

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, MARCH 2, 2020**

APPROVED
APRIL 27, 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: 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 February 3, 2020 Planning Commission Meeting Minutes:

MOTION and seconded by Commissioners Lawrence and Cousineau to approve the February 3, 2020 Planning Commission Meeting Minutes.

VOTE:

MOTION CARRIED

Correspondence:

City Manager Update – February 25, 2020

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. ZONING ORDINANCE TEXT AMENDMENTS

Mr. Avantini noted that these amendments were discussed with the Commissioners a couple months ago and edits have since been incorporated. These are emergency amendments. The other Zoning Ordinance amendments will come to the Commissioners in a separate package later. However, these amendments must be addressed now.

The first amendment dates back to when Kevin Hinckley was Mayor. Site condominiums go to the Planning Commission for review, then City Council for preliminary review, then come back to the Planning Commission for final review and then finally go back again to City Council. City Council oversees matters pertaining to site layout/appearance but not so much the details which the Planning Commission examines. City Council would like to drop one of their reviews. They do not want to see it a second time and feels that it unnecessarily delays the review process. Mr. Avantini noted that some communities have applicants go through the site plan review process. That is something to consider since it makes the process easier; however, that means City Council would not see the plans.

Commissioner Carter asked whether the Planning Commissioners would see a colored depiction and building material samples in the preliminary plan. Mr. Avantini said that they would see those in the final review. However, the Commissioners could still ask for color samples during the preliminary review although they typically would not ask for material samples at that point in the preliminary review. Commissioner Carter said that he thinks that color renderings and material boards are what the Commissioners want to see at the final review. Mr. Avantini noted that he will add some language at the end of Item No. 5 to say "along with material samples".

Commissioner Tacy noted that when they recently reviewed the Capri Court Condominium site plan, the Commissioners were presented with building envelopes but not actual footprints. At what point can the Commissioners require those be presented? She noted that in the Capri case the Commissioners were concerned how the plan could work in light of the gas line and swales. When will the applicants have to show the Planning Commission that information? She would rather see it sooner than later. Mr. Avantini said that is a good question. Eventually they may want to require it in the preliminary review but he will add it to the final review for now and then later amend the preliminary review to include that. Commissioner Carter noted that generally the Commissioners would want to see this; however, in the Capri case, it was not required and he thought it would be unfair.

Mr. Avantini said that it is good to see the building footprint. He noted that previous projects have gone through; however, due to the orientation of the houses, they came back in requesting variances. It is a great idea to have both the floor plans and the footprints. Commissioner Carter noted that it brings it to the developer's attention at an earlier stage. Commissioner Tacy noted that on the Capri site plan, the sliding glass doors will go on the side of the houses. Mr. Avantini noted that was a preliminary plan and that the Commissioners will get another look at the details. Also, the builder could conceivably sell the project to another builder before he completes it. Commissioner Tacy asked whether the site plan is considered approved as is if there is a change in ownership. Mr. Avantini noted that if they did not catch those things and did not know going in, it could be a problem. Chairman Day asked whether the sliding glass doors in the side yard are a policy decision that the Commission does not want. He noted it is not an Ordinance. Mr. Avantini said it is at the Commissioners' discretion and that the applicant may have to secure variances which the City wants to minimize. Commissioner Carter asked whether a variance would be required for a deck entry on the side. Mr. Avantini said that it would. He noted that happened with the Singh development. Chairman Day asked why a variance is required for that. Mr. Avantini said it is a side yard setback issue. Chairman Day asked whether the interiors of the doors are not the issue. Mr. Avantini said yes. Commissioner Tacy noted that if they are built to a deck that opens to the backyard, a variance is not required. Mr. Avantini noted that the Capri homes could have been sited a lot better than they were.

