



# PLANNING COMMISSION MINUTES

CITY OF NOVI

Regular Meeting

**October 24, 2018 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 Avdoulos, Member Greco, Member Hornung, Member Lynch, Member Maday, Chair Pehrson

**Absent:** Member Anthony (excused)

**Also Present:** Barbara McBeth, City Planner; Sri Komaragiri, Planner; Lindsay Bell, Planner; Rick Meader, Landscape Architect; Darcy Rechtién, Staff Engineer; Beth Saarela, City Attorney; Doug Necci, Façade Consultant

## PLEDGE OF ALLEGIANCE

Chair Pehrson led the meeting attendees in the recitation of the Pledge of Allegiance.

## APPROVAL OF AGENDA

Moved by Member Avdoulos and seconded by Member Lynch.

## VOICE VOTE TO APPROVE THE OCTOBER 24, 2018 AGENDA MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.

*Motion to approve the October 24, 2018 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 good evening. I have a few things to report from the City Council meeting. On Monday evening, the City Council granted final approval at the request of Orville Properties for the rezoning request with a Planned Rezoning Overlay (PRO) Concept Plan and the PRO Agreement associated with a rezoning from Expo (EXPO) to TC (Town Center). The property is approximately 21.48 acres and is located at 43700 Expo Center Drive.

City Council also granted final approval at the request of Carvana as an unlisted use to be reviewed as a Special Land Use in the TC, Town Center District, and as part of the proposed Adell Center Development.

City Council adopted a resolution to rename the existing public street from Expo Center Drive to Adell Center Drive. Additionally, the City Council approved the request of Orville Properties, LLC for Adell Center for the Preliminary Site Plan for the Roads and Utilities, a Wetland Permit, a Woodland Permit, and a Site Condominium Plan.

City Planner McBeth said also, the City considered the request of Robertson Brothers Homes for Lakeview, the 21-unit single-family residential development, which included a Zoning Map Amendment and a Planned Rezoning Overlay Concept Plan. Following considerable discussion on Monday evening, the City Council postponed action on the request to allow the applicant time to consider further modifications to the plan.

And finally, the Mayor appointed a seventh member to the Planning Commission. Joining us this evening is Patrick Hornung, who was sworn in as a Planning Commission member last week. We welcome him this evening.

Chair Pehrson said Member Hornung, would you like to tell us a little bit about yourself?

Member Hornung said sure. I've lived in Novi for ten years, I love Novi. It's my favorite city in the world. I am an IT Professor, and my background is really in data centers and cyber security and all that. I have found everything that the Planning Commission has been doing lately really fascinating and that was really something that drew me to the open position. So I'm excited to be aboard.

Chair Pehrson said great, welcome.

## **CONSENT AGENDA**

There were no items on the consent agenda.

## **PUBLIC HEARINGS**

### **1. SUBURBAN TOYOTA SERVICE CENTER JSP18-15**

Public hearing at the request of Nowak and Fraus Engineers for Special Land Use, Preliminary Site Plan, Wetland Permit, and Stormwater Management Plan approval. The subject parcels are located in Section 24 west of Haggerty Road and north of Grand River Avenue on Regency Drive. It is approximately 6.7 acres and zoned I-1 (Light Industrial). The applicant is proposing to build a 21,485 square foot vehicle service station building and inventory vehicle parking with associated site improvements.

Planner Bell said the subject property is in Section 24 on the northwest corner of Regency Drive and Haggerty Road. The parcel is 6.67 acres. It is zoned I-1, Light Industrial, and is surrounded by other I-1 zoned properties. The Future Land Use map indicates Industrial, Research Development & Technology for this property and the surrounding properties. The area across Haggerty Road is in Farmington Hills, zoned B-3, General Business, and developed with vehicle dealerships.

There are no wetland or woodland areas present on the site; however, Ingersol Creek runs along the eastern side of the property. The floodway and floodplain of the watercourse extend onto the subject property.

The applicant is proposing a new 21,485 square foot building to process new vehicles arriving to be sold at the dealership across the street. The I-1 District allows Automobile Service Establishments that perform minor services and minor automotive repair. The I-1 District also allows outside storage of materials associated with uses contained within a building on the same site subject to a number of conditions, as detailed in your packet. The proposed vehicle service center and accessory open storage of new vehicles both require Special Land Use approval. The factors for considering the Special Land Use requests are included in your packet.

As described by the applicant, customers would not visit the site, but dealership personnel or car carriers would bring vehicles to the service area to prepare them for sale. The vehicles may then be stored on this site prior to being moved to the dealership. The plans indicate 426 inventory storage spaces would be provided.

