



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**January 23, 2019 7:00 PM**

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

## CALL TO ORDER

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

## ROLL CALL

**Present:** Member Anthony, Member Avdoulos, Member Greco, Member Hornung, Member Maday, Chair Pehrson

**Absent:** Member Lynch

**Also Present:** Barbara McBeth, City Planner; Rick Meader, Landscape Architect; Kate Richardson, Staff Engineer; Thomas Schultz, City Attorney; Hannah Smith, Planning Assistant

## PLEDGE OF ALLEGIANCE

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

## APPROVAL OF AGENDA

Moved by Member Avdoulos and seconded by Member Anthony.

## VOICE VOTE TO APPROVE THE JANUARY 23, 2019 AGENDA MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER ANTHONY.

***Motion to approve the January 23, 2019 Planning Commission Agenda. Motion carried 6-0.***

## AUDIENCE PARTICIPATION

Nobody in the audience wished to speak.

## CORRESPONDENCE

There was no correspondence.

## COMMITTEE REPORTS

There were no Committee Reports.

## CITY PLANNER REPORT

City Planner McBeth said we have a new Plan Review Engineer, Kate Richardson, who is at the table here tonight with us. She started with us on Monday, December 17<sup>th</sup> and this is the first Planning Commission meeting that she has attended. Kate will be in charge of reviewing Engineering site and design plans with private development projects for general conformance with the City's Ordinance and Design and Construction Standards.

Kate recently earned her Bachelor of Science Degree in Environmental Engineering and graduated at the top of her class from Michigan State University. She is also a graduate of the International Academy in Bloomfield Hills, where she graduated with an International Baccalaureate and High School Diploma with Honors. Please welcome her tonight. She is here to answer questions, too, about these development projects.

Chair Pehrson said welcome aboard, Kate.

Plan Review Engineer Richardson said thank you.

## **CONSENT AGENDA**

There were no items on the consent agenda.

## **PUBLIC HEARINGS**

### **1. SUPERIOR AMBULANCE JSP18-72**

Public hearing at the request of Superior Ambulance Company for Superior Ambulance JSP 18-72 for Special Land Use approval. The applicant is proposing to use a part of the existing building located at 41001 Grand River Avenue for a 24-hour private emergency medical service use that includes a garage for emergency vehicles and living quarters for the staff.

City Planner McBeth said the proposed use is considered an Unlisted Use. The City Council has approved the proposed use for the I-1, Light Industrial, zoning district, subject to Planning Commission's approval of the Special Land Use request and any other recommended site improvements that would be specific to this requested location. The subject property is located on the south side of Grand River Avenue east of Meadowbrook Road. There is a vacant industrial building on the site.

The site is currently zoned I-1, Light Industrial, with the same zoning to the west and north. Office Service zoning is to the east, and Single-Family Residential zoning and development is located to the south. The properties to the east and west are currently undeveloped. The Future Land Use Map indicates similar uses as currently zoned on all sides, with the exception of the recommendation for Town Center Gateway uses to the west.

There are woodlands to the south, as shown on the aerial and as can be seen in the photos included in the Planning letter.

As noted, the applicant is proposing to use a part of the existing building for a 24-hour private emergency medical service use that includes a garage for emergency vehicles and living quarters for the staff. The applicant is proposing to build out a living quarters complete with kitchen, resting and lounging area, full bathroom, and supply storage. No changes to the exterior building façade are being proposed at this time. Two to five ambulances will be stored inside the building. Approximately 4-10 paramedics will be working from this location. The location is not advertised and walk-in customers are not encouraged. There is no air operation proposed at this location, although the company's logo depicts a helicopter.

The applicant commissioned a noise impact statement by Soundscape Engineering. The

noise analysis concluded that the noise level at the property line adjoining the residential properties will not be significantly impacted by the idling or driving of an ambulance on the property, and that the results of the measurement are within the City's standards for acceptable noise levels. The applicant has also indicated that the emergency sirens and lights will not be operating until the vehicles have entered the Grand River Avenue public right-of-way.

When the Planning Commission first considered the Unlisted Use determination, the applicant indicated the intent for the use to be at this specific location. As the Unlisted Use Determination proceeded through the process, a recommendation was made for the Planning Commission at the time of Special Land Use consideration to consider whether additional screening from any abutting residential areas might be needed.

This site abuts a residential neighborhood to the south. There is existing vegetation at the property boundary, but not a berm. During Staff's site visit, we noticed that the screening may be sufficient during the summer months as shown in the top picture, but does not provide adequate barrier from headlights during the winter months as seen in the bottom picture.

The applicant is proposing to lease the space shaded in the image on the screen. Per the initial request, the ambulances are proposed to enter the building from the south entrance and exit from the east entrance as shown. While the noise impacts are minimal, Staff is concerned about light shining into residential homes to the south, especially during winter months. In the response letter, the applicant has proposed to restrict the trucks entry and exit to and from the building to the eastern facing building exit during the times where vehicle headlights would be needed. While this would reduce the impacts, it does not completely eliminate the possibility.

City Planner McBeth said the applicant met with Staff prior to the Planning Commission meeting to understand Staff's concerns regarding the screening. As noted in the response letter, the applicant has agreed to work with Staff to identify the extent of landscaping required.

Staff appreciates the applicant's willingness to work with Staff. However, at the time, Staff is not able to determine the extent of screening and type of screening required due to lack of a truck circulation pattern plan or a Landscape Plan. If the Planning Commission approves the Special Land Use request tonight, the applicant should provide a planting plan or other appropriate plan, and Staff suggests that the approval will be subject to the installation of necessary screening to be in place by June 15, 2019.

