

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, NOVEMBER 24, 2014**

Approved
01/05/15

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

PRESENT: Cory Lupinacci (Acting Chairman), Phillip Carter, Anthony Lawrence, Guy York, Joe Barts and Stephen Zelle
ABSENT: William Day (Excused), Anthony McClerklin (Excused) and Ray Cousineau (Excused)
OTHERS: Carol Maise [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 October 27, 2014 and November 5, 2014 Planning Commission Meeting Minutes:

MOTION and seconded by Commissioners York and Lawrence to approve the October 27, 2014 and November 5, 2014 Planning Commission Meeting Minutes.

VOTE:

MOTION CARRIED

Correspondence:

1. City Manager's Update – November 12, 2014

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 #14-014: JACKSON'S COLLISION CENTER, 48733 WEST ROAD, WIXOM, MI 48393:** The applicant is seeking an amendment to a special land use for operation of an automobile body repair shop that was originally granted approval April 4, 2011. The Municipal Code, Section **18.09.020, Table 9.02**, requires approval from the Planning Commission for this request. The property is located at 48733 West Road, and is zoned M-1, Light Industrial District, where automobile body repair shops are special land uses in that district. The parcel number is 22-08-100-005.

Ms. Maise said the applicant is coming back tonight for an amendment. One of the conditions of the original approval (the enclosure for 4 spaces) was not put in and it is not practical. There are too many cars coming and going. They would like to eliminate the enclosure to allow 7 spaces for cars awaiting repair and for rental cars. She referenced Mr. Avantini's October 30, 2014 staff report. She noted that some of these are not junkyard cars. Mr. Avantini recommends placing conditions upon the planting of an evergreen hedge row so that the cars are not visible from West Road.

Acting Chairman Lupinacci expressed concerns over the Fire Marshall's review letter regarding conditional approval for the fire access road. He asked whether that has been addressed. Ms. Maise said that as you look at the driveway, the width should still be maintained. This can be made a condition of approval.

Raymond Shamoun, 48733 West Road, Wixom, Michigan. He has no problems with the evergreen hedge row. The cars can be double or triple stacked, depending upon the size of the car, while maintaining the fire lane at both entrances of the building. Commissioner York noted that there are some inconsistencies in the information presented and that the drawing provided the Commissioners suggests there should be four lanes which are 45 feet long holding 22 cars. This equates to more than 4 cars. The applicant stated that there are actually a total of 6 lanes, none of which will be in the fire lane. Commissioner York discussed with the applicant the letter on the applicant's letterhead asking for approval to use the area designated as employee parking. The 20 cars will be there only for one day. That is just a marshalling area and the vehicles would be moved at night. The applicant noted that he is allowed overnight parking of vehicles so long as they are not damaged or wrecked. The chain link fence is designed to screen vehicles which come in during non-business hours; however, he does not foresee an issue with this.

MOTION and second by Commissioners Lawrence and Carter to approve Special Use #14-014, Jackson's Collision Center, for an amendment to a special land use for operation of an automobile body repair shop that was originally granted approval April 4, 2011. This approval is conditioned upon the planting of an evergreen hedge on the north edge of the parking lot of West Road and the Fire Department's approval of maintenance of the fire lane. The property is located at 48733 West Road and is zoned M-1, Light Industrial District, where automobile body repair shops are special land uses in that district. The parcel number is 22-08-100-005.

VOTE:

MOTION CARRIED

- 2. REZONING REQUEST #002-14: AFC HOLCROFT, 49630 PONTIAC TRAIL, WIXOM, MI 48393:** The applicant is seeking to rezone approximately 2.59 acres to the rear of the property located at 49630 Pontiac Trail. The requested rezoning is from R-3, Single-Family Residential to M-1, Light Industrial. The property is currently zoned R-3, Single-Family Residential and the tax parcel number is 17-31-452-011.

Ms. Maise noted that this is an interesting piece of property in that it has split zoning. It was originally zoned R-3 and was rezoned to M-1 in order to accommodate the facility. The applicant now wishes to rezone the rear 2.59 acres. Mr. Avantini has done a very thorough review in his November 10, 2014 staff report which also explains how this property relates to the City's Master Plan. He recommends sending this matter on to City Council for approval.

Commissioner Barts noted that it makes sense to rezone the area in accordance with the future Master Plan but he would also like to hear the applicant's reasoning. Acting Chairman Lupinacci agreed.

Nick Mendenhall, Schonscheck, Inc., 50555 Pontiac Trail, Wixom, Michigan. They have exercised a couple of options for future use of the property. This will bring the overall plan into compliance and help out with a future building expansion and additional parking.

