

1 REGULAR MEETING - ZONING BOARD OF APPEALS
 2 CITY OF NOVI
 3 Tuesday, April 9, 2013

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 5 Proceedings taken in the matter of the ZONING BOARD OF
 6 APPEALS, at City of Novi, 45175 West Ten Mile Road, Novi,
 7 Michigan, on Tuesday, April 9, 2013

- 8 BOARD MEMBERS
 9 David Ghannam, Acting Chairman
 10 Linda Krieger
 11 Jeffrey Gedeon
 12 Brent Ferrell
 13 James Gerblich
 14 Mav Sanghvi

15 ALSO PRESENT: Charles Boulard, Building Official
 16 Beth Saarela, City Attorney
 17 Coordinator: Angela Pawlowski, Recording Secretary

18
 19 REPORTED BY: Jennifer L. Wall, Certified Shorthand Reporter

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1 Novi , Mi chi gan.
2 Tuesday, April 9, 2013
3 7:00 p.m.
4 ** ** **
5 MS. KRIEGER: Call to order the
6 April Zoning Board of Appeals for the regular
7 meeting scheduled Tuesday, April 9, 7:00 p.m.
8 In the absence of our chair, I'd

9 like to call for an alternate chair to
10 function. If anyone would be interested.

11 MR. SANGHVI: May I proposed
12 Mr. Ghannam's name.

13 MR. GERBLICK: I will second
14 that.

15 MS. KRIEGER: We have a motion on
16 the table. All in favor for Member Ghannam
17 to act as chair.

18 THE BOARD: Aye.

19 CHAIRMAN GHANNAM: Welcome to the
20 Zoning Board meeting.

21 First thing we are going to do is
22 the Pledge of Allegiance. If everybody would
23 please stand.

24 (Pledge of Allegiance recited.)

25 CHAIRMAN GHANNAM: First is the

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1 roll call, so Ms. Pawlowski, can you please
2 call the roll.

3 MS. PAWLOWSKI: Member Gedeon?

4 MR. GEDEON: Here.

5 MS. PAWLOWSKI: Member Gerbl ick?

6 MR. GERBLI CK: Here.

7 MS. PAWLOWSKI: Member Ghannam?

8 CHAIRMAN GHANNAM: Here.

9 MS. PAWLOWSKI: Chair man I be is
10 absent excused.

11 Member Kri eger?

12 MS. KRI EGER: Here.

13 MS. PAWLOWSKI: Member Sanghvi ?

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MR. SANGHVI: Here.

15 MS. PAWLOWSKI: Member Skelcy is
16 absent.

17 Member Ferrell?

18 MR. FERRELL: Here.

19 CHAIRMAN GHANNAM: Next we -- as
20 you can tell, we have a six members here. It
21 is not a full board, but we will have six
22 members here deciding your case.

23 The rules are in the back, if
24 anybody is interested in reading them. I'll
25 go over a few of them.

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1 When you're called to the podium
2 for your case, please approach, make sure the
3 microphone is on and you speak to the
4 microphone, and spell your name and state
5 your name very clearly for our record.

6 If anybody has any cellphones or
7 pagers, please turn them on silent or off so
8 it's not disruptive.

9 At this point, we are going to
10 approve, or at least consider the agenda. Is
11 there any other changes to the agenda other
12 than what's stated?

13 MS. PAWLOWSKI: Yes, there are.
14 No. PZ13-0014, has been asked to be postponed
15 until the May 14th meeting.

16 CHAIRMAN GHANNAM: Okay. And do
17 we need a motion to adjourn that?

18 MS. SAARELA: You can do a

19 motion.

20 CHAIRMAN GHANNAM: Can we do a
21 voice vote on that?

22 MS. SAARELA: You can.

23 CHAIRMAN GHANNAM: All in favor
24 of -- first of all, I'd like to entertain a
25 motion to adjourn Case PZ13-0013 (sic.) to

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6

1 the next meeting in May.