A Planning Commission modification of the requirements is requested to allow the open storage of vehicles in the front or exterior side yard, because the presence of floodplain on the southeastern portion of the site requires the building to be located further to the west, creating a larger front yard area that would otherwise be unused.

Planner Bell said the site would be accessed by two driveways off of Regency Drive. A third emergency access point would connect to the American Tire property to the west. The applicant has agreed to comply with driveway width standards, but is asking for a waiver of driveway spacing requirements from the property to the west.

Two Landscape waivers are requested. One for not providing a berm between the site and Haggerty Road and another for not providing street trees along Haggerty Road. Both waivers are supported by Staff due to the site topography, the overpass ramp that goes over the highway, the presence of the creek, and existing utilities conflicts in that area.

Although Ingersol Creek is not located on the subject property, the Plan does propose construction activity that will impact the watercourse, as well as the 25-foot buffer. This work will require associated permits from both the City and Michigan Department of Environmental Quality. The applicant will need to provide more details of the impacts for those permits to be issued, and is encouraged to limit the impacts as much as possible.

The proposed Plan would require a total of 62 parking spaces for the vehicle service facility, which are provided. Bicycle parking is also proposed as required.

Stormwater would be collected by a single storm sewer collection system and routed to the existing regional detention basin area to the northwest.

The building design is in full compliance with the Façade Ordinance.

All reviewers are recommending approval with additional comments to be addressed in the Final Site Plan submittal.

Planner Bell said tonight the Planning Commission is asked to hold a public hearing and approve or deny the Special Land Use permit, Preliminary Site Plan, Wetland Permit, and the Stormwater Management Plan. Representing the project tonight is Jason Longhurst, who is the engineer on the project, and he can fill you in more on the project and answer any questions you may have.

Jason Longhurst, with Nowak and Fraus, said I believe Ms. Bell has done a great job covering the proposal, so I'd like to focus on a couple of areas where we're seeking waivers tonight. The site has a couple of challenges that we're dealing, specifically the Ingersol Creek. The floodplain associated with the creek encroaches pretty much over the majority of the southern portion, which is being shown on the screen right now. So we've been working with MDEQ and Oakland County to rework the Ingersol Creek adjacent to that southern portion of the site, so that we can skinny that floodplain up and then open that area up to development.

We've located the building further away from the floodplain just to provide a little extra protection against flooding, which opened up that area between the building and property line for the inventory vehicle parking. We've provided the required 62 spaces to service the use in compliance with the Ordinance, but the inventory vehicle parking we're proposing in that exterior side yard. And we believe that's harmonious with the surrounding area, given the fact that we have dealerships directly across Haggerty that have parking right up to the Right-of-Way, so it's kind of in that same spirit.

Additionally, we'll be providing approximately 60 trees along that property line to help buffer, we'll be providing the required fencing and screening there. But also, related to the floodplain issue, is a requirement for a landscape berm to be constructed along that eastern property line, which would require us to fill within the floodplain which the DEQ wouldn't support. So that's why we're asking for a waiver to eliminate the need for a landscape berm there. And then there's a requirement for the Right-of-Way trees to be planted in the Right-of-Way along Haggerty Road. So obviously, we have the creek that takes up a large section of real estate for those trees to be planted, and then east of the creek we have a buckeye gas pipeline running through there underground. And then just east of that, there's a pretty significant overhead utility. So we are seeking a variance to eliminate the need for planting those trees.

Mr. Longhurst said and then, finally, is the waiver for the driveway spacing. We're fortunate on this one, as we're also doing the design for the project next door, so we've been able to locate those two drive approaches so that they don't conflict with each other but so that they're a little bit closer than the Ordinance would allow. So we are seeking a waiver for that condition, as well. I'd be happy to answer any questions.

Chair Pehrson asked if there was anyone in the audience that wished to address the Planning Commission regarding this project. Seeing no one, he asked if there was any correspondence.

Member Lynch said yes, we have two in support. The first is Scott Leibovitz, 29355 Northwestern Hwy Suite 301, Southfield, MI 48034. The second is Jay Pollard, 25325 Regency Drive in Novi.

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

Member Avdoulos said I think the project, in all honestly, is straight forward. The variances that are being requested, the applicant did a good job explaining what they are looking for and why. And I think the Staff is supporting some of the variances and then working with the City, I think this is straightforward. So I'd just like to go ahead and make the motion and then we can discuss further.

Motion made by Member Avdoulos and seconded by Member Lynch.

