

**APPROVED**  
**AUGUST 5, 2024**

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
PLANNING COMMISSION MEETING  
MONDAY, JULY 15, 2024**

This meeting was called to order by Chairman Day of the Planning Commission at 6:57 p.m. at which time allegiance was pledged to the American flag.

**PRESENT:** William Day (Chairman), Cheryl Tacy (Vice Chairperson), Commissioners: M. Dornan; Sandro Grossi; Mark Lada

**ABSENT:** Excused: Cousineau; Lada

**OTHERS:** Matteo Passalacqua (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 Grossi and Vice Chair Tacy to approve the June 17, 2024, Planning Commission Meeting Minutes, as submitted.

**VOTE:**

**MOTION CARRIED**

**Correspondence:**

July 9, 2024, City Manager Update

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

No public comments.

### **Old Business:**

#### 1. Discussion of VCA Sign Ordinance Revisions

The changes to the VCA sign regulations are based in part on comments received at the May 8, 2024 Planning Commission Meeting. Copy of Memo from Douglas Lewan and Matteo Passalacqua, Community Planners (Carlisle Wortman Associates) dated July 9, 2024 are included in the packet. Changes include the following:

- Changes to the definition “Box Sign”.
- Changes to the illumination section of the ordinance.
- Additions to the Design and Materials section of the ordinance. Specific sign examples are provided. Please note that the sign examples are placeholders for example only, and can be changed if the general concepts are acceptable. Other design aspects are also clarified.
- Additional language regarding Planning Commission input on modifications to the ordinance requirements.
- Other general changes throughout the ordinance.

Mr. Passalacqua indicated two of the items on the agenda are the VCA sign ordinance proposed amendment language as well as the proposed addition of a Renewable Energy Ordinance section to the Zoning ordinance.

Mr. Passalacqua stated his associate, Douglas Lewan, worked with Assistant City Manager Benson and himself, and collected notes from prior meetings to put together the draft that is in front of the Commission tonight. The memo Mr. Lewan put together highlights the larger parts of what is to be accomplished with this new language. Mr. Passalacqua indicated he wanted to go through this information with the Commission to solicit their feedback and thoughts.

The discussion started with the defining of box signs. Mr. Passalacqua indicated as they go through these list by list, if the Commission had any thoughts or comments.

Chairman Day commented he liked the specificity of the new wording. Assistant City Manager Benson indicated it is hard to tell but the image under 18.16.070, there is a red line through that image and the intent would be to replace the image. That image is slated to be removed. The idea is to add imagery that would help define items such as box signs, etc. The design elements states box signs are prohibited and cites that image. The image could be changed to a better box sign to make sure the point is made.

Mr. Passalacqua commented there were conversations regarding illumination of signs, foot candles, and the external exposed lighting sources such as bulbs or neon tubes not being allowed with the exception of window signs; electronic messages prohibited in the VCA; projecting signs may not be backlit or internally illuminated; wall signs shall not be internally illuminated with the exception of individual letters, logos or other message components. Assistant City Manager Benson indicated they tried to encapsulate neon type colors or electronic light that simulate neon a little better. Vice Chair Tacy stated the intent was to avoid very garish and invasive type lighting.

Assistant City Manager Benson stated the other item discussed and planned to have further conversation is defining raceway channels. One of the initial concerns was in reference to electronic signs, specifically, with individual letters. He indicated they do recognize and remember the conversation about raceway at the last meeting but functionally with individual letters. Assistant City Manager Benson stated their point was duly noted.

Mr. Passalacqua stated the only other prompt that would be with illumination, they are very straightforward on what we don't want with illumination. He asked if there was any consideration or any type of lighting that we want to either require or have it highly preferred. Chairman Day stated exterior lighting such as the Wixom Station with the goosenecks would be highly preferred. Vice Chair Tacy commented she looks at it as well in terms of what does the building look like, the signage, staying with the standards and what works best. She does not want to limit in that regard and say we only want a certain thing.

