

APPROVED
NOVEMBER 28, 2022

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
WEDNESDAY, NOVEMBER 9, 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, Mark Lada, Cheryl Tacy

ABSENT: Excused: Ray Cousineau, Anthony Lawrence

OTHERS: Douglas Lewan (Carlisle Wortman Associates, Planning Consultant); 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.

Approval of Minutes:

MOTION made and seconded by Vice Chair Carter and Commissioner Tacy to approve the October 17, 2022, and October 24, 2022, Planning Commission Meeting Minutes, as submitted.

VOTE:

MOTION CARRIED

All in favor.
Motion passes.

Correspondence:

October 25, 2022 City Manager Update

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

No public comments.

Old Business:

None

New Business:

1. **PUBLIC HEARING/SPECIAL LAND USE REVIEW SLU#22-009 AUTO SALES, 50160 PONTIAC TRAIL, UNIT 6, WIXOM, MI 48393:** The applicant is requesting special land use approval for auto sales to occupy an existing tenant space located at 50160 Pontiac Trail, Unit 6. The unit is to be used for auto sales. The site is currently developed as a multi-tenant industrial facility. The site is zoned M-1, Light Industrial which allows for auto sales as a special land use. The parcel number is 17-31-452-001.

Discussion:

The applicant is requesting special land use approval for an auto sale use to occupy the existing tenant space located at 50160 Pontiac Trail, Unit 6. The applicant notes they plan to utilize this location for used car sales. The applicant will be applying to the State of Michigan for a Class B dealership license which allows the buying and selling of used cars. The applicant further states the property will not be modified and will operate more as a vehicle prep and storage for online sales. The applicant indicates two employees will be working onsite between the hours of 9 a.m. to 6 p.m., Monday through Friday and 8 a.m. to 1 p.m. on Saturdays. The site is currently developed as a multi-tenant industrial facility. The site is zoned M-1, Light Industrial which allows for auto sales as a special land use.

Mr. Lewan indicated automobile sales are a special land use in the M-1 Industrial District. The applicant is requesting special land use approval. The Planning Commission does have some ability to place additional conditions on the approval as opposed to a permitted use by right. The Planning Commission has the ability to place conditions to make sure that the use is conforming to the area, does not disturb the neighbors and meets the character of this part of the City.

All of the conditions set forth would have to be addressed prior to this use moving forward. Carlisle Wortman Associates submitted their review to the Planning Commission dated November 1, 2022, with the Special Land Use Standards, which is included in the packet.

Recommendation by Planning Consultant:

Based upon the information provided by the applicant and the comments of this analysis, Carlisle Wortman Associates recommends approval of the special land use request for 50160 Pontiac Trail, Unit 6 - Auto Sales with the following conditions:

1. The limitation of the use of the building as described in the special land use application including vehicular storage and sales, with no repair of vehicles;
2. Confirmation of internal changes to the unit based on the floor plan submitted and appropriate review of the City Building Official as required;
3. Improvements and modifications as determined by the Building and Fire Departments; and
4. Review and approval of other departments, consultants, and agencies.

Chair Day inquired if there would be outdoor storage or use of the parking area as a showplace for vehicles. Mr. Lewan indicated the applicant's written application indicates everything would be indoors. There would be no outdoor storage. The applicant can also address this concern. No outdoor storage or use of the parking area as a showplace of vehicles could also be set as a condition.

Mr. Lewan commented special land use request is similar to the one that came before the Planning Commission within the last few weeks. This is not a traditional used or new car sales lot.

Mr. Jacob McLeod, 50640 Pontiac Trail, Unit 6, Wixom, MI. The space would be used to help meet the Michigan State requirements for a dealership license as far as space, appropriate signage, appropriate indoor space and outside space for customer parking. Sales are mostly done e-commerce but also could be serving the local community, as well. The majority of the sales would be online.

Chair Day inquired how much inventory the applicant figures they would have for inside the space. Mr. McLeod answered approximately ten units, and also to accommodate the Michigan State requirement for 150 square feet for office space. In circumstances where inventory would exceed ten units, it would be such as a timing issue with transport, etc. Vehicles would be located in their partner shop for repairs, reconditioning, etc. The Michigan State requirement is to have a shop within ten miles that would, essentially, be a partner where a shop agrees to repair cars. Any cars sold

out of state would be hauled out. Cars would be purchased from auction and/or online from out of State, or from local auctions and/or individuals.

Vice Chair Carter inquired if the applicant would have any exception that would include a specific prohibition of storing any kind of vehicles outside. Mr. McLeod answered he would have no opposition to this request.

No public comments.

MOTION made by Commissioner Lada and second by Vice Chair Carter to approve **SPECIAL LAND USE SLU#22-009 AUTO SALES, 50160 PONTIAC TRAIL, UNIT 6, WIXOM, MI 48393**: The applicant is requesting special land use approval for auto sales to occupy an existing tenant space located at 50160 Pontiac Trail, Unit 6. The unit is to be used for auto sales. The site is currently developed as a multi-tenant industrial facility. The site is zoned M-1, Light Industrial which allows for auto sales as a special land use. The parcel number is 17-31-452-001; with the following conditions:

1. The limitation of the use of the building as described in the special land use application including vehicular storage and sales, with no repair of vehicles;
2. No external storage of vehicles;
3. Confirmation of internal changes to the unit based on the floor plan submitted and appropriate review of the City Building Officials, as required;
4. Improvements and modifications as determined by the Building and Fire Departments; and
5. Review and approval of other departments, consultants, and agencies, as needed.