2 MR. SANGHVI: So moved.

3 MS. KRIEGER: Second.

4 CHAIRMAN GHANNAM: All in favor
5 say aye.

6 THE BOARD: Aye.

7 CHAIRMAN GHANNAM: Any opposed?
8 (No audible responses.)

9 CHAIRMAN GHANNAM: Seeing none,
10 that particular case has been adjourned for
11 one month, until the May meeting.

12 Any other changes to the agenda?

13 MS. PAWLOWSKI: No.

14 CHAIRMAN GHANNAM: With change, I
15 entertain a motion to approve the agenda as
16 amended.

17 MR. SANGHVI: So moved.

18 MR. GERBLICK: Second.

19 CHAIRMAN GHANNAM: All in favor
20 say aye.

21 THE BOARD: Aye.

22 CHAIRMAN GHANNAM: Any opposed?
23 (No audible responses.)

24 CHAIRMAN GHANNAM: Seeing none
25 our agenda is approved.

7

1 And we will go to the minutes.
2 What we have in our packets is the minutes
3 for the February 12, 2013 meeting.

4 We will consider that at this
5 point.

6 Is there any changes to that
7 particular minutes or transcript? Anybody?
8 (No audible responses.)

9 CHAIRMAN GHANNAM: If there is
10 none, I will entertain a motion to approve
11 the February 12, 2013 minutes.

12 MR. GERBLICK: So moved.

13 MS. KRIEGER: Second.

14 CHAIRMAN GHANNAM: All in favor
15 of approving those minutes say aye.

16 THE BOARD: Aye.

17 CHAIRMAN GHANNAM: Any opposed?
18 (No audible responses.)

19 Seeing none, these minutes are
20 approved.

21 CHAIRMAN GHANNAM: And we will
22 move onto our first item for this evening.

23 Case No. PZ13-0014 (sic.) for
24 26401 Novi Road, Qdoba Mexican Grill. Is
25 that applicant here? Please step forward,

8

1 sir. That's No. 14. We tabled 13, isn't
2 that accurate? We just tabled No. 13?

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3 MR. BOULARD: It was PZ13-0014.

4 MR. GERBLICK: That's the one.

5 So we go to the next one.

6 CHAIRMAN GHANNAM: I apologize.

7 My apologies.

8 Number one has been adjourned.

9 So it's Case No. PZ13-0015, 21050 Haggerty
10 Road, McDonald's.

11 Sir, please step forward. State
12 your name for the record.

13 MR. MARTIN: My name is Frank!
14 Martin, M-a-r-t-i-n. I'm the architect for
15 McDonald's with Dorchin, Martin Associates.

16 CHAIRMAN GHANNAM: Please raise
17 your hand and be sworn by our secretary.

18 MS. KRIEGER: In Case No.
19 PZ13-0015, do you swear or affirm to tell the
20 truth?

21 MR. MARTIN: I do.

22 CHAIRMAN GHANNAM: Please
23 proceed, sir.

24 MR. MARTIN: McDonald's has gone
25 through the preliminary site plan approval

1 process to rebuild an existing McDonald's
2 restaurant that's on Haggerty Road.

3 McDonald's restaurant has been
4 there probably 30 years, and this one has
5 been scheduled to be reconstructed, which
6 means essentially raise the building and put
7 one of the newer buildings on.

8 So we developed a site plan and
9 presented it to the planning department and
10 went before the planning commission.

11 This particular -- important
12 thing is that this particular McDonald's is
13 going to be a lead building, it will be only
14 the third lead building that McDonald's will
15 have in the United States, which is a company
16 owned store.

17 So everyone is very excited about
18 the opportunity of having that lead building
19 and having it in Novi. We are working with
20 the planning department relative to materials
21 that meet lead requirements, and we, I
22 believe, have that all resolved, so we are
23 preparing to go for final site plan approval.

24 The two issues that we are faced
25 with in terms of our ZBA request are, number

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1 one, the location of the trash corral.

2 As you saw in your packet, the
3 trash corral, by ordinance, is to be located
4 in the rear yard.

5 We have a 40 feet wide M. D. O. T.
6 utility easement that runs the very back of
7 our property. You have, I think, a site
8 plan. I also can put on the -- can I put
9 something --

10 CHAIRMAN GHANNAM: You can.

11 MR. MARTIN: As you can see at
12 the rear of the property, the 40 foot line is

13 right here (indicating).

14 I have positioned our trash
15 corral in the upper right-hand corner, as
16 close to that 40-foot line as I could
17 probably locate it and not interfere with a
18 parking space. In fact, the trash corral is
19 behind the building.

20 As you can see, the location of
21 the building, we positioned it to the rear
22 of -- it is as far back as possible, it
23 happens to be in a side yard, and we have
24 nowhere else to put that particular trash
25 corral.

