APPROVED

MARCH 2, 2020

CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, FEBUARY 3, 2020

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, Anthony Lawrence, Ray Cousineau, Mark Lada, Cheryl Tacy and Sandro Grossi
ABSENT: None
OTHERS: Kelly McIntyre (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 December 2, 2019 Planning Commission Meeting Minutes:
MOTION and seconded by Commissioners Lawrence and Grossi to approve the December 2, 2019 Planning Commission Meeting Minutes.

VOTE: **MOTION CARRIED**

Correspondence:
January 14, 2020 City Manager Update
January 28, 2020 City Manager Update

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. **SITE PLAN REVIEW SPR #08-018-19, YUKEN AMERICA, 49178 ALPHA COURT, WIXOM MI 48393**: Consideration of site plan approval for the development of a 39,958-square foot industrial building. The property is zoned IRO, Industrial Research Office, within the Alpha Tech Corporate Park, and is vacant. Manufacturing, product development and production are permitted uses in that district. The parcel number is 22-06-326-022.

Ms. McIntyre referred to her staff report dated January 28, 2020. This is a 39,958-square foot building situated on 2.33 aces. It is made up of three separate lots in the Alpha Tech Corporate Park. Along with site plan approval, the applicant needs to simultaneously combine lots and amend the master deed for the corporate park. They manufacture and distribute surface

APPROVED 3.2.2020

treatment chemicals, conventional cleaners and pre-treatment products. This use is permitted in the IRO. The City has some parking restrictions for trucks and trailers. The front, side and rear yard setbacks are in compliance. A parking and loading setback is proposed for 10 feet as opposed to 20 feet. However, the Planning Commission can waive that. It is narrow and at the end of a cul-de-sac. She supports a potential waiver. They want to provide 47 parking spaces which will be both 90 degree and parallel. The loading will take place on the east side of the building. The loading docks will be screened with landscaping. There is a one-way drive around the building which measures 20 feet in accordance with the request of the Fire Department in order to ensure access. There is no circulation depicted on the applicant's plans but she will need to see what is being proposed. The applicant is providing the required sidewalk along Alpha Drive. The dumpster and mechanical screening meet the Ordinance requirements.

The greenbelt, parking lot and parking lot landscaping meet the requirements with the buffer built on the west side. The appropriate number of trees have been provided in the buffer. No regulated trees will be removed. She will need to see a landscaping cost estimate provided with the engineering and construction documents. There are LED and building-mounted lights. There are no wetlands onsite. There are a few regulated trees on the adjacent property. They will be protected from damage during construction. The building materials include a 42-inch wide metal siding panel with brick, an 8-inch high cast stone band on the front elevation and a CMU wall foundation on the other three sides. The applicant has provided material samples and colored renderings in the packet on the site plan.

She recommends approval conditioned upon: 1) traffic route and associated directional signage to be determined during engineering review; 2) a cost estimate for proposed landscaping to be provided for administrative review; 3) combination of the condominium units and amendment to the Master Deed; 4) approval of other City consultants, departments and agencies including the Fire Department's request that the water main be stubbed to the north property line in order to met the City's engineering standards; and 5) (if the Planning Commission is inclined,) the 10-foot waiver on the west side of the property.

Commissioner Cousineau confirmed with Ms. McIntyre that a 20-foot greenbelt is required but that the edge of the pavement is 10 feet off the property line. What is encroaching into the 20-foot? Is it the driveway? Ms. McIntyre noted that they had to do some shifting due to the applicant's use of chemicals in order to provide access around the entire building. They also worked on the parking. It is at the end of the cul-de-sac. Commissioner Cousineau confirmed with Ms. McIntyre that the need for the driveway is a requirement of the Fire Department.

Justin Novak, Smith + Schurman Associates, Inc., 280 N. Old Woodward, Suite 10, Birmingham. He is the project architect. His client manufactures coatings for the automotive sector. The applicant is a Japanese company who currently has an office on Grand River in Novi. Chairman Day confirmed with the applicant that it has no issue meeting the requirements outlined by Ms. McIntyre in her staff report.