The suggested motion sheet that has been provided at the table tonight has been modified to more clearly reflect the comments made in the applicant's response letter and Staff's recommendation to provide screening along the southeast side of the parking lot.

The Planning Commission is asked tonight to hold the public hearing and to either approve or deny the Special Land Use request. The applicant, Andy Brown with Superior Ambulance, is here tonight with his consultant, Scott Riddle, to present some additional information and answer any questions.

Mr. Andy Brown, with Superior Ambulance, said thank you again for taking into consideration the motion for approval for our use of the site. As you know, actually today is our one year anniversary of providing EMS services to the City of Novi, which we are currently dedicating three ambulances to the City currently stationed at Fire Station 2, Fire Station 3, and the property previously known as Fire Station 5 on Beck Road.

We really appreciate the opportunity for approval of this motion, as we are currently having to bring in additional units to support our three dedicated units from our closest facility, which is in Southfield, Michigan. Obviously in rush hour traffic, that is not an ideal location for us to bring in additional units from as we are contracted and obligated to perform, should those three dedicated ambulances be used in an emergency request previously. This location is ideal for us, as it allows for us to make a seven-minute response time, which we are contractually obligated by to meet all of the responses in the City. So we would really appreciate the opportunity to seek approval of this motion this evening.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project.

Reverend Timothy Halboth, 41240 Clermont Avenue, said good evening and thank you for listening. Ms. McBeth, I worked with you at one point looking for property for a possible church here. In the first photo on there, my house backs right up to this parking lot. We are the west, we're the second house coming in on the west side. You mentioned a green space – it's very thin, they are very tall trees with vegetation on top. We have lived there for twelve years. There should have been some type of green space put up by the parking lot and the people who own that right from the beginning, when those homes were first made.

Also, it slopes up so that we are down and the building is up. This morning, I took a picture from my bedroom window. There was already a bus parked there, I could see it right from my home when I looked out my window. That's not why I bought that home in Novi, to see a bunch of ambulances and buses parked in there. Over the years, Weiss Construction has been very quiet, other than the trash dumpster that's never been enclosed and is quite loud in the mornings, but that's beside the point. I foresee seeing and watching a parade of ambulances in and out of there twenty-four hours a day, seven days a week. That is going to be very loud, no matter what is put up. If you approve this, it will be loud.

I am really against this, I disapprove of this. It's taking away from the aesthetics of my home, which I purchased for that very reason. During the summer months, there's adequate blockage. In the spring and winter and fall, there is not. And I'm going to see a parade of ambulances, lights, sirens, in and out, twenty-four hours a day, seven days a week. I disapprove of this motion, and I hope that you will listen to mine and my neighbors' concerns about this.

Nick Rallis, 40965 Scarborough Lane, said on that map I am basically the second house on Scarborough Lane. We bought that house in 2003, and this is one of the nicer and more premium subdivisions in Novi, and we paid a very premium price to be there with the private woodlands and things like that. I just became aware of this this week, and I support the intent of the ambulance service and the function it provides, but I'm just concerned about how it is being executed right here.

The first thing that I was not aware of is that we have Industrial butting right up against Residential, so I am hoping that that gives a little more urgency to the matter. I was not aware of that, obviously. Clearly there is a visual issue, which I hope we can take care of that. By far, the biggest concern we have is the nature of the business – 24 hours, day and night, and sirens. I've read some of the documentation provided here and the dimension of the noise assessment. I'm not too worried about idling vehicles, but whether the sirens are on in the parking lot or ten feet beyond on Grand River – these are going to be very loud and they're going to theoretically wake us up throughout the night. I don't know what the occurrence is for all of these ambulances, but we have a fleet of potentially five now, and that could wake us up several times a night. And to me, that is unacceptable. We have to do something. I think the conclusion that noise is not an issue, I guess I'm misaligned with that in that I think it's a very big issue. Not just for us, but everywhere in that subdivision in Phase 3 is going to be able to hear this quite a bit.

So I am ultimately worried about that, and the property value and the impact that it might have on people's desire to live there. Those are my biggest concerns. I would love to at least have an understanding of what the noise levels are, like what does a siren sound like on Grand River? Or as they're probably going to be putting them on to pull out and get into traffic, because of the nature of the urgency? I would love to see how that compares against the Ordinance of single-family homes. I don't know if that testing is done there, but it would be nice to be objective on that, as well as subjectively for all of those homeowners. I think it's pretty evident that they're going to hear it quite a bit, just by the nature of what sirens are intended to do. So, that would be my one big thing, as I am really concerned about those noise levels. With that said, I would love to work with everyone here but at the same time I am very concerned that we brushed over the sound side of this. Thank you.

Josini Devis, 40971 Scarborough Lane, said I live in the house right behind that property. We have been living there since 2009 and we have no plans to move out of Novi until my youngest graduates, he is only six right now. We have a lot of young kids in this neighborhood. Our property is right behind that building, which is going to be a huge concern with the light, sound, and safety. We don't have adequate barrier between the properties and that is a huge concern with young kids, because there is hardly any trees between my house and that property. I think we are very worried about the safety, the lights, the noise, everything that is going to happen. I do work in healthcare, I understand the importance of ambulances and how emergency services are needed. With Providence Park Hospital nearby, we already have enough of that kind of sound going on. With this being this close to our property, we are concerned about this.

Kristie Block, 41252 Clermont Avenue, said again, I am one of those neighbors that back right up to it. I've lived there for 15 years. As already stated, it's great property. One of the reasons why we purchased the property is because of what it backs up to, it's a beautiful property. Our main concern, the sirens at night time – that's our main concern. There are other issues, but one of the main concerns is the sirens, twenty-four seven. Everyone stated it, same thing.

