

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
WEDNESDAY, AUGUST 3, 2022**

**APPROVED
AUGUST 22, 2022**

This 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 (Vice Chairman), Sandro Grossi, Anthony Lawrence, Cheryl Tacy

ABSENT: Excused: Cousineau, Lada

OTHERS: Kelly McIntyre (CIB Planning); Drew Benson, Assistant City Manager & Director of Economic Development; and Mona Freiburger (Recording Secretary)

Determination of a Quorum:

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

Changes or Additions to the Agenda:

No changes to agenda.

Approval of Minutes:

MOTION made and seconded by Commissioner Lawrence and Vice Chair Carter to approve the July 25, 2022, Planning Commission Meeting Minutes, as submitted.

VOTE:

MOTION CARRIED

Correspondence:

July 26, 2022 City Manager Update

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

No public comments.

Old Business:

None

New Business:

1. **PUBLIC HEARING FOR SPECIAL LAND USE SLU#22-005: 29830 BECK, WIXOM, MI 48393:** The applicant is seeking a special land use permit from Section 18.09.040. (G) Standards applicable to specific uses, Major Automotive Repair, to permit operation of an automobile repair facility. The property is zoned M-1, Light Industrial and the parcel number is 22-04-351-008.

Discussion:

The applicant is seeking Special Land Use approval for SLU#22-005, 29830 Beck Road, for an automotive repair facility. The property is located north of West Road on the east side of Beck Road abutting the railroad in the rear. The property is zoned M-1, Light Industrial and it abuts property that is zoned M-1. The parcel number is 22-04-351-008.

CIB completed their review of the above special land use request for an automotive repair facility at 29830 Beck Road. The property is located north of West Road on the east side of Beck Road abutting the railroad in the rear. The automobile repair facility will occupy the front portion of the 21,800 square foot existing building. The property is zoned M-1, Light Industrial, and it abuts property that is zoned M-1. Major automotive repair businesses, such as engine repair, rebuilding or reconditioning of motor vehicles and collision services are considered special land uses in the M-1, Light Industrial District.

The opinions of CIB's review outlined in their letter to the Planning Commission dated July 26, 2022 are based on a review of the special land use application submitted by the applicant and conformance to City plans and ordinance standards. In making a decision on this request, the Planning Commission should apply appropriate standards in consideration of CIB's review, additional comments from the applicant, and relevant factual new information presented at the public hearing. The applicant and their design professionals shall be responsible for the accuracy and validity of information presented with the application.

The Special Land Use - General Conditions: The applicant must demonstrate in writing that the proposed use or activity shall meet the general standards of Section 18.18.050

of the Zoning Ordinance: 1. Be compatible and in accordance with the goals, objectives and policies of the City of Wixom Master Plan; 2. Promote the intent of the zoning district in which the use is proposed; 3. Be constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed; 4. Be served adequately by public facilities and services, such as traffic operations along street, police and fire protection, drainage structures, water and sewage facilities and primary and secondary schools; 5. Not involve uses, activities, processes, materials and equipment or conditions of operation that, in comparison to permitted uses in the district, will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance. The applicant is in compliance with the Special Land Use - General Conditions.

In addition to the general standards above, the applicant also must demonstrate that the proposed use or activity shall meet the specific standards of Section 18.06.040(G), Major Automotive Repair of the Zoning Ordinance as follows for the automotive repair business: 1. Outdoor storage of parts or materials shall be prohibited; Finding: The floor plan must be updated with more detail including where supplies, parts including tires, and materials are stored. 2. Vehicles shall not be allowed to be stored outside the building for more than forty-eight hours unless awaiting repair for which a work order, signed by the owner of the vehicle, is posted in the vehicles, so as to be visible from the outside the vehicle; Finding: The area to be used for vehicle storage shall be more clearly shown and noted on the site plan. 3. Areas for off-street parking required for customer use shall not be utilized for the storage of vehicles awaiting repair; while standard is met, the site plan must be updated for verification. 4. All vehicle servicing or repair shall be conducted within an enclosed building; this is a condition of any special land approval. 5. Suitable containers shall be provided and utilized for the disposal of used parts and such containers shall be screened from public view; this is a condition of special land use approval and must be shown on a site plan.

