

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
PLANNING COMMISSION MEETING  
WEDNESDAY, MAY 27, 2020**

**APPROVED  
JULY 8, 2020**

This meeting was called to order by Chairman Day of the Planning at 7:41 p.m. at which time allegiance was pledged to the American flag.

**PRESENT:** William Day (Chairman), Phillip Carter, Anthony Lawrence, Mark Lada, and Cheryl Tacy

**ABSENT:** Excused: Cousineau, Grossi

**OTHERS:** Kelly McIntyre, Director of Planning (CIB Planning), Fadi Khalil and Mona Freiburger (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 April 27, 2020 Planning Commission Meeting Minutes:**

**MOTION** and seconded by Commissioners Lawrence and Tacy to approve the April 27, 2020 Planning Commission Meeting Minutes.

**VOTE:** **MOTION CARRIED**

**Correspondence:**

May 12, 2020 City Manager Update

**Call to the Public:** (Limited to 5 minutes per speakers, addressing Agenda items on Agenda only)

None

**Old Business:**

None

**New Business:**

None

**Discussion:**

1. Capri Court Condominiums, SPR#32-001-20

Ms. Kelly McIntyre, CIB Planning, stated the Commissioners last saw this item on their agenda, February 3, 2020. There was discussion about the buildable and usable lot area for particular lots for this ten unit, single family condominium development. There were some questions about the right of way.

The Planning Commission made a motion to conditionally approve the preliminary site plan and sent it to City Council. However, there were a number of conditions that were included. One of the conditions being that the applicant submit a revised site plan prior to being submitted to City Council to address the concerns regarding the build ability of several lots, to show the build footprints as well as the building envelopes and to show if there is space for the decks, porches and patios. The specific lots that were an issue or of concern were lots 3, 5, 6 and 7. The applicant went back and made some revisions. The applicant reduced the right of way. Currently, the street ordinance in the code of ordinance requires that subdivision streets had a public right of way of 60 feet. The applicant is proposing a 27 foot wide road, back of curb to back of curb. The question brought to light by the Commissioners is if the right of way could be reduced. The answer is yes; but with the approval of City Council.

On March 2, 2020, there were items for discussion that was brought back to the Commission. If the Planning Commission is inclined to revise or rescind the previous motion because the applicant has made some revisions, the recommendation would need to be included for the reduction of the right of way in order for the City Council to go ahead and approve the preliminary site plan.

The applicant was present at this meeting. At the last meeting, there were questions about the bioretention and that it takes up 20 feet of the rear yard; and the reusability. This bioretention technique is a relatively new technique that the applicant is going to use.

Also, Ms. McIntyre indicated that in the previous recommendation for approval, one of the conditions was street lights needed to be installed, if mandated by the city ordinance. The street lights are only required in the VCI, so street lights are not required at this time. It is up to the applicant whether they would like to install the street lights, but they are not required, and for the Planning Commission to remove this condition for approval.

Commissioner Lada asked if the right of way is not 60 feet, they would need permission from City Council to say otherwise. Ms. McIntyre stated this was correct. She stated the road width is 27 feet; it was going to be 27 feet even with the 60 feet of right of way. By the applicant coming down to 48, they are gaining additional depth to their lots.

Ms. McIntyre indicated if the plan fails, the reduction of right of way fails, the applicant would have to return to the Planning Commission with a revised plan. There are circumstances within the City, especially with the VCA, where the right of way has been reduced. There is a good possibility that City Council could approve it.

Commissioner Lawrence asked if the units are on both sides of the street. Ms. McIntyre stated it is a cul-de-sac; half of the units are on one side and then the other side. The details indicate by granting this reduction of right of way, it would add twelve feet to the depth of the lot but it is six feet. The question is whether or not there would be build ability of decks without the extra six feet.

Commissioner Tacy indicated the applicant changed the drainage system around the lots whereas before it was around the entire perimeter. Now, it is truncated to lots 3, 6 and 7. She was curious about this drainage system; the drainage system seems to result in, basically, a ditch rather than a swale in those backyards. Commissioner Tacy asked if the calculation of the retention pond would be able to hold all of the storm water as there has been some elimination of the above ground bioretention areas. She asked if this feature in the backyards of the home would be necessary if there was a retention pond in the front. All of these backyards would have an 18 inch water feature at all times. Ms. McIntyre stated she would defer this question to the applicant's engineer.