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11

1 The present trash corral in the
2 existing McDonald's also is located missing
3 that particular easement, which is most
4 likely because of that having been a
5 requirement, so that is our first -- that is
6 our first request, is to be granted that as a
7 hardship simply because we have nowhere else
8 to put it on the site and this is as far back
9 as we can possibly place it.

10 That particular trash corral as
11 all the trash corrals that we are involved
12 with with McDonald's will be a masonry, a
13 brick trash corral that will match the
14 building. It will have gates on it, and it
15 will, I think, be in a position that will not
16 be an objection in terms of traveling down
17 Haggerty Road.

18 The second item that we have is
19 the loading zone being located in the front
20 yard. I'm going to point to where that would
21 be (indicating).

22 That loading zone is kind of a
23 dual function zone. It's acting as part of
24 our stacking, for our double drive-thru, we
25 have a side-by-side drive-thru. That

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12

1 side-by-side drive-thru, if you haven't been
2 through one of these in the newer stores,
3 it's actually two ordering positions that
4 start with one lane spread around, order and
5 then come together to pay.

6 This is a much more efficient way
7 of handling the guests at the McDonald's.
8 Majority of McDonald's business is through
9 the drive-thru, so this is an important
10 feature.

11 The loading zone that the
12 drive-thru stacking utilizes also is used by
13 the delivery truck to deliver to the site
14 three times a week. There are three
15 deliveries a week to the McDonald's that last
16 about 45 minutes each. And at this
17 particular store, since this is -- there is
18 an existing store there, the deliveries occur
19 at 2:00 to 3:00 in the morning.

20 So essentially the loading and --
21 the loading of the store with goods and only
22 one truck comes that delivers everything but

23 buns, so to speak. They come on pallets,
24 they're having a new delivery system which is
25 palletized. The delivery driver brings the

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1 pallets within the store, and then the crew
2 takes them apart. That's why the truck is
3 only there about 45 minutes.

4 So in terms of the loading zone,
5 compared to a loading zone with a factory or
6 a distribution plant, where trucks are
7 constantly coming and going throughout the
8 day, this is three times a week for 45
9 minutes, in hours that are not prime time.

10 The fact that we have a -- the
11 side-by-side located at the end of this
12 loading zone, allows that drive-thru lane on
13 the outside, this one, to be utilized even if
14 the truck is there and someone utilizes the
15 drive-thru, because this is 24 hour
16 drive-thru.

17 So typically the McDonald's
18 buildings, as you know, are located on the
19 site perpendicular to the road, but because
20 of the site configuration here, and the
21 effectiveness and the design of the
22 side-by-side, it was impossible to make that
23 work on this site, so we have to have this
24 particular design.

25 I brought along a photograph of a

14

1 similar building. That particular photograph
2 is of the non-drive-thru side. And I'll
3 point out where the loading zone is here
4 (indicating). And that is essentially the
5 loading zone and the stacking lane.

6 The delivery doors, two man doors
7 that are -- one going into the freezer cooler
8 and the other one goes into the dry storage
9 area.

10 And I have more of these photos,
11 if you need a closeup of them, but I'd love
12 to answer any questions, if you have any.

13 CHAIRMAN GHANNAM: Thank you,
14 sir. One thing I forgot is if there is
15 anybody in the audience who would like to
16 make a public comment on a case that's not
17 pending before the board tonight, is there
18 anybody who would like to make any comment?

19 (No audible responses.)

20 CHAIRMAN GHANNAM: Seeing none,
21 I'll close that portion.

22 Now I'm going to ask if there
23 anybody who has a public comment on this
24 particular case. If so, please raise your
25 hand.

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1 (No audible responses.)

2 CHAIRMAN GHANNAM: Seeing none,
3 then I will close the public remarks section
4 on this case.

5 I'll just ask our secretary to

6 read any correspondence into the record.
7 MS. KRIEGER: In Case No.
8 PZ13-0015, 14 were mailed, zero returned.
9 That's it.
10 CHAIRMAN GHANNAM: Any comments?
11 MR. MARTIN: I'm going to make --
12 if I could, a McDonald's construction
13 engineer is here to answer any pertinent
14 questions about the McDonald's.
15 CHAIRMAN GHANNAM: I appreciate
16 that. Thank you, sir.
17 Is there any comments or
18 questions by the city?
19 MS. SAARELA: I have none.
20 MR. BOULARD: I'll just stand by
21 for questions.
22 CHAIRMAN GHANNAM: I'll now open
23 it up to the board for discussion, if anybody
24 has any questions or comments?
25 Member Sanghvi?

