

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, JUNE 6, 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), Ray Cousineau, Sandro Grossi, Mark Lada, Anthony Lawrence, Cheryl Tacy

ABSENT: Excused: Phillip Carter

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:

Ms. McIntyre commented under Old Business, this was a Sign Ordinance Amendment, not VCA Ordinance Amendment.

Approval of Minutes:

MOTION made and seconded by Commissioner Lawrence and Cousineau to approve the May 23, 2022, Planning Commission Meeting Minutes, as submitted.

VOTE:

MOTION CARRIED

All in favor.
None opposed.

Correspondence:

May 24, 2022 City Manager Update

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

No public comments.

New Business:

1. TEMPORARY LAND USE #PTLU 22: 49438 PONTIAC TRAIL, WIXOM, MI 48393: The applicant is seeking a temporary land use permit to allow outdoor seating.

Discussion:

This application is a review of a temporary land use request for an outdoor seating area for Drafting Table, located at 49438 Pontiac Trail. The vacant parcel is zoned VCA, Village Center Area and located as end unit at Country Corners, on the north side of Pontiac Trail and west of Wixom Road.

Ms. McIntyre commented the ordinance was amended to include approval of temporary land uses under the purview of the Planning Commission which had previously been the ZBA's responsibility. With that, eight criteria were established for reviewing the proposal. Drafting Table proposed to continue the outdoor seating that started during the COVID period when the City permitted outdoor dining for restaurants to continue to serve customers. This was done under the City Resolution which has since expired. Drafting Table proposed to rope off and enclose an area that is approximately 1,777 square feet. Within that area, they proposed six picnic tables. The area occupies seven parking spaces and it is immediately adjacent to the front entrance of their establishment.

The temporary ordinance requires that a public hearing be held. Ms. McIntyre went over the standards which are included in CIB's letter dated June 2, 2022 to the Planning Commission. The opinions of the report were based on a review of the materials submitted by the applicant, a site visit and conformance to City plans and ordinance standards. In making the decision on this request, the Planning commission should apply appropriate standards in consideration of CIB's review. All of the standards were met by the applicant, with conditions.

CIB Planning recommends approval of the proposed temporary land use for Drafting Table Outdoor Seating, PTLU#22-001, located at 49438 Pontiac Trail, conditioned upon the following:

1. Review and approval by the Building and Fire Departments; and

2. The temporary outdoor seating is permitted for 12 months (expiration of June 6, 2023); and
3. Compliance with all applicable building, ordinance and public safety requirements.

Commissioner Lawrence inquired if there had been any pushback from the business owners which were given notice of the applicant's request. Ms. McIntyre indicated they have not received any comments.

No public comments.

MOTION made and seconded by Commissioner Lawrence and Commissioner Lada to approve the TEMPORARY LAND USE #PTLU 22: 49438 PONTIAC TRAIL, WIXOM, MI 48393: The applicant is seeking a temporary land use permit to allow outdoor seating; with the following conditions:

1. Review and approval by the Building and Fire Departments; and
2. The temporary outdoor seating is permitted for 12 months (expiration of June 6, 2023); and
3. Compliance with all applicable building, ordinance and public safety requirements.

VOTE:

MOTION CARRIED

All in favor.

None opposed.

Old Business:

1. VCA ORDINANCE AMENDMENT - Public hearing on proposed Sign Ordinance amendments.

Discussion:

The City Attorney worked with CIB Planning to draft new language for the City's Sign Ordinance. The amendments include:

- A new Purpose/Intent: The new language establishes the reasons for the regulation of signs by addressing pedestrian and vehicular safety, character and quality of life, economic development and property values, avoidance of nuisance-like conditions, property identification and way finding, protection of rights to receive and convey message and ease of administration; and
- Added definitions of signs;
- Addition of Section 18.16.020 Design Standards in all Districts which includes construction standards, illumination, and sign measurement; and
- Section 18.16.070 Additional Sign Standards (in the VCA).

Ms. McIntyre stated there was a discussion of the proposed sign ordinance amendments. CIB, the City attorneys and the planners reviewed the sign ordinance and revised it, so that it was content neutral. When looking at the sign, the Planning Commission can only evaluate the size, the location, the materials and placement of the signs; not the content of the sign. Additional language was included for the purpose and intent. Also, additional definitions with graphics, and design standards in all districts were included with the construction standards.

Commissioner Lawrence commented Pages 16 through 29 were not enumerated. Ms. McIntyre indicated the numbers would be included.

Chairman Day asked how holiday lights fit into the ordinance for businesses. Ms. McIntyre indicated they have not addressed the holiday lights. The lights are not allowed along the outline of your building. The interpretation is not under the sign ordinance but if the Planning Commission would like to entertain this, this could be done; although it usually comes down to the design standards. Yes, the lights could be a hazard or distracting to drivers, but code enforcement would be able to address this issue.

Commissioner Tacy indicated she had a question regarding mixed use areas on page 23, where non-glare, shield of lighting and bare bulb illumination is addressed. If there is a situation in a mixed use area where there are apartments above the commercial business, Commissioner Tacy asked if there are standards such that the residents can reasonably expect; even though they are in a commercial area, that the light is not shining in their window and signage could not be mounted in such a way that it disturbs the upper unit. Assistant City Manager Benson commented there is a reference on page 13 for non-glare shielded lighting which there is a requirement to shield but also offers us the opportunity to evaluate the situation. Chairman Day indicated this would be covered under Section 3 at the top of the page which refers to non-glare hazardous to pedestrians, motorists or adjacent residential uses. As far as placement, if it is mixed use, Ms. McIntyre indicated a reference could be added to restrict the placement to be over the actual commercial establishment, in conjunction with having the cutoff lights.