Commissioner Cousineau asked to see material samples. The applicant showed them to him. Commissioner Cousineau asked if the applicant brought a color board with him tonight. The applicant said that he did not. Commissioner Carter asked whether the one-way traffic will go clockwise. The applicant said that it would. They will enter off the cul-de-sac, make an immediate left and then circle around. Commissioner Cousineau had the applicant explain

APPROVED 3.2.2020

which materials will be on what sections of the building. The applicant noted that there will be brick below the windows. Chairman Day asked where the split-face block will be used. The applicant pointed it out on the drawings. Chairman Day and Commissioner Cousineau asked where the blue metal siding and the glass will be. Commissioner Lada looked at the areas that the applicant pointed out on the drawings. The applicant noted that the civil engineer put the fire lane signs on the plan; however, they are noted.

MOTION and second by Commissioners Carter and Lawrence to approve SPR #08-018-19, Yuken America's request for site plan approval for the development of a 39,958-square foot industrial building. This approval is contingent upon: 1) traffic route and associated directional signage to be determined during engineering review; 2) cost estimate for proposed landscaping to be provided for administrative review; 3) combination of the condominium units and amendment to the Master Deed; 4) approval of other City consultants, departments and agencies and 5) the Planning Commission waives the dimensional standard for the side yard setbacks on the west side for parking and loading to allow for the 10 feet proposed by the applicant. The property is located at 49178 Alpha Court, Wixom, Michigan 48393, is zoned as IRO and the parcel number is 22-06-326-022.

VOTE: MOTION CARRIED

2. **SITE PLAN REVIEW SPR #32-001-20, CAPRI COURT CONDOMINIUMS, 936 N. WIXOM, WIXOM MI 48393**: Consideration of site plan approval for the development of 10 single-family residential units. The property is zoned R-3, One-Family Residential District and is vacant. Single-family houses are permitted uses in that district. The parcel number is 17-32-101-120.

Commissioner Grossi recused himself from discussion of this agenda item, citing a family relationship to the applicant; he left the council chambers.

Ms. McIntyre noted this involves 10 single-family units on 4.9 acres on Wixom Road between Maple and Potter Roads. It is zoned R-3. These are site condos which require both preliminary and final approval by the Planning Commission with a recommendation to City Council. This is the first step which establishes the layout of the utilities and the general appearance of the development. The lot size minimum requirement is 12,500 square feet with an 85-foot width minimum frontage on an improved road. The lot sizes proposed by the applicant are between 12,500 and 15,000 square feet. The building envelope on the plans has 35 feet on the front, 35 feet on the rear and between 6 feet on one side yard and a minimum of 16 feet for the two side yards. Ms. McIntyre has a concern regarding the usable area for the rear yard. There is a 27-foot wide private road and 60-foot easement which terminates in a cul-de-sac. It is a 500-foot distance which is approved and acceptable to the Fire Department so there is no secondary access required. There will be a bio retention pond along Wixom Road and a gas pipeline easement on the north side of the property (Lots 6-10). There is bio retention along the rear of each unit which encompasses 20 feet. She is concerned about the use of the rear yard, especially Lots 6-10 because of the 10-foot gas pipeline and the 20 feet for the bio retention. They are requesting that a building footprint with depths, patios and footprints be presented and shown on the final site plan for the City staff's review to determine whether there is usable space. The City does not want to see lots created with unusable rear yards or yards that will instigate variance requests. With the bio retention, she wants them to address the easement for the bio retention. It is a crucial

APPROVED 3.2.2020

part of the drainage and it is essential that it be maintained. She just needs to know how that will occur as well as who will own it. The architectural requirements will not be needed until the final site plan stage. The City wants to know what types/models of houses will go on some of the corner lots and Lots 6-10. There is a 5-foot sidewalk along the interior of the development and an 8-foot sidewalk along Wixom Road. The applicant has provided street trees every 40 feet which meets the standards. They have not shown street lights which the Planning Commission should ask about. There are no wetlands onsite although there are scattered woodlands. There are 22 regulated trees which will be removed. Fifteen of those will need to be replaced. The applicant wants to replace 24 trees; however, some of those can be street trees. She does have some concerns about the landscaping plan. The greenbelt meets the requirements; however, the locations appear to be in the bio retention area. The Fire Department had some comments regarding the hydrant layout needing to be revised. The engineers have a list of items they would like to see provided for a final site plan. There is no center turn lane required.

