

APPROVED
MAY 1, 2023

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, APRIL 3, 2023**

This meeting was called to order by Chairman Day of the Planning Commission at 7:29 p.m. at which time allegiance was pledged to the American flag.

PRESENT: William Day (Chairman), Cheryl Tacy (Vice Chairperson), Commissioners: Phillip Carter, Sandro Grossi, Mark Lada, Anthony Lawrence

ABSENT: Excused: Ray Cousineau

OTHERS: Doug Lewan (Carlisle Wortman Associates), 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:

None

Approval of Minutes:

MOTION made and seconded by Commissioner Lawrence and Commissioner Carter to approve the February 22, 2023, Planning Commission Meeting Minutes, as submitted.

VOTE:

MOTION CARRIED

Correspondence:

March 28, 2023, 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 SLU23-003: 29387 LORI LANE, WIXOM, MI. 48393:** The applicant is seeking a special land use permit pursuant to Section 18.09.020, Schedule of Uses, to allow an automobile repair and automobile sales establishment in the M-1, Light Industrial District. The parcel number is 22-08-226-003.

Discussion:

The applicant is requesting special land use approval for an auto repair and sales use to occupy the existing facility located at 29387 Lorie Lane. The applicant notes they plan to utilize this location for repairing vehicles and a small used car sales operation. The applicant states they have been in operation in the Wixom area for three years and would like to stay in the area to continue to service their customers and the community.

The applicant indicates 7 – 12 employees will be working onsite between the hours of 9 a.m. to 6 p.m., Monday through Friday. The site is currently developed as a single use industrial facility.

Natural Resources; Essential Facilities and Services; Special Lane Use Standards; Variances; Site Plan Review; are all addressed in Carlisle Wortman Associates Staff Report to the Planning Commission dated April 3, 2023. There are no items to be addressed for the above standards.

Mr. Doug Lewan reiterated Carlisle Wortman's report dated submitted to the Planning Commission April 3, 2023. He indicated auto repair and auto sales may be considered in the industrial district in the City of Wixom, but they require special land use approval.

In this case, Carlisle Wortman does not have a lot of concern with the project. Mr. Lewan met with the applicant on at least two occasions to go over the site, and their proposal. The applicant provided a previously approved site plan which goes back to the 1990's. Currently, the applicant has not proposed any changes to the site.

The packet submitted to the Planning Commission includes photographs of the inside of the building and some exterior photographs, as well, to view the existing conditions. According to the applicant, this will be an auto repair facility; and they would like to have

the opportunity to sell some used cars on the site, as well. The facility has been in operation within the City for three years, and they are relocating from within the City of Wixom to this site. Lorie Lane is an industrial road. Carlisle Wortman Associates provided information in the plan review packet indicating the existing zoning which is discussed in the master plan. This project is planned industrial, and this use is compatible with other industrial uses.

Mr. Lewan indicated there are no significant natural features onsite, as it is an existing use and constructed industrial site. Carlisle Wortman Associates does not have any comment with essential facilities and services. The applicant is not proposing any changes. On page 4 and 5 on Carlisle Wortman's report go through the special land use standards. Those are shown as A through E; they also provided some commentary on how those standards have been met. The only issue had to do with potential outside storage of both cars that are waiting to be repaired and used cars that might be sold onsite. A photograph was provided in the packet that shows the shared driveway with parking on each side of the shared driveway. There are fourteen parking spaces for the applicant's use. More information is needed from the applicant on how they plan to deal with used car sales and how it might impact the neighboring property which shares their driveway.

The most significant concern about this project is the work which would be done indoors versus outdoors. The applicant is present to address more detail.

Carlisle Wortman Associates is recommending, based upon the information provided by the applicant and the comments of this analysis, to approve the special land use request for 29387 Lorie Lane Auto Repair and Sales based on the following findings:

1. The site has been planned and zoned for development, and the subject site and surrounding area have been developed as industrial uses and is in conformance with the City of Wixom Master Plan.
2. The site has been planned and zoned for development, and the surrounding area has been developed as industrial uses. The applicant will need to confirm the proposed use will be, primarily, conducted indoors.
3. The proposed use is to be located within an industrial complex that has been planned and zoned for similar uses. The surrounding area has also been planned for and developed as industrial uses.
4. No additional public facilities and/or services are contemplated for the proposed auto sales use which will be conducted within an existing multi-tenant industrial complex.