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1 MR. SANGHVI: What kind of
2 traffic do you expect at 2:00 a.m. over
3 there?
4 MR. KAZARIAN: My name is
5 Michael! Kazarian, K-a-z-a-r-i-a-n.
6 CHAIRMAN GHANNAM: Raise your
7 hand and be sworn by our secretary.
8 MS. KRIEGER: In Case No.
9 PZ13-0015, do you swear or affirm to tell the
10 truth?

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11 MR. KAZARIAN: I do.

12 And the question was, what kind
13 of traffic do we expect at 2:00?

14 MR. SANGHVI: What kind of
15 traffic do you expect to have at 2:00 when
16 you are going to have the loading going on?

17 MR. KAZARIAN: Just for the
18 record, we will try and push that actually.
19 Sometimes it shows up at 3:00, so we do get
20 some traffic, trails in about somewhere
21 between 12:00 and 2:00, 12:00 and 1:30, which
22 is why we typically push our deliveries
23 closer to the 3:00 mark.

24 We are looking for a percentage
25 of traffic based on a 24 hour period. I

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17

1 don't have that kind of data.

2 As Mr. Martin had mentioned, I'm
3 on the construction side, but certainly the
4 majority, as Mr. Martin mentioned, 72 percent
5 of our business goes to the drive-thru. And
6 typically at a McDonald's probably 94 percent
7 of our business is somewhere between
8 breakfast and dinner, so we do get some late
9 hour customers, it's more of a convenience
10 thing, more than anything else.

11 MR. SANGHVI: Thank you, sir.

12 CHAIRMAN GHANNAM: Anybody else?
13 Member Krieger?

14 MS. KRIEGER: For the McDonald's
15 that's at the Twelve Oaks, Ring Road, has

16 there ever been any issues? It looks like
17 they're renovated, so either one of you could
18 speak to that. It looks like there has not
19 been any -- every time I have been through
20 there, so I don't really have an issue with
21 the site.

22 MR. KAZARIAN: The Novi
23 McDonald's at Twelve Oaks Mall was rebuilt
24 actually. We tore that one down and rebuilt
25 that one. I don't -- that was probably close

18

1 to three years ago, three years ago now.
2 Could be maybe four.

3 At any rate, to answer your
4 question with regards to issues, the only
5 issue, which isn't necessarily an operational
6 issue that we have there, is similar to this
7 site, that site was not deep enough to have
8 the side-by-side drive-thru. So actually at
9 that location, we have what we call a tandem,
10 so it's still two order points, but one car
11 is in front of the next. We don't recommend
12 that. Sometimes, we have to, based on site
13 constraints, but with regard to the site
14 circulation and operations during deliveries
15 and things like that, I had not experienced
16 any issues there.

17 I haven't really heard of
18 anything. We haven't received any letters
19 from the city with regards to problems on the
20 site, you know, as far as lunchtime -- when

21 it's associated with deliveries. You know, I
22 can't tell you what kind of traffic it gets
23 during the lunch period. I don't know what
24 time they get their deliveries.

25 All I can tell you is we don't

19

1 know of any issues that we have had out
2 there.

3 MS. KRIEGER: Thank you.

4 CHAIRMAN GHANNAM: Member

5 Ferrell?

6 MR. FERRELL: Had a question, the
7 whole inside, is it going to be reconfigured
8 or is it going to be similar to how the store
9 is now?

10 MR. KAZARIAN: The building
11 itself is actually -- this particular site is
12 not a remodel. This will be torn down and
13 completely be rebuilt.

14 MR. FERRELL: From ground up?

15 MR. KAZARIAN: From ground up.
16 This site currently sits facing the existing
17 McDonald's. This site, as you can see, the
18 existing building is more of a square. The
19 floor plan that you received, that we are
20 proposing is more of a rectangle, so this
21 particular building as it sits today, faces
22 Haggerty.

23 We are basically going to be
24 rotating the building, but essentially to
25 answer your question, the entire building is

1 going to be torn down. We will have new
2 footings, new site engineering, new store,
3 basically all the plumbing, electrical,
4 everything is going to be brand new. We are
5 starting basically fresh.

6 MR. FERRELL: I'm okay with the
7 trash corrals where they're at.

8 Just a question with the loading
9 zone. How come it couldn't be configured to
10 have it in the back? Is there any particular
11 reason for that?