Chairman Day asked what revisions Ms. McIntyre would like to see before the preliminary plan approval. Ms. McIntyre said the lots and units, the information regarding the master deed and what kind of street lights the Planning Commission would like along with having those located on the site plan before this goes to City Council. Commissioner Lawrence noted that they are hearing the preliminary site plan tonight; however, Item No. 7 in Ms. McIntyre's letter says they are getting another preliminary plan. So why are they bothering with this? Can't this be handled administratively? Ms. McIntyre thinks that things will be provided to the staff who will take it to City Council on a preliminary basis.

Commissioner Tacy noted that the retention is referred to as bio retention which she assumes means it would retain water. Does that mean standing water? What she thought of as being retention was referred to on the plans as a seeded bioswale which makes her think it is a grassed-in knoll. However, the cross section is not stipulated as a cross section of the pond and the pond is referred to as a detention basin. Are they retaining the water? Will homeowners have standing water or have only occasional accumulations of water which will drain? Ms. McIntyre said that she looked at the engineer's review letter and reached out to the City engineers. However, she is limited in her ability to answer Commissioner Tacy's question. It does not look like they had issues with the preliminary layout; however, those details will be looked at during the final review. She noted that Commissioner Tacy's concerns are legitimate; perhaps the applicant can address that tonight. Maybe grasses will be planted there. She noted that an easement is crucial to the development and it will have to be maintained. Commissioner Tacy noted that if it is a retention situation, especially on the northern edge with the gas line and not having a permanent structure, how will the homes' footprint fit there? How can this be approved with this many unknowns and what are the ramifications? Ms. McIntyre noted that the Commissioners are only approving the general layout tonight. At the final site plan review, the applicant will have to prove that they can fit the homes on those lots. The Planning Commission is not in danger if the applicant cannot prove that the homes will fit during the final site plan approval stage. Ms. McIntyre will need to see the building footprints since they do not want to get a slew of variance requests. There is 30 feet of property that may not be usable.

Chairman Day noted that the way the units are laid out does not reflect the setbacks and the area in which the homes could be built. Ms. McIntyre noted that is the building envelope. The

APPROVED 3.2.2020

setbacks are for the houses. They can have the deck encroach into the setback a certain number of feet. Chairman Day noted that the deck cannot encroach on the detention/retention. Commissioner Lawrence asked whether the applicant is required to have a 60-foot right-of-way on a private road. Ms. McIntyre said that they are and that it needs to be designed to the public standards for the City. Commissioner Lawrence asked whether this development will have a mailbox cluster or individual posts. He noted that if it is a cluster design, the drawing plans should indicate where the cement slab will be situated. Ms. McIntyre noted that the Post Office prefers a cluster design.

Commissioner Cousineau asked whether the 60-foot right-of-way can be reduced and the houses be brought closer to the front to resolve some of the rear yard issues. Will they be private roads as compared to public? Are private roads allowed? Ms. McIntyre said that they are allowed. With public roads, tCity has to accept them as public and maintain them. However, they like to see them maintained as private for funding reasons and that is pretty typical. Commissioner Cousineau said that if they are private, can the 60-foot width be decreased? Ms. McIntyre said that she does not know and deferred to the City engineers.

Commissioner Lawrence noted the pipeline which goes through the back of the property as well as the easement area and the fact that the developer needs to establish via a master deed how far the homeowners will be able to encroach. That is what controls what ultimately happens. Ms. McIntyre said that before it even goes into the master deed, she needs to see whether it is possible on the next iteration of the plans. Commissioner Lawrence asked whether 10 feet is standard for all gas pipelines. Ms. McIntyre said that between property lines it is 10 feet. Commissioner Carter noted that in the Hubbell Roth Clark letter under the Paving and Grading section, it says that a passing lane would be required. He confirmed with Ms. McIntyre that they would go with the Road Commission's directive.

