

**PLANNING COMMISSION  
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION  
HELD ON MARCH 22, 2022, AT 7:00 P.M.,  
CITY HALL-CITY COUNCIL CHAMBERS**

**PRESENT**

Paul Doppke, Chairman  
Robert Hison  
Lou Schelosky  
Anthony Stonik  
Jeff Mazzenga  
Ed Jones

**ALSO, PRESENT**

Liz Koto, Planning  
Shantelle Hubbard, Recording Secretary  
Eric Shepherd, City Attorney

**ABSENT**

Kathy Hanson, Excused  
Brandon Johnson, Excused  
Patrick McKay, Excused  
James Kalich, Excused

**CALL TO ORDER**

Chairman Doppke called the meeting to order at 7:03 p.m.

The Pledge of Allegiance was said.

Vice-Chairman Schelosky called the roll. Six were present.

**A motion was made by Commissioner Hison, and seconded by Commissioner Jones, to excuse Secretary Hanson, Commissioners McKay, Kalich and Johnson from tonight's meeting.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**MOTION: PASSED**

**CASE NO. PPC220011: Request for site plan approval for interior and exterior renovations and Site improvements for a new national retailer grocery store at 22332 East Nine Mile.**

The request is reviewed as follows:

\* \* \* \* \*

The petitioner is requesting site plan approval on the existing 3.76 acres for a new national retail grocery store whose name cannot be disclosed at this time. The site plan proposes an adaptive re-use of the former Kroger store. The proposal includes removing approximately 5,000 square feet of the existing building on the west and east sides to reduce the footprint for a total size of

44,454 square feet. The reduction in the size of the building and reconfiguration will result in a total of 188 parking spaces within a newly paved parking lot. Cart corrals are proposed within the parking lot. The site plan also indicates the removal of the truck docks on the east side of the building and reconfiguring and adding truck docks to the west side of the building. The petitioner is proposing to re-skin the existing building for an updated and more modern-looking façade. The exterior finish materials that are being proposed include a recycled and sustainable paneling system by Stonewood Architectural Panels, stone, and metal siding and canopies. The Stonewood Architectural Panels are made of Kraft paper, decorative layers, and a phenolic resin. When these materials are pressure treated it results in a product that is highly durable, non-porous, impervious to moisture, graffiti, bacteria, and are 99% UV resistant as well as all-climate tolerant. Dumpsters are proposed to be located at the southwest corner of the site and a transformer and generator pads are proposed on the southeast side of the building. Curb cuts are to remain in the same location; however, the petitioner is proposing changing out some of the adjacent curb cuts at the corner of Nine Mack and Nine Mile to mountable curbs to allow for more freedom of truck movement into the site.

The petitioner also owns the parcel at the corner of Nine Mack Drive and Clairwood Street. At this time, they are proposing a parking lot at this location for the use of the patrons of the Nine Mack DDA. The developer and the city have agreed to leave flexibility in this portion of the plan for now until the outcome of the Nine Mack Parking study has been completed.

\* \* \* \* \*

**Planning Commission Chairman** – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220011. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

\* \* \* \* \*

The request is reviewed as follows:

**1) Zoning**- The zoning of the parcel is B-3, and the adjacent lot at the corner of Clairwood and Nine Mack is zoned P-1 Parking. Zoning is adequate for this review.

