

REGULAR MEETING - ZONING BOARD OF APPEALS

CITY OF NOVI

TUESDAY, AUGUST 13, 2019 7:00 P.M.

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

BOARD MEMBERS:

Joe Peddiboyina, Chairperson

Linda Krieger, Secretary

David M. Byrwa

Siddharth Mav Sanghvi

Kevin Sanker

Michael Longo

ALSO PRESENT:

Elizabeth Saarela, City Attorney

Lawrence Butler, Comm. Development, Dep. Director

Katherine Opperman, Recording Secretary

Reported by:

Darlene K. May, Certified Shorthand Reporter

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Novi, Michigan
Tuesday, August 13, 2019
7:00 p.m.

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CHAIRPERSON PEDDIBOYINA: Good evening,
everybody. Welcome to the Novi Zoning Board of
Appeals. Today is August 13th.

Mav. David.

Now we will call to order.

Linda. Kevin. Michael.

Everybody stand up for the Pledge of
Allegiance.

(Pledge of Allegiance.)

CHAIRPERSON PEDDIBOYINA: Thank you.

Katherine, please roll call.

MS. OPPERMAN: Member Byrwa?

MEMBER BYRWA: Here.

MS. OPPERMAN: Chairperson Peddiboyina?

CHAIRPERSON PEDDIBOYINA: Yes.

MS. OPPERMAN: Member Krieger?

MEMBER KRIEGER: Here.

MS. OPPERMAN: Member Longo?

MEMBER LONGO: Here.

1 MS. OPPERMAN: Member Sanker?

2 MEMBER SANKER: Here.

3 MS. OPPERMAN: And Member Sanghvi?

4 MEMBER SANGHVI: Here.

5 MS. OPPERMAN: All present.

6 CHAIRPERSON PEDDIBOYINA: Thank you. We have
7 a board and enough quorum.

8 Public hearing format rules and conduct are
9 in the back. If you can just, please, turn off your
10 phones and we have a publication on each case that's
11 called. Everyone can make remarks on the case. There
12 is a television at home. And the people can come to
13 the podium and speak. And there is an overhead that
14 will show up on the computer for the people at home.

15 And the people that come up to speak, state
16 your name, full name, and spell your full name and be
17 sworn in by our secretary, if you are not an attorney.

18 Then we have an agenda tonight. We have two
19 cases.

20 Approval of the agenda? Anybody wants to
21 make a motion to approve the agenda.

22 MEMBER KRIEGER: Approve the agenda, so
23 moved.

1 MEMBER BYRWA: Second.

2 CHAIRPERSON PEDDIBOYINA: Okay. And anybody
3 say no?

4 Okay. Nobody said no or anything.

5 MEMBER KRIEGER: All in favor.

6 CHAIRPERSON PEDDIBOYINA: All in favor?

7 THE BOARD: "Aye."

8 CHAIRPERSON KRIEGER: We have an agenda.

9 Minutes of the last June and July, anybody
10 want to comment or anything on the meeting minutes? Or
11 add anything?

12 MEMBER SANGHVI: No, I don't have anything.

13 CHAIRPERSON KRIEGER: Anybody wants to make a
14 motion for that, for the meeting minutes for the June
15 and July?

16 MEMBER KRIEGER: I move to approve June and
17 July's minutes.

18 MEMBER SANGHVI: Second.

19 CHAIRPERSON PEDDIBOYINA: Thank you. And
20 anybody -- all in favor.

21 THE BOARD: "Aye."

22 CHAIRPERSON PEDDIBOYINA: Anybody say no.

23 Then the motion passes. And I'll accept the

1 meeting agenda.

2 Public remarks, if you have anything
3 regarding other than these two cases, have something
4 for the ZBA, you can come to the podium.

5 Seeing none.

6 Okay. I'll close the public remarks.

7 We'll go to our case number one, PZ19-0026,
8 National Car Wash Solutions, 10 Mile Road, west of
9 Meadowbrook Road and north of 10 Mile Road, parcel
10 50-22-23-426-017. The applicant is requesting a
11 variance from the City of Novi Zoning Code Section
12 5.3.11.D to allow for the applicant to have no bypass
13 lane. One bypass lane minimum of 18 feet is required
14 by code.

15 Section 5.3.11.F to allow a proposed
16 drive-thru lane with a centerline radius of 23 feet, a
17 minimum of 25 feet is required by code. This property
18 is zoned general business, B-3.

