

**CITY OF WIXOM
JOINT CITY COUNCIL, DOWNTOWN DEVELOPMENT AUTHORITY,
PLANNING COMMISSION AND ZONING BOARD OF APPEALS
MEETING VIA ZOOM
JUNE 29, 2020**

This meeting was called to order by Mayor Beagle at 6:00 p.m. at which time allegiance was pledged to the American flag.

PRESENT:

City Council: Mayor Beagle; Deputy Mayor Rzeznik; Council Members: Gottschall, Gronlund-Fox, Behrmann, Smiley, Sharpe

Downtown Development Authority: Mayor Beagle; Vice Chairperson Rzeznik, Members: Willett; Fine; Director Cloutier; Absent: Excused: Chairperson Sheng; Habbouche; Klebba-Cheney; D. Grossi; Smith; Umlor

Planning Commission: Chairman Day; Vice Chairman Carter; Commissioners: Cousineau; Tacy; Lada; Absent: Excused: S. Grossi; Lawrence

Zoning Board of Appeals: Chairman Caplan; Members: Thorsell; Schira; Cousineau; Alexander; Absent: Excused: Berry; Winters

City Staff: Steven Brown, City Manager; Carmine Avantini, CIB Planning; Kelly McIntyre, CIB Planning; Karen Darling, Secretary; Mona Freiburger, Recording Secretary

Determination of a Quorum:

A quorum was present for this meeting.

Changes or Additions to the Agenda: None

Approval of Minutes: None

Correspondence: None

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

None

Old Business:

No Old Business

New Business:

1. Menard's Development Agreement Discussion. When the Menard's Development Agreement was approved by Council and executed by Menard's, Exhibit D included a restriction not allowing drive-thru windows related to restaurants. The intent was to promote sit down restaurants located on the outlots instead of fast food restaurants like Burger King and McDonald's (which were already located near Grand River Ave.). With the current pandemic, more traditional sit-down restaurants have had to change the way they do business and shift to take-out orders using either pick-up parking and/or pick-up windows. These operations differ from the traditional drive-thru windows where orders are called in or made on-line, instead of using a pull-up menu board and order speaker. It is possible that this may cause, to some extent, a shift in the way restaurants conduct business even after the pandemic is over. The purpose of this discussion is to assess what, if any, impact this might have on the ability to attract tenants to the Menard's outlots and whether the restriction in the Development Agreement should be amended.

Discussion:

City Manager Brown gave an introduction for the basis of the meeting. Basically, this meeting is to have a discussion if the City should reconsider or to be open for uses of drive through or drive up service for restaurants based upon the pandemic of COVID-19 with new interest, and withdrawals of interest in the property. This is not a situation where the City has to change their philosophy; this situation may not be long lasting and the City does not have to make a change, but to discuss whether it would be wise to change that approach in the future.

Mr. Avantini indicated the Council members and Planning Commission agreed in 2013 to put in restrictions for no drive through restaurants. The reason being, the City's goal was to bring in sit down restaurants, which has worked. The challenges presented during this pandemic, things have changed and the City has to be prepared for these changes. With all of the statistics, we are going to be losing restaurants and the competition for those who survive will be more intense. We want to be in the best position while maintaining our quality.

Mr. Avantini stated they are finding restaurants that are going to survive accommodate curbside deliveries such as Applebee's, etc., have done. With drive up windows, the customer calls in their order from home, already paid for the order, pull up at the restaurant; and pull away. They would not have a menu board. The customer does not

have to go in, sit down, order drinks, or doesn't have to pay a tip, necessarily. The restaurants are looking to diversify and also accommodate the drive up windows.

The City ordinance is written, the Planning Commission has to determine if a drive through window is the same as a drive up window. The joint meeting with all of the parties, ultimately, with a discussion may lead to a revision in the development agreement.

Chairman Day from the Planning Commission strongly indicated the City has plenty of places for drive through restaurants. Menard's signed an agreement, it is not new and Menard's is trying to take advantage of the current situation. Chairman Day stated the current situation is not going to last forever and there is no reason the restaurants cannot have curbside pickup. Chairman Day indicated customers like to sit down at a restaurants and to have service. This is a long term solution to a short term problem which would be a huge mistake. This agreement was made because the City wanted classy developments.

City Manager Brown stated Commissioner Sandro Grossi provided comments in advance as he could not attend the meeting. Grossi expressed the same thought, that he was not in favor of drive up windows and it was appropriate to keep the restriction in place.

Commissioner Lada also supported the comments made by Chairman Day; it was a long term change for a short term problem.