12 MR. KAZARIAN: It's more of how
13 the building itself sits. So in order to
14 rotate the loading zone to the other side,
15 the side that the loading zone is on,
16 obviously for ease of delivery, and in order
17 to get the delivery truck on and off, you
18 want the delivery zone unloading right there
19 where your doors are, so on that side of the
20 building, you may or may not see it. There
21 is a door there and a door there
22 (indicating). Those two doors, one goes
23 directly into our walk-in box, it's a
24 four-foot wide door, that goes directly into
25 the walk-in, the other one goes directly to

1 our dry storage area.

2 So basically you're 10 feet from
3 the loading zone.

4 In some cases, when we're in
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5 warmer states, where they don't have weather
6 like we have, on occasion the loading zone
7 will be elsewhere in the lot, and they're
8 able to get pallet delivery and they can get
9 it across the parking lot.

10 In cases like Michigan, you know,
11 I mean we're dealing with weather, snow,
12 everything else, we can't get those pallets
13 across the parking lot.

14 In this case, if we had it
15 elsewhere in the parking lot, we may have
16 issues with the amount of parking spaces that
17 we could get on site, so the way it's set up
18 now, it's a dual -- like Mr. Martin said,
19 it's a dual use. It's being used not only as
20 a loading zone, but we are also -- when we
21 are not loading, using it as part of our
22 drive-thru lane.

23 MR. FERRELL: Thank you.

24 CHAIRMAN GHANNAM: Also in terms
25 of my comments, I have no problem with this

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1 as you have proposed. We did something very
2 similar to the Taco Bell that's nearby you.
3 I know it was torn down, rebuilt, given the
4 space you have, you have new standards and so
5 forth, I know they needed some variances and
6 this seems to be pretty similar to that, so I
7 have no problem with this.

8 Anybody else have any comments or
9 questions?

10 If not, I will entertain a
11 motion.

12 Member Gerbl ick?

13 MR. GERBLICK: In Case No.
14 PZ13-0015, 21050 Haggerty Road, I move that
15 we approve the variances as requested, as
16 these variances, there are no unique
17 circumstances or physical conditions of the
18 property, such as narrowness, shallowness --
19 there are unique circumstances, such as the
20 40 feet easement at the rear of the property.

21 In addition, these variances are
22 not self-created, strict compliance with
23 regulations governing setback, area, other
24 dimensional requirements will unreasonably
25 prevent the property owner from using the

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1 property for a permitted purpose, or will
2 render conformity with those regulations
3 unnecessarily burdensome. Again, due to the
4 size and shape of the lot.

5 The requested variance is the
6 minimum variance necessary to do substantial
7 justice to the applicant, as well as other
8 property owners in the district.

9 The requested variance will not
10 cause an adverse impact to surrounding
11 properties, property values or the use and
12 enjoyment of the property in the neighborhood
13 or zoning district.

14 MR. SANGHVI: Second.
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15 CHAIRMAN GHANNAM: Seeing a
16 motion and second, any further discussion?

17 (No audible responses.)

18 CHAIRMAN GHANNAM: Seeing none,
19 Ms. Pawlowski, can you call the roll.

20 MS. PAWLOWSKI: Member Gedeon?

21 MR. GEDEON: Yes.

22 MS. PAWLOWSKI: Member Gerbluck?

23 MR. GERBLUCK: Yes.

24 MS. PAWLOWSKI: Chairman Ghannam?

25 CHAIRMAN GHANNAM: Yes.

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24

1 MS. PAWLOWSKI: Member Krieger?

2 MS. KRIEGER: Yes.

3 MS. PAWLOWSKI: Member Sanghvi?

4 MR. SANGHVI: Yes.

5 MS. PAWLOWSKI: Member Ferrell?

6 MR. FERRELL: Yes.

7 MS. PAWLOWSKI: Motion passes six
8 to zero.

9 CHAIRMAN GHANNAM:

10 Congratulations.

11 MR. KAZARIAN: Thank you very
12 much.

13 MR. MARTIN: Thank you.

14 CHAIRMAN GHANNAM: Next on the
15 agenda is item number three, Case No.
16 PZ13-0016, 27500 Novi Road, Cheesecake
17 Factory.

18 Sir, how many people will be
19 speaking tonight?

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MR. DETERS: Two.

CHAIRMAN GHANNAM: If both, whoever the speakers are going to be, can raise your right hands and be sworn by our secretary.

MS. KRIEGER: State your names,

25

1 please, and spell your last names.