19 Okay. You can say your name.

20 MR. BURT: Keith Burt, National Car Wash
21 Solutions.

22 MR. BELANGER: Jim Belanger, National Car
23 Wash Solutions.

1 MR. BURT: First name is Keith, K-e-i-t-h.
2 Last name is Burt, B as in Boy, U-r, T as in Tom.

3 MR. BELANGER: Jim, J-i-m. Belanger,
4 B-e-l-a-n-g-e-r.

5 MEMBER KRIEGER: Are either of you an
6 attorney?

7 MR. BELANGER: No, ma'am.

8 MEMBER KRIEGER: Do you swear or affirm to
9 tell the truth in this case?

10 MR. BURT: Yes, ma'am.

11 MR. BELANGER: Yes.

12 MEMBER KRIEGER: Thank you. Proceed.

13 CHAIRPERSON PEDDIBOYINA: Thank you,
14 secretary.

15 And thank you. Go ahead, please.

16 MR. BURT: On the first ordinance for the
17 bypass lane, the reason that we could not fit that in
18 is the leasable space from the landlord would not allow
19 us. It's too shall to extend it out and take out.

20 MEMBER KRIEGER: Do you have a picture you
21 can put on the overhead as you explain for the people
22 to see at home?

23 MR. BELANGER: No. I'm sorry. We didn't

1 bring that. But our counsel from the civil, they said
2 that the last time that it was available, you all put
3 it on the overhead. So we didn't bring a prop tonight.
4 We apologize for that.

5 MEMBER KRIEGER: Should we pull it up on the
6 computer for the people at home to see?

7 MS. OPPERMAN: You can pull it up in the file
8 if you want.

9 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

10 It's okay.

11 MR. BURT: Well, it's just that the
12 north/south of the property wasn't deep enough for us
13 to add that 18-foot lane. So we already had removed 40
14 parking spots that the landlord allowed us to and they
15 did not have the ability to give us another 40 parking
16 spots to allow the width of that property to be
17 increased by 18 feet.

18 So we put together a typical SOP on how we
19 clear the queue lanes and the wash lanes like we do at
20 our normal car washes right now. Jimmy and I own car
21 washes presently that do not have an external bypass
22 lane. So we have a process that we go through if there
23 is an emergency in a lane that we pull up the gates and

1 we clear the queue through our escape lane, which
2 actually goes out the back side. So if there is an
3 emergency, we shut everything down and we clear
4 everybody out of the queue and allow any emergency to
5 be able to leave the property.

6 CHAIRPERSON PEDDIBOYINA: You didn't want to
7 say anything?

8 MR. BELANGER: No, sir.

9 CHAIRPERSON PEDDIBOYINA: Okay. Any from the
10 audience?

11 Okay, I see none.

12 City, do you want to say anything?

13 MR. BUTLER: Yes. The property is very
14 restricted which is what prevented it from having that
15 pass-by lane. But it is still going to be kind of
16 cramped. Normally, you're required to have a bypass
17 lane. They're here for a variance. It would probably
18 be difficult to operate without that bypass lane. And
19 the minimum requirement for the drive lane is 25 feet
20 with the radius. And they're asking for 23 feet. So
21 that's going to be a little bit smaller than normal.
22 So you might want to consider it.

23 CHAIRPERSON PEDDIBOYINA: Okay. Secretary,

1 anything?

2 MEMBER KRIEGER: In this case, there were
3 51 letters sent. Three returned. One approval.

4 "I truly feel that this business would be a
5 nice addition to our complex. With the loss of the car
6 wash service on Novi Road between Eight and Nine Mile
7 Road, this business will fill a void."

8 And this is from Dr. Joseph Osborne on West
9 Ten Mile Road.

10 That's it.

11 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

12 Yeah. I visited your place and I have
13 nothing to say apart from any of my board members who
14 can speak.

15 Anyone wants to talk?

16 Okay. Mr. Sanghvi?

17 MEMBER SANGHVI: Thank you. Will you please
18 put the diagram on the overhead so the people at home
19 can see where you are planning to site this drive-thru.

20 Do you have a picture there?

21 MR. BURT: No. We don't have a picture
22 there.

23 Is there any way to pull up an old map?

1 CHAIRPERSON PEDDIBOYINA: See if you can put
2 this one up.

3 (Document displayed.)

4 CHAIRPERSON PEDDIBOYINA: Thank you,
5 Katherine.

6 MR. BELANGER: Does it just project face up?

7 CHAIRPERSON PEDDIBOYINA: Yeah. Please go
8 ahead.

9 MR. BELANGER: So, as you can see, the
10 property is oriented for entrance to the facility. And
11 these are the two queue lanes. The north/south
12 dimension doesn't allow us to add the 18 feet to the
13 north.

14 We can't go to the south because we infringe
15 on the other property. So what we're suggesting is an
16 emergency -- when we voiced our concerns with the city,
17 it's not an operational concern with the business, it
18 was an emergency access concern. So we would just
19 clear these queues through this escape lane here. So
20 they can simply clear the outside lane first and clear
21 the inside lane second.

22 MEMBER SANGHVI: So the ingress and egress
23 are both through the parking lot?

1 MR. BELANGER: Yes, sir.

2 MEMBER SANGHVI: Nothing is coming out
3 through the main road?

4 MR. BELANGER: Correct.

5 MEMBER SANGHVI: Okay. Thank you.

6 MR. BELANGER: Yes, sir.

7 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.
8 Anybody?