Mr. Passalacqua stated we are clear on what we don't want, but is there anything that we want to make sure is highlighted in what we would like? Wixom Station lighting has been referenced prior. It is referenced in Section 18.16.070 e, with the exception of illuminated individual letters, logos or other message components as noted above, all signs shall be constructed of two or more of the following: maybe that is where external illumination as another of those characteristics is inserted. Chairman Day commented he was curious as to why the picture of the Dairy Queen sign is inserted because that seems like a box sign that would not be allowed under the proposed definition. Assistant City Manager Benson stated the point of that particular example was for allowances were plastic or other similar materials can be used; that example has individual raised lettering which illuminates the individual. Vice Chair Tacy stated it is not a good example.

There were no issues with ceramic tile painted or sandblasted, either the materials or the sign example, themselves.

The next page was wood carved or sandblasted signs. Chairman Day stated he liked that sign.

Metal formed etched cask or engraved, the Ironwood Grill, which is cut with the coloring being behind it. Vice Chair Tacy stated she would love to see if another image could go along with this; it is hard to see what that is portraying. Mr. Passalacqua suggested a high quality zoom in, something that is a little clearer. It could be noted that it has to be dimensional.

Mr. Passalacqua stated there is some language regarding brick or stone with recessed or raised lettering, along with the Wixom Station example.

Other similar high quality exterior grade materials, Mr. Passalacqua asked if there are any other portion of a description of other similar high quality exterior materials to be referenced. Chairman Day stated the language seemed vague. Vice Chair Tacy stated the use of the term, artistic, is to the eye of the beholder; the whole goal was to make a checklist for people to know.

Assistant City Manager Benson it is referenced in F is plastic or PVC when used in combination with one of the above. Assistant City Manager Benson suggested to delete E and move F up to E. Drafting Table sign is a better example of plastic or PVC being used in practice to a way that is desirable. Chairman Day agreed.

Mr. Passalacqua asked if there were any other materials, images, bullet points, that the Commission would add to the section calling out what the Commission would like to see or what is required.

Mr. Passalacqua inquired about the process for review. The way it is set up, these signs would be administratively approved; if the building department denied them, the applicant would then have a mechanism to request that the Planning Commission review the application and provide information why they feel as though it meets the intent of the VCA design guidelines, etc. It would need to be denied first.

Assistant City Manager Benson stated the zoning administrator is a defined term in other spots of the zoning ordinance. Generally speaking, the zoning administrator is the building official. In practice, the planning consultants serve as the zoning administrator so they provide the sign off. The zoning administrator is a very common term; it is referenced elsewhere in the zoning ordinance. Vice Chair Tacy stated she wanted to make sure that we avoided the ambiguity that allowed certain signage. She was hoping that was a point person on staff in the department where it is the planning consultant or a person that works within the building department. Chairman Day stated the example of Shades Salon, if they came in, they would have to be denied because the one letter is more than 18 inches but it certainly meets the idea of being artistic, and meets the intent of the ordinance. The sign would have to come to the Commission but thought it would be approved.

Mr. Passalacqua stated the way it is worded, they have improved the definition of criteria and judging of the sign. The in-house denial is what would trigger the mechanism to go to the Planning Commission. Chairman Day stated the wording would make it clear that a couple of things that have been approved would not be approved under the new wording. Vice Chair Tacy asked if there is a process by which the in-house person is trained. Assistant City Manager Benson stated the ordinance, itself, is always the first place that any zoning administrator would start. In opportunities of ambiguity, then other examples are looked at, particularly ones that are more recent that have met the intent. Mr. Passalacqua stated, ultimately, it comes with time, review, experience and working with the Planning Commission. With the VCA, there are not a lot of sign applications, but as we get through a few more, there is an established process developed for what is and what is not things that are highlighted. The image help a lot.

Chairman Day asked how the foot candles of illumination is measured. He indicated the Wixom Dental signage is the prime example which is brighter than would be allowed under this measurement. Assistant City Manager Benson stated, generally speaking, an application should state how bright the sign would be, but they don't always. Assistant City Manager Benson indicated this would give them an opportunity to update the form. There are tools available to measure foot candles. Carlisle Wortman may have access to a tool; if needed, the City could, potentially, purchase one.

Mr. Passalacqua indicated within the process of denial, the Planning Commission does have leeway in the language as far as modifying or waiving certain requirements based on the additional materials that the applicant would bring to make their case before the Commission.