2 MR. DETERS: My name is Paul
3 Deters, D, as in David, e-t-e-r-s. I'm with
4 Metro Detroit Signs.

5 MR. FERRIS: Tracy Ferris,
6 F-e-r-r-i-s, with Cheesecake Factory,
7 constructi on.

8 MS. KRIEGER: In Case No.
9 PZ13-0016, do you swear or affirm to tell the
10 truth?

11 MR. DETERS: Yes.

12 MR. FERRIS: Yes.

13 CHAIRMAN GHANNAM: Please
14 proceed.

15 MR. DETERS: Thank you for
16 considering our case this evening.

17 As you may know, Cheesecake
18 Factory is undergoing constructi on to open
19 their first store in Michigan. We are very
20 excited to be here, and we are excited to
21 work on the project. We have submitted some
22 appli cations for signage already through the
23 building department and have received
24 approval for what they would consider their

25

entrance marker sign.

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1 However, what we would like to do
2 this evening is have you consider a second
3 sign request that we have in light of a few
4 different factors.

5 One, this site is critical to
6 help the Cheesecake Factory establish their
7 brand in Michigan. And a number of people
8 don't really know a lot about them or what
9 their offerings are.

10 They happen to be going into an
11 area that does not have visibility from any
12 of the public thoroughfares.

13 So maybe you see a little bit of
14 it right now from Twelve Mile Road, but once
15 the foliage comes in, there really won't be
16 much visibility.

17 So what we are hoping this
18 evening is to be able to get an approval for
19 the secondary sign which will allow traffic
20 that they're looking to attract, which will
21 primarily be going around the perimeter road
22 of the mall to be able to identify where
23 they're located, and what some of their
24 offerings might.

25 We think that the sign that's

27

1 proposed here is very in scale with what the
2 building is, in fact, most of the letters,

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3 you know, the majority of the letters are
4 only 16 inches. It just had happens to be
5 that here is a real large C and a real large
6 F that are part of their logo.

7 We have a couple of pictures
8 here, and Tracy is going to put these up to
9 give you an idea.

10 To give you an idea of what the
11 building will look like, they're undergoing a
12 pretty serious facade renovations right now,
13 and Tracy can probably address any of those,
14 and some of the branding they have done in
15 other markets, if you might have some
16 concerns about what we are proposing here
17 this evening.

18 CHAIRMAN GHANNAM: Thank you,
19 sir. Is there anybody in the public who
20 would like to make a comment about this
21 particular case?

22 (No audible responses.)

23 CHAIRMAN GHANNAM: Seeing none, I
24 will close the public remarks section and ask
25 our secretary to read any correspondence.

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1 MS. KRIEGER: In Case No.
2 PZ13-0016, 42 were mailed, five returned, one
3 approval, zero objections.

4 The approval is "I see no problem
5 with this sign", from Bruce Lloyd property
6 manager of the Novi office center. That's
7 it.

8 CHAIRMAN GHANNAM: Thank you.
9 Any comments from the city?
10 MS. SAARELA: I have none.
11 MR. BOULARD: Nothing to add.
12 CHAIRMAN GHANNAM: I will open it
13 up to the board for discussion. Any
14 questions?
15 Member Sanghvi?
16 MR. SANGHVI: Do we have
17 permission from the Taubman --
18 MR. BOULARD: Yes. On the second
19 page of the application, you will see a
20 signature of Laura Cunningham. She is their
21 current tenant coordinator.
22 MR. SANGHVI: Thank you. I have
23 no other questions.
24 CHAIRMAN GHANNAM: My own
25 personal opinion. I have no problem with

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1 this. I understand the -- what you call it,
2 the requirements of chain restaurants and
3 their logos and so forth. I'm very familiar
4 with this space. I've been there many times.
5 I say thank you for coming, in my opinion.

6 But I think it's appropriate
7 given the size of this particular location,
8 so I have no problem with it.

9 Anybody else? Any comments,
10 concerns? If none, I will entertain a
11 motion.

12 MR. GEDEON: I will take it.

13 CHAIRMAN GHANNAM: Member Gedeon.

14 MR. GEDEON: In Case No.

15 PZ13-0016, 27500 Novi Road, Cheesecake
16 Factory I move to approve the variance as
17 requested.

18 The request is based on
19 circumstances or features that are
20 exceptional and unique to the property and do
21 not result from conditions that exist
22 generally in the city or that are
23 self-created.