As part of Carlisle Wortman's recommendation, the Planning Commission should consider the following conditions:

1. Confirmation that all operations will be conducted indoors.
2. Confirmation of any internal changes to the unit and that a floor plan be submitted and reviewed by City staff as required.
3. Improvements and modifications as determined by the Building and Fire Departments.
4. Review and approval of other departments, consultants, and agencies.

Vice Chair Tacy noted the applicant is moving from a pre-existing site address in Wixom, 49692 Martin Drive. She inquired if Mr. Lewan was aware of any violations of the conditions which pertain to the site regarding outdoor storage. Mr. Lewan indicated he was not aware of any violations. Mr. Lewan has had discussions with Assistant Manager Drew Benson and if there were any problems, Mr. Lewan assumed they would have come up during their discussions.

Mr. Colby Hubbard, 49387 Lorie Lane, Wixom, MI, representing the applicant, indicated the used car license is for the use for the sale of project cars. The applicant builds unique and custom vehicles and specializes in European automobiles. They also recondition newer BMWs and offer upgrades to those vehicles.

Mr. Hubbard addressed the concerns with parking. He indicated at their previous address, there were 12 parking spots, and the new location would provide more parking spots. The applicant indicated they are not looking to store 30 cars on the property. They would like to keep the high dollar vehicles indoors. For the service customers, the applicant has an agreement with a towing company in Wixom to store overflow cars, cars that may be there for a long period of time.

Chairman Day inquired what prompted the move from one Wixom location to the other location. Mr. Hubbard answered they were in a 6,000 square foot facility; the new facility would be almost 10,000 square feet. The applicant needs room to grow, and to add at least 3 or 4 more jobs.

Open public hearing.

Ms. Kathy Conrad Zaske, 5235 Oak Hill Trail, Commerce Township, MI. 48382, representing Bud and Eileen Properties LLC, who owns the building directly to the north

of the applicant. They share the parking lot with the applicant. Ms. Zaske indicated she is also representing Beck Tech Industrial Park; she is the secretary of the association. Ms. Zaske commented she has received many complaints already about the applicant offloading in the road and their parking situation. Phoenix Refrigeration, company to the immediate south, sent a copy of a picture which shows every single parking spot occupied and parking in the open areas; double parked as well.

Chairman Day asked if the applicant was in operation. Ms. Zaske indicated the applicant is already in operation and filling every parking spot including the handicap spaces with vehicles. Ms. Zaske also indicated her company tries to maintain a nice industrial park and they have concerns; she feels the applicant is in violation of many items in the zoning ordinance. A tenant will not renew their lease which expires in November because of the problems and issues of offloading their trucks.

Mr. Hubbard indicated they did move some cars over there which were projects lingering from their prior location. There have been contractors coming in and out of the facility. The last contractor wrapped up late last week. There were parking spaces taken up by employees who don't work there. He was aware there was one car offloaded in the street. Unfortunately, there was a language barrier with the driver of that truck, in which the car without an engine was offloaded and had no way of moving it. Mr. Colby indicated he temporarily parked in the handicap spot because it was raining to run into the office to grab some stuff; he saw Ms. Zaske taking pictures.

Chairman Day inquired how is it that the applicant is already in business without getting the permit for the special land use. Mr. Hubbard stated they are not selling cars or repairing any customers' cars now. They have been moving all the equipment in and setting up shop which started March 1, 2023.

Commissioner Grossi inquired if the cars would be parked inside. Mr. Hubbard said yes. There are approximately 14 cars parked outside, currently. The applicant has not been able to operate to full capacity.

Commissioner Lada indicated the math doesn't work for the number of parking spaces, the cars parked outside, and the number of employees. Mr. Hubbard commented they have an agreement with Magnum Towing, Wixom, MI to store their vehicles offsite, so they are not cluttering up the parking lot.