Chairman Day stated he was happy with the new language.

The public hearing would more likely be held on August 19, 2024.

## 2. Discussion of Renewable Energy Ordinance Revisions

Included in the Planning Commission's packet is draft language (memo dated July 11, 2024 from Carlisle Wortman Associates) proposed for the Zoning Ordinance to include the provision and regulation of renewable energy facilities in the City. Facilities would include solar, wind and battery storage developments. The language is formatted to accommodate both state regulated and non-state regulated systems per Public Act 233.

For the purposes of timing, Public Act 233 will become effective in November, 2024. Communities must have a compatible renewable energy ordinance (CREO) by that time in order to avoid state control over reviews of larger systems.

Mr. Passalacqua indicated they put together a new section in the zoning ordinance which would deal with all of those types of systems. The other changes that would need to take place of the zoning ordinance as it is now because there are some minor references to wind and solar but they are very general. At the point of the public hearing, there would have those changes for the Commission. This only speaks to the new section.

Schedule A speaks, specifically, to the State size threshold systems and the requirements that the State has prescribed. Everything in there has been outlined in the law by the State. This checks the box that you have a compatible, renewable energy ordinance. Solar and wind systems of State size are about 650 acres. Battery systems are a little different. Those sites may be ten/fifteen acres. The sites can be non-contiguous but they do have to be connected via transmission lines and tieback into the system. It is not just outlining 650 acre sites, it could be 200 here, 100 there, etc.

Mr. Passalacqua commented they foresee a lot of interest generated by this law but maybe not for systems that are that big. They developed Schedule B. If you are below the State thresholds, then there are standards that you have to follow. These standards are much more specific, a lot more detailed and more akin with what you would see with a normal site plan.

Schedule B outlines different standards for solar, different standards for battery systems for wind. It talks about landscape buffers, fencing, all of the things that are already in the ordinance. There are studies that are required for all Schedule B systems and additional information or standards that are required for all of those systems. Then the site plans for those systems are referenced. Mr. Passalacqua stated he does have a few notes that are minor tweaks. It is nothing substantial, it is something to add clarity as it relates to Wixom's process of renewing these things.

Mr. Passalacqua proposed an overlay map. He indicated overlays are the best way to deal with these as opposed to making them permitted in a certain zoning district. In the map, they tried to outline parcels that would be of a sufficient size to house a system like that and in districts where they might not abut up against other uses that would conflict with it. At the end of the packet, itself, there is the map where there is the blue color and the size of the parcels indicated that would be available for solar, battery or wind systems.

Mr. Passalacqua indicated one of the edits in this ordinance is referred to as a gravel overlay, but it is a carryover from another community. It would be named the Renewable Energy overlay. This is something that they have been working on since the law has been spoke about last year and now will go into effect in November, 2024.

Commissioner Dornan indicated he was curious about the ordinance. He also stated he was very interested in the overlay map. Commissioner Dornan stated the question he had is that years ago under mobile home ordinances, they had to include in the zoning

ordinances the mobile home ordinance to accommodate this very type of housing. He asked what is the minimum, or what is the formula that determines what they are working towards? Mr. Passalacqua stated that is a fair question but it is one that is likely to get answered after November. The State law doesn't say you have to set aside this much land to accommodate these systems. It merely states you have to accommodate these systems.

Commissioner Dornan stated as far as the overlay district goes, he would have to convince him with a great deal of prejudice to include renewable energy facilities that are in view of residential neighborhoods. It was stated that the Damas property at Beck and I-96 is not included.

Commissioner Dornan stated he was leery about some of these facilities at the gateway, as well. His greatest interest and curiosity is, are parking lots an ideal spot for solar panels in the form of covered parking. He indicated there are far greater uses of land like IRO which better benefit to install these facilities on pre-existing properties.

Chairman Day stated when looking at this map, it doesn't appear that all of these parcels put together would be 650 acres. Assistant City Manager Benson stated the only way that we could, potentially, get close is if the 250 acres north of the mobile homes were included. That is a county park, and also owned by Oakland County; it is also forested.