24 Specifically this restaurant is
25 going into a large multi-tenant facility, and

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1 there is low visibility of this particular
2 space from the main roads, and with respect
3 to the size of the sign, there is significant
4 amounts of white space which reduces the --
5 you know, the actual visual space taken up by
6 the letters.

7 The failure to grant relief will
8 unreasonably prevent or limit the use of the
9 property and will result in substantially
10 more than a mere inconvenience or inability
11 to attain a higher economic or financial
12 return. The grant of relief will not result
13 in a use of structure that is incompatible
14 with or unreasonably interferes with adjacent
15 or surrounding properties, will result in
16 substantial justice being done to both the
17 applicant and adjacent or surrounding

18 properties, and is not inconsistent with the
19 spirit of the ordinance.

20 MR. FERRELL: Second.

21 CHAIRMAN GHANNAM: Seeing a
22 motion and a second, any further discussion?

23 I just had one comment. Can
24 we -- if we grant this, this would be, in a
25 sense unlimited, regardless of the tenant, I

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1 presume and we can limit this to the tenant?

2 MS. SAARELA: Yes.

3 CHAIRMAN GHANNAM: I will just
4 ask to amend that we grant this, but we limit
5 it to this tenant, so long as it's there. If
6 that's okay with the movement and the second?

7 MR. GEDEON: I think the factors
8 might be applicable to future tenants as
9 well, but I'm happy to amend that,
10 notwithstanding.

11 MR. FERRELL: I second that.

12 CHAIRMAN GHANNAM: Any further
13 discussion?

14 (No audible responses.)

15 CHAIRMAN GHANNAM: Seeing none,
16 Ms. Pawlowski, can you call the roll.

17 MS. PAWLOWSKI: Member Gedeon?

18 MR. GEDEON: Yes.

19 MS. PAWLOWSKI: Member Gerbluck?

20 MR. GERBLICK: Yes.

21 MS. PAWLOWSKI: Chairman Ghannam?

22 CHAIRMAN GHANNAM: Yes.

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23 MS. PAWLOWSKI: Member Krieger?
24 MS. KRIEGER: Yes.
25 MS. PAWLOWSKI: Member Sanghvi?

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1 MR. SANGHVI: Yes.
2 MS. PAWLOWSKI: Member Ferrell?
3 MS. SKELCY: Yes.
4 MS. PAWLOWSKI: Motion passes six
5 to zero.

6 CHAIRMAN GHANNAM:
7 Congratulations.

8 MR. DETERS: Thank you.

9 CHAIRMAN GHANNAM: Next on the
10 agenda is other matters. And one of them
11 that we have listed is election of officers.
12 It's that time of the year.

13 So at this point what we do is
14 simply take nominations, is that correct?

15 MS. SAARELA: Yes.

16 CHAIRMAN GHANNAM: We don't do it
17 in any particular order, do we?

18 First I think we should start
19 with secretary. If anybody has any
20 nominations for secretary, we will entertain
21 that.

22 We are missing two members,
23 Member Ibe and Member Skelcy, but I know
24 Member Ibe knew he would not be here this
25 month.

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1 MS. SAARELA: Do we have
Page 27

2 knowledge that either of them wants to be
3 secretary?

4 CHAIRMAN GHANNAM: I don't in
5 particular. Anybody have any knowledge
6 whether they want to be secretary?

7 MR. SANGHVI: I was going to
8 propose Member Gedeon.

9 CHAIRMAN GHANNAM: Member Gedeon
10 has been nominated. Anybody second that?

11 I will second that.

12 Any other nominations for
13 secretary?

14 (No audible responses.)

15 CHAIRMAN GHANNAM: Mr. Gedeon, do
16 you accept the nomination of secretary?

17 MR. GEDEON: Sure, I will accept
18 that.

19 CHAIRMAN GHANNAM: Any other
20 nominations for secretary?

21 (No audible responses.)

22 CHAIRMAN GHANNAM: I will close
23 them at this point and have -- voice votes
24 are okay?

25 MS. SAARELA: Yes.

‡

1 CHAIRMAN GHANNAM: All in favor
2 of Member Gedeon being secretary say aye.

3 THE BOARD: Aye.

4 CHAIRMAN GHANNAM: Any opposed?

5 (No audible responses.)

6 CHAIRMAN GHANNAM: Seeing none,
Page 28

7 congratulations, Member Gedeon, you are our
8 secretary for this upcoming year.