Mr. Hubbard commented they were not aware that they were stepping on people's toes by having the cars parked outside; no one has brought these complaints to the applicant. If they would have been aware, they would have rectified the situation immediately. Commissioner Lada asked how long it would take the applicant to move the cars out of there until the construction is completed. Mr. Hubbard indicated the construction is almost finished, there are a few things to tidy up. They could have most

of the cars moved by the next day. Vice Chair Tacy commented she was curious that the applicant made the move, in operation in a building that they cannot, obviously, store things in without having the special land use permit. She asked what the applicant would do if the special land use were not approved. Mr. Hubbard answered they had a previous lease that was in process. The lease fell through, and the lease at their previous location ended, so they had to vacate the premises.

Chairman Day inquired if all the vehicles for sale would be stored indoors. Mr. Hubbard answered yes.

Commissioner Grossi indicated there were many approved used car dealerships in the City of Wixom, currently. Chairman Day stated the other dealerships have all agreed to zero outdoor storage; all operations are indoors. Mr. Hubbard stated the applicant was willing to agree to no outdoor storage. Mr. Hubbard indicated he could have all vehicles removed outdoors by the next day if their tow truck driver can get them out of there.

Mr. Lewan stated the Planning Commission could put in a condition of approval for no cars parked outdoors that are for sale, etc., Basically, how this would be monitored is that the City would get a complaint from a neighbor and if they are in violation of the special land use criteria, the City could revoke their special land use, which is a serious violation. The applicant would have to appear before the Planning Commission, a public hearing would be held, and everyone would state their case. In theory, if this is a continuous problem or a bad problem, the City could revoke their special land use. This would be the more likely scenarios than the City trying to tow vehicles.

Mr. Hubbard indicated they were unaware that there were any issues. If the issues would have been brought to their attention, they would have tried to address those immediately. They have had no prior complaints at their other location. He noted the previous tenant at this location has an actual school bus stored in the driveway with a bunch of equipment. They do not plan on doing anything like that. They are trying to be good neighbors. Ms. Zasko commented there were many complaints about the school bus; nobody else has the outside storage.

Commissioner Lada commented if the business is done inside, he does not have an issue; or if they must move a car outside to do the shuffle, he understands. There should not be anything outside overnight. You cannot impact negatively on your neighbors. Mr. Hubbard stated they intend to be good neighbors; they were unaware that they were stepping on toes. He did not want to point fingers, but he indicated the tenants with the shared driveway has had semi-trucks block the entire driveway for at least an hour or two while they were unloading heavy equipment; it was not an issue with the applicant. They let them do their thing and moved on.

Chairman Day indicated he could not approve this applicant unless there was a condition with zero outdoor storage.

Commissioner Grossi commented he was looking at the parking lot on Google maps and the school bus was present. He also indicated there is an auto repair place on Beck Road that the same cars have been sitting outside since the Planning Commission approved their permit five months ago.

Commissioner Lada commented he did not have an issue if there were zero outside parking overnight; he did not have an issue during the day so they could shuffle the vehicles around.

Mr. Robert Sabagh indicated he was one of the partners of the applicant. He wanted clarification of no cars parked outdoors overnight. Mr. Sabagh stated they have a lockbox because sometimes their customers are unable to pick up their vehicles during open hours and would like to pick up after hours. Those vehicles would be stored outdoors for them. Chairman Day indicated that would not be overnight parking. Commissioner Carter asked if this was an operation where they would expect somebody to break down and have their car delivered or dropped off at their business after hours for repairs. Mr. Sabagh answered yes, it could happen. They do have vehicles dropped off by a tow truck and receive messages that their vehicle has been dropped off. Commissioner Carter indicated that is not unusual for a special case with the understanding that it is not going to stay there beyond a day or so. Mr. Sabagh indicated they have no intention of having the junk yard look where there are a bunch of cars lined up. Their intention is to service their customers and give them options for either a new car, parts and/or service.

Commissioner Lada asked how many vehicles they envision for their European performance shop and 10,000 square feet to work with. Mr. Sabagh stated eight bays and open space where they can fit approximately five to seven vehicles. There are also flat bays in the shop area to park extra vehicles. They do not intend to have a lot of cars for sale. They build custom vehicles to sell. It is easier to build a vehicle and then sell it to the public directly instead of them finding someone to sell that car once it is built. The most in inventory has been eight vehicles. Mr. Sabagh indicated they do not have a separate showroom; they do not want to make any interior modifications to the building. They will have a show space in the back, but not a showroom. There are, currently, three vehicles for sale now.

