

**PLANNING COMMISSION MEETING
CITY OF WIXOM
49045 PONTIAC TRAIL
MONDAY, FEBRUARY 6, 2006 - 7:30 PM**

Chairman Day called the meeting to order at 7:32 pm.

The Pledge to the Flag was given.

PRESENT:

Phillip Carter
Jim Crowley
William Day, Chairman
Kurt Gottschall
John Lee
Guy York

CITY CONSULTANT:

Brad Strader, LSL

CITY STAFF:

John R. Lipchik, Building Official

RECORDING SECRETARY:

Anna Rottermond, Deputy City Clerk

ABSENT:

Patrick Fitzpatrick (excused)
James Maher (excused)
Cheryl Tacy (excused)

There being a quorum, the meeting was declared in session.

APPROVAL OF MINUTES:

January 3, 2006 Regular Meeting

Mr. York commented on page 4, in the second paragraph, the second to the last line accurately records what was stated at the meeting; but he wondered if we should make an editorial comment because the last line ends stating "because the speed limit through there is actually 25 miles and hour." He remarked that the speed limit is actually 40 miles an hour south of Pontiac Trail on Beck Road' and while the minutes accurately reflect what was stated, what was stated was incorrect. He wanted to know if the comments to the City of Novi should reflect that or not, but that is the case.

He also noted that on page 4, in the sixth paragraph down, under Mr. Carter's comments, the sentence should read "He wanted to know *if* she could point out where that pole is" instead of "He wanted to know *is* she could point out where that pole is."

MOTION and second by Mr. Gottschall and Mr. Carter to accept the minutes from the January 3, 2006 Regular Meeting with the changes as noted.

VOTE:

MOTION CARRIED

January 23, 2006 Workshop Meeting

Mr. Carter wanted to make a correction on page 2, the second paragraph. He believes the two sentences are reversed. Originally it was believed read to be "The perimeter foundations as set out in the perimeter foundation requirements as described in Section 18.16.40 B." and his recommendation was to change it to something that made more sense which was "Structures intended for use during three or four seasons of

the year are also subject to perimeter foundations as set out in Section 18.16.40 B.” He wanted the last two sentences exchanged in the minutes.

Mr. York remarked that he was unable to be present at that meeting, and he found it difficult to follow what was happening on page 15. If you back up from that page to page 8 it was the discussion on the signage at the Buttercream Bakeshop. They go on for a number of pages of discussion regarding that sign discussion until the end where nothing happens. He wanted to know if that was accurate, and there wasn't a motion.

Mr. Lee replied that what the Commission found is that there wasn't a requirement for the variance for what the applicant was requesting because it had been applied for under a section of the ordinance that they didn't think was appropriate, and when applying the correct ordinance language she didn't need to come before the Commission.

MOTION and second by Mr. Gottschall and Mr. York to accept the minutes from the January 23, 2006 Workshop Meeting with the noted changes.

VOTE:

MOTION CARRIED

CORRESPONDENCE:

Patrick Fitzpatrick's appointment to the Planning Commission

Mr. Day stated he was hoping he would be able to welcome Mr. Fitzpatrick to the Commission tonight, but unfortunately he was unable to attend due to an unfortunate death in his family. He indicated he is happy to have a full compliment of Planning Commissioners which is a first in a long time.

CALL TO THE PUBLIC:

Recording Secretary, Anna Rottermond, read the Rules of Conduct.

CONSENT AGENDA:

There were not Consent Agenda items on this agenda.

TABLED MOTIONS:

There were no Tabled Motion items on this agenda.

UNFINISHED BUSINESS:

There were no Unfinished Business items on the agenda.

NEW BUSINESS:

PUBLIC HEARING FOR SPECIAL USE #06-001: COMMUNITY EMS, 25400 EIGHT MILE ROAD, SOUTHFIELD, MI 48034:

The applicant is seeking special use approval to operate an ambulance service without sleeping quarters within a Light Industrial District. The Wixom Municipal Code, Section 18.64.030 J requires special use approval from the Planning Commission for this request. The property is located at 28317 Beck Road, Suite E-11 and zoned M-1, Light Industrial. The tax parcel number is 22-08-426-032.