Chairman Day agreed with Commissioner Dornan regarding the gateway issue especially if Beck Road ever gets the improvement it is supposed to get; it would become more of a gateway than it is now. Chairman Day stated in terms of the parking lot, and using solar, he was thinking of Menard's parking lot. If that was all covered with solar panels, he was not sure that is something he would, aesthetically, like to see coming into town. Commissioner Lada encouraged them to look at some of the ones that already exist. Michigan State has a lot. Chairman Day stated those parking lots are not in town parking lots. Vice Chair Tacy stated it is not a bad use, it is a double use. Commissioner Dornan commented urban areas over the parking lots is ideal. It has the greatest demand for energy.

Mr. Passalacqua stated he would have to do some homework. It is fair to say that it could be incorporated into developments or it is permitted to be incorporated into developments in these zones. In Schedule A with State systems, it is very large systems. Mr. Passalacqua stated he would be leery making that requirement as he understands the law now. There are probably some courts that will end up answering some questions but that might be seen as an additional restriction beyond what the State is saying you can do. Vice Chair Tacy commented she thought it was encouragement towards more of a green environment. For example, the Meijer property changes and somebody comes in and we say, would you be interested in covering your parking lot, it would be solar. Mr. Passalacqua stated that would be something that would fall much more to the likelihood of Schedule B which is local control, things that we do have the ability to regulated as we

see fair and fit. Vice Chair Tacy stated she wanted to make sure it is not excluded. Now that the idea has been introduced, she was excited about it, that we would have the wording in place to say yes, we can work with you on that and yes, this is how it would work. To that point, Mr. Passalacqua commented we can work with that but that's going to come to us with Meijer saying, we want to build a Meijer and we will do solar covered areas. It is not going to be a solar developer coming to us saying, I am going to build a Meijer, and I am going to put solar all over. Mr. Passalacqua stated he is trying to distinguish that we are looking at something where a renewable energy developer is coming to us and that is what they are looking to do with the land. Chairman Day asked why couldn't somebody come in who wanted to develop the solar deal and go to Meijer and Menard's and pay them to allow them to do that? Mr. Passalacqua stated it could, potentially, be called Schedule C in this to say solar or battery or wind on previously developed sites or something to that nature. He thought this could be attainable. Mr. Passalacqua stated he did not think it would conflict the State because, again, the amount of power you need to generate is going to go beyond the size of a Meijer parking lot. Assistant City Manager Benson stated it would be a rare circumstance. It is also the one that we have the least control over. Generally speaking, Schedule A, there is not a lot we can do, nor is it that big of a concern for us. Schedule B is where we have flexibility. Assistant City Manager Benson stated the core piece behind the pushes is to make sure we have these ordinances is to be defensive. The Commission is looking to be a little offensive, which is a good thing.

Commissioner Dornan commented he was trying to craft the Renewable Energy overlay map in such a way as it will meet State guidelines under the new law and avoid visuals from certain areas such as gateway and so forth. He did not see it as a special use over a Meijer. Commissioner Dornan thought if you put it on the map, someone may come into Meijer and say, I have this map and I want to put it over here.

Commissioner Dornan stated he does not want to be in violation of State law. Mr. Passalacqua commented with some of the potential modifications made to the map, he was making a very fair provision within the community for these systems. Chairman Day asked why shouldn't all the GPUD be part of the overlay. Commissioner Grossi asked about tops of buildings such as Renaissance Global, etc. Mr. Passalacqua stated it is tough because it is Schedule A or Schedule B. Schedule B, we can find a way to talk about it and put it in there. Schedule A, it could be seen as an additional restriction because he comes to the community and all he wants to do is build a solar field, he doesn't want to build a building to put it on or build a parking lot to put it on. The overlay would make it a permitted use in that area but the point Mr. Passalacqua was making is you apply additional use restrictions to the site, the way the law is structured right now, the developer could say you are being more restrictive than the State law, he is going to go to MPSC and get it reviewed through them.

