

**CITY OF WIXOM
49045 PONTIAC TRAIL
JOINT CITY COUNCIL, DOWNTOWN DEVELOPMENT AUTHORITY,
PLANNING COMMISSION &
ZONING BOARD OF APPEALS MEETING
MONDAY, FEBRUARY 29, 2016**

The meeting was called to order by Mayor Hinkley at 7:18 p.m. at which time allegiance was pledged to the American flag.

PRESENT:

City Council: Kevin Hinkley (Mayor), Richard Ziegler (Deputy Mayor), Thomas Rzeznik, Keenan Gottschall and Robert Smiley

ZBA: Jeff Caplan (Chairman), Peter Behrmann, Tom Marcucci, Michael Schira, Ray Konchel, Joe Barts and Steve Winters

Planning Comm.: William Day (Chairman), Phillip Carter, Cory Lupinacci, Joe Barts, Peter Sharpe and Ray Cousineau

DDA: Jon Gray, Kevin Hinkley, Tom Berry and Marvin Poota

Absent: Nick Kennedy (City Council), Patrick Beagle (City Council), Anthony Lawrence [Planning Commission] (Excused), Anthony McClerklin [Planning Commission], Dave Berry [ZBA] (Excused), Melanie Klebba [DDA] (Excused), Jeff Keel [DDA] (Excused), Anthony Moscone [DDA] (Excused), Ryan Hay [DDA] (Excused), David Vanderhovel [DDA], Dino Grossi [DDA], Mark Weller [DDA] (Excused) and Cathy Buck [City Clerk] (Excused)

City Staff: Clarence Goodlein (City Manager), Carmine Avantini (City Planner), Debra Barker (Business Development Liaison), Dennis Smith (Building Official), Brad Geistler (Fire Marshall), Jeff Roberts (Fire Chief), Charles Yon (Chief of Police/Director of Public Safety), Tim Sikma (Public Works Director), Stacey Banks (Administrative Assistant to City Manager) and Jodi Gallo (Planning & Zoning Secretary)

Others: Nancy Fisher (Recording Secretary)

Determination of Quorum:

A quorum of the Planning Commission was present for this meeting.

Changes or Additions to the Agenda:

No changes were made to the agenda.

Approval of the October 26, 2015 Joint City Council, DDA, Planning Commission and Zoning Board of Appeals Meeting Minutes:

MOTION and seconded by Councilmembers Rzeznik and Smiley to approve the October 26, 2015 Joint City Council, DDA, Planning Commission and Zoning Board of Appeals Meeting Minutes.

VOTE:

MOTION CARRIED

Correspondence:

There was no correspondence to review.

Old Business:

There was no old business.

New Business:

1. Update on City's Development and Projects

Mr. Avantini stated that there are a number of projects under approval and moving through the construction process including many residential developments which will commence in the spring. This will include single-family townhomes as developers have discovered a means of getting around the previously prohibitive FHA issues. Adept Plastic's industrial building is visible from Wixom Road and I-96 and the owners want to ensure a very positive image from the freeway. It will be well landscaped. This is important since it will set the tone for future developments in that area. There will be another building which has been approved by the Planning Commission and the Zoning Board of Appeals (ZBA), a 4-unit retail building at Alpha Drive and Wixom Road, opposite Menards. There is also the BKG Ryan building, a large industrial building. This was initially a spec building. After the market crash, it took time to absorb the vacant industrial buildings and for quite some time rents were not high enough to construct spec space. The fact that this is now changing is an indication that things are improving.

The City is starting to get serious calls regarding the Menards outlots and those are expensive lots. He has met with the owner of the downtown property on the west side of the Village Center Area (VCA). Ms. Barker has informed him that there is someone interested in the BKG Ryan spec space. There has been some interest in purchase of the remainder of the Ford property and those parties are doing their due diligence. There has also been some interest in the former General RV and there may be a purchaser although there are some water issues. There have been some inquiries about the former Helmar property next to the mini-mart. There are two outlots in the front which are splittable to four outlots.