Brad Strader, LSL, indicated he was here pinch-hitting for Carmine Avantini and explained this is a proposed EMS facility within 1,320 square feet in the middle of the existing Beck Business Center building. The construction of the site is still under construction, but the proposed use would be in the center of the building. In the north/front there would be a pedestrian entrance, and in the back there would be an overhead door. The proposal is for an EMS facility that would have 12 hour shifts. It is not intended for overnight or more permanent living quarters. They would have one EMS vehicle available

on site when it isn't on patrol or roaming. There would only be two employees on this site. The reason why this is treated as a special land use in the M-1 district is because this type of EMS facility is unique, and it's not specifically addressed in the zoning ordinance. There is a provision in the zoning ordinance which allows the Commission upon a review to treat certain uses as some of the other uses that are permitted in the M-1 district. In the past this City has done the same thing with another very similar EMS type facility. The City held a public hearing and found that it is compatible and consistent with other M-1 uses. He stated they have reviewed the material and the brief operations explanation that the applicant has provided, and they believe this use is consistent with the M-1 district and is also consistent with other uses in this district.

Mr. Strader recommended approval with some conditions noted on page 3 of their review letter:

- 1.) The use approval is for 1,320 square feet of the building only. Use of any additional space will require a new special use approval from the Planning Commission.
- 2.) The use approval is limited to one EMS vehicle being parked or stored on the site, within the building.
- 3.) The approval will allow up to two employees who may utilize a portion of the building for on-site temporary living quarters (12-hour shifts).
- 4.) The operations of the use will average approximately three service runs a day, most of a non-emergency nature. If the operations increase beyond this, the special use must be re-reviewed for determination of any negative impacts on the business park.
- 5.) The EMS vehicle shall utilize the south driveway only so as to avoid conflict with the commercial uses at the front of the development.
- 6.) No repair or maintenance is permitted on site. Storage uses must be contained inside the building.

Mark Milbrath, Support Service Manager, Community EMS, 25400 West Eight Mile Road, Southfield, MI, 48034, stated the Consultant pretty much summed up exactly what the intent is with the facility in Wixom. They're looking for a central location in the areas they service and the communities here (Walled Lake, Commerce, Novi, Providence Park and Wixom). It will be a place where their crews can switch shifts and relieve the other crew. They will have two paramedics on the ambulance, and they will basically do runs and work orders there for their runs. Some EMS supplies will be stored on site like bandages and so forth so they can leave the vehicles on site and in the cities they service here without having to take them to Southfield and take them out of service to move locations.

Mr. Carter wanted to verify that the ambulance will be kept indoors, and Mr. Milbrath agreed. Mr. Carter then asked if the ambulance will stay there most of the day and wait for calls or if it will be out most of the day.

Mr. Milbrath answered that they consider that a sub-station and they will go there and switch shifts. They run about seven vehicles in the west side Novi area. If there are no calls holding they would be at their quarters. If the Commerce car (per se) goes out then the Novi car would go to Post 63 (Twelve Oaks Mall), and it would cover both cities sitting on a street corner. The only time the crew would be in the quarters is if they had absolutely no runs in this area. The time they will spend in the station will be minimal because of the volume of work with Providence Park, Huron Valley, Commerce, Walled Lake; and they back up the Wixom Fire Department at times.

Mr. Carter asked if they will just shift around to keep coverage, and Mr. Milbrath agreed.

Chairman Day questioned in terms of averaging three runs a day if that is three runs from the facility or three runs total.

Mr. Milbrath responded that is hard to predict because they run emergency and prescheduled. The Novi car averages about three calls a day annually.

Chairman Day wanted to assure that these three calls aren't just calls where they're running from the facility but from other locations.

Mr. Milbrath answered that it could be from other posts or a street corner where they're sitting, and they would respond from there. One other thing he wanted to point out is they have an in-house policy with the crews that if they are in a facility like that the lights and sirens don't come into effect until they have hit the road.

Mr. York wanted to know if there was any particular reason why or why not the summary wouldn't repeat that there be no overnight quarters at this facility.

Mr. Strader remarked that could be made a condition, and that is how the applicant identified it. With talking to Mr. Lipchik there would be additional provisions in the building code just for the applicant's benefit. If they do put this as a permanent overnight they would have to install a firewall and some other provisions of the building codes, so it can't be a permanent place of residence.

Mr. York commented that it would make sense to add that as a bullet item in the conditions.

MOTION by Mr. Gottschall and second by Mr. Crowley to approve Special Use #06-001, Community EMS, 25400 Eight Mile Road, Southfield, MI contingent upon compliance with the reviewer comments set forth on page three of the review memo dated February 1, 2006, with the addition of verbiage to include no overnight occupancy.