Terry Sever, National Consultants and Engineering, 3771 Seven Mile Road, Livonia. He represents the builder, Leo Soave. Regarding the engineering for the retention, it is a new design and only works when there is sufficient sand in the ground to absorb the runoff. This has been discussed between the City engineers and the builder's engineers. The water may pool there but probably will not be there for more than an hour. He noted that this is a site condo but is a subdivision with single-family homes. They are 110, 120 and 150 feet. They have sufficient space as designed. This is a preliminary hearing in order to sort out the details although he noted they can come back twice. This is more of an in-fill development since the City is mostly developed at this point. It meets the Ordinance. It is an envelope for each lot on the plans. It is not the footprint. If it was built out, they would be 5,000 square foot homes. The side yards are probably pretty accurate. They will have side entry garages. They will have a little bigger sized lot than some other cities' lots. He noted that one-half mile south of this development are the Robertson Brothers homes which are 100 feet deep and 55 feet wide; those are 2,500 square foot homes. The building envelope in relationship to the building footprint will change. That will be addressed as they go through the process.

The applicant noted that there is a retention pond at the front which will accumulate water. The overall site has a lot of sand. The applicant has previously built in Livonia and Lyon Township as well as some of the Robertson Brothers developments and in the DDA. Those streets are 45 feet

APPROVED 3.2.2020

wide. The applicant would like to pursue whether a variance would be allowed for private roads. Most cities have dedicated roads which are funded by mileages. If the applicant will be asked to do private road maintenance, it makes sense to have private road benefits. You can move the envelope in, make adjustments and pick up 8-10 feet on each side. He asked the City to look at the Ordinance to see whether that is feasible. He believes the site plan meets the Ordinance tonight. The applicant is looking to do something pretty nice. He showed the Commissioners renderings of homes that the applicant has previously built. The plan here is to incorporate more brick, be a little more upscale and do 3-car side entry garages.

Commissioner Lawrence asked the applicant what their take on the street light situation is. Would that light up the front of the building? The applicant said that these are site condos and will be single-family homes. He noted that most condos have photocells. He would like to hear input from the City staff and the community in terms of the lighting requirements. Commissioner Carter said that he believes lighting is probably not required if it is not part of the City's Ordinance. Commissioner Lawrence noted that if there is no light, the cul-de-sac will be very dark.

Commissioner Cousineau confirmed with Ms. McIntyre that the applicant's site plan complies with the Zoning Ordinance and that there are no variances required. He noted it will be important to establish the building footprints. He is concerned about Lots 6 and 3 which are very shallow building envelopes. However, he believes this is a solvable problem. The applicant may need to demonstrate that they can do this and also provide feedback regarding the bioswale which is pure retention, not detention. He understands that the site has good soil. He agrees with Commissioner Carter that street lights may not be required. The applicant noted that the street lights are a City issue. Chairman Day thinks that street lights were required in the Village Center Area (VCA) as well as the two subdivisions that Commissioner Cousineau spoke of earlier in the VCA. The applicant said that it will research the Ordinance.

Chairman Day said that his concern is that the Commissioners are talking about approving the layout without knowing whether it will be buildable. The Commissioners would like to see the layout first. He does not want to jump the gun. The applicant said that the way the envelope fits meets the Ordinance. He noted that when they come back, the Commissioners will see the impact regarding the rear yard. The next step is for City Council to see it, then the Planning Commission gets it back and sees it at final. Chairman Day said that he is uncomfortable sending this to City Council without knowing whether it is buildable. The applicant noted that it is not that it is not buildable but it may be that they cannot put decks on them. He noted that decks are not required. Chairman Day asked whether they would place restrictions in the master deeds prohibiting decks. The applicant said he would have to show whether decks are doable. This process already takes them out six months. He noted there could be a lot which does not accommodate a deck.