Mr. Fadi Khalil, 22417 Cranbrook Drive, Novi, MI 48375. Mr. Khalil stated in the previous plan, the bioretention was going all around and had extra volume. The bioretention is reduced and has the volume that is required for this site. A buffer was in place for assurance. The current calculation is enough with the reduction. It is going to be a swale.

Mr. Khalil presented some photos from Google. It is a gentle swale with different types of grass. The idea is not to hold water, and not going to have a water feature; although it will during a 100 year storm. Soil testing was done. It will infiltrate underground where there is detail on one of the drawings. There is 18 inches of soil, and then underneath, you have gravel that will allow water to infiltrate into a perforated pipe. The water would infiltrate underground.

Mr. Khalil indicated this procedure has been done in other areas. This procedure is better than a detention basin where you would have runoff. It is a nice feature and can be done in many different ways. This would be done behind the lots as well. Mr. Khalil stated there is sandy soil which would not hold to the surface; it would infiltrate immediately.

Commissioner Day asked who would be responsible for the maintenance of the landscaping. Mr. Khalil answered the condo association. This would be within an

easement and there would be a maintenance agreement. This would be true for both the bioretention and the ones behind the lots, as well. Mr. Khalil stated that in a normal rain situation, there would not be standing water. A soil report was submitted with the plans.

Commissioner Day asked Ms. McIntyre if she was familiar with this type of bioretention. Ms. McIntyre answered, yes, it is more environmentally friendly, and you can plant with specific vegetation, especially if the condo association would be maintaining this area. Ann Arbor uses this procedure as well.

Commissioner Carter indicated landscaping, typically, requires irrigation. Mr. Khalil stated he would double check and confirm but there is usually taller grass and certain types of plants.

Commissioner Tacy stated in the previous plans, there was wetland seed mix, wildflower, sedges and grasses. She was concerned that the condo association would have an expense with a hard time bearing with ten houses. Chairman Day believed in a condo association such as this, the condo association could place liens against the property if the fees are not paid. Commissioner Lawrence agreed that this is correct. Limited common areas, generally, your patio, deck and flower beds surrounding the unit, anything beyond that becomes general commons and that is shared equally. This is true throughout the State of Michigan under the condo act.

**MOTION** and seconded by Commissioners Lawrence and Carter to rescind the original motion that was conditionally approved SPR#32-001-20, Capri Court Condominiums on March 2, 2020.

**VOTE:**

**MOTION CARRIED**

**MOTION** and seconded by Commissioners Carter and Lada for the Planning Commission recommend approval to City Council, the revised site plan for SPR#32-001-20 for Capri Court Condominiums dated March 4, 2020, with conditions on the following:

1. All terms outlined in Mr. Avantini's January 29, 2020 review letter.
2. All references to lots to be changed to units.
3. All restrictions to building or use of property within the easement bioretention areas be noted and addressed in the master deed for final site condo plan review.
4. Revision dates on all subsequent plans.
5. Acceptance of a reduced right of way from 60 feet to 48 feet.

6. Review and approval of all other applicable city consultants, departments, etc.

**VOTE:**

**MOTION CARRIED**

**Call to the Public:**

None

**Staff Comments:**

None

**Commission Comments:**

Commissioner Carter indicated he had a problem getting into the Zoom meeting today. He tried using the link that was sent out with the agenda but it was expired.

Commissioners Lawrence and Day stated they got into the meeting with the link that was on the first meeting announcement. Commissioner Day indicated he has had better success typing in the meeting ID as opposed to using the link. Ms. McIntyre stated she had the same issue.

City Manager Brown indicated all of the webinars have the same set of telephone numbers, so that would be a backup way to participate.

The next Planning Commission will be on June 22, 2020.

**Adjournment:**

This meeting of the Planning commission was motioned and adjourned at 8:15 p.m.

Mona Freiburger  
Recording Secretary