So what you're talking about right now is supposedly five ambulances, that's what they're presenting now. What's going to happen later if they expand? The company, the construction site that it's making, it's a big area that they can expand. Part of what they're talking about is that they don't just service Novi, they're also servicing West

Bloomfield and other areas. So it's not just our area. Will they expand? Again, that's our concern, because more expansion means how many more units will come into that area? Not just five. Maybe ten years, maybe five years down the road, how many more will be put in? Is it going to be put into maybe a rescue unit? So these are the things that we're thinking about.

The borders, yes, there's definitely issues with the borders and the transitions between our house and the building. Everybody said the same thing, it's an issue. But my main concern is going to be the noise and the sleep disturbance at night time. And even I guess the garbage. How much more garbage is going to come in? It's been noted, but that's again another noise and another issue and something that needs to be addressed.

Chair Pehrson asked if there was anyone else that wished to address the Planning Commission regarding this project. Seeing no one, he said I believe we have some correspondence.

Member Greco said we do have some correspondence. The first correspondence we have is from Jayasree Subbaraman, 41300 Clermont Avenue, that indicates support but I believe it's meant as an objection as indicated by the text stating it will create a lot of noise and disturbance any time of day for the residential neighborhood being so close. We have an objection from Kristie Block, 41252 Clermont Avenue, with additional documents and photographs presented for consideration. We have another objection from Devis Baby, 40971 Scarborough Lane, objects for the privacy and safety of residents. Nicholas Rallis, 40965 Scarborough Lane, objects to 24-hour ambulance service, traffic, concerned about the nature of the business, and the noise, with attached documentation and photographs for the Commission's consideration. The next objection is from Bingfeng Han, 41002 Scarborough Lane, due to the ambulance sirens disturbing the neighborhood. The next is from Reverend Halboth, 41240 Clermont Avenue, objects because of no landscaping and lives right behind the building. Rajeev Batra, 40959 Scarborough Lane, objects the plan of opening a 24-hour emergency medical site at the location unless there is some type of barrier or wall that can be built to obstruct the view and some of the noise expected. Next is another objection from Antony Amalraj, 41001 Scarborough Lane, with a main concern being the noise without a proper sound barrier and the lights and increased traffic and reduced property value. Next is another objection by Kristie and Randy Block, 41252 Clermont Avenue, the sirens being a main concern as well as concerns about home values. And then finally, Shashikant Agrawal, 40989 Scarborough Lane, objects because of the noise from the emergency vehicles and that it will affect the open environment in case of any fence or high structure built.

Chair Pehrson closed the public hearing and turned it over to the Planning Commission for their consideration.

Member Anthony said my first questions are to the ambulance service. You guys have had the contract with Novi for a year now?

Mr. Brown said correct.

Member Anthony said alright, good. Good work, it's good to have you here in Novi.

Mr. Brown said thank you, we're glad to be here.

Member Anthony said I think I can kind of boil these down to two things – the issue on noise and the issue on light, and then how we can look at approaching this. When I look up here at the map, it's about seven homes that are probably directly affected. And I will list out my concerns for this area. One, is that 24-7, trucks are going to be there at any time, and because of the difference of elevation I think the homes that are towards the east side of that seven are at higher elevation than those on the west side. Unfortunately, the light is coming in with the trucks coming back in and shining right into the back of those homes and those bedrooms there. And the problem is that in the winter, that vegetation really doesn't have anything to block that. It's a wide open shot for those headlights. And even with the thought that it'll be restricted to the east side of the parking lot, when those trucks swing around and shoot the beams out it's going to hit all seven of those homes.

So that part concerns me, because it's 24-7, middle of the night, and they're right, they are families that would have that. So one thing that I would look for is some other kind of control that could be used that could block the lights from projecting off the parking lot and into the homes – whether it's something like a fencing system or green vegetation that lasts throughout the year that's high enough and dense enough to hold those off. So I'm seeing a headshake up and down, so my question is if you are willing to work with Staff to be able to create a barrier for light that would be protective of all seven of the homes?

Mr. Brown said that is correct. Not only are we willing to change the traffic pattern in the lot itself to mitigate most of that swing that you mentioned, but we were agreeable with Staff in relation to putting up some type of greenscape site blockage to mitigate some of that light, as well. Obviously, we want to make sure that we do our due diligence and make sure that what we put in place will be adequate. Obviously being January, we are not going to be able to do much planting now with the ground being frozen as is, so we are in agreement to have a plan in place and have those measures in place by the June 15<sup>th</sup> deadline as discussed with the staff.

Member Anthony said so if we were to put in the motion that you would work with Staff to reach agreement that would create a certain density – we have a couple examples, Huntley Manor did a really good job with their density for screening. So that we could work in, both the timing in which it would be installed and the density and area that you would work with.

Mr. Brown said we are agreeable, yes.

Member Anthony said ok. Now, the next one is noise. At first when I read through this, I thought wow the sirens won't go on until they're on Grand River, so it's probably no different than our Fire or Police Department going down there. But someone made the comment about flipping the sirens on just to get access onto the road and break into traffic. Is that a necessity, or can we define the distance that the trucks would have to be from the entrance area before the sirens go on?