Councilman Gottschall asked for clarification about the water issues regarding the former General RV property. Mr. Avantini said that there are not any but that there is a water line on the north side of I-96 and another farther down by Sam's Way. Mr. Baidas is interested in seeing water being brought down to that location. ZBA Boardmember Marcucci asked whether there was not any water currently onsite. Mr. Avantini said that there is not and from the City's perspective, it would be great to have it looped. Fire Marshall Geistler noted that there is no suppression. ZBA Boardmember Marcucci asked whether there is water at the car wash. Mr. Avantini said that there is but you would have to bore under I-96. DPW Director, Tim Sikma, noted that this is the most reasonable solution. There is a future tap; however, if they want it now, that is the most logical since there would be fewer easements involved. They would have to work with the Michigan Department of Transportation (MDOT). ZBA

Boardmember Marcucci asked why it could not be tapped from Sam's Way. Mr. Sikma said that it can but there are four properties in between which would require an easement. The cost would be the same. Mr. Avantini noted that if it comes from Sam's Way, it would increase the value of those properties.

Ms. Barker said that there are a couple buildings available and usually there are 5 to 6 users. They are getting their documents ready. Aaron Rzeznik stated that he is excited to be part of the City and he is one week out from opening depending upon approval from the Health Department.

2. Expected Future Projects

Ms. Barker noted that there was a presentation made to City Council and the Parks and Recreation Commission in January, 2016. The Cavallero's, located off Maple Road, have been interested in selling their property for many years. They contacted a realtor who inquired whether the City would be interested in purchasing it. Currently, Gunnar Mettala Park has over 64 acres. More than 6 of those acres are utilities and 16.2 acres are wooded. It also contains a slightly used ball field, a pavilion and a volleyball court. The Police Department considers it an attractive nuisance and it earns no tax revenue since it is a City park. The City earns \$2,094 in tax revenue from the Cavallero's property. If the City improves the park, it could conservatively cost \$2 million. She showed a large map depicting the properties being discussed and pointed out that ITC is located to the direct west of the Cavallero property.

The new park would consist of usable park area and the trees would remain in place. One area would become residential use of whatever is feasible to make the park work. She worked with a guestimate of 120-130 homes and is asking that City Council and the Parks & Recreation Commission study this proposal. She has spoken to HRC who has provided comments regarding the wetlands and drainage. This would take care of all that but it is the City who will make the ultimate determination about what to do regarding this. Everyone here tonight will have input and the developer will have no say. The developer has proposed two ball fields (with sprinklers), eight soccer fields, storage buildings, a comfort station, tennis courts, volleyball courts and a road connection to town which would follow the rails to trails, eventually joining up with the Robertson Brothers' home development. She noted that the Cavallero's property contains a house and a pole barn which could be used for something.

Ms. Barker noted that the cost estimate is \$2.2-\$2.5 million. It is up to the City what it wants to put into it. The developer would pay for the park as part of the land swap. She stressed that this is very preliminary information. She used a 90-home calculation at a conservative price of \$250,000 per home which would equate to over \$243,000 per year for the DDA. She noted that Robertson charges \$285,000 for its ranches and \$389,900 for its colonials. ZBA Boardmember Marcucci asked where this revenue would be applied. Ms. Barker said these monies would be utilized to repay the City fund since the DDA funds were not being created by the DDA when the economy crashed. Those monies pay off the City's General Fund. However, she thinks that the City's General Fund and the DDA could be paid off within 3-5 years and could then be reinvested in older properties, enticing developers to come in.

Ms. Barker noted that the word has gotten out that the City is taking away the park. That is not the case. They want to improve it so that people can ride their bikes from Loon Lake through the neighborhood all the way to downtown without having to go to Beck Road or Wixom Road.