Commissioner Lada inquired if Schedule B impacts the general homeowner wanting to install solar on their home. Mr. Passalacqua stated no. Schedule B is for systems that



are below the State threshold. For solar and wind, it is about 650 acres to get to the State levels. Battery is a little different. For battery, it is 10 to 15 acres to hit State thresholds. If you are below that, say 25 megawatts of solar, you are probably looking for 300 acres of land. Commissioner Lada asked if it is distinguished on Schedule B by color on the map. The overlay would, basically, allow both Schedule A and B systems. Mr. Passalacqua stated for State, solar is 50 megawatts; wind is 100 megawatts or more; and battery is 50 megawatts of solar with the ability to discharge 200 megawatts.

Commissioner Lada inquired if there is anything in the language about the improvement and technology. The panels are limited right now by size and amount of kilowatts it can gain per square inch but that changes every six to eight months; they are getting better every day.

Assistant City Manager Benson commented in getting back to one of the original points that when this conversation was brought to us, it was looked at, primarily, from being in the defensive standpoint. He understands the point that being interested and being supportive, the ordinance needs to be looked at in how we do that. We do need to go back in the proactive pieces of how do we facilitate that as a reuse of existing spaces or on top of existing buildings. Commissioner Lada suggested to list it as a special land use. Assistant City Manager Benson stated we could try to define in smaller arrays. He indicated tonight we are going to reference those worst case scenarios of Schedule A, where we have the minimum control over, and where they could, theoretically happen, and then on Schedule B, that we can regulate better. In Schedule A, the State law does not reference zoning, geographic restrictions and there have been interpretations both way that the State not referencing it means you can and the State not referencing means you can't which is the worst answer in the world. Mr. Passalacqua stated we have some time to take those updates into account and start to address some of the concerns and ideas that have been at the Planning Commission level. To Assistant City Manager Benson's point, Mr. Passalacqua thought a lot of proactive conversations are things that we can look at as instead of it being associated with these types of developments, it is more of a special land use or an accessory use type of conversation and then we can make sure it does cover a wide swath as opposed to painting half of the map in an overlay. Mr. Passalacqua stated he will bring this back to the Commission.

Chairman Day commented in terms of Schedule A and solar, the minimum setbacks, it says for an occupied community building or dwelling on a non-participating property, it has to be 300 feet from the nearest point on the outer wall. This would leave it within sight of residential areas. He asked if that would have to be allowed in those areas. Mr. Passalacqua stated the law doesn't speak to the zones it can or cannot go into. They have to be at least 300 feet from the nearest, non-participating property structural wall.

Assistant City Manager Benson stated this is a lot of information. Mr. Passalacqua indicated there is a lot of language in there as it relates to decommissioning requirements surety requirements with bonds etc., and again, this has all come out of the evolution of

crafting this language for communities with information that we feel is pertinent and addressing some of the concerns that have come up in other communities, as well.

**New Business:**

None

**Call to the Public:**

No public comments.

**Staff Comments:**

Assistant City Manager Benson stated he was hoping to see Commissioner Cousineau tonight. It is his understanding that Commission Cousineau may be looking to resign on the Planning Commission and ZBA. Assistant City Manager Benson indicated he has been working with Mayor Beagle and the Mayor has another appointment planned if Commission Cousineau resigns. Another Commission member may join the next meeting to be held on August 5, 2024.

Assistant City Manager Benson indicated he would be sending out an email to the ZBA and Planning Commission members to schedule training, specifically, through the Michigan Association of Planning. There are a couple of dates during the last week in July or the second week in August for training.

Lastly, there are a couple of items coming before the Commission on August 5<sup>th</sup>; a rezoning request and a preliminary review for a subdivision. Assistant City Manager Benson stated it is going to be a busy summer with a good stream of items coming in.

**Commission Comments:**

Chairman Day welcome Mr. Dornan to the Commission and is looking forward to seeing Ms. Willett on the Commission.

Commissioner Dornan commented Mr. Tony Lawrence and Commissioner Cousineau will be missed; but looked forward to be working with the Commission.

Commissioner Lada stated the Wixom Community Foundation will hold the Amazing Race on July 27<sup>th</sup>.

**ADJOURNMENT:**

City of Wixom  
Planning Commission  
Monday, July 15, 2024

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

Mona Freiburger  
Recording Secretary