Bill Keough, 49630 Pontiac Trail, Wixom, Michigan. He is the business owner. Since 1975, they have been building and selling industrial furnaces used for heat treating. He estimates the expansion would occur within the next year. In response to Commissioner York's question, Mr. Keough said he owns the 4.78 acres.

Commissioner Bart asked what the time line is for the Master Plan since this piece of property may be potentially rezoned. Acting Chairman Lupinacci noted that the Master Plan addresses future land use. However, any changes in zoning require a rezoning request such as what is occurring tonight. The Master Plan is that vision. A rezoning request is the implementation of that vision. Commissioner Barts sought to confirm that it does not just get enacted. Commissioner York stated that this recognizes that the owner is in favor of this and it is a more expeditious way to handle it.

MOTION and second by Commissioners Carter and York to recommend to City Council that they approve Rezoning Request #002-14, AFC Holcroft, to rezone approximately 2.59 acres to the rear of the property located at 49630 Pontiac Trail based on the rationale set forth in Mr. Avantini's November 10, 2014 review letter. The requested rezoning is from R-3, Single-Family Residential to M-1, Light Industrial. The property is currently zoned R-3, Single-Family Residential and is located at 49630 Pontiac Trail, Wixom. The tax parcel number is 17-31-452-011.

VOTE:

MOTION CARRIED

3. **PUBLIC HEARING FOR SPECIAL USE #14-015: UPPER ECHELON FITNESS & PERFORMANCE, 28265 BECK ROAD, SUITE C-9, WIXOM, MI 48393:** The applicant is seeking special land use approval to operate a personal fitness training facility in an existing space in the Beck Business Center. The Municipal Code, Section **18.09.020**, **Table 9.02**, requires approval from the Planning Commission for this request. The property is located at 28265 Beck Road, and is zoned M-1, Light Industrial District, where commercial recreation establishments are special land uses in that district. The parcel number is 22-08-426-037.

Ms. Maise said that the applicant is proposing to utilize 1,200 square feet of the existing Beck Business Center. Mr. Avantini has written a review letter dated October 31, 2014 outlining both the relevant general and specific criteria. The applicant's proposed use meets all the criteria. The training taking place will be one-on-one with no negative impact to parking as the hours of operation should not overlap with the existing operation. The applicant plans to be open 6-10 a.m. Monday through Friday with some Saturday hours. Mr. Avantini has recommended approval.

Commissioner York noted that the Commission has seen a lot of these types of requests. He inquired whether this is the first one for this particular applicant. Ms. Maise believes it is. Commissioner York inquired where it is located in relationship to the others. Ms. Maise did not know although she said Pump It Up is the only one in that complex.

Mark Pogorzelski, 28265 Beck Road, Unit C9, Wixom. He and his wife own the business. His wife is the computer programmer. Due to the size of the suite, he wants to train one client per hour. In response to Commissioner York's question, the applicant said that it is a full-time operation and he will be operating 5 days per week. He's hoping for 5-6 hours per day. He believes the best days will be Monday through Wednesday and Friday. He will be open in the mornings. However, some of his clients have more free time during the day, likely 11 a.m. to 3-4 p.m. based on feedback from potential clients.

MOTION and second by Commissioners Lawrence and York to approve Special Use #14-015, Upper Echelon Fitness & Performance, to operate a personal fitness training facility in an existing space in the Beck Business Center. The property is located at 28265 Beck Road, and is zoned M-1, Light Industrial District, where commercial recreation establishments are special land uses in that district. The parcel number is 22-08-426-037.

VOTE:

MOTION CARRIED

4. **GPUD FINAL SITE PLAN AMENDMENT #07-976-12: MENARDS' PROPANE TANK STATION, 28955/28607 S. WIXOM ROAD, WIXOM, MI 48393:** The applicant is seeking an amendment to the approved Final GPUD Site Plan to install a propane filling station in the parking lot opposite the southeast corner of the building. The Municipal Code, Section **18.04.110**, Deviations from Approved Final GPUD Site Plan, requires approval from the Planning Commission for this request. The property is located at 28955/28607 S. Wixom Road, and is zoned GPUD, Gateway Planned Unit Development, where the retail use of the site was approved by City Council. The tax parcel numbers are 22-07-200-009 and 22-07-426-010.

Ms. Maise said this is a final site plan amendment which requires Planning Commission approval since it is located in the Gateway Planned Unit Development (GPUD). Tonight's request was not part of the initial site plan development. Mr. Avantini's November 14, 2014 review letter expresses some concerns since it would eliminate 4 parking spaces. There is also the issue of a 1,000-gallon propane tank, a canopy and a 6-foot chain link fence. The issue at hand is the location which involves prime parking spots which could impact traffic circulation. This is a high profile development on a high profile site which leads to visibility issues. He recommends denial of the applicant's request. Alternatives have been discussed.