Commissioner Tacy said that she is not comfortable sending this to City Council and suggested tabling it tonight in order to allow the applicant time to address the issues and concerns raised by the Commissioners tonight. Commissioner Carter noted that the purpose of tonight's meeting it to decide whether there is anything that causes the Planning Commissioners alarm. He noted that what has been submitted meets the requirements at this stage. He does not see a need to table this since time has been built into this four-step process to further hone the plan.

APPROVED 3.2.2020

The applicant suggested that as a compromise the Commissioners approve the preliminary plan conditioned upon them making the adjustment of the footprint before it goes to City Council. They will revise the plan showing the footprints. That way City Council will see tonight's meeting minutes and be able to address any issues. The applicant does not want to delay the process. He has been told that the plans submitted meet the City's Ordinance. Chairman Day noted that the question is not whether the home(s) is built without a deck but whether the homebuyer wants to put one on later.

Commissioner Lada asked the applicant why the Commissioners cannot see a footprint now. He noted that is not typical and usually they would only see a building envelope. It would be a 60-foot by 60-foot envelope. The envelope just addresses the side, rear and front yard setbacks. In this unusual instance, they will have engineers who will add the option of whether a deck is allowed or not. The applicant said that it can address this. Commissioner Carter noted that this is a preliminary plan and that the Commissioners are pushing a lot of final requirements on the applicant tonight.

Commissioner Tacy noted that if the footprints are added in addition to the amount of space allowed for a deck, which most people will want, she wants to know that there is not a hardship created every time if it is not buildable due to the configuration of the detention basin plus the gas main which necessitates revising the entire layout. She would rather deal with that up front. The applicant noted it is their responsibility to hire an engineer. He believes the Commissioners are asking for something outside the Ordinance. He noted that they are willing to do the extra work regarding the footprints vs. the envelopes. However, it is an unfair burden to delay the project another 30-45 days. He thinks if the City Attorney were present tonight, they would say that the applicant cannot be forced to do this since it is not part of the Ordinance. However, he is willing to do that.

Chairman Day asked Ms. McIntyre if after the footprints are added that the configuration does not result in 10 buildable units as shown that the Commissioners could require that the applicant come back to the Planning Commission before going to City Council. Ms. McIntyre noted that if that turned out to be the case, the developer would probably want to revise the plan. The applicant noted that it will still need to meet the City's Ordinance regarding setbacks and decks. If they cannot meet it, they will have to revise it. Chairman Day confirmed with Ms. McIntyre that by agreeing to the unit dimensions the Commissioners are not locking themselves into the unit layout.

Commissioner Lawrence said that he supports Commissioner Carter's view of approving the applicant's plan but understands Commissioner Tacy's concerns that homebuyers will want something. However, if the footprints do not fit, the builder will have to adjust them. Commissioner Cousineau noted that he feels conflicted; Commissioner Tacy has a valid viewpoint. However, when a developer presents a plan to the Planning Commission which complies with the Ordinance, even though the Commissioners have questions and concerns, they almost have an obligation to approve the plan and allow it to move forward subject to the conditions raised tonight. The applicant noted that if this matter is tabled or denied, the Commissioners should note the rationale for that; i.e., that it does not conform to the Ordinance. He recognizes the

APPROVED 3.2.2020

Commissioners' concerns and will provide them with an amended plan showing the footprints. He will provide them a nice product which conforms to the site plan.

Chairman Day said that he has the same ambivalence as Commissioner Cousineau; however, the applicant's provision of the footprints will satisfy his concerns. Commissioner Cousineau told the applicant that it will be extremely important for them to address the Commissioners' questions and concerns prior to going before City Council. Doing otherwise would be a mistake.