Based on CIB's review, CIB recommends that the special land use for Special Use SLU#22-005 for Nick's Auto Repair at 29830 Beck Road be approved subject to the following:

1. The use is limited to major auto repair and maintenance (engine replacement, transmissions, timing chains, valves, gaskets, etc.); the addition of the sale of vehicles will require an amendment to the special land use;
2. Any auto recycling or sale of auto parts is prohibited;
3. Outdoor storage of parts or materials shall be prohibited;

4. All vehicle repairs shall be conducted within the enclosed building;
5. Used tire storage shall be limited to 25 tires and all tires shall be stored inside the building;
6. A license from the State of Michigan must be provided; and
7. A revised site plan must be submitted for administrative review.

Mr. Nikolin Malaj, applicant, 29830 Beck Road, Wixom, MI, Nick's Auto Repair, introduced himself to the Commission. Mr. Malaj stated he was there to answer any questions and he had no issues with the conditions in the application.

Chairman Day stated there were no issues with the conditions suggested, the request was straightforward, doesn't pose any problems to the neighboring businesses and there doesn't appear to be any health or safety issues.

No public comments.

MOTION made and seconded by Vice Chair Carter and Commissioner Tacy to approve **SPECIAL LAND USE SLU#22-005: 29830 BECK, WIXOM, MI 48393**: The applicant is seeking a special land use permit from Section 18.09.040. (G) Standards applicable to specific uses, Major Automotive Repair, to permit operation of an automobile repair facility. The property is zoned M-1, Light Industrial and the parcel number is 22-04-351-008; with the following conditions:

1. The use is limited to major auto repair and maintenance (engine replacement, transmissions, timing chains, valves, gaskets, etc.); the addition of the sale of vehicles will require an amendment to the special land use;
2. Any auto recycling or sale of auto parts is prohibited;
3. Outdoor storage of parts or materials shall be prohibited;
4. All vehicle repairs shall be conducted within the enclosed building.

VOTE: MOTION CARRIED

2. **SITE PLAN REVIEW SPR#30-019-18: THE LEARNING CENTER, 1725 N. WIXOM ROAD, WIXOM, MI 48393:** Site plan for a 10,000 square foot daycare facility for The Learning Center. The property is located at the northwest corner of N. Wixom Road and Charms Road and is part of the Stonegate Village PUD. Along with the new building, a 6,367 square foot outdoor play area, 35 parking spaces, a dumpster, lighting and landscaping are proposed. Access to the site will be from a new driveway along Charms Road. The property is zoned R-2/PUD, One Family Residential/Planned Unit Development Overlay where daycare centers are permitted under Consent Agreement for this site. The parcel number is 17-30-200-018.

Discussion:

The applicant received site plan approval in January, 2019 and an administrative façade approval in May, 2020, for a 10,000 square foot daycare facility for The Learning Center. The property is located at the northwest corner of N. Wixom Road and Charms Road and is part of the Stonegate Village PUD. .

Per Section 18.17.080 - Validity of approved site plan, site plan approval is valid for a period of one year from the date of Planning Commission approval. As the site plan has expired, the applicant is seeking to renew the approval. The site plans have not changed since the January, 2019 and May, 2020 approvals.

On April 17, 2019, the Planning Commission reviewed and approved the site plan for The Learning Center. Elevations were not presented at that time, but are now being reviewed administratively for compliance with the Consent Judgment dated January 24, 2017 between Wixom Ventures LLC and the City of Wixom. The Consent Judgment specifies uses allowed on "Parcel B," known as 1725 N. Wixom Road and standards for development including architecture.

CIB's review comments regarding the materials, and architecture are listed in their letter dated May 15, 2020. A ground sign and wall sign are shown on the submitted site plan, however, are not being reviewed as part of the letter. A separate sign application should be submitted to the City for review and approval.