Mr. Avantini noted that the next Zoning Ordinance amendment concerns special events and temporary uses. The City is now differentiating between special events and temporary uses whereas they were not distinguished before. They are now combined; however, it can be onerous. Things lasting up to 7 days are considered a special event. Ensuring safety is key when reviewing special events. Of particular concern are tents situated in a parking lot which can change the traffic flow and create a potential hazard for pedestrians. He added a clause saying that the City traffic consultant must review events held in parking lots. They had lengthy discussions with both the Police and Fire Departments regarding this.

Mr. Avantini noted that sometimes applicants; i.e., the Drafting Table, may hold the same event three to four times per year. He is now proposing that those types of events be reviewed once annually. They will only review the tent once a year as long as everything remains the same. Chairman Day asked why the word 'tent' is crossed out in the proposed amendments under Section D. Mr. Avantini noted that is a typographical error and he will correct that. Commissioner Grossi noted that there are two Section D's and that the subsequent one should be renumbered Section E.

Mr. Avantini noted that temporary uses will no longer be reviewed by the Zoning Board of Appeals (ZBA) but will now be reviewed by the Planning Commission. Since the Planning Commission reviews special uses and the Master Plan, this makes more sense. If they receive complaints regarding the temporary use, the Commissioners can withdraw their approval. He noted that hardly anyone has ever shown up at a public hearing for temporary uses. Commissioner Lawrence noted that Line G says that they already hold one. Mr. Avantini said public hearings are only held for revocations. Chairman Day asked what getting rid of the public hearing really says. Maybe an abutting property owner to a temporary use would still feel the use is detrimental but the applicant says they have met the requirements. That would mean the abutting property owner would not have a chance to voice their opposition. Why eliminate the public's opportunity to speak? Mr. Avantini said it would represent a cost savings (staff review time and the cost of publishing the notice of hearing). Chairman Day noted that then there would not be a basis to revoke it. He would rather give people the chance to complain. Commissioner Grossi agreed. Mr. Avantini noted that he will add that back in.

Commissioner Carter noted that Section D regarding special events sounds awkward. He suggested wordsmithing it to say "For special event requests where no portion of a parking lot will be utilized, the Building Official may forward the application for review by City departments, consultants or the Planning Commission".

Chairman Day said if they do not use a parking lot, the Building Official can refer to the Planning Commission but if they do use a parking lot, there is no provision for review. Why the difference? Is it only if they are not using the parking lot? It seems like it would be the other way around. Mr. Avantini said that he will rewrite that and make them separate.

Commissioner Carter asked why the permits are being removed in the Temporary Uses section prelude before Section A. Mr. Avantini said that he will edit it to read: "The Planning Commission may grant a temporary use permit which does not require the erection of any capital improvement of a structural nature under the following conditions:"

Commissioner Carter suggested that under 'Chapter 18.24 – Definitions—18.24.110—Definitions S-T', Mr. Avantini change the term 'demountable' to 'temporary building'. Mr. Avantini said that he will remove the word 'building' from the next line and just call it a 'temporary use'.

Mr. Avantini noted that in the Zoning Amendment regarding *Height and Placement Requirements* in the Office and Research District, he added a limitation of one loading dock door per each 25,000 square feet of building footprint. The rationale for doing this is to avoid developers erecting large industrial buildings with a million loading docks which could place a strain on City resources for which the developers are not paying. The goal is to draw more jobs and to increase some of the tax base they lost when the Ford Motor plant closed. It helps to ensure the City is not just getting distribution facilities. They have made this clear to the developers situated in the Industrial districts—the City wants to see employment. Chairman Day

asked why the same language is included in both Sections 18.08.05 and 18.09.050. Mr. Avantini said that it applies to both the Office and Research and Industrial districts.

Mr. Avantini noted that the City would like to move forward quickly with these amendments. Can the Commissioners recommend that City Council adopt these proposed emergency Zoning Ordinance amendments as long as the edits proposed by the Commissioners tonight are incorporated without having to have the finalized changes come back before the Planning Commissioners? Chairman Day and Carter said yes. Mr. Avantini noted that he would like to get these amended Zoning Ordinance amendments on City Council's agenda for the end of this month. He noted that he will email the Commissioners the finalized version incorporating their suggested edits and highlight those.