Because it is a park, it would be put to a vote by all registered voters within the City. In response to Planning Commissioner Cousineau's question, Ms. Barker said that this would have to pass by a simple majority. ZBA Boardmember Marcucci asked when this would go to a vote. Mayor Hinkley said it would be either August or November of this year. The City Manager instructed Ms. Barker to bring this before City Council and the Parks & Recreation Commission.

Planning Commissioner Cousineau noted that he has heard rumors that the potential developer for this project is Pulte. He asked whether that is correct and if not who is the developer? Ms. Barker said that the realtor is a representative of several companies and there are several interested developers but ultimately it is the City's decision which developer would be used. Commissioner Cousineau asked whether the plan is for the City to be a partner in this. Ms. Barker noted that the realtor would benefit as a broker. However, if this does not happen as proposed, the property would be sold and about 12 homes would likely be constructed. Both Pulte and Robertson have expressed interest. Commissioner Cousineau asked whether the woodlands onsite will be left intact. Ms. Barker said that they would include the ones surrounding the condos to the north.

Mayor Hinkley noted that this is a very preliminary concept and that no decisions have been made. The concept is unique in that it represents the opportunity for a private partnership with a municipality which the City would control including the homes' style, sports fields, etc. He used the large map to point out where the homes are proposed. It allows the City to keep the existing park. Currently, the comfort station suffers from vandalism, drug trafficking and other unsavory activities. If they enter into a partnership like this, the park will not be lost. The connecting roads will provide more access. There could be another road to the north and roads near the power lines to Tribute with perhaps smaller retail on the northwest corner. Homes have been proposed up to where the trees start.

ZBA Boardmember Konchel noted that there is a large complex going in on the east of Beck Road and south of Maple Road across the street from Commerce Township. He does not know how many units are planned; however, the traffic during peak commute periods at that location is terrible. When this whole topic became public, some of his immediate neighbors voiced their opposition to it. He is glad there will be a public vote on this.

ZBA Boardmember Schira stated that conceptually he is not opposed to this. He asked why the City is not more interested in controlling crime within the park. It is the City's property and it should be policed. ZBA Boardmember Caplan believes the proposed development would help with that. Mayor Hinkley said that the proposed development would also provide better road access. He noted there are only two patrol cars for every shift and the City cannot police everything. He believes having more access roads and homes present there will help reduce the crime within the park.

ZBA Boardmember Behrmann believes that the City needs to be proactive in getting information out to the public regarding this proposal. They should have put it on the City's website before *The Spinal Column* ran a negative story. Mr. Avantini stated that the initial suggestion was for the City to prepare a professional grade concept plan which is realistic and includes cost projections. However, they need a developer in order to flesh this out. Mayor Hinkley noted that the gentleman who brought this to the City constructed the park on Eight Mile Road between Drake and Halstead Roads. This individual has a background in park development and has also served on a City Council. Mayor Hinkley has been trying to solicit feedback from City residents and particularly the neighboring residents in the Indian Wells subdivision.

Planning Commission Chairman Day confirmed that the developer would purchase the Cavallero property and trade the City that property, then pay for a portion of the park which would be used to double the size of the park and improve it. City Manager Goodlein clarified that the proposal is to deliver a turn key park and that the City would tell the developer exactly what it wants and define the specifications. Ms. Barker noted that the proposed budget is \$2-\$2.5 million. The park is 69 acres and the City would get 30 acres of green space and wooded area. Mr. Avantini noted that a lot of money goes into the ground and drainage. Chairman Day is concerned with this scenario of providing specifications to the developer. He believes that through negotiations, the developer will have ultimate control in the end. He cited previous bait and switch experiences that the City has had. He believes it really needs to be nailed down.

Mayor Hinkley noted that it represents an opportunity offered to the City if the residents are interested. He asked whether there is interest in moving forward or developing a question for the ballot. The Cavallero's will sell the property either way. Chairman Day noted that he likes the concept; however, the devil is in the details. Mayor Hinkley noted that the City will not lose anything with the park. He has offered to cut through to the Indian Wells subdivision. Currently, this is a hidden park and presents some public safety issues for that reason. This is a project which may offer sustainability and tax revenue for the City.

