

**APPROVED  
OCTOBER 21, 2024**

**CITY OF WIXOM  
49045 PONTIAC TRAIL  
PLANNING COMMISSION MEETING  
MONDAY, OCTOBER 7, 2024**

This meeting was called to order by Vice Chairperson Tacy of the Planning Commission at 6:58 p.m. at which time allegiance was pledged to the American flag.

**PRESENT:** Cheryl Tacy (Vice Chairperson), Commissioners: Todd Buck; M. Dornan; Sandro Grossi; Mark Lada; Vanessa Willett

**ABSENT:** Excused: William Day

**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 Willett and Commissioner Lada to approve the September 16, 2024, Planning Commission Meeting Minutes, as submitted.

**VOTE:**

**MOTION CARRIED**

**Correspondence:**

City Manager Report – September 24, 2024

**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. **VCA SIGN PERMIT APPEAL PS24-0039: HAWAII FLUID ART, 49016 PONTIAC TRAIL, WIXOM, MI. 48393:** The applicant is requesting an appeal of the Zoning Administrator's denial of a sign permit application. Per Section 18.16.070(L) of the Zoning Ordinance, the requirements for signs in the VCA zoning districts may be modified by the Planning Commission where the objectives and intent of the VCA district are better served by such modifications, rather than through the strict application of the requirements contained therein. The site is located along the north side of Pontiac Trail, east of Wixom Road. The site is zoned, VCA-C, Village Center Area Core and is currently vacant. The parcel identification number is 96-17-32-354-007.

The applicant is requesting an appeal under Section 18.16.070.L of the Zoning Ordinance. The requirements for signs in the VCA zoning districts may be modified by the Planning Commission where the objectives and intent of the VCA district are better served by such modifications, rather than through the strict application of the requirements contained therein. The site is located along the north side of Pontiac Trail, east of Wixom Road. The site is zoned VCA-C, Village Center Area Core and is, currently, vacant. The parcel identification number is 96-17-32-354-007.

The Planning Commission may approve the application as is via waivers and modifications or offer preferred alternative waivers or modification sin a revised application.

Memo to City of Wixom Planning Commission from Matteo Passalacqua, Community Planner, Carlisle Wortman Associates, Inc., dated October 7, 2024 is included in the packet. The Memo outlines sequence of events regarding the applicant submitting sign permit application on August 26, 2024, revised sign application on September 16, 2024 and noted modifications made between the August 26<sup>th</sup> application and September 18<sup>th</sup> application.

Mr. Passalacqua indicated the Commission has the VCA sign permit appeal in front of them tonight. The memo outlined the timeline under which we have come to this point. Initially, a sign application was submitted by Signarama for their client, Hawaii Fluid Art, who is looking at a space in the building across the street in the VCA district. The original application was denied under the old VCA sign ordinance. The application came while

the Commission was still working on the new ordinance, but the old ordinance was still effective at that time. The sign application was denied based on the three criteria listed in the memo: the box sign resemblance, raceway and letter logo dimensions. The denial was provided to Signarama but also with the indication that the Commission is working on revising the sign ordinance and unless they were to turn in a new application in the next day, they would be reviewed under the new sign ordinance. The draft language was sent for their next application. The new ordinance was passed, and the second application was denied for the items listed lower in the memo: use of a box sign, logo height in excess of 18 inches, lack of dimensional effect for a wall sign and a lack of color coordination with the building. The second page of the memo highlights areas where the applicant came into more conformance with the ordinance by eliminated the raceway, the letter height within the logo, itself, now does meet the height standard; the logo is still too large but the lettering within it is within the dimensions highlighted in the ordinance. The sign was flush mounted to the building. It was, again, explained to the applicant that this would be denied but under the new ordinance, there was a mechanism to appeal to the Commission, if they wanted to do so. The applicant elected to appeal to the Commission. The revised application is in front of the Commission tonight that was denied by the City and some of the language was provided from both the ordinance, itself, the new sign ordinance, the design guidelines and then language from the zoning ordinance for guidance in the Commission decision for this evening.

Vice Chair Tacy asked if the sign is to be internally lit. Mr. Passalacqua indicated the logo is internally lit, and then the individual letters are internally lit. We allow individual letters to be internally lit but not the box light portion of the sign.

Vice Chair Tacy indicated the sign is, basically, a flat, plastic, one dimensional sign; there is no secondary material along with the design that would either, one, meet the requirement for a second material such as ceramic tile, wood, metal brick or stone. She stated she was looking for dimensionality, as well, which would help it achieve approval. The sign would be constructed of a plastic PVC composite, or something of that nature.

Mr. Passalacqua stated there were discussions regarding the sign and ordinances, but, technically, the application is still deficient and denied, accordingly.