**2) Adequacy of Information** (Section 35.82, 5, a) –The information provided is adequate for this review.

**3) Site Design Characteristics** (Section 35.82, 5, b) – The petitioner is requesting site plan approval on the existing 3.76 acres for a new national retail grocery store whose name cannot be disclosed at this time. The site plan proposes an adaptive re-use of the former Kroger store. The proposal includes removing approximately 5,000 square feet of the existing building on the west and east sides to reduce the footprint for a total size of 44,454 square feet. The reduction in the size of the building and reconfiguration will result in a total of 188 parking spaces within a newly paved parking lot. Cart corrals are proposed within the parking lot. The site plan also indicates the removal of the truck docks on the east side of the building and reconfiguring and adding truck docks to the west side of the building. The petitioner is proposing to re-skin the

existing building for an updated and more modern-looking façade. The exterior finish materials that are being proposed include a recycled and sustainable paneling system by Stonewood Architectural Panels, stone, and metal siding and canopies. The Stonewood Architectural Panels are made of Kraft paper, decorative layers, and a phenolic resin. When these materials are pressure treated it results in a product that is highly durable, non-porous, impervious to moisture, graffiti, bacteria, and are 99% UV resistant as well as all-climate tolerant. Dumpsters are proposed to be located at the southwest corner of the site and a transformer and generator pads are proposed on the southeast side of the building. Curb cuts are to remain in the same location; however, the petitioner is proposing changing out some of the adjacent curb cuts at the corner of Nine Mack and Nine Mile to mountable curbs to allow for more freedom of truck movement into the site.

The petitioner also owns the parcel at the corner of Nine Mack Drive and Clairwood Street. At this time, they are proposing a parking lot at this location for the use of the patrons of the Nine Mack DDA. The developer and the city have agreed to leave flexibility in this portion of the plan for now until the outcome of the Nine Mack Parking study has been completed.

- 4) Preservation of Natural Areas** (Section 35.82, 5, c) – There are no natural areas to preserve.
- 5) Privacy** (Section 35.82, 5, d) – A six foot concrete wall exists on the south side of the site.
- 6) Emergency Vehicle Access** (Section 35.82, 5, e) – Emergency vehicle access would not change.
- 7) Ingress and Egress** (Section 35.82, 5, f) –Ingress and Egress to the site would not change; however, the petitioner is willing to install mountable curbs at some key intersections and drive approaches to facilitate easier maneuverability of truck traffic.
- 8) Pedestrian Circulation** (Section 35.82, 5, g) –Pedestrian circulation would not change. Pedestrian circulation is available from the public sidewalks or from the parking lot.
- 9) Vehicular and Pedestrian Circulation Layout** (Section 35.82, 5, h) – Vehicular and Pedestrian Circulation layout would not substantially change.
- 10) Drainage** (Section 35.82, 5, i) – The petitioner is proposing to mill and overlay the existing parking lot.
- 11) Exterior Lighting** (Section 35.82, 5, j) – New light heads are being proposed on existing poles in the parking lot, and sconces have been proposed on the building. A lighting plan has been submitted, and the lighting plan indicates the 0.0 foot candles adjacent to all residential properties.
- 12) Public Services** (Section 35.82, 5, k) – Public services will not be affected by the proposed use.
- \*13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – A landscaping plan has been submitted and it includes underground irrigation. The landscaping plan also includes dense landscaping around the perimeter of the parking lot where there isn't an existing knee wall and extensive landscaping in the parking lot proposed along Clairwood and Nine Mack.

**Staff recommends new plantings in the landscaping beds at the northeast and northwest corners of the site including more perennials and annuals with color.**

**14) Exterior Building Treatment** (Section 35.82, 5, m) – The petitioner is proposing to re-skin the existing building for an updated and more modern-looking façade. The exterior finish materials that are being proposed include a recycled and sustainable paneling system by Stonewood Architectural Panels, stone, and metal siding and canopies. The Stonewood Architectural Panels are made of Kraft paper, decorative layers, and a phenolic resin. When these materials are pressure treated it results in a product that is highly durable, non-porous, impervious to moisture, graffiti, bacteria, and are 99% UV resistant as well as all-climate tolerant. All four sides of the building are proposed to be covered with these new materials.

**\*15) Waste Storage** (Section 35.82, 5, n) – A new dumpster enclosure is proposed in the southwest corner of the site.

