

**CITY OF WIXOM
49045 PONTIAC TRAIL
PLANNING COMMISSION MEETING
MONDAY, JANUARY 4, 2017**

Approved
01/24/17

The 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), Phillip Carter, Joe Barts, Peter Sharpe and Sandro Grossi
ABSENT: Ray Cousineau (Excused) and Anthony Lawrence (Excused)
OTHERS: Carmine Avantini (CIB Planning), Deb Barker (Economic and Community Development Director) and Nancy Fisher (Recording Secretary)

Determination of a Quorum:

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

Agenda:

No additions or changes were made to the agenda.

Approval of the December 19, 2016 Planning Commission Meeting Minutes:

MOTION and seconded by Commissioners Carter and Sharpe to approve the December 19, 2016 Planning Commission Meeting Minutes.

VOTE:

MOTION CARRIED

Correspondence:

City Manager's Update – December 20, 2016

Call to the Public:

There were no comments made by the public.

Unfinished Business:

There was no unfinished business listed on the agenda for this meeting.

New Business:

- 1. PUBLIC HEARING FOR SPECIAL USE #16-008: PREMIER INTERNATIONAL, 46903 WEST ROAD, WIXOM, MI, 48393:** The applicant is seeking special land use approval for the outdoor storage of wood pallets. The Municipal Code, Section **18.09.020, Table 9.02**, requires approval from the Planning Commission for this request. The property is located at 46903 West Road and is zoned M-1, Light Industrial, where outdoor storage is allowed as a special land use in that district. The parcel number is 96-22-09-102-015.

Mr. Avantini referred to his review letter dated December 28, 2016. This is a request for special land use approval. They have also requested the ability to keep the white tractor-trailer that is currently on-site for storage purposes; however, this was not included in the legal notice to the public. They had a large unenclosed compactor and have since enclosed it. The only things remaining on-site outside are the pallets and the trailer. He would like to find a way to allow outdoor storage while at the same time preventing an unsightly situation. He prefers the applicant hide the pallets so that they are not visible from the road. The applicant has proposed using a fence and he will let the applicant elaborate on this. There is a height limit inside the building and the pallets cannot be stacked more than 12 feet tall. The

Ordinance also has a 12-foot height limit for outdoor storage. The applicant suffered a loss of parking when the compactor was enclosed. Specific standards pertaining to this include location of storage in the rear side yard and a 20-foot setback from the side property line (it is difficult to tell whether the applicant meets this). They do have proper circulation. Appropriate screening for the outdoor storage needs to be determined without adversely impacting parking. He does not know whether the applicant's outdoor storage needs are short- or long-term and there are a lot of outstanding questions. He does not recommend approval because: 1) the unsightliness of the outdoor storage of pallets and other items associated with company operations is not in keeping with the intent of either the Master Plan or Zoning Ordinance; 2) one of the purposes of the building addition was the inside storage of pallets; 3) the removal of parking spaces for outside storage may limit the amount of parking for employees and visitors; and 4) the permanent use of the parking lot for visible outdoor storage is not in keeping with the image the City of Wixom has sought for its industrial properties.

Debe Barker, Economic and Community Development Director, City of Wixom. She strives to bring businesses to Wixom and place them appropriately. She has had conversations with the applicant and the applicant's neighbor. However, she is not an expert in zoning. If her written review indicates that she has no comments, it is due to her lack of expertise in this area. Her job is to create a solution. She wonders whether the applicant has already outgrown its current facility.

David Strach, Premier International/MJC Assets, 46903 West Road, Wixom. The year 2016 was a busy one for him. He constructed a 6,500-square foot addition with two truck wells and moved a dumpster 5-6 different times. That also involved construction of a concrete pad. The dumpster and the enclosure are now in operation. His neighbor was cooperative during the construction phase. They receive materials, fabricate them, box and load them and then ship them out. He purchases 300 pallets per week and receive them one week at a time. However, one of his customers utilizes returnable containers which creates more storage; these were stored inside. During construction, he put two dumpsters out. He is willing to erect a barrier for the pallets.