**ROLL CALL VOTE TO APPROVE SPECIAL LAND USE PERMIT MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER LYNCH.**

In the matter of Toyota Service Center JSP18-15, motion to approve the Special Land Use Permit based on and subject to the following:

- a. The proposed use will not cause any detrimental impact on existing thoroughfares *(based on the review and findings in the Traffic Consultant review letter)*;
- b. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities *(as this area was already planned for development)*;
- c. The proposed use is compatible with the natural features and characteristics of the land *(because the plan minimizes and mitigates impacts on Ingersoll Creek and structures are located outside the floodplain)*;
- d. The proposed use is compatible with adjacent uses of land *(because the proposed use conforms to the standards of the district and requirements for light industrial, and is surrounded by light industrial uses and car dealerships are present on the east side of Haggerty Road)*;
- e. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use *(which includes ensuring that Novi continues to be a desirable place for business investment)*;
- f. The proposed use will promote the use of land in a socially and economically desirable manner *(as the proposed use will be in an area currently planned for light industrial use, makes use of a vacant parcel, and will create approximately 20 jobs when complete)*;
- g. 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 as it meets all minimum requirements for same, except as noted below:
- h. Planning Commission approval to modify the requirement for open storage of the inventory vehicles in the front/exterior side yard *because the presence of floodplain on the eastern portion of the site requires the building to be located further west, leaving a portion of the property that would otherwise be unused*;
- i. Planning Commission waiver from Section 5.5.3.A.5 and 3.21.2.A.iii for deficiency in the required 3 foot landscaped berm along the western property line adjacent to Haggerty Road which is hereby granted, for the following reasons:
  - i. *The northern frontage is below the elevated Haggerty Road so the berm would not provide a screening benefit,*
  - ii. *The southern frontage is within the proposed floodplain mitigation area;*

- j. Planning Commission waiver from Section 5.5.3.B.ii.f for not providing street trees on Haggerty Road *due to the existing utilities and drain topography in this area*, which is hereby granted.

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.*

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

In the matter of Toyota Service Center JSP18-15, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The findings of compliance with Ordinance standards as listed in Section 3.14.1.B.iv, listed in detail in Planning Review Chart to allow non-residential Open Storage when conducted in conjunction with and accessory to an otherwise permitted use in I-1 district;
- b. Applicant to demonstrate on the Final Site Plan that the storage areas shall *be completely screened from view from all adjacent properties by appropriate structures, fencing or walls 6-8 ft in height, and/or supplemented with additional landscape screening, to the extent possible, given the change in elevation along the Haggerty Road frontage.*
- c. Waiver of the same-side driveway spacing requirements of Section 11-216.d.1.d, which is hereby granted, to allow two access drives on Regency Drive;
- d. The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.

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 WETLAND PERMIT MOTION MADE BY MEMBER AVDOULOS AND SECONDED BY MEMBER MADAY.**

In the matter of Toyota Service Center JSP18-15, motion to approve the Wetland Permit 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 the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances 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 Toyota Service Center JSP18-15, 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 the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

## MATTERS FOR CONSIDERATION

### 1. iFLY NOVI JSP18-49

Consideration at the request of SkyGroup investments, LLC for JSP 18-49 iFly Novi for Planning Commission's approval of the Preliminary Site Plan and Storm Water Management plan. The applicant is proposing a 6,713 square foot indoor recreational facility; popularly known as iFly that provides an indoor skydiving experience.

Planner Komaragiri said The Planning Commission has recently reviewed this site plan conceptually as part of the overall Adell Center PRO and the Roads and Utilities Plan. As Barb mentioned earlier, both have been approved at Monday's City Council meeting earlier this week. This project is the first of the nine units that are part of the Adell Center Development that is requesting site plan approval. There will be more coming. The approved draft agreement provides some guidance to conditions this site plan is subject to. The current plan does not differ much from the approved PRO layout, except for some slight changes as required by the site plan reviews.

The subject property is approximately 1.1 acres and was referred to as Unit 1 in the PRO Concept Plan. The development is located on the west side of Novi Road and north of Ten Mile Road in Section 22. The subject property is located west of the existing water tower at the end of the proposed cul-de-sac, Adell Center Drive. The primary access to this site is provided from a driveway in Unit 2. It is currently zoned Town Center, TC, with an associated Planned Rezoning Overlay (PRO). There are no regulated wetlands or woodlands on this property.

The applicant is proposing an indoor recreational facility properly known as iFly. He has a short video to share what happens inside the building.

