When adjusted to the 9:00 p.m. peak hour, the parking demand goes down to 380 because the nightclub will peak at about 10:00 p.m.

Mr. Arroyo found the 1995 Main Street traffic review letter and identified the original shared parking formula that was applied to the Main Street project. Based on the application of the formula for the 10,000 square foot tenant space, approximately 115 spaces would have been required for the nightclub's space. Now 400 spaces are required, as this use is much more people-intensive.

The total forecasted demand, based on the applicant's analysis, is 1,195 spaces. There is an on-site supply of 1,008 spaces in the Main Street project. Parking is provided within a reasonable walking distance in an urban downtown-type setting, with parking spaces located within an 800 to 850 foot radius, or a three minute walk. Overall, there is a 187 space deficiency.

One of the things that would be possible to do is to go back to the original formula approved for the Main Street project. Restaurants would have provided a parking ratio of 11.53 per thousand instead of 14.3 per thousand that is currently required. If that formula is applied, the deficiency is reduced to 164 spaces. As Ms. Kapelanski mentioned, one of the things that the applicant has done is to identify off-site locations where valet parking could occur. A total of 99 spaces were identified in off-site lots. Including 99 spaces in off-site lots, would reduce the deficiency from 164 spaces to 65 spaces.

In talking with the applicant's Parking Consultant, one or two different options are proposed:

1. They would like to secure a portion of surface parking area in Main Street or a portion in the garage parking in the Atrium Building and have it cordoned off for valet parking. Andiamos is doing this right now and a certain portion of the south side of Andiamos is identified for valet parking only. The applicant would like to do something like this where then they could double stack or maybe even triple stack cars. so they can get more cars into a space that is not open to the general public. The valets can move more cars back and forth and jockey them around to make more space.
2. Another option would be to find other off-site locations that are within a reasonable distance in order to serve this development.

This raises a number of different issues for the Planning Commission to discuss, such as the level of comfort with having a certain portion of the surface or garage parking area cordoned off just for valet parking. These spaces

would be unavailable for other patrons who are coming for other uses. If the valet spaces are within the parking garage, those spaces are most proximate and desirable in inclement weather. Mr. Arroyo noted that most valet parkers will park quite a distance away and run back in order to provide a quick turnaround.

The applicant is also proposing to dedicate 3 parking spaces along Main Street as valet staging. It is not unusual to see this in a downtown, but is a policy question for consideration, since it is a public roadway being designated for private purposes. Approval of a Queuing Analysis is typically needed for valet parking on a public street. In a Queuing Analysis, the following are considered: arrival rate, the service rate for valet's, the turn-around time, the number of valets in place at peak demand, and the amount of queuing space available for valet service. Spill-back on Main Street would take place if there are not enough stacking spaces, resulting in congestion.

The question is whether or not the Planning Commission is prepared to recommend approval of these issues now, whether additional information is needed, or if these issues could be resolved at the time of Final Site Plan.

Mr. Arroyo ended with saying that he would be happy to try to answer any questions or concerns that anyone has.

Chair Gutman asked if the applicant was in attendance and if he would like to come forward and speak.

The applicant, Rob Sessine, stated that Mr. Arroyo has covered the information. Mr. Sessine stated that he would answer any questions, along with Richard Rich who prepared the Traffic Study. The Landlord's representative is here to help answer any questions or concerns.

Chair Gutman thanked the applicant and opened the matter up to the Planning Commission.

Member Lynch stated that he would certainly like to see a nightclub fill that spot, but there was not enough information to approve something at this time. Member Lynch did not want to approve something that would improve the situation for one, yet degrade the situation for another. Member Lynch liked the idea of a valet and agreed with Mr. Arroyo that a Queuing Study should be done. Member Lynch said that with the parking being such a big issue, as well as valet use proposed in the public right-of-way, he would like to see the Queuing Study done and have the additional information to assist in making a decision.

Member Greco thanked the applicant for trying to fill the vacant tenant space and stated the nightclub use seems like a good fit for the mix of uses in the area. The concern, however, is not only the degradation of other property owner's ability to park, but also for patrons of other establishments in the area. If someone has to park too far away, or can't park, then the area becomes avoidable in the future and this is something we do not want. Mr. Greco felt the questions raised needed answers and asked the landlord to come forward for questions.

Usher Husain, representing the landlord, came forward and explained that he is a partner in the Main Street Partnership, LLC.

