

**APPROVED**  
**AUGUST 7, 2023**

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
PLANNING COMMISSION MEETING  
MONDAY, JULY 17, 2023**

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), Cheryl Tacy (Vice Chairperson), Commissioners: Ray Cousineau, Sandro Grossi, Mark Helsom

**ABSENT:** Excused: Lada, Lawrence

**OTHERS:** Doug Lewan (Carlisle Wortman Associates), Drew Benson, Assistant City Manager; 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 Cousineau and Commissioner Grossi to approve the June 5, 2023, Planning Commission Meeting Minutes, as submitted.

**VOTE:**

**MOTION CARRIED**

**Correspondence:**

July 11, 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:**

Carlisle Wortman Associates and staff presented the concept of Zoning Ordinance amendments regarding the permissibility and definitions of specific uses in the M-1 and IRO zoning districts back on February 6, 2023. The primary focus of these amendments would be to further restrict/define the requirements for mini/self-storage facilities in the M-1 Zoning District, as well as to remove hotels as a permitted use in the IRO Zoning District.

Following a discussion and feedback from the Planning Commission, this topic was brought back to the Planning Commission on May 15, 2023, where the Planning Commission reviewed draft amendatory language, as well as discussed additional changes, such as the inclusion of commercial recreation as a Special Land Use in the IRO zoning district, and the potential to proactively rezone two parcels on Alpha Drive that are zoned IRO and used as hotels to Freeway Service (FS), so that those uses would continue to be permitted and be zoned in a way that aligns with the similar, adjacent uses.

Following the May 15<sup>th</sup> meeting, Planning Commission expressed an interest in moving forward with the amendments and rezonings, and staff proceeded to schedule a public hearing for each item. The public hearing notices for the proposed amendments were published in the Oakland Press, and individual mailers were mailed to property owners within 300 feet of the proposed rezonings. In addition, specific mailers were sent to the two property owners proposed for rezoning to explain what was happening, how it would impact them, and when the public hearing would be held where they could comment, if interested.

1. **Public Hearing to consider text amendments to the City of Wixom Zoning Ordinance Chapter 18.24, Definitions.** These amendments will clarify and update the definition of mini-warehouse and storage buildings within the Zoning Ordinance.

Discussion:

Based on discussions with the Planning Commission, attached in the packet for tonight's meeting are draft revisions to the mini-warehousing part of the Zoning Ordinance. One of the key features of these revisions is to differentiate between traditional drive up-storage, and climate controlled self-storage. Climate controlled self-storage is generally more compatible with other industrial/office buildings in form, while drive up self-storage is very different in site layout and, typically, has an outdoor storage components.

Mr. Lewan indicated this is a proposed amendment to the ordinance that addresses mini warehouses and storage buildings. In previous discussions on this item, there is a single definition of mini storage units that are contained in the current City zoning ordinance and splitting that into mini warehouse and storage buildings but then dividing that even further into two definitions that work into the ordinance part of the next public hearing Agenda Item #2.

Mr. Lewan stated there was some discussion on the part of the Planning Commission to emphasize the fact that external access was not going to be permitted, only inside access. In the red on the ordinance language is the revision dated July 2023, which the statement that no external access to storage units shall be permitted.

Chairman Day inquired if the #1 and #2 items of the agenda could be heard together. Mr. Lewan stated yes.

Chairman Day introduced Item #2 of tonight's agenda which is a public hearing to consider text amendments to the City of Wixom zoning ordinance, Chapter 18.09 Industrial District, Section 18.09.04 (E). These amendments will update the specific standards applicable to mini warehouse and storage buildings for lease within Industrial District.

Mr. Lewan stated Section 18.09.04 (E) language has not been changed. The Planning Commission was satisfied with this part presented previously. In the previous submittal, a typo in the lettering was changed from E to F instead of E to G on the second page of that report.

Mr. Lewan indicated these ordinance provisions outline some language which relates to those definitions that provides standards for climate-controlled self-storage facilities and drive-up self-storage facilities such as acreage size and prohibiting drive up self-storage on some of the major roads within the City such as Wixom Road, Beck Road and Pontiac Trail and only allowing outside storage as an accessory use in the drive-up self-storage.