Review letters are based on the initial submittal, which was missing many items. At that time, Planning was not recommending approval. However, Staff has been working with the applicant since then and the applicant has provided a revised layout via email that addresses most of the Staff's comments. The suggested motion sheet is revised based on the revised information submitted.

Planner Komaragiri said as you may have noted, the site plan does not conform to our Zoning Ordinance for a quite a few items. Most of these are approved as part of the PRO Agreement, such as building and parking setbacks, which are also noted for reference in the suggested motion sheet. However, at the time of the PRO Plan review, there were a couple of items where deviations from the code were anticipated, but information was not available for review at that time to make a decision. As one of the conditions of PRO approval, the decision was deferred to Planning Commission's approval at the time of site plan review. In this instance, the Planning Commission is requested to approve the following deviations as part of the site plan approval:

Item 1. Loading zone and dumpster areas are typically allowed in the rear yard or interior side yard in case of double fronted lots. Due to the PRO conditions, the Planning Commission can allow it in the exterior side yard, which is the I-96 frontage, if it is justified. However, at this time, the applicant intends to provide it in the allowed location in this area.

Item 2. A total of 657 square feet of loading area is required according to the code. The applicant, based on the usage requirement, states they would only require a total of 153 square feet, which is the size of a typical parking space. The Planning Commission is requested to make a determination whether the proposed size can be approved. Staff supports the request if an additional drop-off is provided at another suitable location.

Item 3. Staff has been working with the applicant repeatedly to get the elevations closer to the code with reasonable deviations. The current revised elevations provided via email are now supported by our Façade Consultant; these are the revised ones. They have increased the height of the brick on the building at least nine feet taller than before, so now we are in support of the Section 9 waiver they are requesting for exceeding the allowable percentages for flat metal panels and for not meeting the minimum requirements for brick and combined brick and stone. A Façade sample is also provided, which is placed in front of the podium. Elevations that were part of the PRO Concept Plan refer to Generation 8 prototypes, which are totally different than what you're seeing right now, while the current ones are a version of their Generation 9 prototype.

Item 4. The draft PRO Agreement also included a deviation for proposed building signage. It allowed up to five signs with two of them being as large as 309 square feet. That was based on a previous building elevation, where the signs were very big. With the revised elevations, the applicant has noted that the site plan would only require three additional signs with a maximum of 152 square feet. Façade review notes that in general, the signs and logos do not appear to be detrimental to the aesthetic quality of the building.

The Preliminary Site Plan shows that two access points will be provided to the iFly building from the adjacent property to the south, the one highlighted in green. The applicant has indicated on-site pavement for the iFly driveways and parking areas, but no pavement is shown from the proposed Adell Center Drive. All access provided to the site from Adell Center Drive should be paved, even if it is off-site. Traffic is currently not recommending approval due to this and many other missing items such as loading, dumpster, bike racks. However, the applicant has agreed to provide those at the time of Final Site Plan.

Planner Komaragiri said all reviewers are recommending approval with additional comments to be addressed with Final Site Plan. The Planning Commission is asked tonight to approve or deny the Preliminary Site Plan and Stormwater Management Plan. The applicant, Mark Lee from iFly Development, is here tonight. He has a short video to share followed by a small presentation. Staff will be glad to answer any questions you have for us. Thank you.

Mark Lee, with iFly, said we are an Austin, Texas based company, but we've built tunnels all over the world. I'm delighted and excited to be here to talk today about the proposed iFly Novi. And if we're ready, we'll just start with the video. I really like to show this because a lot of people that aren't familiar and haven't flown with us might have a hard time picturing exactly what it is – an indoor skydiving, indoor body flight, vertical wind tunnel. This really, I think, shows it, so I'll let that start.

So as you can see, flight can be scary – jumping off of a cliff with a wing suit or jumping out of a plane with a parachute has certain inherent risks. We've created an experience so similar to that in a completely safe and family friendly and fun environment. So I think a

lot of people may perceive this as just for daredevils and adrenaline junkies, but really our big bulk of flyers are families with children. We also do all-abilities night, which we're very excited about and I'm happy to talk about. We make it possible for people that have a really difficult time walking or cannot walk, they are able to fly in our wind tunnels. We fly from three years old to 103, and really people of all ability levels. Especially mid-week, when we're slow, we have a ton of school groups that come through for STEM education and really can get people excited about Science, Technology, Engineering, and Mathematics, because all of those things go into making this flight possible.