Public hearing closed.

MOTION made and seconded by Vice Chair Tacy and Commissioner Lawrence to approve **SPECIAL LAND USE SLU23-003: 29387 LORI LANE, WIXOM, MI. 48393:** The applicant is seeking a special land use permit pursuant to Section 18.09.020,

Schedule of Uses, to allow an automobile repair and automobile sales establishment in the M-1, Light Industrial District. The parcel number is 22-08-226-003; with the following conditions:

1. All operations will be conducted indoors with zero cars stored outside overnight; and
2. No more than the allowed fourteen parking spaces will be utilized; and
3. Confirmation of any internal changes to the unit and the floor plan must be submitted and reviewed by city staff as required; and
4. Improvements and modifications as determined by the building and fire department; and
5. Review and approval of all other departments, consultants, and agencies.

VOTE:

MOTION CARRIED

2. **SITE PLAN REVIEW – SPR23-001: PEOPLE DRIVEN TECHNOLOGIES, 49106, 49070 and 49103 ALPHA Court, WIXOM, MI. 48393:** Site Plan to construct a 27,000 square foot, 2 story office/warehouse building located on the three (3) parcels located at the cul-de-sac at the end of Alpha Court. The three (3) properties will be combined to accommodate the proposed development. The site is located north of I-96 east of Wixom Road. The site is zoned IRO, Industrial Research Office and is currently vacant. The parcel numbers are 22-08-326-023, 22-08-326-024 and 22-08-326-025.

Discussion:

The applicant is requesting site plan approval to construct a 27,000 square foot, 2 story office/warehouse building located on the three (3) parcels located at the cul-de-sac at the end of Alpha Court. The three (3) properties will be combined to accommodate the proposed development. The site is located north of I-96, east of Wixom Road. The site is zoned IRO, Industrial Research Office and is, currently, vacant.

In Carlisle Wortman Associates review dated February 6, 2023, they noted the following general site plan requirements that are deficient:

- “Not to be Used for Construction: must be noted on the site plan – this note is only provided on the architectural sheets (floor plan and building elevations)
- Improvements within 100 feet of the site (improvements to the east not shown on the site plan).
- A general use statement including a general operations plan with a description of the nature of the proposed use or activity, noise impacts hours of operation, number of employees, etc.

Natural Resources; Building Location and Site Arrangements; Essential Facilities and Services; Parking, Loading; Site Access and Circulation; Landscaping; Lighting; Signs; Floor Plan and Elevations; are all addressed in Carlisle Wortman Associates review which is included in the packet.

Mr. Lewan reviewed Carlisle Wortman Associates site plan review dated February 6, 2023 and reviewed March 21, 2023, which is included in the packet to the Planning Commission.

This application is a non-discretionary review. Non-discretionary reviews are those reviews that are uses permitted by right within the district. This district is industrial research office district. If the applicant can meet the minimum standards of the City for a non-discretionary review, in essence, it must be approved. This is the second review of this project. The first review was February 6, 2023. Since the first review, the applicant has done a nice job of addressing most of the comments but still have a few to address.

Mr. Lewan commented there are no issues with the bulk requirements. The building location is within a logical location on the site. All front, side, rear setbacks, building coverage, and building height have been met. There is no issue with any dimensional standards within this district. There is some topography on the site, it is a vacant, industrial, three industrial vacant lots within industrial zoned property. There are some natural features onsite. There are some existing trees, a couple of small wetland areas that will not be impacted. No flood plains onsite; and no significant soil information that would cause the staff concerns about the construction. There will be a comment in reference to the number of driveways but other than that, there is no issue with the site arrangement.

There is a review in the packet from HRC which outlines some of the engineering issues. HRC did not have any significant issues in this round of review. Some previous issues have been addressed by the applicant. There is a review from HRC in the packet.

The applicant has provided the property number of parking spaces for the size of the building proposed. There is no issue with parking and loading onsite.

