

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on March 28th, 2022, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, March 28th, 2022, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Jason McClanahan, Chair
Warren Smith, Secretary
Claudette Robinson, Assistant Secretary
Merle Boniecki, Vice Chair
Mahmuda Mouri
Rustico Teodoro

Also present:

Ronald Wuerth - Planning Director
Michelle Katopodes - Planner II
Mark Gorbett - Assistant Planner
David Crabtree, Office Assistant
Mary Michaels - Assistant City Attorney
Patrick Conlin - Communications Department

1. CALL TO ORDER:

Chair McClanahan calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

Chair McClanahan - We did get notification from Commissioners Kupiec, Commission Chowdhury, and Commissioner Tutt that they would not be here this evening, can we get a motion to excuse.

MOTION:

A motion was made by Secretary Smith to excuse Commissioners Kupiec, Commissioner Chowdhury, and Commissioner Tutt, supported by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

A motion was made by Secretary Smith to approve, supported by Assistant Secretary Robinson. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF MINUTES: March 14th, 2022

MOTION:

A motion was made by Secretary Smith to approve, supported by Assistant Secretary Robinson. A voice vote was taken and the motion carried unanimously.

6. PUBLIC HEARING ITEMS:

- A. REEQUEST FOR REZONING: Located on the north side of Vermont Avenue, approximately 322 ft. east of Van Dyke Avenue; from the present zoning classification P, Parking District to R-1-C, One Family Residential District; 8117, 8129, 8143 Vermont; Section 15; Assaad Sobh. **ITEM MOVED AND RENOTICED FOR THE 4-11-22 PLANNING COMMISSION MEETING.**

- B. SPECIAL LAND USE FOR EVENT RENTAL SPACE AND PHOTOGRAPHY STUDIO: Located on the east side of Dequindre Road, approximately 270 ft. north of Eleven Mile Road; 27120 Dequindre Road; Section 18, Mary LaQuiere (Tyquan Jackson).

PETITIONERS PORTION:

Mr. Tyquan Jackson - We currently are trying to open a photography and event space where people can do photography material during the week and then have a little small event during the weekend. We will close at 12:00 o'clock and open as early as 6:00 a.m., for photographer's that need to come in early. We'd like to reach out to schools nearby to see if they need any school pictures or things of that nature.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

AT&T: We have existing buried cables that feed the two buildings from the Edward Griggs Blvd side of the property, our cables then feed the buildings from the rear of each. Looking at the plans, I do not see any change to the footprint of this property and as such AT&T does not object to this request.

DTE: No objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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A motion was made by Secretary Smith to approve, supported by Vice Chair Boniecki.

COMMISSIONERS PORTION:

Secretary Smith – I went by the site today and I looked at everything and the portion of the building that they are going to occupy is just a small unit. A lot of these recommendations that you have in here deal with the whole property the salt tent is not even attached to the building that they are even in it's on the other building. And the dumpsters out back are overflowing with garbage all over the alley back there and that's not their dumpsters that's all the other businesses that are up and down there. The pavement in the driveway that's cracked, running over the grass and the lawn and everything, there's so many businesses there that I don't feel that all these recommendations should be on the responsibility of one unit.

Mr. Ron Wuerth – It is an issue no doubt about that, the petitioners that are coming in they have a small little unit and unfortunately what this does when someone makes this type of request is that it prompts our inspection of the entire site. So what we have here is an owner who is not being responsible to the city and the city standards. Perhaps the recommendation could be changed in such a way that the petitioner gets the approval, and the owners are responsible for the other maintenance issues or things of that nature on a separate basis. I'd have to separate them out, even as I'd spoken about the inspection that the staff did and maybe figure out what's maintenance and what has to do with the subject at hand. Is that what you're looking for?

Secretary Smith – Yes, there was only one dumpster behind 27120 and it wasn't overflowing, but the ones all up and down there were full trash was all on the ground and those are other businesses it doesn't even deal with this business here.

Mr. Ron Wuerth – Maybe these are just more property maintenance issues, I'll have to ponder this a little bit. I'm not sure how I can cut it in half but the responsibility level, I get it. It's not a whole lot different from two weeks ago with the site at Groesbeck and Toepfer the same concern with issues there.

Secretary Smith – So is there a way that we can maybe not eliminate but notify the owner on these things that need to be taken care of and let the people that are trying to lease the space know that it's not their responsibility, it's the owner's responsibility.

Mr. Ron Wuerth – So we are looking at property maintenance and violations being separated from what the responsibilities of the petitioner would be, is that right?

Secretary Smith – Yes sir.

Mr. Ron Wuerth – May I ask the Chair to ask the Attorney if what we are thinking here is proper or not?