9 Linda?

10 MEMBER KRIEGER: What did the fire marshal's
11 recommendations say? Just the escape lane, if you
12 don't have that lane? If an EMS wagon is coming in
13 to stop -- like, somebody's having a heart attack or
14 something?

15 MR. BURT: They didn't have a concern for
16 access on the property because they can get in from,
17 basically, all edges of the property. What they were
18 mostly concerned about is if someone in line --
19 something came up and they were in line and they needed
20 to leave. Not to access, though.

21 MEMBER KRIEGER: So if somebody changed their
22 mind about a car wash, they could leave through the
23 access port?

1 MR. BELANGER: It's not as much as the
2 business operation. The concern was if there was an
3 emergency in one of the vehicles and somebody needed to
4 get out and they would be trapped in the queue, how
5 would we release them?

6 And if you think about it, if we have two
7 lanes of traffic, even if we had the bypass lane, let's
8 say, on the south edge of the property the whole way,
9 somebody was on the inside lane, we would have to clear
10 the outside lane anyways to get out them out. So it's
11 very similar how you would get the person on the inside
12 lane out anyways, regardless of the bypass lane. So we
13 would always have to clear the outside lane if there
14 was an inside lane emergency.

15 It's not a concern from the operations of the
16 facility, you know, like business standpoint. It's
17 much more of an emergency concern of people in the
18 queue.

19 MEMBER KRIEGER: Will there be a curve around
20 the parking lot site?

21 MR. BELANGER: Yes, ma'am.

22 MEMBER KRIEGER: Okay. And landscaping?

23 MR. BELANGER: Yes, ma'am. It's shown here,

1 this is the ...

2 What do we call it?

3 MR. BURT: Island.

4 MR. BELANGER: Curve islands here that we're
5 adding that don't exist today. This curving in here
6 does not exist today. This does not exist today and
7 this doesn't exist today. So all of that will be added
8 to enhance the parking lot and control the traffic
9 control.

10 MEMBER KRIEGER: All right. Thank you.

11 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

12 Anybody else have anything more to say?

13 Member Sanker?

14 MEMBER SANKER: I have a couple of questions.
15 What would it normally look like if you didn't need the
16 variance? Like, could it extend to the north and
17 south?

18 MR. BELANGER: The same.

19 MEMBER SANKER: Would it?

20 MR. BELANGER: Yes. These car washes are --
21 we understand the need for the desire to have a bypass
22 lane because that makes a lot of sense to us from an
23 emergency perspective, but this is a pretty common

1 footprint in the car wash industry in this style, which
2 only washes the outside car. It doesn't have interior
3 cleaning.

4 MEMBER SANKER: So, basically, it would be
5 the exact same thing you would have done had you had
6 the extra 18 feet or whatever you needed?

7 MR. BELANGER: What we probably would have
8 done if we had the space and there wasn't an ordinance
9 requiring the additional bypass, we would have added
10 more self-serve vacuum slots. We would have used it
11 differently. Not for traffic control, but for more
12 self-serve vacuuming.

13 MEMBER SANKER: Was there any alternative
14 that you tried to make where the bypass lane existed?
15 Did you try to draft the configuration that could make
16 that work?

17 MR. BURT: Yes, we did.

18 MEMBER SANKER: And what did you do?

19 MR. BURT: We had no ability to get actually
20 get the business on the property. We had nowhere to go
21 in that distance.

22 MR. BELANGER: We thought that there was a
23 possibility we could go south, but we ran into some

1 easements there on some other leasable property. And
2 we would also have not met the criteria for the green
3 belt. So as we went through that planning process, we
4 added in the green belt and made a decision to ask for
5 the bypass variance rather than the green belt
6 variance. We think that it will be a better looking
7 property with green belt in there.

8 And, again, we don't foresee an operational
9 issue at all from our perspective. This was about the
10 emergency needs in the queue.

11 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

12 Anybody wants to ...

13 Go ahead.

14 MEMBER LONGO: You made a comment that you're
15 not asking for a green belt variance because,
16 obviously, you got that covered. If you did have a
17 green belt, could you actually then get the 25 foot and
18 the bypass in there?

19 MR. BELANGER: No. The bypass would have
20 been very tight and would have required some -- if you
21 can look on the plan here, you see this notch out?

22 MEMBER LONGO: Yeah.

23 MR. BELANGER: That is in the bank to our

1 south's lease. We would need that to make the 18 feet
2 down there. So we couldn't make it anyway.

3 MEMBER LONGO: Okay.

4 MR. BELANGER: And on the second issue, which
5 is the turn radiance (sic) issue, we could live with 22
6 feet. If we could push two feet into the green belt
7 space that we created, we would have done that. And
8 we're happy to do that, but we wouldn't have been
9 meeting the 25 feet requirement of buffer.