Assistant City Manager Benson stated the design standards were not provided as part of the packet, purposely, because he did not want to have too many different sets of ordinance texts for confusion.

Chairman Day asked if there were changes to what is proposed tonight if this would have to be re-noticed for a new public hearing. Mr. Lewan answered yes.

Chairman Day indicated that the external access to storage units shall be permitted under definition which seems more of a condition rather than an item of definition. If it was an item of definition, it would say by definition, they would have no external access.

Chairman Day thought they had discussed the restrictions on location which would not include either climate controlled indoor or drive-up self-storage on Beck Road, Wixom Road, or Pontiac Trail. This condition is not included here. Mr. Lewan indicated this was not his recollection or understanding but the change could be made. Vice Chair Tacy stated she, definitely, would like to see this included and it was discussed, but perhaps it was not clear, that there is not the need for visibility, but she would look for a location that is closest to her. As a Planning Commissioner, she did not want this on a main thoroughfare, either version of self-storage facilities. Chairman Day stated in looking at the May 15, 2023 Minutes, Page 4, it is noted that Commissioner Tacy referred to the February 3, 2023 Minutes regarding not having any storage facilities on the main arteries.

Vice Chair Tacy indicated the height limitations were discussed for M1 height limitations is 40 foot limitation and M2 is 60-foot limitation. They were of the mind that 40 feet would be the maximum. The May 15, 2023 Minutes reflect Commissioner Lawrence's proposed amendment to eliminate these from the M1 and M2 district; if it is allowed in the M1, it was a special land use, which would come before the Planning Commission. Assistant City Manager Benson clarified the Planning Commission was okay with 40 feet being the maximum possible height in the M1 zoning district but no higher than that. Vice Chair Tacy stated yes. Vice Chair Tacy indicated this is also allowing M2 up to 60 feet; it is a special land use in M1, which is where the Planning Commission could permit, and it would be 40 feet or more controlled but the statement in the May 15<sup>th</sup> meeting was that he proposed to eliminate these from the M1 and M2 district. Assistant City Manager Benson stated the only M-2 zoned parcel left is what remains of the Ford factory, the ICP property. It could be changed from permitted to special land use in M2 and the conditions that the height would not exceed 40 feet.

No public comments.

Chair Day stated the public hearing will be left open pending revised text, so we will not have to re-notice the hearing; it will be the same public hearing.

Public hearing left open pending receipt of revised text.

**MOTION** made and seconded by Commissioner Cousineau and Commissioner Grossi to table Agenda Item #1 and Agenda Item #2 on tonight's agenda with the public hearing to be left open and to be considered at a later date.

**VOTE:**

**MOTION CARRIED**

2. **Public Hearing to consider text amendments to the City of Wixom Zoning Ordinance Chapter 18.09, Industrial Districts, Section 18.09.04 (E).** These amendments will update the specific standards applicable to mini-warehouse and storage buildings for lease within Industrial District.

Discussion:

Items #1 and #2 were heard together.

**MOTION** made and seconded by Commissioner Cousineau and Commissioner Grossi to table Agenda Item #1 and Agenda Item #2 on tonight's agenda with the public hearing to be left open and to be considered at a later date.

**VOTE:**

**MOTION CARRIED**

3. **Public Hearing to consider text amendments to the City of Wixom Zoning Ordinance Chapter 18.08, Office and Research Districts, Section 18.08.02.** These amendments will update the schedule of permitted uses related to conference centers, convention and meeting facilities, banquet halls, hotel/motels, and commercial recreation within Office and Research District.

Discussion:

At the last Planning Commission meeting, it seemed that the primary issue was the allowance of motel/hotels in the IRO Industrial Research Office District. To address this concern, Carlisle Wortman Associates (CWA) propose to simply remove hotels from the list of permitted uses in the IRO Industrial Research Office District. In association with this change, CWA proposes to rezone those parcels on Alpha Drive where existing hotels exist, from IRO Industrial Research Office to FS Freeway Service. This rezoning makes sense as the properties in question would be adjacent to the current FS zoned property and would eliminate any non-conforming status that would occur if the ordinance language was changed without a map change.