City Manager Goodlein noted that a public vote only authorizes City Council and the various City Boards and Commissions if the City thinks it is appropriate and in the best interest of the City and its residents. The City could still opt not to pursue this. He believes there will be pressure for the developer to deliver exactly what the City wants and specifies.

Planning Commissioner Cousineau noted that there is a lot of work to be done between now and August to sell this to the residents. It has a lot of potential but it requires more than the current concept plan which is subject to change. Any plan needs to be very realistic with some level of detail. Otherwise, the public will reject it out of hand. ZBA Boardmember Schira asked how everyone present would vote on this issue tonight. ZBA Boardmember Marcucci noted that it is a win-win as long as it is done correctly. Mr. Avantini noted that the City can always step back. Commissioner Cousineau noted that the City is dealing with a broker who has some experience with parks. He asked who the developer is. He would like to know this and he would like to hear directly from them and not through a broker. Planning Commission Chairman Day wants some assurance that the park would be substantially completed before homes would be developed. City Manager Goodlein does not believe the broker will be too enthusiastic until they receive a commitment on behalf of the City. Commissioner Cousineau noted that some developers will spend a little bit of money up front. If the City does not get the interest of developers, that tells you a lot.

ZBA Boardmember Behrmann noted that the map depicting the site shows how small the park is getting. However, they need to see a map showing the current usable space including the wetlands. ZBA Boardmember Winters inquired whether the wetlands could be filled in. Planning Commissioner Cousineau noted that it would have to be mitigated and replacement wetlands put in elsewhere. Mr. Avantini noted that with residential development, this would be reviewed by the Planning Commission. He also noted that heavy wetlands and woodlands are attractive. Mayor Hinkley noted that the green shaded area on the map would be the easiest park and the new park. Ms. Barker passed around a very preliminary rendition of a proposed plan.

Ms. Barker noted that ITC has given approval to come through the drive. Mayor Hinkley noted this would give access to Beck Road, two to Maple Road, one to Wixom Road and one to Pontiac Trail.

3. Tax Abatement Applicants

Ms. Barker said that there are many out-of-state users looking at the City and even people within the State who have been holding off on constructing additions. She is seeing more interest in the tax abatements. The Michigan Economic Development Corporation (MEDC) lost the incentive based upon the number of people being brought into the State. Those numbers are dropping and they are turning to local governments for incentives. The most sought after incentive is a facilities industrial tax abatement. She has received two requests for this and is expecting two others. One is brand new to the City and is a brand new building. They have purchased land. The second has had a presence in the City for several years and they require an addition. They have applied for an abatement. The third is out of the County and potentially could go out of State. The MEDC asked her to bring this before the Abatement Committee. She is also talking to two others, one of which is speculative and who may buy a building and need an addition to it.

Ms. Barker noted that City Council agreed to create a district within the Downtown Development Authority (DDA) in order to incentivize older buildings. Unfortunately, these are all owned by the same family and have been for years. She received an email today regarding the building next to the Klebba building. City residents want to buy it. She has started a dialogue with them and she is trying to be creative with another group regarding some commercial property.

Ms. Barker noted that during the last Joint Meeting, a Councilmember asked about surveying applicants after they go through the pre-planning and construction process with the City. When the Councilmember inquired, this was not being done. Since that time, staff has worked on that with BS&A. She hopes to commence conducting surveys in March, 2016. She noted this will not be done with every permit.

4. One Stop Ready Update

Ms. Barker noted that the DDA Chairperson is out of town. She is presenting on her behalf. The DDA is part of the Main Street program. Volunteers are joining, along with DDA members and an organization helping to recruit volunteers for future events and helping with public relations. They are forming the following committees: 1) design – enhancing the visual aspects of downtown (flower pots, bike racks, way finding signs); 2) maintenance – keeping things nice; 3) promotion – how to get the word out about the DDA (advertising, marketing, web pages and business packets); 4) economic restructuring – assisting City staff to build a strong commercial district.