Member Greco asked Mr. Hussein if he had any concerns regarding parking for his other tenants. If there is not enough parking and it becomes inconvenient, is the landlord concerned that people go elsewhere. Nightclub patrons are used to standing in line, but the other types of businesses in the area may not abide the wait. Member Greco wanted to know if Mr. Hussein had spoken with any of the other tenants and about their thoughts.

Mr. Husain stated that the parking study is a conservative and appropriate approach. By 9:00 p.m., restaurants are tailing off as the nightclub would be ramping up. The second floor of the building is all office space and has no usage in the evenings. Mr. Hussein explained that he has spoken with the property owners and they are supportive of the nightclub because they recognize the influx of business this nightclub can provide and that is a very positive thing.

Mr. Husain stated that he feels that a big queue of cars and difficulty for the restaurant patrons to find parking spaces would not happen on a day to day basis. The parking garage is typically unused on Friday and Saturday nights. They are looking at some possibilities for improving the signage to have more people use the garage. Mr. Hussein said the tenants are all looking forward to the activity.

Member Meyer appreciated that the owners of Main Street had spoken with the other tenants and that they



welcome the possibility of the nightclub coming in as it would stimulate their businesses as well. Member Meyer said that he has driven by there on a particular weekend evening that the parking lots are packed for Gus O'Connor and the Post Bar. Further clarification is needed to identify where the clientele would be parked. Member Meyer stated that there is plenty of parking across Grand River Ave and wondered if there was possibility that the valet parking could be across the street. Member Meyer said he is looking forward to the time that we can start filling some of these empty spaces. However, he will not be able to recommend approval this evening, not because he is not supportive of the effort, but because he does not know where the 65 parking spaces can be provided.

Member Cassis stated he would have a hard time approving this request at this time, due to too many shortages of parking spaces. Mr. Cassis and his wife went to Gus O'Connor's on Tuesday evening and had to park in a space along Grand River Ave. The street by Gus O'Connor's is a narrow street. The corner can be dangerous, especially when cars start stacking up, and someone doesn't want to stop, or someone wants to turn around. That can make it a tough area for a valet. Member Cassis agreed with Member Lynch by saying that we do not want to invalidate the principle of shared parking.

Chair Gutman asked if anyone had anything else to add.

Member Lynch added that is the Commission's role to give the applicant some direction or guidance. Mr. Lynch believes that the valet would work. He encouraged the applicant to proceed with the queuing study. Member Lynch stated that most people want to park right in front of the place of business and want to be able to just walk in. Member Lynch said he respected the applicant's judgment and that we do have to protect the tenants and the customers.

Chair Gutman stated that, from time to time, he has had the pleasure of being in the applicant's position with respect to other municipalities. The theme the applicant is hearing from everyone tonight is that we want to see the applicant be successful. However, we want the other business people in that area be successful as well. The Commission has to review things in a cautious and appropriate manner and from what he hears, there is not enough information or adequate knowledge to make that decision at this time.

Mr. Sessine stated he would be happy to continue to work with the Traffic Consultant and city staff. Mr. Sessine stated that he has been trying to get into Novi for 2 ½ years and was in preliminary talks with the adjacent property owner, but after waiting for some time, the proposed development did not take place.

Mr. Sessine explained that he wanted to do business here in Novi and is willing to work with the city on the excellent recommendations that have been made. He explained that he has two other nightclubs in Windsor and London, Ontario. Mr. Sessine said that they are looking to invest at least a million dollars in this establishment. They will do the studies that are necessary to accomplish the valet service. Time is of the essence. Mr. Sessine assured the Commission that it is his intent to do the necessary studies, follow the recommendation of the Commission and eliminate parking concerns. Mr. Sessine said he wants to increase traffic to Main Street, and give the area a little boost with the new nightclub and accomplish the city's goals while accomplishing his goals.

Member Cassis asked the applicant about whether food would be served at the nightclub.

Mr. Sessine stated that in the two operations he runs, food is prepared and given to patrons for free.

Member Cassis asked Mr. Sessine whether he had considered changing the concept slightly to serve food at tables in a quarter of the space. A different parking calculation could be used.

Mr. Sessine said he does not want to mislead the Commission. The reason free food and water are given to the customers is to help with hydration. This has been the practice at the other establishments for over six years.

Member Cassis asked Mr. Sessine if they had shows on the weekend.