Tom O'Neil, Menards, 5101 Menard Drive, Eau Claire, Wisconsin. He was involved in the original store approval and the GPUD site plan. This was added later as propane was not previously sold at Menards' Michigan stores. It was added to their Scio Township and Warren locations. Internal requests to change site plans are handled en masse at Menards' corporate level. This works well for Menards but perhaps not for the communities in which the stores are sited. He realizes it does not fit into the Wixom development. He would like to completely enclose it with screening material to be consistent with the material of the Menards' storefront. This would be two-tone in color. He distributed a black and white depiction of what he is proposing to the Commissioners for their review. This is for the split face block material surrounding the fueling station. It depicts the dark and light nature of the block.

In response to Commissioner York's question, the applicant said that the roof canopy is required. The color, illustration and lettering will vary. Commissioner York prefers the enclosure. He is glad that the applicant has demonstrated a willingness to do something better than a fenced enclosure. He does not like the location but has not considered alternate locations. Commissioner York inquired whether the landscaping against the building and roadway was moved north. The applicant said that originally the lumber yard was going to be adjacent. However, it was taken around to the back. Commissioner York inquired about the possibility of moving the propane tank to the lumber yard. The applicant said he does not think it would be fully utilized in that location. Commissioner York is in favor of the enclosure but does not like the location.

Commissioner Lawrence noted that the drawings provided depict the location of the propane filling area. He inquired whether that area is large enough to allow vehicles to pull in without impeding traffic in the aisles. The applicant said that it is. It is a standard size which has been approved in other municipalities. Menards' drive aisles are 60 feet on center with a 26-foot drive aisle and 20-foot parking spaces.

Commissioner Barts asked the applicant to designate the location of the Garden Center on the diagram provided to the Commissioners. It is center of the outdoor lumber area and the main area of the building. It is 600 feet away. It would be in a prominent area to recreational vehicles (RV's). This is a company-wide mandate. The positioning may be due to General RV although he would still be here tonight irrespective of General RV's presence.

Commissioner York inquired whether customers could have 20-100 lb. bottles of propane refilled by attendants. The applicant said that this is the case but during business hours only and by certified technicians. The customer would pull up and be serviced within the striped area. Commissioner Barts said that the architectural screening is a huge improvement over the fencing. It was noted that there will be trees and bushes rather than a green façade. The landscaping softens the look since it is the first thing that is visually encountered. Commissioner Carter confirmed with the applicant that customers would go into the store, place their order and then proceed to the outside to be assisted by an employee. He likes the proposed screening depicted in the drawing provided although he takes exception to the location. He believes this would be parking preferred by Menards' customers and thinks it would present issues. He suggested tabling this matter in order to allow for additional time to consider alternatives. Ms. Maise noted that if the applicant's request is denied, it would have to start from the beginning with a new application. Tabling is appropriate since the Commissioners have provided the applicant with sufficient direction. She also noted that Mr. Avantini suggested that either Pete LaMourie or another traffic consultant be utilized.

Commissioner York said that the consensus appears to be that the Commissioners are fine with the retail sale of propane and the type of use. However, they are concerned about traffic and queuing of vehicles. A potential solution might involve having the point of sale right at the dispensary. A logical alternative location would be at the northeast corner of the building and the northwest corner of the parking lot. He objects since it is a prime parking area and he can foresee a lot of vehicular confusion.

MOTION and second by Commissioners Carter and Lawrence to table GPUD Final Site Plan Amendment #07-976-12, Menards' Propane Tank Station, for an amendment to the approved Final GPUD Site Plan to install a propane filling station in the parking lot opposite the southeast corner of the building. This matter will be tabled until such time as additional discussion can be had between the City's Planning Consultant and Menards. The property is located at 28955/28607 S. Wixom Road, and is zoned GPUD, Gateway Planned Unit Development, where the retail use of the site was approved by City Council. The tax parcel numbers are 22-07-200-009 and 22-07-426-010.

VOTE:

MOTION CARRIED

5. AMENDMENT 2015 PLANNING COMMISSION MEETING DATES

Acting Chairman Lupinacci noted that the only meeting date which was changed was from Monday, July 6, 2015 to Wednesday, July 8, 2015, due to the Fourth of July holiday.

MOTION and second by Commissioners York and Carter to approve the proposed amendment to the 2015 Planning Commission meeting dates.

VOTE:

MOTION CARRIED

Call to the Public:

None.

Staff Comments:

None.

Commission Comments:

None.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:28 p.m.

Nancy Fisher
Recording Secretary