10 MEMBER LONGO: Well, you know, my personal
11 opinion is, having been a first responder and things
12 like that, when you have a procedure, you have a very
13 well-defined procedure. Keep in mind, that an
14 emergency happens, people get really upset. And that
15 includes people sitting there in line going, "Well,
16 what am I supposed to do?" And people are waving. It
17 won't be smooth. It can't be smooth and you already
18 know that.

19 MR. BELANGER: Yes, sir.

20 MEMBER LONGO: If you had the bypass, the
21 outer lane may have to be cleared and then you'd have
22 the exit. But I think that it creates a potential
23 for -- I'm just speaking in emergency. I've been in it

1 and people don't know what to do and they get confused.
2 I'm not taking issue with what you wrote up, but you
3 also have your own employees who go, "Oh, my God, we
4 got to put a cone somewhere."

5 You know, it's a troubling thing. I viewed
6 several other car washes who have that bypass and I
7 think it really makes it a lot easier for the EMTs and
8 fire and all that, should they need that. Hopefully,
9 you never need that. We all agree on that.

10 But I'm concerned that, you know, by
11 making -- the two feet, I agree with you. I'm not sure
12 the two feet or what the turning radiance is. But the
13 18 feet, I think, is really important and that's why
14 the ordinance is there. And I think it's unfortunate.
15 Because I looked at this at length and, you're right,
16 there's no way to get it on that property unless you go
17 through the bank or the landlord would give you more
18 space. And I happen to think they don't use that
19 space, but that's neither here nor there.

20 But I have a concern for emergency, to be
21 quite honest.

22 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

23 MEMBER KRIEGER: For the City, what did our

1 fire marshal say?

2 MR. BUTLER: I did not get in any confiding
3 in with the fire marshal on this one. I was gone at
4 the time they did that.

5 MEMBER KRIEGER: Counsel, recommendations?

6 MS. SAARELA: What do you mean any counsel
7 recommendations? As far as fire?

8 MEMBER KRIEGER: For the 18 feet, the bypass
9 lane.

10 MS. SAARELA: What kind of recommendations do
11 you mean?

12 MR. BUTLER: If the fire marshal had had a
13 concern, normally he comes to see me at my desk and
14 would have talked to me about it. And I see him every
15 day and he never brought anything up on it. So I'm
16 under the impression that he didn't have a concern and
17 he was satisfied with their route to exit and evacuate
18 everybody out through the open gate system. But he did
19 not bring any concerns to me.

20 MS. SAARELA: Is there a planning packet on
21 this?

22 MR. BUTLER: It never went through planning.
23 I don't know.

1 MS. SAARELA: Do you know?

2 I'll check online while you're discussing.

3 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead.

4 Anything other things?

5 MEMBER KRIEGER: I'm just waiting for them.

6 CHAIRPERSON PEDDIBOYINA: Okay.

7 MEMBER KRIEGER: I guess, after 30 years of
8 not seeing anything, it's kind of nice to see something
9 and then just how to make it work all the way around is
10 the opportunity that we can take advantage of.

11 So that you have a bypass lane, I'm in
12 support -- well, not the escape route that can go into
13 the rest of the parking lot, you'll have probably
14 police directing -- helping direct for directional. If
15 there's a building fire, you'll get the drive-thru lane
16 emptied quick with your exceptional pass. It allows
17 for green space and the lane would be all parking lot,
18 I guess, if you have just more concrete poured. So to
19 take the opportunity with what you have, I'd be able to
20 support what you have placed there.

21 Yes. Sorry. Mr. Chair?

22 CHAIRPERSON PEDDIBOYINA: Mr. Sanghvi?

23 MEMBER SANGHVI: I was just wondering if it

1 makes any difference if it was a freestanding facility
2 and as a part of a parking lot. You see, there's a lot
3 of space there in the parking lot there as opposed to a
4 freestanding facility where there's just a sign in
5 between two big buildings. And that's where the radius
6 and bypass lane all become far more important than what
7 it is right here the way it is located in this
8 portrait.

9 MS. SAARELA: I found a planning packet from
10 June.

11 CHAIRPERSON PEDDIBOYINA: Go ahead, please.

12 MS. SAARELA: I'm looking for the fire
13 marshal report. It's usually at the end.

14 CHAIRPERSON PEDDIBOYINA: Mr. Sanker, do you
15 want to say anything?

16 MEMBER SANKER: No.

17 CHAIRPERSON PEDDIBOYINA: Okay.

18 Go ahead.

19 MEMBER SANKER: I guess I'll say, I just
20 wanted to clarify. I know you said it would be the
21 same if you had the yardage or footage that you needed,
22 but is the bypass lane supposed to be on the south side
23 as a third lane to go around?