Ms. Cara McLauchlin, 49016 Pontiac Trail, Wixom; she resides in Berkley, Michigan. She stated everything that was said is absolutely as they understand it. Ms. McLauchlin indicated her sign, logo, has writing on it. It is, "Hawaii Fluid Art, which contains 18 letters. On a small sign, it is not readable. She stated Signarama provided a comparison of what the sign would look like with the new guidelines, and what was originally submitted. The sign is about a third of the size. Ms. McLauchlin commented they are trying to be compliant with their trademark; and there isn't anybody in their franchise that has a sign this size across the United States. She was also concerned of the message it is going to send when the other signs at the strip mall are larger, and she has a cheap looking, small

sign. Ms. McLauchlin was worried about the image that is going to be presented to her customers.

Assistant City Manager Benson commented he was not involved in the direct conversations about the sign, but he was curious if there are restrictions, specifically, from the franchise or what flexibility the franchise allows to be able to take the logo for Hawaii Fluid Art and do different styles or different dimensionalities, etc. Ms. McLauchlin stated it was a fair question, but she did not know or ask them how small the size of the logo could be; another franchise owner indicated the size was not going to be approved by the franchise.

Commissioner Dornan stated many of the signs along the strip mall are larger than the proposed sign. It is a practical matter. It falls right into the applicant's concern and the franchise's concern about visibility. Visibility is always an issue for retail. Commissioner Dornan commented he did not have anything against the sign, whatsoever.

Commissioner Willett commented we want to help the businesses downtown, and, obviously, we are also representing the City in how we want to see it look. She asked if Mr. Passalacqua had any additional suggestions as far as the color not matching, or if he could suggest anything from his experience to help them. Mr. Passalacqua stated he respected the question, but the tough part of his role is to outline where they check their boxes and where they don't. He indicated there may be other alternatives, ideas or thoughts available but that's for the Commission and the applicant to decide, if that is the intent of the Commission.

Commissioner Lada inquired if we were talking about the "Hawaii Fluid Art" was not acceptable, but "A Place to Create" is acceptable. The color in the background is determined by the franchise. That is required to be all one piece and not separate letters that have depth. Ms. McLauchlin stated yes, that's in the specs. Lighting needs to be inside the sign.

Vice Chair Tacy indicated, to that end, she has less of a problem with the color break, itself, as she understands, that's a corporate logo. Her concerns were that it is a box sign that is colored plastic, that is internally lit, which Commissioner Lada pointed out, is the very thing that we just said no, we don't want to go there.

Commissioner Willett stated she could not believe the franchise wouldn't give a pass on the lighting within it, as long as there is some type of lighting. They are going to run into this issue with various City ordinances.

Mr. Mike Powers, Signarama, 49677 Grand River, Wixom, MI; resides in Commerce Township. Mr. Powers indicated franchises do have brand guidelines that they want you to follow because they want consistency across the board. This is what the applicant is

trying to achieve here. Gooseneck lighting would be an incredible expense for the applicant. Mr. Powers indicated they are trying not to go down that route. He indicated it is frustrating for the applicant because we deal with the cities, and we understand changes happen, but the applicant is looking at the rest of the strip mall and what's going on there right now. The applicant would like her sign to be legible and visible.

Mr. Passalacqua stated he would like to offer a point of clarification that's important for this discussion. The way the ordinance reads, the logo, itself, can be internally illuminated. Mr. Passalacqua read the language to the Commission. "The use of materials such as wood, brass, vintage painting, and symbolic designs are highly encouraged; plastic or PVC may be used only for internally illuminated individual letters, logos or other message components, provided their appearance, color design, shape, etc., contribute to the VCA's district intended traditional downtown design". Mr. Passalacqua apologized for the confusion. The sign could be internally lit, but it still does not check the color box, the coordination with the building box, the dimensional box. The lighting element is not a point of contention for this evening.

Vice Chair Tacy indicated it is still a box sign, which is non-compliant with the old and new ordinances.

Assistant City Manager Benson stated, to Mr. Passalacqua's point, if there were dimensionality to the letters, just for an example, "Hawaii Fluid Art" were raised in some way, shape or form, that would cover the dimensionality box, and you could consider permitting the color scheme and the illumination.

Commissioner Dornan commented the sign proposed is as small or smaller than any other sign along the strip center downtown, according to the picture. He stated he was having a hard time denying on its face other than the lighted signage, the box sign. Everybody else has it.

Vice Chair Tacy indicated the reason that the Commission ended up addressing the sign language was because we were faced with approval of non-compliant signs. The feeling of the Commission was that the perimeters were not clear and ended up with signs that were not actually what the Commission wanted out there because of the lack of clarity. The Commission then revisited the language to make it clearer for compliance when a sign application comes in. Visual images were also provided. This was not necessarily an element to enforce similarity between all signs, it was better outlining what the desired outcome was, but there was still a lot of flexibility within the creativity and type of sign to be installed. The intent was to have more designed features being included. The issue was the lack of dimensionality, the lack of consistency on sizing and then, to some degree, looking at allowable materials. These are probably the most significant changes.