Mr. Brown said there's nothing that designates that we have to turn the lights on immediately to gain access into the roadway. If the roadway is clear, we could easily turn onto the roadway either direction that we decide to go and activate them while we have some distance behind us from the property line. In the circumstance that was

mentioned, if there is a heavier degree of traffic, it would necessitate us to activate the sirens at that time to try to gain access to the roadway. I will tell you that the ideal time for us to utilize these resources, the lights and sirens, is not going to be during the evening hours. The trend that we've seen in our volume for the City of Novi shows that we greatly reduce the number of requests during the evening hours. So these vehicles, even though they will be there 24 hours a day, would have very limited usage after the hours of 10 o'clock in the evening, and I would suspect even more limited usage of the lights and sirens during that time.

Member Anthony said so what would the geographic reach of this facility be?

Mr. Brown said so we are licensed in Wayne, Oakland, and Macomb County. All of our ambulances are able to respond to requests within those areas. However, we try to keep all of those ambulances within their own geographic sector. We do have a contract with Henry Ford West Bloomfield hospital, so we do provide EMS transport services which is mostly inter-facility work, so not necessarily emergent where there would be the use of lights and sirens, for that hospital. We also do provide inter-facility transport services, again not emergent, for Novi Providence Park hospital.

Member Anthony said how many vehicles do you have in your Southfield facility?

Mr. Brown said we have two, currently.

Member Anthony said what's your largest facility?

Mr. Brown said that would be our location in Warren. We house 40 ambulances there. And it should be noted that our contract with the City of Novi is that we do have the three dedicated ambulances, however we are responsible for providing additional ambulances if those three ambulances are committed to requests within the City. Daily, multiple times a day, we have to bring in additional resources to the City. Response times are seven minutes, so we have a very finite amount of time that we need to be able to respond to meet the needs of our contract. And our current location in Southfield, we are constantly having to pull those crews out of their corridors and sit them on street corners because we are able to meet that seven minutes criteria from that location.

Member Anthony said so right now, your contract in Novi is four vehicles?

Mr. Brown said our contract right now is three dedicated vehicles.

Member Anthony said three dedicated, with one non-dedicated?

Mr. Brown said so the contract stipulates that we have to meet all the requests that come in to the City, so if that means that we have to bring in a fourth ambulance if those three are already in use, then we have to bring in a fourth, a fifth, a sixth, and so on.

Member Anthony said I love to see businesses healthy and grow, but I'm sure you can see the concern or hesitation. It's a nice facility, right now you're only taking part of it. You could see expansion - that's a real, legit issue.

Mr. Brown said and I will tell you on the issue of expansion, our goal here is simply to meet

the needs of our contract to serve the citizens of Novi to a more appropriate standard. The garage space that we have is limited in its expansion. We do not see any expansion of this property or the desire to increase the amount of ambulances at this property. The hospital that we contract with is not one of the larger requirements that we have contractually with the Henry Ford Health System. The forty ambulances that we house out of our Warren building are sent out to various facilities from that Warren location. And this is simply to help supplement our contractual obligation to the City of Novi, but also to use as an as-needed basis for our obligation to Henry Ford West Bloomfield and Novi Providence Park.

Member Anthony said ok good, I'm really glad that you're willing to continue to work with Staff on these issues. I'm going to turn my questions to Staff.

Mr. Brown said that Dan Weiss, the owner of the building, is currently renovating the adjacent space and he is going to be occupying that space in a more robust capacity, as well.

Member Anthony said ok. So in a Special Land Use request, can we limit the number of vehicles?

City Attorney Schultz said yes.

Member Anthony said ok. So we can do something like limit so that way, if the extra vehicle needed to be dedicated they had that ability, but yet we can cap it so that we're not looking at twenty.

City Attorney Schultz said yes, correct. You can limit the screening, you can limit the lights and sirens to a certain distance. As long as there's a connection between what you're trying to accomplish and the condition, yes you can.

Member Anthony said so we can specify and control the distance before it comes on?

Chair Pehrson said yes.

Member Anthony said and then also work with them on the screening.

City Attorney Schultz said yes.

Mr. Brown said and if I may, in our lease agreement we are restricted to access to other parking spots in that obviously very large parking lot. We have ten spots that are tucked right up against the building. So can't expand beyond that and we don't have the ability to expand anywhere else into the building, either. We are held to the size of the space that we are leasing.

Member Anthony said lastly, for Staff. So when you guys work through these issues and engineered controls or institutional controls for things like lighting – that will come back to Planning Commission again? Where we can look at it and say yes we agree with the distance or yes we agree that type of screening is adequate?

City Planner McBeth said so I think it would be up to the Planning Commission to decide if

you wanted to see it again. The way we were thinking is that if you decided to approve the request with whatever limitations you decide, that our Staff would work with the applicant to get a Landscape plan, see where the screening would be, and work through it based on the discussion that is had during this meeting. Or, you can request to bring it back to the Planning Commission if you want to see it before Final Site Plan approval.

Member Anthony said ok, that's a good idea.

Member Hornung said when you were here last, we had discussed the deployment of the ambulances. And the plan, as I understood it, when an ambulance goes into service and is helping somebody out, you would deploy a non-emergency journey from this facility over to one of the Fire Stations where you wait for another call. Is that correct?

Mr. Brown said we have that ability, yes.

Member Hornung said as long as those three other ambulances are not in use, you would use those first before ever using one from the garage, is that correct?

Mr. Brown said our deployment plan is such that those three ambulances have to be used first before we bring in anything else.

Member Hornung said ok, so we would have to be in a situation where all three ambulances in the City of Novi are already active in helping somebody else before sirens would ever go on for a vehicle leaving this property?

Mr. Brown said unless there was an emergent request from one our contracted hospital services, yes.

Member Hornung said historically speaking, taking the example of Southfield, do you use a similar deployment strategy from your Southfield office?

Mr. Brown said as it relates to our obligation to the City of Novi?

Member Hornung said as relates to you deploy out ambulances to other locations and use those first.