VOTE:

MOTION CARRIED

All in favor.
Motion passes.

2. **APPROVAL OF 2023 PLANNING COMMISSION MEETING DATES**

Commissioner Lada questioned if there was a historical reason why the Planning Commission meets on the 1st and 4th Monday of the month. It ends up often that there are meetings back to back weeks with no time for turnover. Assistant City Manager Benson indicated he did not think there was any legal reason or an ordinance for the Planning Commission to meet on those dates. Assistant City Manager Benson indicated if the Commission would like to change the meeting dates to the first and third Mondays of the month, he could do a background research to confirm that there is no problem and bring back a schedule to the Commission to reflect the new dates.

Call to the Public:

No public comments.

Staff and Commission Comments:

Assistant City Manager Benson indicated they have been working on the VCA Ordinance updates and they are preparing for a public hearing for the Planning Commission to be held on November 28, 2022. There was an interest to move this forward as quickly as possible.

Assistant City Manager Benson commented he would like to have a short conversation with the Commission to make sure that they are all on the same page; given that dividing the VCA district into multiple sub-areas would, essentially, constitute a rezoning, but they are not legally required to notify all of the property owners given that it is more than eleven contiguous parcels. However, they feel it is appropriate to do that notification.

Commissioner Tacy indicated the information sent in the City Council's packet, there were new names in the memorandum. Commissioner Tacy commented she would have liked to see the information sent to the Planning Commission as well, so if there were any questions, she would have had the answers. Assistant City Manager Benson apologized and he indicated he should have put together a memorandum for the Planning Commission as well.

Mr. Lewan commented as far as the public hearing, there is no decision that has to be made. Chair Day indicated the Commission did not know the public input and their input may change their thinking or change how they would like to handle a situation.

Assistant City Manager Benson commented there have been a couple of new site plan submissions, but he was not sure if they would make it for the November 28th meeting. There has not been a recent submission for The Learning Center yet.

Commissioner Tacy inquired if there has been any interest in the vacant spec build that was done across the street from Wendy's on Beck Road. Assistant City Manager Benson indicated they have had conversations with perspective tenants. They have also talked with the property owners about some concerns about the doors not being on the back and they haven't installed flooring yet. They have closed up the truck wells on the back side of the building.

Assistant City Manager Benson commented Buildings A and B at Assembly Park are fully leased now. Buildings C and D, there have not been any updates within the last two months. Buildings C and D should be finished during the first quarter of 2023. From the City's perspective, they continue to actively seek high quality tenants.

Assistant City Manager Benson indicated Chipotle was issued building permits. They should be breaking ground and pouring concrete before the end of the year.

Regarding Bigby, Assistant City Manager Benson did not know if they have issued the building permits as of yet. Bigby has submitted the construction drawings. The ultimate resolution with the dumpster, they will be co-using Meijer's dumpster. He did not know the timeline.

Commissioner Lada commented the buildings in Assembly Park may want to do something on the rooftops to mitigate seagulls. When Menard's first moved in, there was nothing on the rooftops to keep the seagulls off; in the spring, they nested up there and all of them died and rotted which left a horrible smell.

Commissioner Grossi commented there have been a lot of car dealership businesses openings in the office buildings for special land uses. There was mention a couple of months ago in reference to the influx of storage unit places coming in and writing a moratorium. Commissioner Grossi inquired if there was new verbiage for storage units and if that was something the City should be looking at for car dealerships, as well. Assistant City Manager Benson indicated it may be worthwhile for the Planning Commission to look at how we deal with e-commerce, in general, and perhaps carving out different standards for uses. There are many sorts of e-commerce businesses that aren't special land uses. There have not been any steps on preparing language, as they have been focusing on the VCA ordinance but they can move forward more quickly.

Mr. Lewan commented as far as the little dealerships, he, personally, would not be concerned with those in the industrial tenant space. As long as they meet the conditions that the Commission has placed on them, they occupy tenant space, pay taxes and have a few employees. If they violate the conditions, the city can revoke the special land use permit.

Commissioner Tacy commented that she had an opportunity to visit The Crossings at New Hudson; the new complex of high end apartments. She suggested this may be a field trip for the Schafer brothers who are looking to develop the Cavallaro property with high end apartments. Commissioner Tacy indicated The Crossings caught her eye because they are very unique, look upscale, the materials are high end, and these are rental units. The apartments were ingeniously laid out and she was impressed with the finishes indoors/outdoors that were used because they were all high end and the most units included garages. The garages were extra deep and wide enough where you could open the car doors on both sides to exit. There was plenty of storage space and windows within the units. The mailbox stands also included Amazon hubs for secure deliveries or to ship back out. There was a lot of landscaping, as well. Commissioner Tacy indicated she was not for adding density but in terms of how the space is laid out, the builders have gone above and beyond. They had thought of everything to make it an upscale situation. Commissioner Tacy commented these would be the things that she, personally, is looking for the downtown area. Make it a jewel; spend the time and money to make it really great. She indicated she was not looking to get a clubhouse but it was an example where they are really working to make it an experience of a place to live.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:12 p.m.

Mona Freiburger
Recording Secretary