

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 22, 2016**

Approved
3/28/16

The meeting was called to order by Chairman Day of the Planning Commission at 7:30 p.m. at which time allegiance was pledged to the American flag.

PRESENT: William Day (Chairman), Phillip Carter, Cory Lupinacci, Joe Barts, Peter Sharpe and Ray Cousineau

ABSENT: Anthony Lawrence (Excused) and Anthony McClerklin (Excused)

OTHERS: Justin Sprague (on behalf of Carmine Avantini) [CIB Planning] and Nancy Fisher (Recording Secretary)

Determination of a Quorum:

A quorum of the Planning Commission was present for this meeting.

Agenda:

No additions or changes were made to the agenda.

Approval of the January 25, 2016 Planning Commission Meeting Minutes:

MOTION and seconded by Commissioners Lupinacci and Carter to approve the January 25, 2016 Planning Commission Meeting Minutes.

VOTE:

MOTION CARRIED

Correspondence:

City Manager's Update – February 9, 2016

Lyon Township First Amendment to the 2012 Master Plan

Oakland County One Stop Ready – Planning & Zoning Essentials Workshop Flier

Call to the Public:

There were no comments made by the public.

Unfinished Business:

There was no unfinished business listed on the agenda for this meeting.

New Business:

- 1. PUBLIC HEARING FOR SPECIAL USE #16-001: ALLOR & SONS, 30691 WIXOM ROAD, WIXOM, MI 48393:** The applicant is seeking special land use approval to operate an auto body repair shop in an existing building. The Municipal Code, Section **18.09.020, Table 9.02**, requires approval from the Planning Commission for this request. The property is located at 30691 Wixom Road, and is zoned M-1, Light Industrial District, where major automotive repair is a special land use in that district. The parcel number is 22-06-200-010.

Mr. Sprague referred to Mr. Avantini's February 15, 2016 review letter. This is a 5,500 square foot building. The applicant complies with the first five conditions for approval. It requires employee vehicles to be parked behind the building with customer parking in front of the building. Specific conditions include no outside storage of anything with which the applicant is in compliance. He recommends approval contingent upon continuous maintenance of the above referenced items regarding outdoor storage of vehicles and parts meaning no outdoor storage of any vehicles being serviced and all vehicles requiring repair to be parked inside the building which is where all the work will occur.

John Allor, 30691 Wixom Road, Wixom. In response to Chairman Day's question, the applicant said that he has been in business for 30 years. This is a new location. Chairman Day confirmed with the applicant that all vehicles being serviced will be stored inside at all times. Vehicles towed to the applicant's building will be immediately towed directly into the building. He will likely provide the tow truck driver a key to the lot and will then move the vehicle inside in the morning.

Commissioner Cousineau brought to the applicant's attention the Fire Marshall's comment about dedicated fire lane access and security gate. Commissioner Lupinacci suggested this be included in the motion. Commissioner Lupinacci asked whether the applicant has multiple locations. He said that he does not. He owned a body shop in Walled Lake for 16 years. Commissioner Lupinacci asked how fluids and liquids from the vehicles would be handled. The applicant said he uses a product called Dry All for antifreeze leaks and he places containers under vehicles within the building. He immediately cleans up any spillage including for vehicles being stored temporarily overnight. He can accommodate 15 vehicles inside at any one time. Commissioner Cousineau confirmed with the applicant that this is primarily a body shop.

David Wolfe, President, Acromag, Inc. He owns the business next to the applicant. He has a few concerns. He has an electronic manufacturing business in the back with frequent visitors from around the world. He is concerned about the potential negative appearance of a body shop right next door. He noted that body shops tend to consume all available parking as needed. There is a large field behind it and he is concerned that could be expanded into by the applicant. This is the grand entrance on the side of his building. He would like to see a high-quality, multi-year fence installed between the building and the parking area in order to eliminate any aesthetic and/or visual issues. He is also concerned about the grinding noise of the wheels.