Mr. Brown said so the deployment plan for our ambulances that are at our Southfield location were specifically designed for inter-facility models. So that was a launching point that could get us to Dearborn, which is one of our busiest facilities for Henry Ford Health System and to Bloomfield Hills in the amount of time that we are contractually obligated to Henry Ford Health System. When we took on this contract with the City of Novi, we quickly realized that our ability to be able to reach Henry Ford West Bloomfield would still be met by this location. And obviously as the contract is very stringent on the requirements of bringing additional ambulances in the event that the three were used, we obviously needed to have a closer location to be able to meet that need. So the need of this contract kind of superseded our previous deployment plan.

Member Hornung said thank you. And I'm wondering if there's maybe a better example, because I guess what I'm getting at here – is there a history of the number of ambulances that would kick on lights from this location in a given week? Would you estimate it being

twice a week, or twenty times a week? Can you give us any data for that?

Mr. Brown said so the data that we currently have right now shows that we are currently bringing in at least one additional ambulance into the City every day, and we see that during our peak volume times, which for the City of Novi are between 2 o'clock in the afternoon and 8 o'clock in the evening. After 10 o'clock in the evening, we typically only see one to two activations of the 911 system in the City, on average. And we can relate that to the fact that the City swells to almost double the size during regular business hours. Our utilization of EMS dedicated units drops off considerably over the weekends and during the evening hours and early morning hours. Typically, when you see businesses in operation is when you'll see the vast majority of the 911 calls coming in to the City of Novi.

Member Hornung said so when you'd be deploying out a vehicle to replace, you would not be using the sirens in that case. Is that correct?

Mr. Brown said that's correct.

Member Hornung said so we are talking about relatively rare events, as far as the noise for a vehicle leaving the building. If there was a call from somebody nearest to this location, nearer than the other three locations, would you deploy from this location or would you deploy from one of the fire stations?

Mr. Brown said so we would deploy our dedicated units first, so the ones that are contractually obligated at Station 2, Station 3, and old Station 5 would go out first. That's our current system status plan, that's the plan that we would continue with.

Member Hornung said so even if it was literally right behind your building, you wouldn't send from this building and kick on the sirens even if it was nearby?

Mr. Brown said correct. Ideally, we do not want to be in a position where we have to bring in additional units. Obviously, we are committing a great deal of resources to our contract already. We are agreeable, based on our contract, to bring in additional units when needed, but obviously for the units in this building – the design plan for them is the inter-facility model, which is predominantly non-emergent transfer.

Member Maday said I'm sure you've probably stated this already last time or this time, but I'm just a little confused about this. So if there is an emergency outside of Novi that you needed a truck for, would you be able to deploy from this facility to that facility?

Mr. Brown said assuming that these units would be the closest to that emergency, correct. However, I should state that we are not contracted with any other cities around Novi. The only cities that we are contracted for emergency work are the City of Novi and the City of Detroit.

Member Maday said so that probably is a very unlikely situation?

Mr. Brown said correct.

Member Maday said would it be possible, Tom, to even state somewhere in there just that that facility would be for the use of Novi occurrences?

Chair Pehrson said no.

Member Maday said so I guess I can see why everybody is frustrated in both scenarios. I mean, we need the ambulances. I appreciate you working with the City and doing everything you can to eliminate all of this. Just with the fact that you're not going to enter from the side of the building at night, that should help eliminate the issue for some of the houses to the east I would think. I don't know what the best barrier is to avoid the lights, if it's trees or a combination of trees and fencing, but I'm assuming that our Landscape Architect could advise you. The concern that we all have is the same, and so if you can work with the City and agree to work with the City.

Mr. Brown said we have agreed to work with the City on that. We can appreciate that aspect of this.

Member Avdoulos said the solution of not using the southern-facing garage access during basically night-time hours – so to go into the east entrance, would you be going in head first?

Mr. Brown said with the space that we have allotted to us, we could go in head first.

Member Avdoulos said because you can turn around inside?

Mr. Brown said correct.

Member Avdoulos said if you were to back up, do the ambulances have the back-up noise?

Mr. Brown said they do, but they also have the ability to turn that off.

Member Avdoulos said so if that happens, we would like to see that initiated.

Mr. Brown said and we do have that as part of our process for backing up ambulances in residential areas. That's not an uncommon practice for us.

Member Avdoulos said I think we've all indicated during this conversation that, and you're willing to work with the City, the big concern is the noise and the lights. The noise, we've got the consultant's report here that says it's within the guidelines, the DBA Decibel Measurements that are allowed. This is an ambulance idling, and it was taken I think around 10 in the evening when they had the sound meter out there. It's not indicative what a Decibel level would be for a siren, but I think for the majority of the time it's not going to be like what people envision, the emergency call is in and the ambulance blasts out of there with sirens and lights. That is not the case here. So that is a big concern that I think we can mitigate. I think what I would like to see within the motion is to bring the Final Site Plan back for Planning Commission review, as it's such a sensitive area, to assure that we've been working together and that would at least comfort a lot of the residents and Planning Commission.

Chair Pehrson said so just as a point of reference, maybe for those that aren't familiar with ambulances and Fire Departments. If you have the opportunity and you want to know

how a City and an agency such as Superior Ambulance works inside a City, I'd take you all to a tour of Station 2, in which case residential abuts the Fire Station, ten feet from the active Fire Station. If you want to talk about a City that goes the extra mile – by regulation, as soon as we pull out of station we're supposed to have lights and sirens to mitigate risk should anything hit us or we hit anything. That resident, over and over, who lives ten feet from that station, has an issue with us starting a truck up and moving it out onto Paramount and out on to South Lake to the extent where now we don't even turn our lights and sirens on until we get out on South Lake, because we are so concerned and so leery about waking up and disturbing the neighborhood. So if that's an indication of what we are doing right now, I think it's a common practice that we would carry forward from a Fire standpoint with Superior, as well.