9 Next we will entertain a motion
10 for vice chairman.

11 Any nominations for that?

12 MR. SANGHVI: Nominate
13 Ms. Krieger for that.

14 CHAIRMAN GHANNAM: Member Krieger
15 . Any second to that?

16 MR. GEDEON: I will second that.

17 CHAIRMAN GHANNAM: Seeing a
18 motion and a second, Member Krieger, do you
19 accept that nomination?

20 MS. KRIEGER: Sure.

21 CHAIRMAN GHANNAM: Any other
22 nominations for vice chair?

23 (No audible responses.)

24 CHAIRMAN GHANNAM: Seeing none, I
25 will close that and ask for a voice vote.

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1 All in favor of Member Krieger
2 being vice chair say aye.

3 THE BOARD: Aye.

4 CHAIRMAN GHANNAM: Any opposed?
5 (No audible responses.)

6 CHAIRMAN GHANNAM: Seeing none,
7 congratulations, Member Krieger, you are our
8 new vice chair.

9 Now for chairman. I will
10 entertain nominations for that.

11 MR. SANGHVI: I was going to
 Page 29

12 nominate Ms. Skelcy, but she is not here.
13 And I don't know whether it's appropriate to
14 do it in her absence.

15 MS. SAARELA: Well, doesn't say
16 she can't be nominated because she is absent.
17 If we have knowledge that she wants to be
18 nominated and would accept the nomination, we
19 could go ahead with that. I guess if we came
20 to find out she didn't want to be, we could
21 redo it at the next --

22 CHAIRMAN GHANNAM: We can do it
23 that way.

24 MS. SAARELA: Yeah.

25 MR. SANGHVI: Can we nominate her

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1 with the provision that she needs to accept
2 it?

3 CHAIRMAN GHANNAM: I think we can
4 nominate and approve it, if everybody is in
5 agreement, or the majority is in agreement,
6 but if for some reason she is not interested
7 next month, we could renominate someone else
8 to be the chair. Does that make sense?

9 MS. SAARELA: We could.

10 MR. SANGHVI: I nominate
11 Ms. Skelcy for the chairmanship.

12 MR. GERBLICK: I will second
13 that.

14 CHAIRMAN GHANNAM: Seeing a
15 nomination and a second. Any other
16 nominations to be chair for next year? By

17 all means, if anybody wants to nominate
18 themselves, they could.
19 (No audible responses.)
20 CHAIRMAN GHANNAM: Seeing no
21 other nominations, we will take a voice vote.
22 All in favor of Member Skelcy
23 being our next chair say aye.
24 THE BOARD: Aye.
25 CHAIRMAN GHANNAM: Any opposed?

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1 (No audible responses).
2 CHAIRMAN GHANNAM: Seeing none,
3 Member Skelcy is our new chairperson, subject
4 to her -- hopefully her confirmation.
5 Is there any other matters other
6 than the election of officers?
7 MR. BOULARD: No.
8 CHAIRMAN GHANNAM: Nothing else.
9 I will entertain a motion to adjourn.
10 MR. SANGHVI: So moved.
11 MR. GERBLICK: Second.
12 CHAIRMAN GHANNAM: Seeing a
13 motion and second, all in favor say aye.
14 THE BOARD: Aye.
15 CHAIRMAN GHANNAM: Any opposed?
16 (No audible responses).
17 CHAIRMAN GHANNAM: Seeing none,
18 we are adjourned.
19 (Meeting was adjourned at 7:35 p.m.)

20 ** ** **
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1 STATE OF MICHIGAN)
2) ss.
3 COUNTY OF OAKLAND)

4 I, Jennifer L. Wall, Notary Public within and for the
5 County of Oakland, State of Michigan, do hereby certify that the
6 witness whose attached deposition was taken before me in the
7 above entitled matter was by me duly sworn at the aforementioned
8 time and place; that the testimony given by said witness was
9 stenographically recorded in the presence of said witness and
10 afterward transcribed by computer under my personal supervision,
11 and that the said deposition is a full, true and correct
12 transcript of the testimony given by the witness.

13 I further certify that I am not connected by blood or
14 marriage with any of the parties or their attorneys, and that I
15 am not an employee of either of them, nor financially interested
16 in the action.

17 IN WITNESS THEREOF, I have hereunto set my hand at the
18 City of Walled Lake, County of Oakland, State of Michigan.

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Date Jennifer L. Wall CSR-4183
 Oakland County, Michigan
 My Commission Expires 11/12/15