Ms. McIntyre commented the applicant, Chris Buell, was not in attendance tonight. Mr. Buell lives in Texas, he had to have surgery last week and is not permitted to fly. Ms. McIntyre indicated if the Commission had any questions for him or if they were not comfortable without him in attendance, the request could be tabled. Ms. McIntyre thought

because of the nature of the request, the request could be brought forward to the Commission.

Ms. McIntyre indicated if this has been brought up within a year of the originally being approved, which would have been in April, 2020, an extension could have been done. The situation here is that there is a site plan that was approved in April, 2019. The Learning Center is part of the Stonegate consent judgment which permitted a 10,000 square foot daycare at North Wixom and Charms Roads. The consent judgment is very specific about materials and architectural design. Due to COVID and other related delays, the site plan, essentially, expired. The plans have not changed nor have any ordinance provisions changed that would necessitate the applicant to revise the site plan. The site plans have been submitted for CIB and the Commission to review. At this time, CIB does not have any issues because the plans are exactly as was approved. In the architectural plans, it is a nice building, and all brick.

Based on the information provided above and CIB's review of the submitted site plan, CIB recommends site plan approval for SPR#30-019-18 for The Learning Center for a 10,000 square foot daycare facility conditioned upon the following:

1. Planning Commission approval of one additional parking space above and beyond the Ordinance maximum;
2. A waiver for the dumpster location;
3. A landscape waiver for the elimination of two canopy trees and three bushes; and
4. Review and approval from other applicable consultants, departments and agencies.

Chairman Day commented on the page of elevations, it appeared the north and south elevations were reversed, along with the west and east elevations also reversed. The south elevation would face Charms Road.

Commissioner Tacy indicated the consent judgment governed a lot of the design, but does it have an aversion of windows? She commented for a daycare center with children, it seemed more like a fortress. Ms. McIntyre indicated she did not know but this design is consistent with child care centers.

Commissioner Tacy commented there weren't any skylights either, and yes, if somebody wanted to cause harm, we would want to protect the children but the building is not aesthetically pleasing in terms of architecture. Commissioner Tacy indicated she was disappointed in the appearance of the building, and she would like to see more windows.

Commissioner Tacy also inquired about the traffic, if there has been a significant increase or decrease in traffic. Charms Road during the school year with buses and parents picking up and dropping off children is busy, twice a day. Ms. McIntyre commented they did ask for additional information in 2019 which they did provide to us. There were not any number of trips that would initiate or make the path to do any other transportation access modifications.

Commissioner Tacy asked how many cars can be accommodated stacking in the parking lot for parents queuing up to drop off or pickup children. She stated she was concerned with the spillage of vehicles onto Charms Road and creating traffic problems. Ms. McIntyre answered there are 14 spaces for stacking but there is parking. The parents cannot drop off the children, they are required to park, physically, and take the children into the child care center.

Commissioner Lawrence indicated when this request was originally approved, there was a lot of discussion about traffic and the anticipated drop-off cycle which would coincide with the start of school from 7:00 a.m. to 8:00 a.m. Ms. McIntyre indicated the traffic study did not yield a problem.

Assistant City Manager Benson commented part of the reason not to have a second entrance was being able to make the left onto Wixom Road would be complicated to do from its own private access compared to coming off of Charms Road. Also, given the size of the site, in order to meet the amount of parking, it would cause a parking concern to add the extra access point and how it would relate to the one way circulation that they have onsite.

Vice Chairman Carter inquired if the Commission did not like the traffic situation, if there was any recourse. Ms. McIntyre indicated unless they are able to demonstrate that traffic has changed, a traffic revision is not warranted. To determine this a traffic study would be required.. Ms. McIntyre commented she would have concerns asking the applicant to redesign the site unless there is a noted change in traffic volumes and patterns since the approval 2.5 years ago.