Mr. Sessine answered that they had no shows, strictly DJ's. He understands the concern is that the peak time is 9:00 p.m. and the nightclub's doors do not actually open until 9:00 p.m. To fill to the capacity of 800 people by 9:00 p.m. would be impossible due to the time it takes to check identifications and dress code. Mr. Sessine also

agreed with the Mr. Hussein, the landlord when he said that when everyone else in the area is winding down, that is when we are winding up.

**Motion:**

**Member Meyer stated that in the matter of 29 Park proposed nightclub at Main Street, SP09-11, made a motion to postpone approval to City Council for the Preliminary Site Plan until the proposed Shared Parking Study does demonstrate that adequate parking will be available to support the mix of uses.**

Member Lynch seconded the motion.

Member Cassis asked for clarification whether the applicant will be willing to work with the City's Traffic Consultant on the remaining issues.

Mr. Sessine answered that his Traffic Consultant will continue to work with the City's Traffic Consultant in hopes of bring this back before the Planning Commission in a very timely manner.

Member Meyer said that his concern is that Novi has a reputation for making it difficult for people sometimes to jump enough hurdles in order to get into place, and hopes that a few hurdles have been eliminated in the few years he has been on the Commission.

Member Meyer stated that Mr. Arroyo is a very good man and you'll be working with him and that somehow were going to work out the valet parking and shared parking issues.

Member Cassis explained that the reason Member Meyer asked the question is because he believes that Rod Arroyo's favorable recommendation is so vital, and we do not want the applicant to come in again and be declined.

Member Meyer said that he would be more than happy to include the comment in the motion so the applicant would be in collaborative effort with out Traffic Consultant.

Member Lynch seconded the revised motion.

Member Lynch asked Mr. Arroyo, if this seems reasonable and appropriate since it appears that the applicant has a tremendous amount of information based on the two businesses. Member Lynch suggested a review of actual numbers and the existing data existing could get over this hurdle relatively quickly.

Rod Arroyo, Traffic Consultant said he agreed and it is a matter of collecting the information and doing the additional studies. There are guidelines for queuing studies. Mr. Arroyo stated they will be happy to work with the applicant's consultant as they have been doing and to make sure we are as helpful as we can be everything can be completed and get reviewed and back before Planning Commission.

Member Meyer asked if this is a reasonable approach to expedite the process and I'll ask my fellow Planning Commissioner's if the only hurdle is the parking and once it is resolved, I believe the applicant and landlord have heard that we are all in agreement and would welcome their club here.

Member Lynch/Meyer seconded the motion.

Barbara McBeth, Deputy Director Community Development explained that staff will be happy to continue to work with the applicant. Ms. McBeth stated that there were a number of comments in Mr. Arroyo's letter that we would like to have addressed, in addition to the queuing study, valet parking, and items from Ms. Kapelanski's presentation as well. With the agreement of the Planning Commission, we will work on a number of those issues with the applicant and bring this project back as quickly as possible.

Member Meyer asked that we just communicate with the applicant and not to just think about valet parking, but be creative and if the problems can be resolved, then we want you to do business here.

Member Meyer thought that Member Cassis brought up some valid concerns regarding the parking and what I am

saying to the applicant is to work with Mr. Arroyo and be creative and deal with the issues since you have some limited space there and we are open to creative solutions.

**ROLL CALL VOTE ON PARK 29, NIGHTCLUB AT NOVI MAIN STREET, SP09-11, TO POSTPONE THE PRELIMINARY SITE PLAN, SHARED PARKING STUDY, APPLICANT TO DO A CUEING STUDY THAT DOES DEMONSTRATE ADEQUATE PARKING FOR THE EXISTING AND PROPOSED USES AND THE MATTER BE BROUGHT BACK TO PLANNING COMMISSION IN A TIMELY MATTER AND THE APPLICANT WORK WITH THE CITY'S TRAFFIC CONSULTANT TO RESOLVE THE REMAINING ISSUES. Member Meyer made a motion and Member Lynch seconded it. (Yes; Gutman, Lynch, Meyer, Prince, Baratta, Cassis, Greco, Recused: Larson) *Motion passes 7-0.***

**PREVIOUSLY APPROVED SHARED PARKING**

PARKING CALCULATIONS

THE FOLLOWING CALCULATIONS ARE BASED ON THE RICH AND ASSOCIATES SHARED PARKING FORMULA PREVIOUSLY ACCEPTED BY THE PLANNING COMMISSION AND THE RICH AND ASSOCIATES ACTUAL PEAK OCCUPANCY STUDY FOR VIC'S MARKET PREPARED IN 1996.