So, mind you, Grand River is the busiest street for transportation of the emergency medical services going up and down at any time of the day or night. And we are always mindful when going up and down a roadway such as Grand River, with lights going and sirens blaring at 2 o'clock in the morning when there's no traffic on the roadway, that it's safe to permit that we go without sirens just so that we don't bother and wake up and disturb people. That's a common practice that happens in Novi all the time. So I think what you're seeing here is a Commission that is willing to work with this particular applicant to address your concerns, and there's practical applications of what we do to try to limit all of that pollution, noise or light or otherwise.

So we have, I think, listened and we are going to take the recommendations that the Commission members have asked for, and come back with the Final Site Plan to make sure that it's within what we try to provide to the community. But you're looking at a department that has an active role and a supplier, in this case Superior Ambulance, that also understands what it is and what it means to be out there at two or three in the morning. And they're also correct, our busiest time is mid-afternoon. If we get one or two calls during the evening hours, that's the rarity, the exception rather than the rule. I agree with what has been said here, I think we can possibly make a motion if you're ready, Mr. Greco.

City Planner McBeth said Mr. Chair, if I may interrupt. Instead of bringing it back for Final Site Plan approval, you could at this point postpone the decision on it, and then wait until you see what the solution is before you permit. It's your choice.

Mr. Brown said if I may, we would respectfully request that we gain approval on the motion this evening, as we currently have been leasing this space since June of this year and are currently leasing another property in Southfield to help supplement our lack of ability to use the property in its current zoning.

Chair Pehrson said so what we're looking to do in the language, right, is put in a limit to the number of ambulances that are required – four, five, whatever it is, not forty. We're looking for screening visually to the east or the south there. We're looking at language to be put in that makes sense for the City and the applicant to say with inside the pulling out of the Right-of-Way of Grand River lights and sirens are not initiated if traffic warrants. If we need to gain that, we wait until we're at least on Novi Road to access that. That way, we have addressed noise, size, and the lighting. I don't know what else we can do to put barriers, controls, whatever you want to call it, around the applicant.

Member Anthony said thank you for listening to the issues, I think you summed it all up.

City Attorney Schultz said I think the applicant did suggest that there was discussion about expansion within the building and what the limit to the area was.

Chair Pehrson said if within that, if that language is what we propose now, is that something that can be worked out administratively so that you're comfortable with it? We're not going to design trees and fences, I don't want to get into that business.

City Planner McBeth said yes, subject to Planning Commission's approval, if you have all of that included in the motion, that would be fine. And then our thought was, working with the Staff and the Landscape Architect especially in terms of design of that buffer at the south end of the parking lot.

Chair Pehrson said and I think that way we can address what the applicant is requesting, as well.

Member Anthony said just so I understand, does that eliminate seeing the Final Site Plan before us?

Chair Pehrson said yes. We're addressing it in the words that the City Attorney and Staff is going to accommodate to address the concerns of what we've all addressed here. I don't see the relevance in bringing it back to address tree type, evergreen type, location type – I'm going to rely on Mr. Meader and his expertise on that.

Member Anthony said and it's not the tree type, or whether it's tree or fence, but whether these screens –

Chair Pehrson said that's what these folks do. We are not designers. We are putting down regulations or verbiage within the motion that says here what you should do. I'm going to ask that the City Planners do their job and do that. I don't think we need to – in my opinion – I'm not interested in looking at tree types, screening. They're going to do it so that it takes advantage of what we know is being requested of this body.

Member Anthony said provided it screens the seven homes that are affected.

Chair Pehrson said it's part of the motion.

Mr. Brown said if I may, you have our full cooperation to work with the Planning Department. We want to be a good neighbor. Obviously as a private institution who is contracted by the City of Novi behooves us to work with the citizens to provide us with any sort of comfort that they need for us to be able to provide this service within the City. You have our full support that we will continue to work to make sure that whatever solution that is decided on is amicable to all parties.

Member Greco said with that, I'd like to make a motion.

Motion made by Member Greco and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE SPECIAL LAND USE MOTION MADE BY MEMBER GRECO AND**

**SECONDED BY MEMBER AVDOULOS.**

**In the matter of Superior Ambulance Company for Superior Ambulance JSP18-52, motion to approve the Special Land Use Permit to allow an unlisted use for a 24-hour private emergency medical services for the following reasons:**

- 1. The proposed use will not cause any detrimental impact on existing thoroughfares *(as it does not generate additional traffic)*;**
- 2. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities *(as no impacts to utilities are anticipated)*;**
- 3. The proposed use is compatible with the natural features and characteristics of the land *(as no impacts to existing natural features are proposed)*;**
- 4. The proposed use is compatible with adjacent uses of land *(if appropriate screening is provided as required by the Commission)*;**
- 5. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use *(as it fulfills one of the Master Plan objectives to attract new businesses to the City of Novi)*;**
- 6. The proposed use will promote the use of land in a socially and economically desirable manner *(as it fulfills one of the Master Plan objectives to attract new businesses to the City of Novi)*;**
- 7. The proposed use is (1) listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this Ordinance, and (2) is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located;**
- 8. The proposed use has been approved by the City Council as an unlisted use in this Zoning District, subject to certain requirements.**