No public comments.

MOTION made and seconded by Commissioner Tacy and Commissioner Lawrence to recommend approval to City Council Chapter 18.16.00, Signs with the recommendation of the additional language to be included of the items discussed regarding the second floor lighting; and the changes below:

- A new Purpose/Intent: The new language establishes the reasons for the regulation of signs by addressing pedestrian and vehicular safety, character and quality of life, economic development and property values, avoidance of nuisance-like conditions, property identification and way finding, protection of rights to receive and convey message and ease of administration; and
- Added definitions of signs;
- Addition of Section 18.16.020 Design Standards in all Districts which includes construction standards, illumination, and sign measurement; and
- Section 18.16.070 Additional Sign Standards (in the VCA).

VOTE:

MOTION CARRIED

All in favor.

None opposed.

Call to the Public:

Mr. Aaron Rzeznik thanked the Planning Commission for approving the Temporary Land Use permit, to allow outdoor seating located at 49438 Pontiac Trail, Wixom, MI

Staff Comments:

Assistant City Manager Benson updated the Commissioners about the planning services bids. The process is under way. There have been two bids submitted; one from CIB Planning to continue providing services and the other bid from Carlisle Wortman and Associates. City administration has reviewed those bids and found them to be completed and warranting further consideration to move forward. At the last meeting, there was an inclination that the Planning Commissioners would like the opportunity to be able to ask some questions to the perspective consultants.

Assistant City Manager Benson indicated one of the challenges found thus far is scheduling. He asked on what level of flexibility the Planning Commissioners may have for facilitating interviews with two different groups at the same time. The

Commissioners indicated they were flexible, dependent upon the day and time, and given advance notice.

Assistant City Manager Benson indicated a meeting during the day could be an option, and he was trying to get some parameters to put together dates, times, etc., that would work for all parties involved. He also indicated that an ideal scenario, with the holidays coming up and vacations, July may be an opportunity for a meeting. Assistant City Manager Benson commented he would be sending additional communication.

Commission Comments:

Chairman Day inquired if there was any new information on the occupants of the buildings in Assembly Park. Assistant City Manager Benson indicated Renaissance Global Logistics would be the tenant for Building A. Building B, he believed, is also fully signed; and there have been significant conversations for Buildings C and D, but he did not believe anyone has signed for those buildings.

Renaissance Global Logistics is, essentially, warehousing and distribution of supplies. Based on the traffic study they have submitted, there would be approximately 60 employees for Building A; approximately 30 for Building B. The traffic study for Building A has not been completed yet. The process is still underway in terms of, if they will trigger the thresholds to require additional traffic improvements included in the development agreement. They have been reminded that the City is watching every move in the sense to keep them honest. Renaissance Global has indicated there should be 40 trips a day total over the course from 8 a.m. to 8 p.m. range. They have not had a direct conversation with the actual business owners on how they would be using the space, although what they have been told through the real estate agents and through the property owners. This would be automotive related, moving parts to where they need to be in order to build cars.

Commissioner Lada commented every time he drives by this location after it rains, where it meets West Road, it is flooded. Assistant City Manager Benson indicated as a part of the final site inspections, they will have to ensure the proper drainage, etc. He indicated he would look into this situation and where the water should be draining.

Chairman Day inquired how much longer southbound Wixom is going to be down to one lane. Assistant City Manager Benson indicated he did not know the exact timing but the total project should be significantly completed by the end of summer and completely done by November. The traffic would not be shut down the entire time. Assistant City Manager Benson commented he would follow up with an email after the meeting. There is a construction schedule shared with business owners in the community.

Commissioner Grossi inquired about 29710 Wixom Road, the car dealership, and if there has been any progress as the area looks dismal. Ms. McIntyre indicated they were driving around the parking lot today. The applicant has since submitted site plans for the actual site; the site plans were reviewed and revisions need to be made. The parking lot would have to be redone.

Commissioner Grossi indicated the gazebo has been torn down and if the gazebo was going to be rebuilt. Assistant City Manager Benson indicated there would not be a gazebo but there will be a new structure built. The intention is to be more pedestrian friendly, more inviting, but it will not be a gazebo. It will be at the Mack Park location.

Assistant City Manager Benson commented the Air Line Trail will go all the way around Mack Park, about ten feet south of the school property. This is where it will connect to the current Air Line Trail. The long term intention, with the City owning the majority of that property, is to have the property developed in the future. Parking will be a big consideration to allow people to be able to access the trail head location and make it a more functional space.

Commissioner Lada inquired about Biggby Coffee which was to be located in the Meijer parking lot. Ms. McIntyre indicated there is no story to tell; they are silent at this point. The original franchisee that appeared before the Commission is no longer involved. B-Cubed is still interested in the site and trying to find a new franchisee to take over the site plan. There is a dumpster issue, where they did not include a dumpster on the plan. It was not in a good location and it would have to come back to the Commission.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:05 p.m.

Mona Freiburger
Recording Secretary