We didn't invent indoor skydiving, but we certainly feel like we perfected it. We couldn't be more excited to be here. Rather than talk more about it, we would like to answer any questions that anyone has about the use or specifically what we're proposing. I will say it's been a pleasure working with the City, and we have increased brick and reduced signage in this process, and I think the result is that we have something that is supported by Staff and will be supported widely and enthusiastically by the community.

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

Member Greco said this question is for the Staff. In comparing what was in our packet and comparing what has been presented to us with the motion sheet and staff's presentation, it looks like most of the issues or all of the issues have been addressed to either be dealt with tonight or dealt with and approved at a later time with some tweaks.

Planner Komaragiri said right, they're going in the right direction. They've agreed to work with the neighbor to pave the area and get the required easements and they have indicated approximate locations for dumpsters, loading, and bike racks with the revised layout. We just need to figure out other construction details to make it work.

Member Greco said ok, and with respect to the revised motion sheet, which I've gone through in detail, it is satisfactory to the Staff that it provides the City with what it's looking for going forward?

Planner Komaragiri said yes. We had a little bit of back and forth discussion with regards to Façade, but I think we found a happy medium.

Member Greco said that sounds like it's been addressed, as well. Ok, I have no further comments at this point. With that, I'd like to make a motion.

Motion made by Member Greco and seconded by Member Avdoulos.

Member Avdoulos said first of all, I'd like to thank iFly for working with the City. In my opinion, Novi should've been the first place – "iFly Novi." You're a poet. I like the fact that we did do adjustments to the façade, I know that is something that a lot of cities don't concentrate on, but thank you for working with Doug and taking a look at modifying it. It did not change the character of the building at all, so I think that worked out well. And then I like the fact that in each one of the review letters, you went through and the team went through and highlighted what they would be looking at and working with the City on and responding in a way that was easier to follow. So I appreciate that and I just wanted to be on the record saying that.

Member Maday said I just wanted to say that I'm thrilled that you're here, I think it's going to be amazing for Novi. You're going to help me live out my dream, my dream is to jump out of a plane. But until my kids are self-sufficient, I'll be there.

Chair Pehrson said being a previous iFly flyer, which I am, I'm looking forward to holding a Planning Commission-only night with all of you there.

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

In the matter of the request of SkyGroup investments, LLC, for the iFly Novi JSP 18-49, motion to approve the Preliminary Site Plan based on and subject to the following:

1. This review and recommendation with respect to approval of the Preliminary Site Plan is being conducted at the applicant's request before the PRO rezoning process has been completed by the City Council. The applicant has acknowledged as part of its submission of this request that the City Council had not yet reviewed its PRO Concept Plan and proposal and that there is no PRO Agreement between the City and the applicant. The City Council might or might not approve the rezoning. The following provisions are therefore completely contingent on approval by the City Council of the PRO rezoning through the PRO Concept Plan and PRO Agreement at the City Council as required by the ordinance, and if those approvals do not occur, then any approval of the preliminary site plan is null and void, and of no force or effect whatsoever, as the applicant has been apprised of the fact that the PRO rezoning, which is required in order to allow site plan approval, might not occur, and has determined to bear the risk that such approval might not occur, including but not limited to all of the costs incurred in the preparation of the preliminary plans before rezoning is even granted.
2. Following revisions/deviations as underlined, are subject to Planning Commission's approval at the time of Preliminary Site Plan approval, as noted in the PRO Agreement (shown in *italics*), approved by City Council on October 22, 2018:
  - a. *Planning deviation from section 4.19.2.F to allow alternate location for dumpsters, instead of required rear yard for units 1, 5, 6, 7 and 8, provided the proposed location does not impact traffic circulation and appropriate screening is provided at the time of preliminary site plan. The applicant requests dumpsters to be allowed in exterior/interior side yards; Planning Commission's approval to allow dumpster to be located in the interior side yard, based on the revised PDF's shared via e-mail dated October 19, 2018 to the west is hereby granted;*
  - b. *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:*
    - i. *Unit 1: exterior side yard; The applicant shall provide the required loading zone in the interior/rear yard to the west;*
  - c. *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; (657 square feet required, 153 square feet provided);*