**Staff recommends using either brick, poured in place concrete, or a concrete panel system for the enclosure.**

**\*16) Mechanical Equipment** (Section 35.82, 5, o) – A transformer pad and generator pad are shown on the plans and roof top units are visible on the top of the building.

**All mechanical equipment, whether placed at grade or on the roof of the building, must be screened from view.**

**17) Parking** (Section 35.73, 12, a) – The old Kroger, whose gross square footage was over 49,000 square feet, had 207 parking spaces available. The parking count is existing non-conforming because the requirement is 1 space per 200 gross square feet or 245 spaces. Any new grocery store or other retail use can occupy the building without a parking variance. In this case, the petitioner is proposing to reduce the square footage by 5,000 square feet, thus reducing the parking requirement by an additional 25 spaces. The proposal for 188 spaces is adequate for this review.

**18) Setbacks** (Section 35.66) – The setback for the B-3 district are as follows:

SETBACK	PROPOSED	REQUIRED
FRONT	210 feet from the CL	60 feet from the CL of Nine Mile
REAR	Existing 10 feet	20'
EAST	42'	10'
WEST	58'	10'

**\*19) Building Height (Section 35.66)** – The building height has not been indicated. **The total building height, inclusive of new parapets for screening, shall not exceed 30 feet from grade to highest peak.**

**20) Transformer Pad** –A transformer pad and a generator pad have been proposed on the southeast side of the building. Please see number 16 for further information.

**21) Screening Wall** –A six foot concrete screen wall exists at the rear of the site.

**22) Signs** – Signage will be considered under a separate review.

**23) Loading** (Section 35.75) – Loading is proposed to occur on the southwest side of the site at one of three truck docks that are being proposed.

**24) Other** –

**ITEMS OF CONCERN – 13, 15, 16, 19**

**Staff recommends approval of this proposal based on attention to the items listed above.**

Bob Kirk of Kirk, Huth, Lange & Badalamenti, PLC, 19500 Hall Rd, Clinton Twp. Introduced himself and explained that they are proposing the same type of use and just updating the building inside and out.

Mitchell Harvey, Stonefield Engineering and Design, 607 Shelby Street, Suite 200, Detroit. Mr. Harvey explained they want to improve the old Kroger site located at 22332 Nine Mile. The majority of the building will remain. There will be a reduction in square footage by about 5,000 sq. ft. The parking lot will be paved and restriped. A lot of the trees along Nine Mile will be kept. They are adding a hedge row along Nine Mile and Alice Street. This will help with the lights of a car shining onto Nine Mile. They will utilize most of the existing poles and put on new lights in the parking lot if possible. The elevations will have high quality materials and color scheme across the front and inside. There will not be too many major changes.

Gabriel Schuchman, Alrig USA, 38500 Woodward Avenue, Suite 100, Bloomfield Hills, explained that he founded the company 13 years ago and today they have 125 associates. They've successfully delivered over 150 retail developments throughout the United States.

Commissioner Hison said that the site plan review mentioned a national grocery store but why are they not disclosing the name? Mr. Schuchman explained that they have a non-disclosure agreement so they cannot state the name.

Commissioner Hison asked why the reduction of 5,000 sq. ft.? Gabe Schuchman stated that the national retailer has their own prototype.

Commissioner Hison mentioned the relocation of the truck docks. They are removing the truck docks from the east side and placing them in the corner on the west side. The semi-trucks will have to back in. Mr. Schuchman stated that the national retailer looks at the truck routes very carefully. He said that by the way they have it, it would be less intrusive to the neighborhood.

Commissioner Hison mentioned that this area is slated to becoming a DDA. Because they are a new business are they planning on having nautical lighting? Mr. Schuchman stated that he will ask if they will add the Nautical lights. They are in support of the DDA. They want to do more projects in St. Clair Shores.

Commissioner Hison mentioned that it is part of St. Clair Shores to use the Nautical lighting. He asked about the material that they are using for the building, is this approved by the department.