VOTE:

MOTION CARRIED

SPR #04-899-06 RTO PROPERTIES, KEVIN O'CONNELL, 42400 GRAND RIVER, SUITE 111, NOVI, MI 48375: The applicant is seeking to construct an 11,200 sq. ft. multiple tenant speculative office building. The property is located at 28520 Beck Road and zoned M-1, Light Industrial. The tax parcel number is 22-04-351-016.

Mr. Strader stated the property is located on the northeast corner of Beck and West Road. There are existing buildings to the north and to the east, and the proposal is for a shared access drive. That already exists so the construction will basically begin at the midpoint of that driveway. This is a speculative office building so they don't have any information of the actual uses that would be permitted. A lot of the calculations are done based on the expected tenant mix in terms of parking and other calculations. Generally, looking through their review letter, they feel that the ordinance requirements have been met or can easily be met and confirmed administratively or by the Fire Department. There were some inconsistencies in the various plan sheets but between the engineering plan, the survey and the landscape architecture plans some changes were made, and they're consistently made throughout the drawings. He did receive some drawings tonight dated February 2, 2006 and in a quick glance it appears they have addressed many of those comments.

Mr. Strader wanted to go through the summary of their review letter and said if the Commission is comfortable with this the issues could be addressed administratively, but prior to any permits being issued or this project moving forward they need an engineering review to make sure they have a clean set of everything consistent throughout all the sheets. Some of the information or requests they made was addressed by the applicant in a letter, but the reason why they feel this needs to be shown on the plan is because in the future the plans and the letters could get separated. That is why they've requested that a lot of the information be addressed and shown clearly on the plan because when you get into enforcement or

the uses change you're not depending on recollection or the minutes but have it clearly on the plans that are in the file on what all was agreed to.

In summary, Mr. Strader made note of the following:

- 1.) The submittal of a revised plan which addresses the items noted and those of other agencies and departments. All revisions must be highlighted and an accompanying narrative corresponding to the comments noted must be included in accordance with City policy.
- 2.) A note must be included in the use stated indicating that certain uses may be considered special land uses and must be reviewed and approved by the City.
- 3.) The Beck and West Road right-of-way must be illustrated and noted on the Harley Faxon plans in addition to the front parking setbacks.
- 4.) Consistent dimensions on the parking area to the east of the building must be provided; the plan indicated 9 ft. by 18ft. spaces whereas note #12 states the spaces will be 9 ft. by 20 ft.
- 5.) The planting areas around the building must be dimensioned the same on all plans.
- 6.) The number of barrier-free parking spaces must be consistent (Faxon plan proposes 2 spaces; ECC and McKenna plans illustrate 4 spaces).
- 7.) Curbing around the perimeter of the entire proposed pavement area is required.
- 8.) The bumper blocks on the east parking area must be replaced with curbing to protect the planting area adjacent to the building.
- 9.) The City must verify that the proposed development is in compliance with any restrictions contained in the driveway easement agreement provided by the applicant.
- 10.) Verification of Fire Department approval of the resulting circulation pattern noting the impacts of the proposed development on the existing truck traffic.
- 11.) RTO must repair the gates of the waste receptacle enclosure.
- 12.) A note must be added to the plan stating that all lighting will be directed downward and away from adjacent property and the roadway.
- 13.) A note must be added to the site plan stating that no regulated or non-regulated wetlands are on the site.
- 14.) Additional plantings are required (illustrated) including one tree on Beck and West Roads respectively and one additional parking lot tree.
- 15.) Additional planting must be provided on the upper banks of the detention pond as the intersection is highly visible.
- 16.) Screening for the transformer on the north side of the building must be illustrated.
- 17.) A note must be added to the landscape plan that only living plant material is permitted in the planting areas.

Mr. Strader finalized his comments by saying there are a lot of conditions that need to be met, but they're all minor.

Kevin O'Connell, Manager, RTO Properties, LLC, 42400 Grand River, Suite 111, Novi, MI 48375 stated of all the items that were raised they have their architect, the site plan engineer, and the landscaper were all from different companies. So early on he knows there were some inconsistencies in the drawings, and every time they received review comments from the City of Wixom he contacted all three professionals and asked them to comply and make any and all adjustments. He believes in the third submission of plans they addressed all those issues in the plans themselves. He believes they do comply. He's not in the position to address all the items and anything still remaining. He has no objection with making those a condition for later permits.

In terms of the 17 items listed in the summary of the LSL letter of January 30, 2006 Chairman Day asked if he takes issue with any of them.