- d. *The applicant shall provide revised elevations addressing comments provided in Façade review letter dated August 14, 2018 for Planning Commission's review and consideration for approval of Section 9 waiver at the time of preliminary site plan review; A section 9 waiver for the following is requested at this time based on the revised PDF's shared via e-mail dated October 19, 2018, which is hereby granted:*
- i. exceeding the maximum allowed percentages for flat metal panels (50% maximum allowed, 75% on the front, 80% on both sides, 75% on the rear proposed);
  - ii. not meeting the minimum requirements for brick (30% minimum required, 25% on the front, 20% on both sides, 25% on the rear proposed);
  - iii. not meeting the minimum requirements for combined brick and stone (50% minimum required, 25% on the front, 20% on both sides, 25% on the rear proposed);
- e. *The following deviations from Chapter 28, Signs, from City Code of Ordinances for the two development signs for the Adell Center Development as listed below, provided that such deviations shall be the maximum amount authorized, and the City may require a lesser deviation at the time of site plan approval if deemed appropriate:*
- i. *To allow for four additional wall signs for Unit 1: iFly. Five are requested for the entire unit. One wall sign is allowed. The wall signs allowed with the following deviations:*
1. *Side Elevations: a size deviation of 88.75 square feet (65 square feet allowed, 153.75 square feet proposed) for two signs.*
  2. *Front and Back Elevations: a size deviation of 244 square feet (65 square feet allowed, 309 square feet proposed) for two signs.*  
The applicant shall revise the building signage to lower the area as noted in the revised sign drawings submitted via e-mail on October 23, 2018. The revision allows for fewer signage and smaller sizes than noted in the draft PRO agreement to allow for three additional wall signs with a size deviation of up to 87 feet for all four sides.
  3. *The applicant shall provide the required bicycle racks at the time of Final Site Plan approval;*
  4. *The applicant shall provide a dedicated drop-off area in an approvable location, as noted in the Traffic review letter;*
  5. *The applicant shall provide a paved access drive through Unit 2 prior to opening for business, if it is not paved by Unit 2 at that time;*
  6. *The applicant shall provide the required loading zone in the interior/rear yard to the west;*
  7. *The applicant shall screen the loading area to meet the landscape requirements at the time final site plan;*
  8. *The applicant shall relocate the proposed Transformer to rear yard;*
  9. *This recommendation for Preliminary Site Plan approval is therefore granted subject to completion of the of the PRO Concept Plan and PRO Agreement process, and any and all requirements that result from such approval, if it is granted; at a minimum, the following deviations would need to be granted as part of the City Council's PRO rezoning process in order for the preliminary site plan to be approved as prepared:*
- a. *Planning deviation from section 3.1 .26.D for exceeding the maximum allowable building height of 65 feet and maximum allowable 5 stories, provided they*

conform to the 2015 International Building Code standards for High-rise (Type I or Type II) construction:

- ii. Unit 1 iFly (70 feet).
- b. 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;
- c. 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;
- d. 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;
  - iii. Unit 1: minimum 14 ft. along West, 0 ft. along South
- e. 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;
- f. 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;
- g. 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.);
- h. 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;
- i. 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.

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 GRECO AND SECONDED BY MEMBER AVDOULOS.**

In the matter of the request of SkyGroup investments, LLC, for the iFly Novi JSP 18-49, 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 the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

Kevin Adell said thank you very much, this is a great opportunity for the City. I really like coming here.

2. **UNLISTED USE DETERMINATION FOR SUPERIOR AMBULANCE AS 24-HOUR PRIVATE EMERGENCY MEDICAL SERVICES**

Consideration of the request of Superior Ambulance for an Unlisted Use Determination under Section 4.87 of the Zoning Ordinance. The applicant is requesting a determination on the appropriateness of Superior Ambulance, 24-hour private emergency medical services as a Special Land Use in the I-1, Light Industrial District.

Planner Komaragiri said if you recall, the Planning Commission recently considered an unlisted use determination request for Carvana. This is a similar process, but for a different use and different district.

The request under consideration concerns whether to allow '24-Hour Private Emergency Medical Services' as a Special Land Use within a specific zoning district in the City of Novi. Superior Ambulance has a contract with the City to provide services to the community, and surrounding facilities, and they have been looking for a location to provide a base for the operations. Planning Staff has determined that the Zoning Ordinance does not provide for the use as it has been described. The use may be considered similar to a municipal Fire Station use, with office space, living quarters, and space for parking. However, the use as a facility that will be privately owned and operated would differ from a City-owned and operated building (which would be allowed in many different districts throughout the City).

The applicant identified a possible location for the proposed use at an existing Light Industrial facility located at 41001 Grand River Avenue. It is located east on the south side of Grand River Avenue, east of Meadowbrook Road. The existing building is a formal industrial facility and is currently vacant. The applicant is leasing a part of the site for their use. The applicant, Andy Brown, is here tonight and he will expand a little bit more on the use and what they're trying to do at this location. The subject property is zoned I-1, Light Industrial, and the property abuts a residential neighborhood to the south. Adjacent properties to the east and west are currently vacant and are zoned OS-1, Office Service, that can be developed into Office Services uses. To the north are existing industrial office buildings.