**This approval is subject to the following conditions:**

- 1. No site plan is required, since there are no changes to the building or site improvements.**
- 2. Based on the letter from Superior Ambulance dated January 18, 2019, the applicant shall refrain from using the southern facing garage access during the hours that headlight use would be required.**
- 3. The applicant shall work with staff to provide adequate screening, as determined by the City's landscape architect, between the site and the residential neighborhood to the south, including special attention to the seven homes that appear to be mostly affected.**
- 4. The number of ambulances housed there shall be limited to four, and the area of the use within the building shall be limited to the area shown in the application.**
- 5. The lights and sirens used by the ambulances shall be limited and restricted to only when deemed necessary, particularly during the evening hours, and shall be turned on only when the vehicles are away from the site unless absolutely necessary, which the applicant has indicated is more often during the day.**

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

**MATTERS FOR CONSIDERATION**

## **1. PLANET FITNESS JSP18-57**

Consideration at the request of PF Michigan Group, LLC for JSP 18-57 Planet Fitness for Planning Commission's approval of Preliminary Site Plan and Storm Water Management plan. The applicant is proposing a single floor 21,054 square foot indoor recreational facility; popularly known as Planet Fitness. The facility is estimating to serve up to 1000 memberships.

Planning Assistant Smith said the subject property is referred to as Unit 2 in the Adell PRO Concept Plan. It is located on the west side of Adell Drive near the end of the cul-de-sac. The Planning Commission has already approved the Preliminary Site Plan for iFly north of the subject property. The property is zoned Town Center with a Planned Rezoning Overlay. There are no wetlands or woodlands on this unit.

As noted earlier, the applicant is proposing a single-floor 21,054 square foot Plant Fitness indoor recreational facility. The facility is estimating to serve up to 1,000 memberships. The current layout shares the primary access drives off of Adell Drive with the units to the north and south. The proposed layout is consistent with the approved PRO plan with minor changes that can be made at the time of Final Site Plan approval to conform to the code requirements.

The plan seeks two minor deviations, which according to conditions laid out in the PRO Agreement, may be approved by the Planning Commission. One deviation relates to the row of shrubs proposed along the western property boundary in lieu of the required perimeter parking lot trees. Planting of shrubs instead of the required trees is proposed to avoid tree roots conflicting with the proposed underground storm water detention unit, while still providing some screening.

The second deviation refers to a minor reduction to the minimum required loading area, as noted in the motion sheet.

The Planning review letter has requested some additional clarifications with regard to façade material and truck turning patterns for the loading and dumpster trucks. The applicant has provided an exhibit that satisfactorily addresses those concerns.

The Fire Marshal's letter did not recommend approval at the time of the review due to the lack of minimum turning radii. The applicant has provided an exhibit that was revised to meeting the code requirements. Fire is now recommending approval.

Planning Assistant Smith said the applicant has provided building elevations that conform to the Façade Ordinance. A façade board is also provided in front of the podium. Our consultant agreed that the proposed 12" x 24" stone is an acceptable alternative.

All reviewers are recommending approval with additional information to be provided at the time of Final Site Plan approval. The suggested motion that is on the table this evening is changed slightly to reflect a few corrections that were noted by Staff this afternoon.

The Planning Commission is asked tonight to consider the applicant's request to approve the Preliminary Site Plan and Stormwater Management Plan. The applicant's engineer, Dan LeClair, and architect, Dave Heidtke, are here tonight to answer any questions you

may have and so are we. Thank you.

Dan LeClair with Greentech Engineering, said we have been working with Planet Fitness on this property all the way through the PRO process with Kevin Adell. He wanted to be here tonight and couldn't, but he wanted to express his desire to let you know that he's watching us on TV tonight. As we were going through the early phases of the PRO, we knew that we were going to have Planet Fitness with us. We didn't know all the details, but we felt we did a pretty good job of getting the site laid out in the conceptual plan as part of the PRO to the point where we're here now with the actual site plan, and we almost got all of the little deviations but we had two slight ones, one being the loading area. Immediately on the west side of the building, there's a loading area. Once this building is up and operating, there's not a whole lot of vehicles coming in and out for that. I think he brings in laundry, cleaning supplies, and that's about it. So there's not a whole lot of need for the loading area, so we did try to minimize that. And we're not actually asking for much of a reduction, I think it's just a few square feet.

The other item that we are asking for is the stormwater storage for the overall site up along the west property line. We're proposing an underground chamber to be constructed, which falls just outside the limits of the parking lot on the west side of the building. That's going to be a concrete structure, and when we get those kinds of structures and getting them to mesh with landscaping trees and roots, it becomes a bit of a conflict. So we are asking for not the elimination of landscaping, but to change the landscaping from trees to more of a hedgerow-type of landscaping that doesn't have the big root systems to hold them up.

With that, a couple other items that were discussion points back with the PRO. One was the emergency access route. The north property line, which on your screen right now would be the left side of this, there's an emergency access route for the Adell Center that goes off right next to the water tower that's currently on site. There is an off-site easement recorded in place now for that, but we're going to be following up here in the next couple months with site plan approval for the water tower site where we are planning on building that access road right away. There are some coordination issues because we're sharing access drives between this site and iFly, we're sharing access drives between this site and the hotel immediately to the south at Unit 3. So we are working with the property owners and developers on those sites to make sure that the access coordinated and safe and that there is Fire access and emergency access at all times. With that, I'm happy to answer any question – the architect is here, the owner could not be here but he is with us spirit. Thank you.

Chair Pehrson turned it over to Planning Commission for their consideration.

Member Maday said I just wanted to say with regard to the screening of the property to the west – I get not using trees, I just hope that you'll work with the Landscape Architect to make it as pretty as possible, being that we want to make this a centerpiece of Novi. It would be nice to have a visual there.