Mr. O'Connell answered that the only one he has concerns with is where it states curbing around the perimeter of the entire proposed pavement area. Originally on the east face of the building they were showing blocks at the end of the parking spaces. They're going to go ahead and curb that, but what they wanted to do was possibly eliminate curbing along the area of the detention basin to allow the water to flow towards the soil area and that detention basin.

Chairman Day then inquired how he felt with the easement and the parking situation that was brought up by Mr. Strader.

Mr. O'Connell replied that currently there are a number of parking spaces that they would need that are contained within the easement but a lot of those parking spaces already exist. He has spoken to both owners of those properties, and it's their property as well as theirs that share the easement. He presented the plan to them and the need for the parking spaces, and they had no problem with that and welcomed him to the neighborhood. He believes the parking space within the easement is contemplated because it's already present within that area so a number of those spaces are used.

Mr. Strader wanted to clarify that the reason they brought this up is if you look at the site plan the lot line slices through some of the parking spaces, so these parking spaces will be on two different properties. He wanted to make sure that the easement agreement is also a shared parking agreement, and all the parties that are able to use those spaces acknowledge that they are to be shared and are part of the shared access and shared parking agreement.

Mr. O'Connell then remarked at this point he has spoken to the two neighbors and the gentleman at Fortune Tool (the property to the north) indicated that to meet their parking requirements they would need the parking spaces that already exist. He asked him specifically if this would cause any problems with his parking requirements, and he indicated they wouldn't. He felt that he had ample parking and the neighbor to the east at Discraft also indicated the same.

Chairman Day then asked if that would leave sufficient parking for all the businesses to meet the ordinance, and Mr. Strader agreed that it would.

Mr. Lipchik wanted to add that originally this site was the property of Mr. Christopher Stark, and originally he proposed these three same sized buildings in 1985. He built the one building and then sold the lot to the east to a gentleman who built another building. Now this gentleman has purchased the remainder of that property so this has been looked at on a couple of occasions already.

Mr. York wanted to say even though they don't have a complete grading diagram but based on the site plan information that was furnished on drawing SP, it suggests that the lowest elevation of the pond would be 950.2 and the high point being roughly 956.4 at the sidewalk so that is going to be about six foot deep. He asked if additional engineering has been performed on the detention basin and if those depths are accurate.

Mr. Strader remarked that the detention basin exists right now, and he can't answer that. He is unaware of any further studies being done on the detention pond itself.

Mr. York wanted to know if that is an operating detention basin now, and Mr. Lipchik replied yes and added it was designed at that time and HRC looked at it. With the slopes, although he can't say where they're supposed to be for sure right now, but at the time it was built they were.

Mr. York said that site is very low in that corner, and the northern slope appears to be much more gradual than what's indicated in the plan.

Mr. Strader then mentioned if you look at the HRC letter dated January 13, 2006 they wanted confirmation of the freeboard and the high water elevation which exists versus what is shown on the plan to confirm that they're the same or to illustrate any changes. He believes this is an important issue to cover to make sure they're not impacting where the proposed trees are going or affect the ability to put the landscaping in.

Mr. York commented that on some of the landscape plans we've seen recently and a lot of the things we've asked petitioners to comply with around detention ponds by comparison to what we see here on this plan offers far more.

Mr. Gottschall inquired what the materials are on the building.

Mr. O'Connell replied that it is all brick, and it is of a mulberry color. All the materials will be of masonry materials, and the roof will be asphalt shingles.

Mr. York then questioned if the flat roof section would be for any roof top equipment; and Mr. O'Connell answered yes, that is a proposed area for roof top utilities.

MOTION by Mr. York and second by Mr. Lee to approve SPR #04-899-06 RTO Properties, Kevin O'Connell, 42400 Grand River, Suite 111, Novi, MI contingent upon meeting all (17) listed items in the letter dated January 31, 2006 from the City's Planning Consultant (LSL) and the satisfaction of all municipal parties thereto.

VOTE:

MOTION CARRIED

CALL TO THE PUBLIC:

There was no public present at this Call to the Public.

COMMISSIONER COMMENTS:

Mr. Lee thanked Mr. Strader for his attendance at tonight's meeting.

STAFF COMMENTS:

Mr. Lipchik wanted to congratulate Beth Rowe on the new addition to her family, saying she had a baby girl.

ADJOURNMENT:

The meeting was adjourned at 8:13 pm on motion by Mr. Gottschall and second by Mr. York.

Anna Rottermond
Deputy City Clerk