Chairman Day recalls the May, 2015 Planning Commission meeting where this was initially discussed and realizes there was a previous issue. The Planning Commission told the applicant he could store them indoors. What happened? The applicant said that he has two large programs with customers involving the use of returnable containers. He ships one week of finished goods in returnable containers. With the additional business, he has filled that indoor area with finished goods. In response to Chairman Day's question, the applicant said that there is still a need to store pallets outside because of the additional business. Chairman Day asked whether the additional business is temporary. The applicant said that it is permanent. It is from Chrysler and they are demanding returnable containers. He has purchased a lot of them. He currently has an excess pallet inventory (about 200 units or one week's worth). He has 400 pallets stored outside, which is double what they should need. He is trying to figure out how to get rid of half of those. His contract says that he will buy 200 pallets per week. They did not use that and then received more. They cannot be used for other customers since they are odd-sized. Chairman Day asked whether the pallets could be stored offsite if he cannot get rid of them within the next three to four weeks. The applicant said that he can. He would need to store about 200 outside which equates to 6-7 parking spaces. Chairman Day inquired how the applicant is doing with his parking spaces. The applicant said that he is fine. He has about 40 employees and infrequent visitors (maybe once or twice per week).

Commissioner Carter confirmed with the applicant the need to store 200 pallets outside in order to support his current business. Commissioner Barts noted that the depiction of the applicant's property shows 7 parking spaces. Why did the applicant not go toward the back of the property?

Kim Gasior, Jerry Baker, 46925 West Road, Wixom. Mr. Gasior noted that this is an older photo which shows empty parking spaces in the back with the semi-trailer. The applicant said that the space in the

back is now the addition and there is no parking back there. Commissioner Barts noted that part of the agreement in 2015 was that the applicant would limit the parking. The applicant noted that there are two truck wells parallel to the truck well. He noted that he recycles and that the recycler will only pick up a full trailer. It takes 3-4 weeks to fill that trailer. The recycler takes the full one and replaces it with an empty one. Chairman Day asked whether the applicant is reaching the limits of his current space. The applicant said that he is looking at making better use of that space but will not be able to store recycling and pallets indoors.

Commissioner Carter asked the applicant whether he is running one shift or multiple shifts. The applicant said that he is currently running two shifts. He has no concerns over parking during a shift change. Commissioner Carter asked whether the outdoor storage request is a temporary need or whether it is based upon the contract with the pallet supplier. The applicant said that a year from now he will have 200 pallets. Commissioner Sharpe asked about the height of the inside bay. The applicant said that it is 20-23 feet tall. Commissioner Sharpe asked whether there is an opportunity to store the returnables higher and keep the wood pallets inside or is there a universal 12-foot height limit? Mr. Avantini said that he would have to check with the Fire Marshall. The Fire Marshall has said that the pallets cannot be stacked that high. Maybe the applicant can go higher than that if they are contained in a rack system. Chairman Day asked the applicant whether he has considered utilizing a rack system for storing the pallets. The applicant said that he was under the impression that he could not store them inside. Currently, his warehouse is full of finished goods and there is no space for pallets. Chairman Day confirmed with the applicant that this will continue to be the case with the additional business he now has.

Commissioner Sharpe noted that he drove around the applicant's property. The outdoor pallets are not in keeping with the applicant's neighbors, some of whom have very high end buildings. The pallets almost look like refuse.

Mr. Gasior said that he is the applicant's next door neighbor and has owned his building for the last 3 years. He also owns other buildings in the community. He has had cordial relations with the applicant up until now. He understands that the applicant is busy. However, he is situated very close to the applicant's property and they share a common entrance and a common area in the back. He noted that the presence of outdoor storage can negatively affect property values. He is also concerned about the volume of outdoor storage growing larger and he does not know who would police that. This has been an issue for the last year. Pallets were stacked between the two properties at a height of 20 feet and could have even fallen on his employees' cars. The dividing line between the two properties is narrow. Traffic in the parking lot has increased substantially, particularly during construction. He has allowed the applicant to park heavy equipment on his property during construction. He loves his building and the location but his parking lot for the last six months has been a maze including the presence of semi's and pallets. He has had to invest in sealcoating and crack filling in order to maintain his parking lot. This past autumn, the applicant's employees were parking in his parking lot. He does not want to police that going forward and feels that something must be done.