1 MR. BURT: Yes.

2 MEMBER SANKER: So, essentially, there should
3 be a third lane there to the south.

4 MR. BELANGER: (Nods.)

5 MEMBER SANKER: And that second -- I guess
6 the most southern lane couldn't qualify as a -- or it
7 doesn't qualify as a bypass lane.

8 MR. BELANGER: The bypass lane is supposed to
9 be, according to the ordinance, a certain width and
10 it's supposed to be just free of encumbrances. You're
11 not supposed to use it for anything else.

12 MEMBER SANKER: Right.

13 MEMBER KRIEGER: Can you get a police car and
14 SUV around the 23 feet?

15 MR. BURT: Yes.

16 MEMBER LONGO: The problem is getting in
17 there.

18 MEMBER KRIEGER: I appreciate you not having
19 to do a curb cut on to Meadowbrook Road because that
20 also eases up on potential for accidents, et cetera.

21 MR. BELANGER: Yeah. This is an
22 interesting -- it's an interesting design. It took
23 quite a while because the other thing is is there is a

1 queuing. A number of vehicles have to be queued into
2 this facility and that is a large -- I think it's 25, I
3 believe. I can't remember specifically.

4 We don't -- and the car wash that -- we run a
5 very similar style facility in Plymouth Township and we
6 never will have more than 15 cars queued in a facility
7 like this. So there is plenty of queuing in this
8 location.

9 We've been in the car industry for a long
10 time as manufacturers and vendors to supply other car
11 washes all over the country and I think that ordinance
12 was originally written when a lot of gas station car
13 washes were being put into play and the queues were
14 extending out into traffic. So then that became
15 problematic, then, from a safety perspective.

16 So we have plenty of queuing in this facility
17 to get in and out of the car wash on what our
18 experience is. So getting in and out of the property
19 we feel really comfortable with. It is actually going
20 to be very easy for our customers to access the lanes.

21 CHAIRPERSON PEDDIBOYINA: Okay. Go ahead,
22 please.

23 MS. SAARELA: Yes, thank you. There's a fire

1 marshal report in the planning packet from the end of
2 June 2019. The fire marshal report is dated May 15th,
3 2019.

4 "Project description: Build a drive-thru car
5 wash at Meadowbrook and Ten Mile.

6 "Comments: Corrected 5-15-19. Fire hydrant
7 spacing is 300 feet from fire hydrant to fire hydrant.
8 Novi city ordinance 11-68, F1. Recommend approved."

9 So there's no comment recommending bypass.

10 CHAIRPERSON PEDDIBOYINA: Thank you.

11 MEMBER KRIEGER: Thank you.

12 CHAIRPERSON PEDDIBOYINA: Anyone else want to
13 say anything?

14 Linda, can you go ahead and do a motion,
15 please.

16 MEMBER KRIEGER: In case number PZ19-0026 for
17 National Car Wash Solutions for Ten Mile, west of
18 Meadowbrook Road and north of Ten Mile, parcel number
19 50-22-23-426-017, the applicant is requesting a
20 variance from the City of Novi Zoning Section 5.3.11.D
21 to allow for the applicant to have no bypass lane. One
22 bypass lane minimum of 18 feet is required by code.

23 Section 5.3.11.F to allow a proposed

1 drive-thru lane with a center line radius of 23 feet, a
2 minimum of 25 feet is required by code. The property
3 is zoned general business, B-3. I move to support this
4 request for the petitioner. That the space provided
5 for this site is adequate for having the two lanes
6 because of providing an escape route to evacuate the
7 site, if necessary.

8 Information provided from the City through
9 the Planning Commission and fire marshal's review, the
10 section with the proposed drive-thru lane with a center
11 of 23 with a minimum of 25 is a minimal request. It
12 can turn an SUV in this property.

13 The petitioner has shown practical difficulty
14 requiring this because there is nothing else like it
15 within -- I think it's about two to three miles to the
16 one on Novi Road, which isn't equivalent. And because
17 they are not creating curb cut, which further would
18 disrupt regular road traffic and entrance for the
19 queuing line, and that it would not disrupt neighboring
20 establishments.

21 That the property is unique because the area
22 has been unused for more than 30 years and two feet
23 difference in radiance would be the minimum request.

1 They did not create the condition because of its
2 location and the existence of the way it is today with
3 the mostly parking lot. The relief granted will not
4 unreasonably interfere with adjacent or surrounding
5 properties. It will add to people's shopping in the
6 shopping center.

7 The relief is consistent with the spirit and
8 intent of the ordinance because it's their minimum
9 request for the turning line and they provided the
10 escape route or exit line for their two queuing lines.