Member Avdoulos said I have no issues. I appreciate the developer, the owner, everybody working really hard on this site and looking to work with each one of these individual parcels and hopefully when it all gets completed and pulled together, it's a great venue and a great site for the City. With that, I'd like to make a motion.

Motion made by Member Avdoulos and seconded by Member Maday.

**ROLL CALL VOTE TO APPROVE PRELIMINARY SITE PLAN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER MADAY.**

In the matter of request of PF Michigan Group, LLC, for the Planet Fitness JSP18-57, motion to approve the Preliminary Site Plan based on and subject to the following:

1. The following deviations are subject to Planning Commission's approval at the time of Preliminary Site Plan approval, as noted in the PRO agreement:
  - a. Landscape waiver from Section 5.5.3.C.(3) Chart footnote for allowing landscape shrubs in lieu of required perimeter parking lot trees along western property line, due to conflicts with proposed underground storm water detention system. Alternate landscaping shall be subject to Landscape Architect review and approval at the time of final site plan approval;
  - b. *The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval; Planning Commission's approval to allow for reduction of minimum required loading area is hereby granted; (1,410 sf required, 1,400 sf provided);*
2. The findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan;
3. The following deviations are included here, as noted in the approved PRO agreement:
  - a. Planning deviation from section 5.12 to allow lack of required frontage on public road for Units 1 through 8. Frontage is proposed via a proposed private drive, built to City standards;
  - b. Planning deviation from section 3.1.25.D to allow reduction of minimum required front parking setback of 20 ft., from the proposed access easement. A maximum of 18 feet is requested;
  - c. Planning deviation from section 3.1.25.D to allow reduction of minimum required interior side parking setback of 20 ft. for the following units as shared access is proposed between parking lots;
    - i. Unit 2: minimum 15 ft. along South
  - d. Planning deviation to allow placement of loading areas in alternate locations instead of required rear yard or interior side yard for double frontage lots, as listed below, provided proposed locations do not conflict with traffic circulation and appropriate screening will be provided at the time of Preliminary site plan review:
    - a. Unit 2: interior side yard (no double frontage)
  - e. The applicant shall provide supporting data to justify the proposed loading area square footages, to be reviewed and approved by Planning Commission at the time of Preliminary site plan approval;
  - f. Planning deviation from standards of Sec. 5.12 for up to 5% reduction in minimum required parking (to be established by staff after reviewing the calculations provided) for each unit within the development subject to the individual users providing satisfactory justification for Planning Commission's approval of the parking reduction at the time of respective site plan approval; Reduction of minimum required parking is not requested at this time.

- g. Façade deviation to allow the following allowable percentages of materials set forth in section 5.15 of Zoning Ordinance, only for the buildings listed below:
  - a. Unit 2 Planet Fitness
    - i. The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's approval of Section 9 waiver at the time of preliminary site plan review;
  - h. Planning deviation from the requirement in section 4.02.B Article IV, Appendix C-Subdivision ordinance of City Code of Ordinances that side lot lines be perpendicular or radial to the road, for the lines between Units 6 and 7, Units 4 and 5, and Units 1 and 2, only;
  - i. Planning deviation to allow proposing the minimum required Open Space for each Unit as Common element spread within the development boundaries as shown in the Open Space Plan, provided the applicant restores the wetland/woodland on the southerly portion of the site pursuant to a plan meeting City ordinance requirements is submitted and approved at the time of Wetland permit/preliminary site plan approval, and provides the pedestrian walkway through the open space as proposed. (A minimum of 153 of total site area designed as permanently landscaped open areas and pedestrian plazas is required per section 3.27. I .F.);
  - j. Planning deviation from Section 5.7 .3.K. to allow exceeding the maximum spillover of 1 foot candle along interior side property lines provided the applicant submits a photometric plan that demonstrates that the average to minimum light level ratio is kept to the maximum allowable 4: 1;
  - k. Planning deviation to allow exceeding the maximum spillover of 1 foot candle and approvable increase of the average to minimum light level ration from 4: 1 within the Adell Drive pavement areas as listed in Section 5.7 .3.K. along access easements along Adell Drive, at the time of or Preliminary Site Plan review for the individual units;
  - l. Engineering deviation from Section 11-194(a) 19 of the Design and Construction Standards, to allow a gravel surface for the secondary emergency access road within the boundaries of Unit 2 until the site improvements for Unit 2 are constructed; and
- 4. At the time of final site plan review, turning radii shall comply with the minimum fire truck turning requirements, as shown in the Circulation Diagram provided with the applicant's response letter.

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

**ROLL CALL VOTE TO APPROVE STORMWATER MANAGEMENT PLAN MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER MADAY.**

In the matter of request of PF Michigan Group, LLC, for the Planet Fitness JSP18-57, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because it otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

**2. APPROVAL OF THE JANUARY 9, 2019 PLANNING COMMISSION MINUTES**

Motion made by Member Avdoulos and seconded by Member Greco.

**ROLL CALL VOTE TO APPROVE THE JANUARY 9, 2019 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

**Motion to approve the January 9, 2019 Planning Commission Meeting Minutes.  
*Motion carried 6-0.***

**SUPPLEMENTAL ISSUES**

There were no supplemental issues.

**AUDIENCE PARTICIPATION**

Nobody in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Avdoulos and seconded by Member Greco.

**VOICE VOTE ON THE MOTION TO ADJOURN MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER GRECO.**

**Motion to adjourn the January 23, 2019 Planning Commission meeting. *Motion carried 6-0.***

The meeting was adjourned at 8:07 PM.