Assistant Manager Benson commented, from the conversation with the Road Commission, even with the new development, the Road Commission is not actively pursuing expanding that section of Wixom Road. The traffic counts are not to the point of them being concerned about it from that perspective. With that in mind, we could, certainly, pursue the issue, but we don't know that justification would be there. The preference is to use the side streets to better manage how traffic gets on and off, so people do not have to slow down to into a site; they would make the right turn at the light.

Chairman Day commented he would like to see some improvement on the architectural details to make it more attractive and less fortress looking. This is the first time the Commission had seen the renderings. Specifically, it could include more windows if the interior design allowed and architectural details, at least on the Charms and Wixom Road sides of the building.

MOTION made and seconded by Commissioner Lawrence and Commissioner Grossi to table **SITE PLAN REVIEW SPR#30-019-18: THE LEARNING CENTER, 1725 N. WIXOM ROAD, WIXOM, MI 48393**

VOTE:

MOTION CARRIED

Call to the Public:

No public comments.

Staff Comments:

Assistant City Manager Benson stated he had mentioned a few meetings ago that there are an increasing number of mini storage requests and submissions. He wanted to bring this up for discussion. It may be time for the City to consider, based on the Commission's discretion, a temporary moratorium on storage units in order to give the City time to look at the ordinance and to evaluate whether there is a need for those particular types of buildings. This would not take effect on the particular application that is in the pipeline, nor is that necessarily the intent. Ms. McIntyre indicated the Commission would have a discussion regarding this issue, and have a resolution to take to City Council. There is some timing involved. Assistant City Manager Benson commented this is more in the longer range in that if the City should have some concerns. The concern is the requests come through, get approved and built, then a few years later realize that the market doesn't support as many as there are. Chairman Day indicated the idea of a moratorium is a good one and to see how the Commission can pursue this.

Assistant City Manager Benson indicated they would do more work and try to get back a resolution for the Commission's consideration, and also get more information on the statistics of what is currently in Wixom.

Assistant City Manager Benson commented in reference to Nick's Auto Repair special land use that was approved tonight, it is the former NLB building, who had the 70,000 square foot building to the north; Nick's Auto to the south is the 20,000 square foot building. Assistant City Manager Benson was excited to announce that both units there have been filled. There is a new tenant, Remora Carbon, that will be taking over the 70,000 square foot unit.

Commission Comments:

Commissioner Lawrence commented when he left for tonight's meeting at 7:15 p.m., his trash had not been picked up yet, nor the recycle bin; yard waste had been picked up. Commissioner Lawrence stated he was willing to be patient and give the new company, GFL, a chance. Commissioner Lawrence indicated he did not think GFL has the manpower or the truck to handle the job. Another issue is that the trucks go down the street at 40 mph where children and elderly people live with no sidewalks. Commissioner Lawrence commented he was more than frustrated with the garbage pickup and he gave out the manager's and DPW's phone numbers in his newsletter. Assistant City Manager Benson stated he was aware there are a variety of problems. There are a rotating set of issues. Assistant City Manager Benson encouraged everyone to continue to let DPW know as well as sending those complaints directly to GFL. Assistant City Manager Benson appreciated Commissioner Lawrence voicing those concerns tonight and to continue to do so; for GFL to be accountable for the work that they have promised to do and being paid to do.

Commissioner Tacy commented regarding the VCA Ordinance, the roads and helping to utilize the road needs; she asked when they would be prepared to come back to the Commission. Assistant City Manager Benson indicated they will be bringing in a new GIS vendor for City Council's approval at their next meeting. At that time, they will have a better capability with designing the maps and bring this together.

Commissioner Grossi inquired about the Tribar Technologies' Wixom plant discharge of chromium that threatens the Huron River system. Assistant City Manager Benson indicated there will be more information coming out from the City on this issue, shortly. He did not know all of the details. There is still a lot of understanding of what the overall impact and implications are related to the spill. There will be a public meeting and there will be more information available from the City's perspective after the City has all of the relative information and receive all of the tests back from EGLE.

ADJOURNMENT:

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

Mona Freiburger
Recording Secretary