11 MS. SAARELA: Can I just ...

12 You moved to support the variance. Do you
13 move to grant the variance or just support it?

14 MEMBER KRIEGER: Grant.

15 MS. SAARELA: We need to say "grant"

16 MEMBER KRIEGER: Grant.

17 CHAIRPERSON PEDDIBOYINA: Thank you.

18 Second.

19 MEMBER SANGHVI: Second.

20 CHAIRPERSON KRIEGER: Okay. Any further
21 discussion?

22 Okay. Seeing none. All in favor?

23 MEMBER KRIEGER: We need to call the roll.

1 CHAIRPERSON PEDDIBOYINA: Call for the roll
2 call, please, Katherine.

3 MS. OPPERMAN: Member Byrwa?

4 MEMBER BYRWA: Yes.

5 MS. OPPERMAN: Chairperson Peddiboyina?

6 CHAIRPERSON PEDDIBOYINA: Yes, please.

7 MS. OPPERMAN: Member Krieger?

8 MEMBER KRIEGER: Yes.

9 MS. OPPERMAN: Member Longo?

10 MEMBER LONGO: Yes.

11 MS. OPPERMAN: Member Sanghvi?

12 MEMBER SANGHVI: Yes.

13 MS. OPPERMAN: And Member Sanker?

14 MEMBER SANKER: Yes.

15 MS. OPPERMAN: Motion passes.

16 MR. BELANGER: Thank you.

17 MR. BURT: Thank you.

18 MEMBER KRIEGER: Best wishes.

19 CHAIRPERSON PEDDIBOYINA: Thank you.

20 Congratulations.

21 MR. BELANGER: I appreciate you guys coming
22 out in the evening.

23 CHAIRPERSON PEDDIBOYINA: Okay. Let's move

1 to the next case. PZ19-0027, PrimeCare on Wixom 27250
2 Wixom Road, west of Wixom Road and south of Grand River
3 Avenue. Parcel number 50-22-17-101-024. The applicant
4 is requesting a variance from the City of Novi, Code of
5 Ordinance, Section 28-5(a) for the proposed
6 installation of an additional wall sign. One sign per
7 business allowed. This property is zoned light
8 industrial (I-1).

9 Okay. The applicant is here.

10 State your name for my secretary.

11 MR. ZAID: Robert Zaid, R-o-b-e-r-t, Z-a-i, D
12 as in David.

13 MEMBER KRIEGER: Are you an attorney?

14 MR. ZAID: No, I am not.

15 MEMBER KRIEGER: Do you swear or affirm to
16 tell the truth in this case?

17 MR. ZAID: I do.

18 MEMBER KRIEGER: Thank you.

19 CHAIRPERSON PEDDIBOYINA: Okay. Please go
20 ahead.

21 MR. ZAID: Thank you for hearing me tonight.
22 I do represent PrimeCare on Wixom. And, as you can
23 see, last year we chose to convert an old bank into a

1 new primary care office and are doing pretty well. Our
2 new doctors are over there. When we were planning the
3 bank, we wanted to have signage that would tell the
4 community what we were because it was a new business
5 and we applied for two signs on our building with the
6 thought being that this is a 4,000 square foot building
7 and we in the architectural plans set it up so that we
8 could have a separate entrance in the future where if
9 we got busy enough where we had an urgent care. So we
10 intended to have Suite A and Suite B within this 4,000
11 square foot building.

12 Our landlord, who is an orthodontist, is
13 building a second building behind it, which would be a
14 third suite. So we did apply for a permit to get two
15 signs, which was approved, and we're hoping that you
16 guys will uphold the approval so that we can continue
17 to advertise what we do.

18 Taking down the sign at this point, I think,
19 will be a burden for us because the community has
20 gotten to know us through a lot of the advertising we
21 have done through Catholic Central and such. And
22 taking it down may look like we are going out of
23 business. We did try to go through the process in the

1 right way and I can see where it would be confusing.

2 I can show you, if you would like, the areas
3 that are intended for second entrances and what the
4 third building would look like to make it a little bit
5 more clear.

6 (Photo displayed.)

7 MR. ZAID: Instead of creating more exam
8 rooms inside the building -- I don't know how to focus
9 that.

10 Oh, there we go.

11 Inside the exam room we left a hallway open.
12 This is from the inside. And from the outside it would
13 face this location where this window is, which would be
14 right next to the vestibule of our orthodontist
15 landlord. Which would be a combined vestibule that we
16 would apply for in the future, if we were to make that
17 a Suite B.

18 The entrance to the landlord's building,
19 which is almost complete, juxtaposes it -- and
20 actually, that picture showed it just fine.

21 So our thought was we would get the two signs
22 up there at this point and if we decided in the future
23 to have a second business out of there and to utilize

1 Suite B, which we're not using right now, we could
2 change that sign and apply to the Zoning Board and get
3 a different name for that sign, if that's what you
4 recommend.

5 CHAIRPERSON PEDDIBOYINA: Okay. Any other
6 things? Do you want to say any other?

7 MR. ZAID: Mainly -- no. I don't have much
8 more to say. The bottom line is that these signs help
9 with our brand name. They help with the community. We
10 are in a large parking lot with Sam's Club and Costco
11 and a lot of cars driving by. So it does help to
12 encourage our younger physicians to get their business
13 built up for them.