Staff researched three existing locations of Superior Ambulance in Southfield, Allen Park Station, and Waterford. It appears that the service buildings are mostly located in Light Industrial areas near an airport or a railroad, but farther away from residential neighborhood. While staff agrees that the I-1, Light Industrial Zoning District may be an appropriate Zoning District for the proposed use, there are some concerns with the proximity to residential uses to the south.

If the use is allowed as an unlisted use for I-1 Districts, it may be applicable for all I-1 Districts as a Special Land Use. As you can see from the map on the screen, many of the I-

1 areas are located along the railroad and Grand River Avenue corridor and many of them about one-family and multiple-family residential districts.

Planner Komaragiri said however, if ultimately approved by the City Council as a use authorized in the I-1 District, the applicant would still need to obtain a Special Land Use approval through the Planning Commission during Preliminary Site Plan review. At that time, Staff recommends a review of on-site screening and other measures to minimize the noise and visual effects to the residential areas and adjacent properties. Special Land Use approval will require a public hearing and notification of adjacent properties within 300 feet of the subject property.

The Planning Commission is asked to review the applicant's request and make a recommendation to City Council.

Andy Brown, executive director and paramedic for Superior Ambulance of Michigan, said thank you for meeting with us for this consideration. As mentioned, in January we became the dedicated advanced life support provider for the City of Novi. Since then, we have provided over 3,300 responses to emergency medical requests in the City. We currently have three dedicated ALS ambulances for the citizens in the City of Novi, and we would like to, if we are granted the ability to, move from a station where we currently are in Southfield into Novi to better serve the citizens. As part of our contract, not only do we have to provide three dedicated ambulances, but if those three ambulances are in use, we do have to provide additional ambulances to the City to ensure that all requests are met.

In addition to that, we also do provide non-emergency inter-facility transport for Henry Ford West Bloomfield, Huron Valley-Sinai, and Ascension Providence Park to the tune of about 350-400 calls out of each of those facilities each month. So our additional ambulances in the City of Novi will be a mixed use of providing emergency medical responses to the City of Novi, in addition to inter-facility transports to hospitals in the area.

Now, our intention with this building is to have it occupied 24 hours a day by paramedics and EMTs for the purpose of being able to provide 24-hour service. Superior Ambulance has been in the state of Michigan since 2005, we were a company started in the City of Chicago in 1959 and of date, we have provided over 600,000 transports to the metro-Detroit area since we began in 2005. We obviously are a customizable organization that believes in working with communities that we serve, and in being such we would amend ourselves to certain limitations as to the use of any sort of lights and sirens that could interfere with any of the dwellings adjacent to the property we are planning to use.

In addition to that, we are only looking to lease a section of the building, so we would not have parking throughout the entire building. We only have ten parking spots near the space that we are in a current lease to occupy. We would have very minimal signage on the building, we are required by the state of Michigan to have some signage, but we would not be advertising the building as one of the Superior Ambulance's property. It's mostly just to house our EMTs, paramedics, and ambulances. Nor would we be providing any sort of mechanical repairs or storage of oil or gas in the building, either.

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

Member Lynch said when would the sirens go on? As soon as you hit Grand River?

Mr. Brown said yes, assuming that we need them, they would go on once we hit Grand River, correct.

Member Lynch said and the berm for residential, we would talk about that when they come back for Special Land Use?

Chair Pehrson said yes.

Member Lynch said I think it's a good deal for the City and it seems to be appropriate. My only concern is the residential to the south there and obviously the noise. I guess that's the only concern, but I think it makes sense.

Mr. Brown said and as it relates to the noise of the actual vehicles, the engines of the vehicles would not be running outside. They would be secured inside at all times.

Member Maday said I know you came up with numbers, and I'm really not concerned about the transports, but for emergencies – do you have an average daily number?

Mr. Brown said so for the vehicles that will be placed out of this building, typically only one to two per day. The three ambulances that we provide to the City of Novi are typically capable of handling the volume that we are presented with. It's only in the very extreme cases that we've had to bring in additional units. Currently, right now, we are bringing in additional units from our Southfield building but obviously we would rather have them here where they're going to be needed, if needed.

Member Maday said so am I right in saying, two emergencies per day that the lights would be going on? Did I miss something?

Mr. Brown said so what I'm suggesting is that the three dedicated ambulances that we have would not be located at this building.