Site access and circulation, the zoning ordinance is specific to the number of required driveways that would be encouraged for non-residential property and, essentially for purposes of access management and control of curb cuts. The ordinance indicates that one driveway should be provided for an industrial facility. There are some conditions to that requirement. One is the amount of frontage that the property has; over 300 feet of continuous frontage, and a road. The Planning Commission may allow a second driveway location in this situation. In this case, the applicant has over 300 feet of frontage, and an existing road. The applicant is requesting a second driveway. The applicant provided some information in their submittal as to why they would like the consideration of the second driveway. The applicant indicated that due to the circulation and location of the parking areas, they would like the second driveway point. The Planning Commission must make that determination if they are going to allow a second driveway and whether the applicant's reasoning is justified. There are a couple of issues with landscaping in the previous review, and the applicant has done a nice job of addressing those comments. All landscape plans are required to be sealed by a registered landscape architect and the applicant's landscape plan was not sealed. If the Planning Commission would like to move this project forward, Carlisle Wortman could check this requirement before construction, if they had a sealed, landscape plan by a landscape architect. There is no issue with the lighting that is proposed; lighting as proposed meets city ordinance requirements.

Signage is a separate permit in the City, so the applicant would have to submit a separate sign permit that meets ordinance standards. The Planning Commission usually likes to see what is being proposed regarding signage, however, they must meet ordinance standards.

The applicant did provide a floor plan and elevations. No concerns with the floor plan and elevation. A material board was not submitted by the applicant. The applicant can expand on the materials.

There is a letter from the Wixom fire chief dated March 20, 2023, a letter from Ken Pike, building official, listing all the building codes that will have to be addressed at the time of construction, and a letter from HRC indicating the items that they will be looking for in the final detail engineering review. HRC's summary was that they do not object to the approach.

Recommendation by Carlisle Wortman Associates: The following items should be listed as conditions of site plan approval:

1. Provide additional general site plan information as noted;
2. Review of utilities by the City Engineer;

3. Planning Commission to determine whether additional access is justified;
4. Review of site access and circulation by City Engineer and Fire Department;
5. Provide location and method of equipment screening to Planning Commission;
6. Provide details of all proposed signage including dimensions, illumination levels, etc., in accordance with Section 18.16.100;
7. Parcels must be combined prior to issuance of building permits.

Chairman Day inquired if the Planning Commission decides to allow a second access driveway, should this approval be part of the motion. Mr. Lewan answered yes. Chairman Day indicated he did not have a problem with a second access, it is not a high traffic area where additional curb cuts would cause an issue.

Mr. Jason Van Ryn, Nederveld, Inc., 3037 Miller Road, Ann Arbor, MI, civil engineers for this project, landscape architect and surveyors, representing the applicant. Also present is the owner and developer of the project, People Driven Technologies, and their representative; and the construction management company and their representative. They are also available to answer any question regarding the project.

Mr. Van Ryn thanked Mr. Lewan for summarizing the process of the applicant. Mr. Van Ryn reiterated the conditions of concern. Mr. Van Ryn indicated they have read through the letter from Carlisle Wortman, and they do not have any major concerns with the conditions and will address all the conditions. The applicant has started the process of submitting for the lot combination which is a two-step process because the three parcels are part of a condo master deed. Approval must be met from the existing property owners which is a function of trying to track everyone down and getting their signature. He indicated Mr. Drew Benson confirmed the applicant is not in any violation of rules, etc. for the parcel combination process.

Mr. Van Ryn indicated the site is laid out with the building as the main feature as you are driving east on Alpha Court. They did not want a parking lot out front. All the employee and visitor, pedestrian things are on the south side of the building. Two driveways would allow the applicant to place the building in the center of the future three lot combination and separate the back for deliveries, employees, and visitors. This is at the end of the cul de sac, and it is not a high traffic area. As far as utilities, the applicant

has worked with the fire marshal and HRC. The applicant has addressed all their concerns.

Mr. Keith Norush, Carbon Six Construction, 3955 Orchard Hill, Novi, MI, introduced himself to the Planning Commission. Mr. Norush indicated the mechanical equipment would be placed towards the rear of the building, the north side. The plan is to install landscaping for ground cover. There is no plan for rooftop units. This will be a pre-engineered metal building and a metal roof.