A. VIC'S MARKET	GROSS S.F.	USABLE S.F.
FIRST FLOOR	59,090	33,594
MEZZANINE	12,287	4,553
DISPLAY/GREENHOUSE	6,930	4,336
	78,307 S.F.	42,513 S.F.

USABLE AREA	X	SPACES/1000 S.F.	X	LINKED TRIPS FACTOR	SPACES REQUIRED
42,513		4.70		90%	180 SPACES *

\* THE RICH AND ASSOCIATES (1996) ACTUAL PEAK OCCUPANCY STUDY INDICATED A PEAK USE OF 178 SPACES

B. NOVI TAVERN/RETAIL BUILDING

USE	GROSS FLOOR SPACE	SPACES/1000 S.F.	GROSS LEASEABLE AREA (GLA)	NET USABLE AREA (NUA)	LINK TRIPS FACTOR	REQUIRED SPACES
OFFICE	16,700	2.42	N/A	N/A	N/A	40
RETAIL	5,688	4.70	80%	N/A	90%	19
MICRO BREWERY	7,220	N/A	N/A	N/A	90%	112 a
TAP ROOM/ RESTAURANT						
BREWHOUSE	4,625	N/A	N/A	N/A	N/A	4 b
GROCERY	11,461	4.70	80%	N/A	90%	39
	45,694	N/A=NOT APPLICABLE				214
				H.P. SPACES TOTAL		7
						221

a.  $7,220 \text{ GROSS S.F.} / 70 = 103 \text{ SPACES} \times 0.9 = 93$

$220 \text{ PERSON CAPACITY} + 16 \text{ PERSONS WAITING} + \text{EMPLOYEES (TAP ROOM/REST)} = 124$

$2 \times 1.5 = 3$

$124 \times 0.9 = 112$

b.  $6 \text{ EMPLOYEES (BREWHOUSE)} = 4$

$1.5$

C SERVICES.  
COUNCIL  
KET STREET.

C. BUILDING NO. 200 AND 300

USE	GROSS SQUARE FOOTAGE	X SPACES/1000 GSF	X GROSS LEASEABLE AREA FACTOR	X NET USEABLE AREA FACTOR	LINKED TRIPS FACTOR	= SPACES REQUIRED
OFFICE	49,083	2.42	N/A	N/A	N/A	119
RETAIL	73,535	4.70	80%	90%	90%	224
RESTAURANT	24,366	17.80	80%	90%	90%	262
	147,004		114,778 S.F. NET			625

BUILDING 400- THROUGH 1000 INCL.

USE	GROSS SQUARE FOOTAGE	X SPACES/1000 GSF	X GROSS LEASEABLE AREA FACTOR	X NET USEABLE AREA FACTOR	LINKED TRIPS FACTOR	= SPACES REQUIRED
OFFICE	107,800	2.42	N/A	N/A	N/A	261
RETAIL	166,400	4.70	80%	90%	90%	507
RESTAURANT	51,400	17.80	80%	90%	90%	593
	325,600					1361

MAIN STREET COURT

USE	GROSS SQUARE FOOTAGE	X SPACES/1000 GSF	X GROSS LEASEABLE AREA FACTOR	X NET USEABLE AREA FACTOR	LINKED TRIPS FACTOR	= SPACES REQUIRED
OFFICE						0
RETAIL	2,480	4.70	80%	90%	90%	8
RESTAURANT	21,120	17.80	80%	90%	90%	244
	23,600					252

009,

D. TOTAL SPACES BY USE

	DAYTIME SPACES REQUIRED/PCT. FACTOR	NIGHTTIME SPACES REQUIRED/PCT. FACTOR
OFFICE	421 379/90%	30/7%
RETAIL	799 799/100%	712/89%
RESTAURANT	1239 868/70%	1239/100%
VIC'S	178 178/100%	159/89%
	2637 2224	2140

RECEIVED  
AUG 20 1997

MAXIMUM TOTAL REQUIRED 2224 plus 33 Handicapped = 2257  
TOTAL PROVIDED 2260 [includes 51 Handicapped]

- 12 @ Vic's
- 7 @ Sports Tavern
- 8 @ Main Street Court
- 24 @ Bldg 200/1000

PLANNING DEPT.  
CITY OF NOVA

RECEIVED  
AUG 20 1997

95-53 F  
95-53 WOOD-6