Other: Assistant City Manager Benson asked CWA to raise the issue of the possible allowance of "commercial recreation" as a special land use in the IRO Industrial Research Office district. There have, apparently, been inquiries about this type of use in the IRO district. This is being raised here as a starting point to get the input of the Commissioners before taking any further steps.

Mr. Lewan stated this is a relatively simple change and gave the technicalities of the changes.

Mr. Lewan indicated the proposed changes to add on page 1 of 4 of 18.08.02 Schedule of Uses; adding to the conference center designation that is, currently, permitted in both the OS1 and the IRO District. This is an addition of the possibility of hotels/motels as accessory, not standalone uses.

Assistant City Manager Benson indicated this was not discussed at the previous meetings and came up as part of discussions with property owners in the general area. The intent is if someone were to come in with a mixed-use conference center/banquet facility, they could also do a hotel in association but not as a standalone use. One of the larger landowners has many ideas for what they would do with their acreage that is master planned as IRO but also mixed use. Assistant City Manager Benson indicated he wanted to approach the Planning Commission with the concept given the previous conversations regarding standalone hotels in the IRO zoning district. Assistant City Manager Benson asked if this was viewed differently or is this something that may be desirable as part of attracting such a use.

Chair Day stated his first thought was similar to Great Wolf Lodge which is, basically, a big amusement center with a hotel attached. On the other hand, is it an amusement center with a hotel or is it a hotel with an amusement center attached? He asked what would constitute accessory versus primary. With Soaring Eagle Casino, the hotel is definitely accessory. Would some standards such as percentage of accessory use or percentage of revenue from the entertainment/convention aspect as opposed to the hotel aspect be an issue? Assistant City Manager Benson indicated possibly the answer is making the entire use a special land use and then assigning some of those standards. All of these would come before the Planning Commission as a special land use for Planning Commission discretion. There are other things to consider in terms of traffic impacts, not only for the hotel portion but convention centers. Chair Day stated he would hate to see someone come in with a standalone hotel and then put in a small waterpark to say it is an accessory. Commissioner Helsom stated inserting restrictions would be a good idea. We are starting to see more and more facilities such as convention centers.

Public hearing open.

Mr. Martin Abdulnoor, hotel owner, 49097 Alpha Drive, (Springhill Suites, Hampton Hill, and Holiday Inn on Alpha Drive). Mr. Abdulnoor stated they had acquired a piece of land, 48918 Alpha Drive). After purchasing the land, they purchased a brand called Hyatt House from the Hyatt Corporation with the intent to build a facility there in the next couple of years. Mr. Abdulnoor indicated they have invested nearly \$1 million between the land and acquiring the name. They plan on investing a \$20 million hotel there, but they want to make sure that this does not affect them, as they did reach out to the City's planning

department before purchasing the land to ensure that they would be okay being zoned and building a hotel there at a later date.

Mr. Abdulnoor indicated between their three properties, Hampton Inn and Springhill are their newest properties. They have invested nearly \$15 million on each property building them from the ground up. The occupancy rates in Wixom at the three properties range approximately 75%, 6% higher than the national average of hotels. Mr. Abdulnoor does not feel there are too many rooms in the market. Suburban Showplace who hosts large conventions in town lost a big contract with an event that happens every year called the Battery Show. This show brings in thousands of people into town. The show moved to Detroit because there aren't enough rooms in the market between Wixom, Novi, and the surrounding cities to accommodate this large of a group. This will continue to happen, and we will lose a lot of the bigger groups due to not having enough rooms in these cities. Each property employs approximately 20 people; good paying jobs. The guest contributes to the city by having lunch or stopping at gas stations and supporting our local businesses.

Chair Day inquired if the property is contiguous with Mr. Abdulnoor's other properties or if it is across Alpha Drive. Mr. Abdulnoor stated it is across the street from the Holiday Inn. Mr. Abdulnoor indicated there is a lot of business travel during the week and on the weekend, they have the sports teams with the sports tournaments in some of the complexes who occupy the hotels.