Commissioner Willett commented she was fine with the color on the logo. We can't ask someone to change their logo on their branding.

Mr. Powers inquired how does the Commission characterize a box sign because the sign proposed is a circular sign with a little bit more dimension. He indicated when he thinks of a box sign, it is a box sign where you can slide out the tenant's name and put another one back in. This sign has the shape of their logo.

Mr. Passalacqua indicated there seems to be an acceptance of the fact that the letters within the logo meet the dimensional standard. It sounds like due to the franchise nature of the sign, the color of the logo sign, itself, is good. He thought we were looking for a dimensional element to the "Hawaii Fluid Art" sign. Mr. Passalacqua noted wall signs should extend no more than 8 inches from the exterior face of the wall to which it is attached. A portion of it could be offset by three or four inches, where there would be a dimensional effect.

Mr. Passalacqua stated we would be looking at the dimensions, left to right, from the H to the exclamation point, and the overall height, itself. It is conveying, essentially, one message, so we are willing to consider it one sign. The sign meets the maximum size requirements allowed for the façade of that storefront.

Commissioner Buck inquired if, "A Place to Create" and the "Hawaii Fluid Art", the same; there is the dimensional change. The whole thing is one element, and the letters are different depth than the Hawaii Fluid Art portion. You've got dimension. Commissioner Buck indicated he did not have a problem with this sign as it is shown on the elevation. He did not think it looked any better or worse than the other signs, especially if there is no flexibility with the applicant's franchise. It is a corporate logo.

Mr. Passalacqua indicated he thought the franchise element is a worthy reason for it to be here; this is a something that we are going to come up against. It is also a slippery slope to say that if you're a franchise, you can do whatever you want; that's why, in part, we are here.

Vice Chair Tacy commented she was still having difficulty with the box sign portion of it. It is still a box sign. She would like to see dimensionality added to that part, so that we, at least, meet the intent of where the ordinance is going. Vice Chair Tacy stated she could look past not having other materials, if there was some dimensionality that we have attempted to make the logo meet our intent. Commissioner Lada agreed with Vice Chair Tacy to at least have some depth or variation to the sign.

Mr. Powers stated they could do things as far as the dimension; it would still be considered a box sign because it is fabricated aluminum with a metal face that is pushed through acrylic that lights up at night. This could, potentially, give it some dimension.

Assistant City Manager Benson stated the way this is written and provides the difference, the definition of a box sign: it is text or symbols printed on a glass, plastic or acrylic or other materials that are mounted. It is implying that flatness. That's the point of the Commission.

Commissioner Willett indicated the Commission should do a tentative approval accepting the color, which is not an issue, so long as an updated dimension is provided in some type of mock-up.

**MOTION** made and seconded by Commissioner Willett and Commissioner Grossi to approve **VCA SIGN PERMIT APPEAL PS24-0039: HAWAII FLUID ART, 49016 PONTIAC TRAIL, WIXOM, MI. 48393**: The applicant is requesting an appeal of the Zoning Administrator's denial of a sign permit application. Per Section 18.16.070(L) of the Zoning Ordinance, the requirements for signs in the VCA zoning districts may be modified by the Planning Commission where the objectives and intent of the VCA district are better served by such modifications, rather than through the strict application of the requirements contained therein. The site is located along the north side of Pontiac Trail, east of Wixom Road. The site is zoned, VCA-C, Village Center Area Core and is currently vacant. The parcel identification number is 96-17-32-354-007; with modifications:

1. The logo sign needs to incorporate a dimensional element beyond depth and height; and
2. The depth is not to exceed the total of eight (8) inches; and
3. The Commission will accept the lack of color coordination as an approval for the sign as it relates to franchise standards.

**VOTE:**

**MOTION CARRIED**

Assistant City Manager Benson commented with the approved modifications, we could review, administratively. There should not be a need to return before the Commission unless there are any other modifications through the process.

**Call to the Public:**

No public comments.

**Staff Comments:**

Assistant City Manager Benson stated we are planning to have the next Commission meeting on October 21<sup>st</sup>, 2024 for the public hearing on the CREO ordinance.

**Commission Comments:**

Commissioner Grossi indicated he was not in attendance at the last Planning Commission meeting in which a petition for a charter amendment regarding a cannabis lawsuit was discussed. Assistant City Manager Benson commented the City received a petition for a charter amendment that would have superseded the existing ordinance that marijuana establishments are not permitted in the City. Ultimately, the City challenged that in court. The City challenged the validity of that charter amendment because it would have superseded local zoning. That charter amendment would not have permitted local control over how many licenses would have been issued, where they could be placed, and other things that are, generally, regulated by a zoning ordinance. The City was successful in that challenge and will not be on the ballot.

**ADJOURNMENT:**

This meeting of the Planning Commission was motioned and adjourned at 7:45 p.m.

Mona Freiburger  
Recording Secretary