Commissioner Cousineau stated it is premature to take this kind of action; however, he thought we all have to continue to be flexible in the future with respect to what happens. Commissioner Cousineau indicated he was concerned and hoped this was a short term problem and he didn't think the City needed to consider significant changes. He agreed with Chairman Day.

Councilmember Gronlund-Fox asked if the City didn't change the zoning agreement for drive up windows, what would help or make the property more appealing to get tenants in that space for development. Mr. Avantini stated this ordinance is part of the development agreement and has been the sticking point with prospective tenants. He indicated more traditional restaurants, not fast food, wanted to have a pickup windows. This seems to becoming more prevalent for restaurants to supplement the way they do business. The other challenge is quite a few of the restaurants depend on a lunch time crowd. With the pandemic, people are working from home and less people are eating lunch out.

Mr. Avantini stated the City had discouraged some businesses, as they felt there were other similar businesses in the immediate area. The City has been stringent in enforcing the agreement. The City would like to bring in restaurants that is, currently, not in the area.

Mr. Avantini indicated there are three outlots, currently, available. There is one north of the Aldi's site; one in between Aldi's and the credit union. There is also an outlot north of Aldi's, which use would not require visibility.

Councilmember Gottschall indicated while looking at the Menard's property in Livonia which includes Del Taco, Chipotle, all fast casual places, they do not have drive up or drive through windows. Councilmember Gottschall stated he would like to see a proposal that may include a much hidden drive up window with trees and hedges. He stated he preferred not to see things changed, dramatically, just to accommodate the drive up plan.

Councilmember Sharpe indicated he had a hard time with scheduling this emergency meeting to discuss changing a long term, strategic plan that had been well thought out and well enforced. Councilmember Sharpe stated he was not in support of fast food or drive through restaurants in this area. The intended, permitted uses are spelled out within the agreement. City Manager Brown indicated this meeting was in no way an emergency. There was a joint Planning Commission City Council meeting scheduled which was recently cancelled. The reason this topic was put forward for joint council, they wanted to see if there was any traction to changing the agreement. The cancellation of the Council meeting allowed us to schedule a meeting quickly because of the availability.

Chairman Day indicated the interchange at this site is unique, does offer a lot of favorability to development in the area. There are five hotels at this interchange, and there is housing development in the area. Chairman Day stated the City does not have to sell themselves short in changing their policy.

Mayor Beagle indicated, as it stands right now, if a development comes in, and they can bring the food out to you, this could be looked into on an individual basis.

Mr. Avantini indicated it is good to have different ideas, and it is good for us to have a discussion to have a consensus. There is a real value in having a discussion.

Deputy Mayor Rzeznik indicated he was a part of the debates in 2012. He stated he would be opposed to the drive through concept. The restaurants in Novi along Crescent Drive, none of them have drive throughs; people go in and grab their food. There are designated spots and doors for pickup, you don't have to wait in line, and you can still pick up your order. Deputy Mayor Rzeznik stated he would be in favor of making sure we accommodate the curbside pickup, and permits for outdoor seating.

Councilmember Sharpe agreed with Deputy Mayor Rzeznik that he would expect the business model of those restaurants to change. Councilmember Sharpe stated we have to think for the future changes but it is too soon at this time.

Commissioner Cousineau commented he has seen no less than 60 to 70% projects placed on hold because of the pandemic and concerns for the future. Commissioner Cousineau stated he hoped this is a short term problem, and we have to be patient and see what happens.

Commissioner Tacy indicated she felt the same, we put a lot of work and effort in figuring out where we want to go. Commissioner Tacy stated she was in favor of staying on course.

Councilmember Smiley agreed with the idea that we do not want to see drive through restaurants since we have been against this in the past. He indicated he was against drive through restaurants and uncertain about drive up windows. He would like to understand the difference between the two concepts. Councilmember Smiley said he would like to see us be flexible, but perhaps, this is not the time.

Mayor Beagle stated he did not know if he was in favor of drive up windows, and we have to be flexible. The developers know the restrictions that have been put in place. We can make decisions on an individual basis and wait it out to see what happens.

Mr. Avantini thanked the members for attending this joint meeting, it was very helpful when meeting with developers.

Call To The Public: None

Staff Comments:

No comments.

Commission Comments:

Mayor Beagle welcomed Karen Darling, secretary for the City.

Adjournment:

This meeting of the Wixom Joint City Council, Downtown Development Authority, Planning Commission and Zoning Board of Appeals Meeting was motioned and adjourned at 7:00 p.m.

Mona Freiburger
Recording Secretary

Approved 8-11-2020