Chair Day asked Assistant City Manager Benson where the City stands through this. Assistant City Manager Benson answered that Mr. Abdulnoor described the situation relatively well and they did have a conversation earlier today. Assistant City Manager Benson stated the proposed amendments would take standalone hotels or motels from being a permitted use to a not permitted use in the IRO zoning district which would directly impact their proposed development on the other side of Alpha Drive. It is consistent with the conversation earlier. At the time he had spoken with them last year, it was a permitted use, and that is the case today. Tonight's conversation and the conversations with the Planning Commission over the last few months are focused on what the Planning Commission would like to see for all parcels zoned IRO, not about any one specific area or parcel. Benson noted that there are other zoning districts where hotels still are permitted uses including the B-3 zoning district, the Village Center Area zoning district, and the Freeway Service zoning district. One of the recommendations discussed previously was rezoning the two existing hotels that are IRO and rezoning those to Freeway Service, so they can continue to be permitted uses that are in the same zoning classification as the other two hotels next to them. Assistant City Manager Benson stated in this particular case, it is an unfortunate circumstance for this property owner who would be impacted by these proposed amendments to the IRO schedule of uses. To a certain degree, the property owners' input should be part of the Planning Commission's decision-making process, as taking into public comment but the original intent was always to focus on the uses that we would like to see in the IRO zoning district and focusing less on the

individual projects or parcels. That also applies in the opposite direction of, is there is demand for more hotels, and are there areas of Wixom that the Commission feels are more appropriate for hotels to be located as opposed to our office/research industrial district?

Commissioner Grossi inquired if they could apply for rezoning if it is IRO. Assistant City Manager Benson answered that would be an option; it would no longer be a special land use; it would not be permitted in the IRO zoning district. In order to do it on the piece of property they already own, they would have to request to rezone it, which would then affect the other properties on either side.

Assistant City Manager Benson indicated the part of the conversation previously concerns where hotels would go and how that use is somewhat incompatible with the more industrial uses that the City has in the IRO zoning district which can cause conflict later on. As an example in the Alpha Tech Corporate Park, there is a chrome plating facility on one side of Alpha Drive, and there are hotels on the other side of the road. There are also two newer light industrial office uses that are under construction as we speak. The point of the conversation is, how do hotels mix in with the desired uses in the IRO zoning district? Assistant City Manager Benson indicated he would recommend to be very thoughtful about making decisions for an entire zoning district based on single parcel because zoning changes like this affect in the case of IRO dozens of parcels throughout the City. Zoning text amendments should not just be about this one property owner that would be negatively impacted, which is an unfortunate circumstance. However, some of the statistics that were brought up tonight are certainly a thinking point that can factor into the decision as well.

Chair Day asked if we would possibly make them a special land use permitted only in parcels contiguous with Freeway Service, so they don't end up in the middle of the IRO. Assistant City Manager Benson indicated, yes, theoretically, this could be done. They would all have the option coming in as special land use. Assistant City Manager Benson indicated we could back this whole thing up and make it as a special land use and assign certain conditions that leave the possibility open assuming other conditions are met. The most important question is, especially given the rezoning that we proposed to do alongside of this, do you feel that going forward that hotels should be a permitted use in the property zoned IRO or future land use planned to be IRO or the uses that are more appropriate in the other districts where it is permitted such as B-3, Freeway Service and otherwise?

Chair Day stated, in a situation like this, he can see the possibility of being caught up in litigation over whether having the investment already made that this is an illegal taking by eliminating that use. Assistant City Manager Benson indicated he is not an attorney, but he questions the vested rights to a particular development solely based on parcel ownership without having any Planning approvals or building permits. His understanding is vested rights are based on where you are in the development process. In this particular



case, there is not pending site plan or permit applications that have been filed with the City for another hotel at Mr. Abdulnoor's property.

Mr. Abdulnoor indicated it is very unfortunate that Alpha Drive, as we know, a lot of parcels have been sitting empty for years. They have developed beautiful properties right off the highway, and they have invested a lot of money. They were told at the table ready to write a check to purchase the land if they could develop a hotel there and they were told yes. They made a very large investment. Mr. Abdulnoor stated if they are not unable to build there, they will, definitely, seek their attorneys to get involved because they have invested close to \$1 million dollars, and have prints drawn up by their architects and their engineers.