Chair Pehrson said you might want to fill in the gap a little bit and tell us about where the current ambulances are located.

Mr. Brown said the ambulances are currently located in old Fire Station #5, current Fire Station #2, and current Fire Station #3.

Member Maday said I love that it's a vacant building you want to use. That's good to see.

Member Avdoulos said with reference to the Special Land Use in the I-1, if it was City-run, would it need to be a Special Land Use?

City Planner McBeth said no, typically not. The fire stations are located in various zoning districts and have been for quite some time, and could potentially be in many zoning districts. The other thing about this too, is the difference that typically we don't allow living units in a Light Industrial building, so that's another thing that the Planning Commission should consider.

Member Avdoulos said and I think I was looking at it more in regard to what the actual use was and then we've got the private versus the City governmental use. So I don't have an issue with that, I know the site very well at that corner of Beck and Eleven Mile, and the Fire Station at Wixom and Ten Mile. I really have no issue. I think if it's supplemental to what the City needs and will enhance the ability to provide the service that's required, I have no issue.

Member Hornung said so you have three ambulances throughout the City, I assume those are on and ready to go.

Mr. Brown said 24 hours a day.

Member Hornung said so my question is, let's say two or maybe even a third one go into service – would you preventatively take one and place it on the roads in a non-emergency situation? Or would you wait for an emergency?

Mr. Brown said we do have a system status plan, where we would put them in a location that they would be able to get to all places within the City within the contracted time, which is seven minutes.

Member Greco said before I make a motion, just to clarify something that I think was just pointed out. With respect to any emergencies during a situation like what was discussed, the ambulance would be originating from a different location than this because it's already put somewhere to react?

Mr. Brown said possibly. Ideally, if we were starting to see that our dedicated units were needing to be replenished, we would then move an ambulance from this particular location to another more centralized location for response.

Member Greco said ok, interesting. With that, I would like to make a motion.

Motion made by Member Greco and seconded by Member Lynch.

**ROLL CALL VOTE TO RECOMMEND APPROVAL TO CITY COUNCIL OF UNLISTED USE MOTION MADE BY MEMBER GRECO AND SECONDED BY MEMBER LYNCH.**

**In the matter of Unlisted Use Determination, motion to recommend approval to City Council to allow Superior Ambulance, a 24-hour private emergency medical service as the described unlisted use, as an appropriate use subject to Special Land Use Conditions in I-1, Light Industrial District based on the following motion:**

- a. Superior Ambulance is not expressly authorized or contemplated in City of Novi Zoning Ordinance as a as a principal permitted use or a principal permitted use subject to special conditions;**
- b. The proposed use is an appropriate use in the I-1 District;**
- c. Additional screening from abutting residential district may be required at the time of Special Land Use Consideration.**

**This motion is made because the plan is otherwise in compliance with Article 4, Section 4.87 the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.***

**3. APPROVAL OF THE SEPTEMBER 12, 2018 PLANNING COMMISSION MINUTES**

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE THE SEPTEMBER 12, 2018 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

Motion to approve the September 12, 2018 Planning Commission Meeting Minutes.  
*Motion carried 6-0.*

**4. APPROVAL OF THE SEPTEMBER 26, 2018 PLANNING COMMISSION MINUTES**

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE THE SEPTEMBER 26, 2018 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

Motion to approve the September 26, 2018 Planning Commission Meeting Minutes.  
*Motion carried 6-0.*

**5. APPROVAL OF THE OCTOBER 3, 2018 PLANNING COMMISSION MINUTES**

Motion made by Member Lynch and seconded by Member Avdoulos.

**ROLL CALL VOTE TO APPROVE THE OCTOBER 3, 2018 PLANNING COMMISSION MEETING MINUTES MADE BY MEMBER LYNCH AND SECONDED BY MEMBER AVDOULOS.**

Motion to approve the October 3, 2018 Planning Commission Meeting Minutes.  
*Motion carried 6-0.*

**SUPPLEMENTAL ISSUES**

Chair Pehrson said if I might, just in fond memory I'd like to draw everyone's attention to Council Member Wayne Wrobel, who we just lost. He was a friend, and a colleague on Planning Commission that spent many hours here, and a good guy. I hope you all take time to remember him in your own special way. Thank you.

**AUDIENCE PARTICIPATION**

Nobody in the audience wished to speak.

**ADJOURNMENT**

Moved by Member Lynch and seconded by Member Anthony.

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

Motion to adjourn the October 24, 2018 Planning Commission meeting. *Motion carried 6-0.*

The meeting was adjourned at 7:47 PM.