Ms. Koto stated that this property is not within the Harper Overlay District or the Central Lake Front district so they are not required to install nautical lights, nor are they bound by the exterior building materials outlined for those districts. These materials have the same sort of warranty and are weatherproof as other approved materials.

Mr. Schuchman stated that they want to start this summer and hope to have it open in 2023.

Commissioner Hison mentioned the extra parking area. They are proposing a parking lot at this location for the use of the patrons of the Nine Mack DDA.

Ms. Koto stated that the city and the developer have agreed to leave flexibility in this portion of the plan for now until the outcome of the Nine Mack Parking study has been completed.

Commissioner Hison mentioned that they may need to have a wall on the east side facing the residents. Mr. Schuchman stated that this will be up to the residents to determine if they want a wall or if they want landscaping.

Commissioner Hison stated that it is zoned parking and it is required that a wall is needed. Ms. Koto stated that this parcel was rezoned and she will check if a variance was granted.

Commissioner Hison mentioned the setbacks should be 20 feet for the building. Ms. Koto stated that the building has legal existing non conforming setbacks, and since they are not adding on to the building, not special approvals are required.

**A motion was made by Commissioner Mazzenga and supported by Commissioner Hison, to approve the request for site plan approval for interior and exterior renovations and site improvements for a new national retailer grocery store at 22332 East Nine Mile with the attention of the following conditions: new plantings in the landscaping beds at the northeast and northwest corners of the site including more perennials and annuals with color; using either brick, poured in place concrete, or a concrete panel system for the dumpster enclosure; all mechanical equipment, whether placed at grade or on the roof of the building, must be screened from view; the total building height, inclusive of new parapets for screening, shall not exceed 30 feet from grade to highest peak; and the petitioner will look into the feasibility of using nautical lighting on the site.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: HANSON, JOHNSON, MCKAY, KALICH**

**MOTION: PASSED**

**APPROVAL OF MINUTES FROM THE JANUARY 25, 2022 & MARCH 8, 2022 PLANNING COMMISSION MEETINGS.**

**A motion was made Commissioner Hison and supported by Commissioner Jones, to approve the Planning Commission Meeting Minutes of January 25, 2022 and March 8, 2022 Planning Commission Meeting.**

**A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: HANSON, JOHNSON, MCKAY, KALICH**

**MOTION: PASSED**

## **REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS**

Ms. Koto stated that on March 21, 2022 City Council passed an amendment to allow Jim Pappas to split the storage building meant only for Shore Club apartments from the main parcel in order to allow the vacation of Nine Mile. Mrs. Koto indicated that Nine Mile could be vacated without issue whether the parcel was split or not.

## **CITY PLANNER LIZ KOTO'S STAFF REPORT**

Ms. Koto stated that they have two cases for April. And they still have not received the new submittal for the condos.

Mrs. Koto explained that they hired an engineering firm to do a parking study for the Nine Mack DDA area, and to keep costs down, they are asking for volunteers to help count cars. They postponed the original training and counting event because of the weather. The new date will be the week of April 3<sup>rd</sup>. The training will be about an hour on the iPad. They are looking for more volunteers.

The parking study came about as a result of the multiple variances being granted for parking in the Nine Mack Area. The ZBA stated that they are not sure about how many spots are available. Every business coming in is asking for a parking variance plus we could have more or intense uses in the future.

Commissioner Hison stated that there have always been problems. He suggested building a parking garage. The neighboring tenants are the ones complaining.

## **ADJOURNMENT**

**A motion was made by Commissioner Mazzenga, and supported by Commissioner Stonik, to adjourn the Planning Commission Meeting at 7:50 p.m.**

### **A ROLL CALL WAS TAKEN:**

**AYES: ALL**

**NAYS: NONE**

**ABSENT: HANSON, JOHNSON, MCKAY, KALICH**

**MOTION: PASSED**

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A PLANNING COMMISSION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.]