Assistant City Manager Benson indicated, again, this is an unfortunate circumstance for this particular property owner. He did not recall exactly when the conversation took place, but he does recall having a conversation sometime in 2022 about whether hotels were permitted in the IRO zoning district and the truth was then as it is now, they were permitted uses at that time. This conversation about adjusting the ordinance has been within the last four or five months after looking at the number of hotels that have been built in Wixom and the surrounding area over the last few years including one that is wrapping up right now in Wixom next to Meijer.

Assistant City Manager Benson stated he did not think this is the forum to talk about individual projects or parcels, as this conversation is not about individual projects or parcels. This is about uses within certain zoning districts that apply the dozens of parcels. The language of the Planning Commission tonight is not finalized, this is draft language with a public hearing to gather public input. Obviously having a single property owner that would be negatively impacted by this may have some impact on the Commission's perspective about changes. We can gather more information, have some additional conversations about how to craft an ordinance that meets the commissions expectations, but this discussion should not be geared towards a specific property owner.

Commissioner Cousineau indicated when this discussion first started, he voiced the opinion that he was concerned about diminishing property rights associated with the current zoning and changing the zoning. Mr. Abdulnoor invested money based upon a specific use that was permitted and now the Planning Commission is going to take that away from him. Commissioner Cousineau stated this topic needs a lot more discussion. Chair Day indicated this is somebody who has already invested a considerable amount in the City of Wixom; it is not somebody who is coming in new, and this makes a difference.

Assistant City Manager stated one of the things we can do coming out of this conversation is, if you are all in favor, re-working that to be a special land use and assigning some standards such as adjacent to freeway service or whether certain distances of a major

road, etc. He indicated he was getting the sense that there is some openness to being flexible in the district.

Chair Day stated he would like to do this; this is right across the street from similar properties, it is not like it is in the middle of a bunch of light industrial places. Chair Day indicated he would rather go with the special land use route with conditions.

Public hearing closed.

**MOTION** made and seconded by Commissioner Cousineau and Commissioner Grossi to table **Public Hearing to consider text amendments to the City of Wixom Zoning Ordinance Chapter 18.08. Office and Research Districts, Section 18.08.02.** These amendments will update the schedule of permitted uses related to conference centers, convention and meeting facilities, banquet halls, hotel/motels, and commercial recreation within Office and Research District; until a later date for reconsideration.

**VOTE:**

**MOTION CARRIED**

4. **Public Hearing to consider making City-Initiated Zoning Map Amendments to rezone 2.03 acres at 48953 Alpha Drive, PIN: 22-08-328-005 and 2.19 acres at 48881 Alpha Drive, PIN: 22-08-327-006 from Industrial Research Office (IRO) to Freeway Service (FS).** These amendments will allow these properties to remain zoned in districts where the current primary uses are permitted uses and in alignment with adjacent zoning.

Discussion:

Chair Day stated since the Planning Commission did not take action on Agenda Item #3, and this Agenda Item #4 is not necessary to discuss; to eliminate Agenda Item #4 from discussion and bring it back depending on Agenda Item #3. Assistant City Manager Benson agreed and indicated it would make sense to re-notice.

**MOTION** made and seconded by Commissioner Cousineau and Vice Chair Tacy to remove this item from the Agenda: **Public Hearing to consider making City-Initiated Zoning Map Amendments to rezone 2.03 acres at 48953 Alpha Drive, PIN: 22-08-328-005 and 2.19 acres at 48881 Alpha Drive, PIN: 22-08-327-006 from Industrial Research Office (IRO) to Freeway Service (FS).** These amendments will allow these properties to remain zoned in districts where the current primary uses are permitted uses and in alignment with adjacent zoning.

**VOTE:**

**MOTION CARRIED**

**Call to the Public:**

No public comments.

**Staff Comments:**

Assistant City Manager Benson stated it was good to see everyone and welcomed Mark Helsom as Planning Commission member.

Mr. Lewan indicated he wanted to put an end to a discussion that may have occurred a while ago but realized he never got back to the Commission which is the architectural façade of the second part of Assembly Park regarding the window openings and percentage of glass, etc.