MOTION and second by Commissioners Carter and Lawrence to recommend that City Council accept the proposed emergency Zoning Ordinance amendments with the inclusion of the edits suggested by the Planning Commissioners in their March 2, 2020 Planning Commission meeting.

VOTE:

MOTION CARRIED

Call to the Public:

There were no comments made by the public.

Staff Comments:

Mr. Avantini noted that at the next meeting or the one following that there will be a City-initiated rezoning of the remainder of the Ford Motor site to Gateway Planned Unit Development (GPUD) or amended IRO or amended M-1. Chairman Day asked if this is being done in light of the fact that there is no specific development. Mr. Avantini said it is City-initiated, not applicant-initiated. They have consulted with the City Attorney regarding this. He noted that he has worked with the property owners and has reviewed a couple of plans; however, the plans have been insufficient and they do not take the intended road layout into consideration. He noted that they knew that Assembly Park Drive connected to that property but it has not been extended; the City wants to see that happen.

Chairman Day asked about the two office buildings on the far western side of the former Ford Motor property. Were there not previously three office buildings? Mr. Avantini said no; it has always been two. He noted that he has received some pushback from the property owner; however, he believes the rezoning will give them a lot of flexibility. He noted that they seem intent on putting big structures in there.

Commission Comments:

Commissioner Tacy commented on the revised schematic provided to them by the developer of the Capri Court Condominium site plan, per the Commissioners' request at the last Planning Commission meeting. She noted that one of the issues which arose during the first meeting was the drainage. It was referred to alternately as retention, a bio-swale and detention. However, the Commissioners are not clear on what will be running through the backyards. It is a concern since there is not a whole lot of property and it is not a buildable area. They are hampering the future residents' ability to use the backyards since they do not know what the intent is. The cross section does not indicate it is the pond. The applicant has not clarified this which the Commissioners requested in the last meeting.

Mr. Avantini noted it is odd and that he has never seen this before. Maybe it is being done to avoid putting catch basins in? Commissioner Cousineau noted that he told the applicant he

would increase the size of the detention basin and eliminate all the rear yard bioswales which would have gone a long way toward addressing the Planning Commission's concerns. He also told them to decrease the road right-of-way to 60 feet. There is a 120-foot diameter at the cul-de-sac which would expand the buildable envelope. However, he does not see either reflected in the revised schematic. Commissioner Tacy noted that the deck is being squished to the side, especially on Lot 7. If a young family moves in there, where would they put a swing set or play structure? They will want it to be in backyard where they can keep an eye on the kids but that is not a buildable area. Commissioner Cousineau noted that even if the developer discloses that to the purchaser, the purchaser will do what they want. Commissioner Tacy noted that disclosure/information could become lost between the original owner and subsequent owners. She wants to know why it is designed this way and how it will function. Commissioner Cousineau noted that the Commissioners should have told the applicant to back up, redesign it and resubmit the plans. However, they did submit a plan which complied with the Ordinance. Mr. Avantini noted that the rear yard is not intended for detention. A rear yard is intended to be open space and they are using it as detention.

Commissioner Tacy asked whether this should not have been caught by the staff prior to coming before the Planning Commission. Mr. Avantini noted that City Council will rip this apart if it is sent to them with detention in the backyard. Commissioner Cousineau noted that the other idea was to get this in front of City Council. However, the revised plan he saw tonight will not suffice. Mr. Avantini said that he would not send this plan to City Council as is. Commissioner Tacy noted that it is termed differently on each page as to how it functions. Mr. Avantini asked what bio retention is. Why would they run that around the back of the site? That detention should be big enough for the site. They could make it look like a natural setting. He will discuss this further tomorrow. He noted that the Planning Commissioners asked for clarification and they did not get it. Chairman Day noted that is the Planning Commission's consensus. Mr. Avantini noted that even the detention basin out front is supposed to have a natural appearance; however, there is nothing natural about it.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:12 p.m.

Nancy Fisher
Recording Secretary