14 CHAIRPERSON PEDDIBOYINA: Okay. Thank you.

15 MR. ZAID: Thank you.

16 CHAIRPERSON PEDDIBOYINA: Anyone in the
17 audience to speak on this case, please?

18 Seeing none.

19 Correspondence?

20 MEMBER KRIEGER: No.

21 CHAIRPERSON PEDDIBOYINA: No.

22 City?

23 MR. BUTLER: No comments from the City,

1 except what is allowed by code.

2 CHAIRPERSON PEDDIBOYINA: Correspondence,
3 please, secretary.

4 MEMBER KRIEGER: From this case there were 14
5 letters sent and three returned. That's it.

6 CHAIRPERSON PEDDIBOYINA: Let me speak with
7 my board members and we'll see.

8 Anybody wants to talk on this?

9 MEMBER SANGHVI: No public comments.

10 CHAIRPERSON PEDDIBOYINA: Okay.

11 Okay. Go ahead, please.

12 MEMBER SANGHVI: Okay. I can?

13 CHAIRPERSON PEDDIBOYINA: Yes, please.

14 MEMBER SANGHVI: I came and saw your sign and
15 drove around the area. The parking lot is all torn up
16 at the moment in that area over there and they closed
17 the road. But, A, the first thing I want to point out
18 is that this is on the east side of the road and not
19 the west side.

20 It's very nicely done, tastefully done signs.
21 I like them very much. And I can see you have a huge
22 building there and I don't think it will hurt to have
23 two signs, to be honest, and I can wholeheartedly

1 support your request.

2 MR. ZAID: Thank you.

3 CHAIRPERSON PEDDIBOYINA: Thank you,
4 Mr. Sanghvi.

5 Anyone else from the board members, please?

6 Okay. Ms. Linda?

7 MEMBER KRIEGER: For the City, I remember
8 this case. It was the bank and then we approved that.
9 The orthodontist came before us, but I forgot what it
10 was -- his request was. Was it for more signage?

11 MR. BUTLER: It was also for signage and he
12 wanted it to face a different direction because he only
13 had one sign and he was having problems with people --
14 I forgot which road it was. But he needed it on the
15 other side so people could see it on both directions
16 coming in.

17 MEMBER KRIEGER: So this petitioner is here
18 for the sign that's on the circular part of the
19 building or another sign?

20 (Photo displayed.)

21 MR. BUTLER: From that part of the building
22 right there.

23 MEMBER KRIEGER: Okay.

1 CHAIRPERSON PEDDIBOYINA: Okay. Linda.

2 Any other? Comment?

3 MEMBER KRIEGER: Yes. Commentwise, I drove
4 by your site and from the parking lot you don't know
5 what it is until you come to where it's at. But from
6 driving south, the trees that are there, you can't see
7 anything until you're right on top of it where the
8 light's at. And even though they take the trees away,
9 you still would just see the family medicine sign
10 first.

11 And then coming from the south going north,
12 you would have to be right at the light to see your
13 building and your signs. So if you're at Target, you
14 see a sign that says -- on the circular part of the
15 building where you're at. So I can see that you need
16 support. So I would be able to support the request.

17 CHAIRPERSON PEDDIBOYINA: Thank you, Linda.

18 MEMBER KRIEGER: Thank you.

19 CHAIRPERSON PEDDIBOYINA: Anybody else wants
20 to talk?

21 MEMBER LONGO: Yes.

22 CHAIRPERSON PEDDIBOYINA: Please go ahead,
23 Mr. Longo.

1 MEMBER LONGO: You're intentionally going to
2 add urgent care and I assume that would be another
3 sign. Because family medicine doesn't lead me to
4 believe I can stop there for urgent care. Is that
5 right?

6 MR. ZAID: We understand the ordinance.
7 We're not asking for a third sign. If we did open up
8 an urgent care in the future, we would be more than
9 happy to swap it out with the family medicine sign.

10 MEMBER LONGO: Okay. And you're right.
11 Sunday it looked like it was done. So is there a sign
12 for that?

13 MR. ZAID: So that would be a Suite C and I'm
14 hoping he would have a sign as well. He is a very good
15 orthodontist and he would need signage. None of us
16 have monument signs at this point.

17 MEMBER LONGO: I do have a comment. You have
18 some temporary signs out on Wixom Road.

19 MR. ZAID: Yes.

20 MEMBER LONGO: And two of them are laying
21 down. So I would recommend you either set those back
22 up or -- you know, take care of them because it looks
23 like -- I don't think it gives the impression that you

1 want to give or should give with those signs just
2 laying down in the grass.