Mr. Lewan stated he gathered as much information as he could such as old site plans, Minutes, agreements and did a fair amount of research. Mr. Lewan indicated from what he could tell, the building in question is built exactly as approved. Mr. Lewan stated there was discussion about more windows, however, that discussion never made its way to any agreement or site plan. There are specific notes on the site plan about percentage of openings, and they meet those note standards. Mr. Lewan indicated he has walked the site and inspected the site, and the site is dead on what they said they were going to do.

Chair Day stated the Planning Commission will have to bear that in mind as future plans come before us.

Assistant City Manager Benson added there was a significant ribbon cutting for Renaissance Logistics. Renaissance Logistics also picked up Building C; they will now have over a million square feet. Just as an update, Building D has not yet signed a tenant but there continues to be high level conversations. The area is well received and will go well. Building E will be built to suit, but Assistant City Manager Benson does anticipate that will be available sooner rather than later.

Assistant City Manager Benson indicated the ICP property about the temporary land use is not gone, it is working itself out. There are a lot of different components going on behind the scenes, but the City is having conversations with them. They do have an intent to try to come back and address some of the components. ICP has full approval to drain the ponds and the City is having conversations about how to fill it, the grades, and the plans going forward. The public hearing was left open, so as soon as they work out their

agreement with Flint Development, Assistant City Manager Benson anticipates they will come back before the Planning Commission.

Vice Chair Tacy stated they had already started work without coming before the Commission, supposedly because they did not know they had to. She asked if it was entirely up to EGLE to determine how that was going to look back there, and was the City going to have an opportunity to say this isn't acceptable or this is what we hope to see? Vice Chair Tacy asked how does this process works when it is working in the right order? Assistant City Manager Benson indicated there are expectations for them that the property owner, ICP, didn't expect but Dan's Excavating situation opened. It was Assistant City Manager Benson's understanding that they are not going to crush concrete and dispose of it in the opening. It is a little more sophisticated process. Most of the crushing onsite gets shipped out and they may keep the useful components. The City has asked them to provide documentation of what the topography will be after they fill and what materials they are using to fill. Vice Chair Tacy inquired how does all of the plans and notifications go together so the City can say that must be fine by EGLE, and works in the City with the adjacent properties. Assistant City Manager Benson indicated the City does receive notifications from EGLE, but they do not really involve us in the process, specifically, for the draining portion. That's the only part that has been fairly authorized. Assistant City Manager Benson stated, to his knowledge, the EGLE process has not really had the filling portion, that hasn't completely been worked out yet, but he believes is part of the reason they have not had the conversation with the City. It was getting to the point of being drained first, which takes months to do; it is a very controlled draining process and requires sampling, etc. There is a mechanism in the procedures that notifies the City of EGLE approvals, and it is under the City's jurisdiction to make other stipulations. Assistant City Manager Benson indicated the City does receive notifications from EGLE, and then the City does have the ability to have a conversation with them. The City has been kept in the loops about their plans to drain but they have not had the conversation about plans thereafter. Mr. Lewan indicated there is no point in the process that the City would be required to do something other than get the letter; nothing that triggers the Planning Commission. They are required to send notice to the City. Assistant City Manager Benson stated they have received copies of the draining plan, the permits, etc.

Mr. Lewan added in reference to Phase 1 and Phase 2, he walked the sites and has done finals on plans for many years on a lot of different places, this site meets every aspect of the site plan including number of plants, type of plants, size of plants, handicap parking, dumpster locations, screening of dumpster locations, storm water detention, plants in the storm water detention, etc. Mr. Lewan indicated he had walked the site with the owner and Assistant City Manager Benson, and on other sites, there is usually a list of things that are a problem; there were a couple of arborvitaes that were dead because they were next to the transformers and transformers are too hot, so they replanted and moved them back. Mr. Lewan stated if the Commission wanted to see what their standards were doing in that part of the City, that is a good site to walk through. It meets what was approved by the City right on.

Chair Day indicated the design standards were not included in tonight's packet, and asked if the design standards were available online. Assistant City Manager Benson indicated he would send the link to the ordinance section, and he would resend copies of the design guidelines to the Commission, as well.

**Commission Comments:**

No comments.

**ADJOURNMENT:**

This meeting of the Planning Commission was motioned and adjourned at 8:30 p.m.

Mona Freiburger  
Recording Secretary