Leo Soave, 3771 Seven Mile Road Livonia. As far as the size of the lot, the house is designed to fit the lot. If a lot has deficiencies, that is incorporated into the condo documents so that everyone knows about it. Potential purchasers have a pre-determined time period to review the plans. He will revise the preliminary plans and bring it to City Council on February 25, 2020. Chairman Day noted that it will not be necessary for the applicant to come back before the Planning Commission on February 24th. Mr. Soave noted that he needs an item-by-item list of what the Planning Commissioners require. Commissioner Cousineau asked Mr. Soave whether he plans to build on all the lots or resell them to another builder. Mr. Soave said that he will build out all the lots. Ms. McIntyre noted that she cannot guarantee that she will be able to turn this around quickly enough to get it on City Council's February 25, 2020 agenda. She informed the applicant that she would need to receive their proposed changes two weeks prior to the hearing. She noted that any comments made by the Planning Commissioners at their February 24th meeting would not be included. Commissioner Cousineau wondered if this would need to be pushed into March.

The applicant confirmed that the only thing that the Commissioners need to see before the next meeting are the footprints on the site plan. Chairman Day said that they would also like to see the notations from lots to units and the other revisions. The applicant asked whether he could push the footprint down and if the deck does not fit, he can say those units will not have a deck(s). Commissioner Cousineau noted that if there are lots with deck issues, then perhaps they could do a patio if it does not disrupt the storm water plan. Commissioner Lada asked for examples which the applicant has already built with this drainage plan. Is there another development? The applicant said that it will not be a ditch; it will be swales. Mr. Soave noted that it was already tested on this site and that the water will not sit for more than 20 minutes. Commissioner Cousineau noted that the picture shows standing water. He suggested that it should be shown as a detention area.

MOTION and second by Commissioners Cousineau and Lawrence to recommend that City Council approve SPR #32-001-20, Capri Court Condominiums' request for site plan approval for the development of 10 single-family residential units. This recommendation is contingent upon: 1) the terms outlined in Mr. Avantini's January 29, 2020 review letter; 2) all references to 'lots' must be changed to 'units'; 3) all restrictions to building or use of property within easement/bioretention areas must be noted and addressed in the Master Deed for final site condominium plan review; 4) verification that there is adequate rear yard available for decks, porches and patios for final site condominium plan review; 5) street lights were discussed by the Planning Commission and will not be required unless they are mandated by the City's Ordinance; 6) revision dates should be included on all subsequent plans; 7) review and approval of all other applicable City consultants, departments and agencies; and 8) submittal of a revised preliminary

APPROVED 3.2.2020

site condominium plan prior to review by City Council with the caveat that the Planning Commission has concerns regarding the buildability of several lots, the feasibility of which must be established by the applicant. That information should be provided to the Planning Commission, at least administratively, prior to this matter going to City Council for Council's approval. The property is located at 936 N. Wixom, Wixom Michigan 48393, is zoned R-3 and is vacant. The parcel number is 17-32-101-120. **MOTION AMENDED** by Commissioners Tacy and Lawrence to add that the applicant will provide building footprints including the available space for decks, porches and patios prior to this matter going to City Council for approval.

VOTE: **MOTION CARRIED**

[Commissioner Grossi rejoined the meeting at this point in time]

Call to the Public:
There were no comments made by the public.

Staff Comments:
Ms. McIntyre welcomed the new Planning Commissioners, Commissioner Tacy and Commissioner Lada. She noted that there is an upcoming training session offered by the Michigan Association of Planning which is especially useful for new commissioners or can serve as a refresher course for sitting Commissioners.

Ms. McIntyre noted that the Building Department administrative assistant, Monica Raddatz, has tendered her resignation. She asked for the Commissioners' patience during this staffing transition.

Commission Comments:
Commissioner Cousineau noted that when site plans come before the Planning Commission, the applicant should bring with them to the meeting a color rendering board so that the Commissioners are not having to pass things around amongst themselves.

Chairman Day welcomed Commissioners Tacy and Lada to the Planning Commission.

Commissioner Tacy noted that when the VCA was designed, the street light requirements were very specific. She has been waiting to see the street light plan enforced adjacent to the Baptist Church. Were those left out? Ms. McIntyre said that she will look into that.

ADJOURNMENT:
This meeting of the Planning Commission was motioned and adjourned at 8:54 p.m.

Nancy Fisher
Recording Secretary

APPROVED 3.2.2020