3 MR. ZAID: I'll take care of it first thing
4 in the morning.

5 MEMBER LONGO: Thank you.

6 I don't have anything else.

7 MEMBER KRIEGER: Just something else.

8 CHAIRPERSON PEDDIBOYINA: Go ahead.

9 MEMBER KRIEGER: For the signage, we approve
10 the second sign, but then they can change what's on the
11 sign; is that correct?

12 MR. BUTLER: They can change what is on the
13 sign. They can't change the dimension of the sign.

14 MEMBER KRIEGER: So they can switch it to
15 urgent care, if they'd like?

16 MR. BUTLER: Yes.

17 MEMBER KRIEGER: Okay. Cool.

18 CHAIRPERSON PEDDIBOYINA: Anybody else?

19 MEMBER SANKER: So the request is -- you have
20 those two signs right now, right?

21 MR. ZAID: Right.

22 MEMBER SANKER: And that's what you need a
23 variance for or you want to add a third sign?

1 MR. ZAID: Yes. To clarify. Those signs
2 were approved and we put them up on the building.
3 After they were approved, we were asked to come to the
4 Zoning Board to clarify the issue. We want to keep
5 what is there right now. If there is a third sign,
6 that's for a separate business, for the orthodontist.
7 We don't want a third sign at this point.

8 MEMBER SANKER: Okay.

9 CHAIRPERSON PEDDIBOYINA: Anybody else on the
10 board?

11 Okay. Considering all, I have no objection.
12 And, you know, as far as my board members have already
13 spoke of the difficulties of the business and I have no
14 issue. Thank you.

15 MR. ZAID: Thank you.

16 CHAIRPERSON PEDDIBOYINA: Anybody wants to
17 make a motion?

18 MEMBER SANKER: I'll make a motion.

19 CHAIRPERSON PEDDIBOYINA: Okay, Kevin. Go
20 ahead.

21 MEMBER SANKER: I move that we grant the
22 variance in PZ19-0027 sought by PrimeCare for an extra
23 wall sign because the petitioner has shown practical

1 difficulty requiring the additional signage.

2 Without the variance, the petitioner will be
3 unreasonably prevented or limited with respect to the
4 use of the property because the sign will not provide
5 adequate notice to drivers and customers of the
6 business and because taking the sign down would have a
7 negative impact on the business.

8 The property is unique because the structure
9 was formerly a bank and not intended to be used as a
10 PrimeCare. The trees block the site as you approach
11 it. The petitioner did not create the condition
12 because it did not alter the building in any way or the
13 property in any way. Relief granted will not
14 unreasonably interfere with the adjacent or surrounding
15 buildings because the signs won't have any impact on
16 the adjacent buildings.

17 Finally, the relief is consistent with the
18 spirit and intent of the ordinance because the owner
19 would have better visibility to the street.

20 MEMBER BYRWA: Second.

21 CHAIRPERSON PEDDIBOYINA: Thank you. Motion
22 and second.

23 Any other discussions?

1 Okay. Call the roll, Katherine.
2 MS. OPPERMAN: Member Sanghvi?
3 MEMBER SANGHVI: Yes.
4 MS. OPPERMAN: Member Longo?
5 MEMBER LONGO: Yes.
6 MS. OPPERMAN: Member Krieger?
7 MEMBER KRIEGER: Yes.
8 MS. OPPERMAN: Member Byrwa?
9 MEMBER BYRWA: Yes.
10 MS. OPPERMAN: Member Sanker?
11 MEMBER SANKER: Yes.
12 MS. OPPERMAN: And Chairperson Peddiboyina?
13 CHAIRPERSON PEDDIBOYINA: Yes, please.
14 MS. OPPERMAN: Motion passes.
15 CHAIRPERSON PEDDIBOYINA: Thank you.
16 MR. ZAID: Thank you.
17 MEMBER KRIEGER: Good luck.
18 CHAIRPERSON PEDDIBOYINA: Congratulations.
19 MR. ZAID: Thank you.
20 CHAIRPERSON PEDDIBOYINA: Any other things?
21 You want to adjourn the meeting?
22 MEMBER KRIEGER: No other matters.
23 CHAIRPERSON PEDDIBOYINA: No matters.

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MEMBER KRIEGER: I move to adjourn.

MEMBER SANGHVI: Second.

CHAIRPERSON PEDDIBOYINA: Okay. All say,
"Aye."

THE BOARD: "Aye."

CHAIRPERSON PEDDIBOYINA: Thank you. We're
adjourned.

(At 7:39 p.m., meeting concluded.)

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C E R T I F I C A T E

STATE OF MICHIGAN)

) ss

COUNTY OF OAKLAND)

I, Darlene K. May, do hereby certify that I have recorded stenographically the proceedings had and testimony taken in the above-entitled matter at the time and place hereinbefore set forth, and I do further certify that the foregoing transcript, consisting of forty (40) typewritten pages, is a true and correct transcript of my said stenographic notes.

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

October 3, 2019
(Date)

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