Commissioner Lawrence commented he would speak for Commissioner Cousineau who is not at tonight's meeting. He indicated Commissioner Cousineau is adamant about not approving site plans without actual material samples. A colored drawing was submitted but no reference to types of materials. It is imperative to speak and show the kind of material for construction. Commissioner Lawrence indicated he would like to see the actual material board. Commissioner Carter commented the differences in what has been received versus what is shown at the meeting is a concern. Mr. Van Ryn commented the applicant has not put together the materials for this evening. The materials are not present. It is a pre-engineered metal building which will be sided with insulated metal panels which would sit on top of 4.5 feet of block wall that goes across the front of the building. Chairman Day indicated it has been the policy of the Planning Commission to require the applicant to bring in material samples. Mr. Lewan commented this project has been going through the process for quite a while, which pre-dates him, and he is not sure if the applicant was informed in the beginning of the process to bring in material samples.

Chairman Day indicated he did not think it would be a hardship by being in favor of tabling this case for a couple of weeks to allow the applicant to bring in material samples. This is a requirement which should be enforced.

Commissioner Carter inquired what People Driven Technologies does.

Mr. Joe Zanchetta, Area Vice President of People Driven Technologies, current corporate address is 39205 Country Club Drive, Farmington Hills, MI. People Driven Technologies provides complete information technology solutions to many customers across Michigan. Their headquarters is in Byron Center, Michigan. Wixom will be their Detroit office, eastern Michigan offices, their largest sales office. They stage and prepare IT information system solutions with a lot of public sectors. Corewell Health is one of their largest customers along with Detroit Public Schools, Ford Motor Company as well as commercial and enterprise customers. It could be varying components of

information technology from networking to wireless access systems to data center solutions, and cyber security. People Driven Technologies work with their customers in consulting with them and once the solution is procedure, they may bring in equipment to prep, stage and prepare them for the delivery of that equipment and, ultimately, deliver those solutions. Physical security includes video surveillance, and badge systems. It's all about technology.

Chairman Day asked if People Driven Technologies plans to occupy the entire building. Mr. Zanchetta answered they will occupy most of the building but there will be a separate section for a tenant, as well. This is laid out on the drawing.

Mr. Van Ryn indicated the proposed building would be modeled after their existing facility in Byron Center. Chairman Day asked Mr. Van Ryn to bring back a print of the photo of the Byron Center building along with the material samples.

MOTION made and seconded by Commissioner Lawrence and Commissioner Carter to table **SITE PLAN REVIEW – SPR23-001: PEOPLE DRIVEN TECHNOLOGIES, 49106, 49070 and 49103 ALPHA Court, WIXOM, MI. 48393:** Site Plan to construct a 27,000 square foot, 2 story office/warehouse building located on the three (3) parcels located at the cul-de-sac at the end of Alpha Court. The three (3) properties will be combined to accommodate the proposed development. The site is located north of I-96 east of Wixom Road. The site is zoned IRO, Industrial Research Office and is currently vacant. The parcel numbers are 22-08-326-023, 22-08-326-024 and 22-08-326-025; until the next Planning Commission meeting to be held on April 17, 2023, to allow the applicant to bring in material samples for the Planning Commission to review.

VOTE:

MOTION CARRIED

Call to the Public:

No public comments.

Staff Comments:

None

Commission Comments:

Vice Chair Tacy asked if the Planning Commission approved a standalone sign in the front of Longhorn Steakhouse. She indicated there is a standalone sign near the road which looks rather cheap, and she would expect a higher standard type of sign.

Commissioner Lada indicated he was there approximately a month ago and there was a sign which was being installed with Longhorn signage on the top and then space on the bottom, he assumed for Chipotle. Chairman Day inquired if Assembly Park has an agreement for monument signs for the various tenants as part of the PUD. Mr. Lewan indicated he would check the agreement and get back to the Planning Commission. Commissioner Tacy commented she would like a nicer sign.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:45 p.m.

Mona Freiburger
Recording Secretary