Ms. Barker noted that residents new to the community are interested in serving on these committees. Many of them have backgrounds in marketing and economic development. She solicited additional volunteers for these committees as well.

Mayor Hinkley asked Ms. Barker about the city-wide block party. Ms. Barker said that the Road Commission has granted permission to close Pontiac Trail between Old Wixom Road and new Wixom Road for this event.

5. By-Laws Update (Planning/ZBA)

Mr. Avantini stated that by-laws were drafted for both the Planning Commission and the ZBA. He received great feedback from the Planning Commission and will bring the revised by-laws back before them at their March 28, 2016 meeting. He intends to present the proposed ZBA by-laws at the March 14, 2016 ZBA meeting. As soon as they are recommended by the respective Boards/Commissions, they will go to City Council for its approval.

6. Next Joint Meeting – June 20, 2016 at 7 p.m.

Staff Comments:

Mr. Avantini noted that they are busy going through 300 old project development escrow accounts going back to the 1990's which necessitates them going through approvals. He anticipates completing this task this year.

Mr. Avantini noted that the rezoning project at Charms and Wixom Roads is owned by Wixom Ventures. It was rezoned by City Council under a planned unit development (PUD) for single family residential. The applicant claims it cannot develop the project this way and they have sued the City. It is currently in litigation. They have filed a concurrent application to develop 288 rental homes which will come before the City Council on March 9, 2016. He is recommending that City Council deny this request. There is another public hearing before City Council who will then take action. The first vote, involving discussion and comments, is critical. It is unknown whether it will include a small commercial piece. He thinks this is a bad proposal for the City. It is at the northwest corner of Charms and across from the CVS. It is bisected by a large wetland. ZBA Boardmember Behrmann asked whether it would not be better to have a small piece of commercial on the corner rather than residential. Planning Commissioner Lupinacci questions why it should be permitted when it is contrary to the Master Plan. Planning Commission Chairman Day noted that the applicant knew how the property was zoned when it purchased it. Mr. Avantini said that it is unusual for the applicant to be allowed to apply for a second development when the first is still in litigation; however, this is what the Judge permitted.

Mr. Avantini noted that he has reviewed a couple housing projects.

Board/Commissioner Comments

ZBA Boardmember Marcucci inquired about the property near the Post Office. Ms. Barker noted that it is owned by Green Way Investments. She has a meeting with them in the next few days and they are very close to signing a lease which will be an incentive to start on the east retail.

Councilmember Rzeznik noted that the Michigan Airline Trail will be having a focus group meeting on March 9, 2016. The topic will revolve around how to improve the planned trail development connecting West Bloomfield all the way through from Lake St. Clair to Ann Arbor. He saw no fewer than 12 bicyclists this past weekend that stopped in to inquire about it.

Councilmember Rzeznik thinks Gunnar Mettala Park is unpolicable. He believes the proposal on the table represents an opportunity to create a park, boost the DDA and support a vibrant downtown by connecting all parts of the City. He supports it.

ZBA Boardmember Marcucci noted that the ball fields in the park are terrible and wet.

City Councilmember Gottschall referenced the water issue on the old General RV property and noted that cutting under I-96 would be the easiest. Can they incentivize bringing it from Sam's Way to boost those property values? DPW Director Sikma stated that that is part of the plan for looping that system. There is only one connection to I-96. The Master Plan calls for a second connection which will help loop the whole system. They plan to go under I-96 and all the way to Sam's Way with one developer interested.

Call to the Public

There was no call to the public.

ADJOURNMENT:

This joint meeting of City Council, the Downtown Development Authority, the Planning Commission and Zoning Board of Appeals was motioned and adjourned at 8:27 p.m.

Nancy Fisher
Recording Secretary

Approved by City Council 5-10-2016