The applicant said that he understands it was chaotic during the construction phase and he apologizes. He would like to move forward and find a solution. He is open to suggestions.

Chairman Day asked Mr. Avantini whether outdoor storage within a side yard setback is permitted. Mr. Avantini said that it is supposed to be 20 feet off of it. However, there is some discretion since every site is different. Another option would be to ask for a variance from the Zoning Board of Appeals (ZBA) if the need is going to be permanent. There is room directly behind the Jerry Baker building which could be rented as outdoor storage and would be invisible from the road. That would require a rental agreement between the two parties. Chairman Day noted that that would not solve the impending issue regarding the semi-trailer. The only solution would be to find some place to warehouse the applicant's

finished products from where they could be shipped out although this would not be optimal from the applicant's perspective. Mr. Avantini said that the trailer with the recycling could be stored off-site.

The applicant said that he just hired a new employee to help him optimize his current space. Chairman Day noted that the applicant will still need to have the recycling trailer and 200 pallets stored offsite. He asked the applicant how high the pallets are standing now. The applicant said that he reduced them to 12 feet once he discovered that was the height limit.

Cody Giumo, Shipping & Receiving Manager, Premier International, 46903 West Road, Wixom. The pallets currently occupy 7 parking spaces.

Commissioner Barts noted that the applicant is in the enviable position of having too much business and that he is already at a tipping point where it is causing issues for the neighbors, especially on the side yard. Yet the applicant is proposing to have a wall of pallets right next to his neighbor's property. This leaves his neighbor with no control over that situation. It would likely be more than 200 pallets. He thinks the applicant needs to come up with another solution. He is not sure that the whole issue is being addressed.

Chairman Day said that he does not see a viable solution although he is happy that the applicant's business is so successful. However, the Planning Commission has to do what is best for the community as a whole. Although he has not yet heard the applicant's proposal regarding the trailer, he thinks that is a no go. He suggests tabling this until early February so that the applicant can work with his neighbor to find a solution. Mr. Avantini noted that this would leave the door open for a potential outdoor storage solution.

Commissioner Carter noted that this is right on the side yard next to the neighbor. The Planning Commission is being asked to decide on a special land use which would run with the property, and not the applicant, in perpetuity. That would transfer to a future occupant of that property. He does not see why wood pallets, recycled products and finished goods cannot be stored offsite. He likes the idea of tabling this to give the applicant time to consider options.

Mr. Avantini said that another option is that there is some room to the rear of the new compactor enclosure, which may contain room for the storage of pallets and would put it within an enclosure. The applicant did a good job on that enclosure and there is some room to extend that farther back.

MOTION and second by Commissioners Sharpe and Carter to table Special Use #16-008, Premier International's request for special land use approval for the outdoor storage of wood pallets until the Planning Commission's February 6, 2017 meeting to allow the applicant and his staff to work with the neighboring businesses to develop a solution. The property is located at 46903 West Road, is zoned M-1, Light Industrial and the parcel number is 96-22-09-102-015.

VOTE:

MOTION CARRIED

Call to the Public:

None.

Staff Comments:

Mr. Avantini said that there are a number of new developments coming up in the next few months. It should be a fairly busy 2017 and hopefully the At Home project will commence soon.

Commission Comments:

Chairman Day announced that the City's next joint meeting will be held on January 30, 2017. He encouraged all the Commissioners to attend.

Commissioner Sharpe noted that tonight's applicant appeared to have some communication glitches with the Fire Marshall. Mr. Avantini noted that the applicant said that the Fire Marshall told him they could not stack the pallets indoors. However, he later learned from the Fire Marshall that he had never spoken to the applicant. He hopes they can work it out. Chairman Day noted that the applicant will have to do something off-site for the recycling trailer. Commissioner Carter said if that is done, it is a special land use which could become a thorn in the City's side down the road. Commissioner Barts is familiar with inside pallet storage. It is typically based on 6-inch pallets. There is racking and push back racking. However, the pallets are combustible and the sprinklers are high enough that they cannot reach the entire depth of the racked pallets.

ADJOURNMENT:

This meeting of the Planning Commission was motioned and adjourned at 8:32 p.m.

Nancy Fisher
Recording Secretary