Chairman Day noted that the Ordinance does not allow for outside storage and that is one of the conditions that would be applied. Mr. Wolfe is skeptical and noted that the access road is on his property. The building was built in the wrong location initially and it is a very tight access road and is located on Mr. Wolfe's property. He rents this part of his property to the applicant and as such would like to hear more about the Fire Department's concerns about the quality of the road and also about mounting a security gate. Where would that be mounted? It is a cinder block wall and there is not enough width for vehicles without being on his property. He rents this portion of his property to the applicant for \$50 a year. What does the Fire Department think they want to do with the ground? He is happy to work with the applicant on this.

Commissioner Lupinacci acknowledged Mr. Wolfe's concerns. As he drove up Wixom Road, he noticed the close proximity between the applicant and Mr. Wolfe's properties. He wondered whether there was sufficient transition between the two properties. Commissioner Lupinacci asked Mr. Sprague about the Zoning Ordinance treatment of a fence similar to the one described by Mr. Wolfe. Mr. Sprague said that it is not called for by the special land use. He can pull up the fence Ordinance to check on the buffer. However, generally it would be within the conditions of the special land use itself. Commissioner Lupinacci said that this sounds like a logical concern and deserves a response.

Chairman Day noted that there will not be any outside storage. Commissioner Lupinacci noted that it has already been discussed that the towing company would have after hours access through the gate. He asked whether there is ever an instance where they would have access to the lift door to store cars within the building after hours. If so, this might address Mr. Wolfe's concerns. The applicant said there are a couple random towing companies with whom he may have a trusting relationship. However, he does not want just anyone to have access to the interior of his building. He is not a pack rat and does not store tires or anything outside.

Commissioner Lupinacci asked the applicant to specify how soon he can move the vehicles from the lot into the building. The applicant said that the towing company should be able to do that, if he knows the tower and is comfortable giving them a key to his building. Otherwise, he lives nearby and can personally do this or one of his sons can take care of this.

Commissioner Sharpe noticed the opaque fence around the perimeter of the lot. He asked how this relates to Mr. Wolfe's property. Mr. Wolfe said that the fence is on the other side and pointed out the area on the diagram to the Commissioners. He said he is happy to continue renting the edge of the property. There is a rough cyclone fence there. He showed the Commissioners the entrance in relationship to the applicant's property and noted that the visual privacy fence is on the south side.

Chairman Day confirmed with the applicant that he will work with Mr. Wolfe and the Fire Department with regard to placement of the security gate. Chairman Day noted that this is all indoors with no outdoor storage. He does not see a problem approving it. He is hesitant to recommend a fence with a potential negative impact and which may not be necessary. They are not currently being asked to consider or approve outdoor storage. Commissioner Cousineau confirmed that if the applicant violates the outdoor storage, he can be fined or ticketed by the City and can be taken to Court. Mr. Sprague noted that Chapter 18.09 gives the Planning Commission the authority to request fencing and outdoor storage. If the special use permit is not complied with, it can be revoked through Enforcement.

MOTION and second by Commissioners Lupinacci and Carter to approve Special Use #16-001, Allor & Sons' request for special land use approval to operate an auto body repair shop in an existing building. This approval is conditioned upon the continued compliance with the terms in Mr. Avantini's February 15, 2016 review letter and the administrative satisfaction of the City's consultants, departments and agencies, compliance with the requirements of the Fire Department with regard to maintenance of the access road and the Fire Department's approval of the security lock box for emergency access and that the fire lane be maintained throughout the storage area for emergency service access. The property is located at 30691 Wixom Road, and is zoned M-1, Light Industrial District, where major automotive repair is a special land use in that district. The parcel number is 22-06-200-010.

VOTE:

MOTION CARRIED

Call to the Public:

None.

Staff Comments:

There were no comments made by the staff.

Commission Comments:

Chairman Day said that Mr. Avantini informed him that since there are currently no agenda items scheduled for the Planning Commission's next meeting in early March and the fact that there is a Joint meeting next week, there is a good chance that the early March Planning Commission will be cancelled.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:00 p.m.

Nancy Fisher
Recording Secretary