Ms. Mary Michaels – I think it's proper to site the owner if there are violations, whatever is within the petitioner's control should remain and I think parking would be the responsibility of the petitioner, like making sure that there's sufficient trash enclosures that would be the responsibility of the petitioner. If we could go through with Mr. Wuerth and determine what's within the control of the tenant and what the owner is responsible for. The requirements do go to the use not just the property. So maybe we could go through each one individually tomorrow, if you'd like.

Mr. Ron Wuerth – Do you want me to make the decision on what is and what isn't, we can have an approval and I can change the recommendation.

Chair McClanahan – Absolutely.

Ms. Mary Michaels – I recommend it.

Secretary Smith – Attorney Michaels mentioned about the parking, with the new rule that says about 186 spaces, this new tenant is not going to use 186 spaces so part of that parking should be also put in with the owner.

Mr. Ron Wuerth – That's just a general statement about the spaces, that's for the entire site it's not just for what would be designated for this use. We could modify it to identify how many spaces this would require, but we make that statement to make sure there's enough parking in the area when there is an event and usually when there's events there are many people that aren't normally there.

Secretary Smith – Thank you.

Assistant Secretary Robinson – What is the capacity for this building space?

Mr. Tyquan Jackson – I don't presently have an exact capacity, from the person that I trusted that looked at the ordinance he said it should be less than 65 people, I don't have an exact number.

Assistant Secretary Robinson – If you are going to do events do you have an idea of the timeframe or when the events would be ending?

Mr. Tyquan Jackson – Yes, all events would end by midnight, so events would end at eleven and be off the premises by midnight. Then the earliest I would allow people to come into setup for photography in the morning would be 6:00 a.m.

Assistant Secretary Robinson – It would be good to know what the capacity is, I'm sure there's ample parking because there's a lot of parking over there in that area, but I was just curious as to what the capacity was of the building but that can be ironed out later. Thank you.

ROLL CALL:

The motion carried as follows:

- Chair McClanahan.....Yes
- Secretary Smith..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki.....Yes
- Commissioner Mouri..... Yes
- Commissioner Teodoro..... Yes

C. SITE PLAN FOR THE DEMOLITION AND THE REDEVELOPMENT

OF A NEW GAS STATION AND CAR WASH: Located on the northeast corner of Mound and Ten Mile Roads; 25010 Mound and 5949 Ten Mile; Section 21; Mahmoud Ajami.

Secretary Smith – I have a letter from Mr. Wuerth that I can read as to this item.

To: The Planning Commission
Mr. Mahmoud Ajami

RE: SITE PLAN FOR THE DEMOLITION AND THE REDEVELOPMENT OF A NEW GAS STATION AND CAR WASH:

Located on the northeast corner of Mound and Ten Mile Roads; 25010 Mound and 5949 Ten Mile; Section 21; Mahmoud Ajami.

The Planning Staff has reviewed the various plans provided by the petitioner. After some consideration, I, the Planning Director

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recommend that this item be tabled to the April 25, 2022, for the following reasons:

1. The site plan sheet is not provided with all the information required of the site plan as indicated on the Site Plan Application. The scale should be 1 inch = 20 feet decreasing the size of the site plan. Information is scattered among other plans provided.
2. The “touchless” car wash (mentioned on the application) is vague in description. There are two (2) side by side car wash bays. The car wash must be defined as an automatic drive through where a person drives the auto through the system, or an automatic conveyor, where the auto is attached to a conveyor to move the auto through the car wash. Stacking and dry off spaces are a major concern for the plan due to lack of area.
3. No site survey plan was provided. The petitioner provided a mortgage survey to combine the properties which has little, or no detail as required in the Site Plan Application. A new more detailed property survey shall be provided.
4. There is a concern of constructing the gas station along the north property line. There is a required 20 ft. wide setback area. The site plan needs extensive reworking.

The Planning Director will meet with the petitioner to discuss all of these issues prior to the proposed tabled date of April 25, 2022.

Should you have any questions please contact the Planning Department.

Mr. Ron Wuerth – Since I wrote this to you, I have an update. I’ve completed the recommendation and I’ve had to redesign the site, I had to go to that extent to solve some of these problems. This touchless carwash is not a conveyor type it’s a drive thru type we got that in line. Their site plan needs to be smaller so they can put the information that we listed to go on there. They need a site survey plan, they don’t have that, they know they need that. I think I’ve addressed the setback not being on the property line but being setback about 10 feet, I’m hoping that the Zoning Board can take a look at that and see if they can agree to it. I will get the recommendations done and send it off to the petitioner, I’ll have them in for a meeting we’ll discuss it and make sure we are in agreement and make sure everything is right for when he’s supposed to be back at the next meeting, that’s the update.

MOTION:

A motion was made by Secretary Smith to table until April 25, 2022, supported by Commissioner Mouri.

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ROLL CALL:

The motion carried as follows:

Commissioner Teodoro..... Yes
 Commissioner Mouri..... Yes
 Vice Chair Boniecki..... Yes
 Assistant Secretary Robinson..... Yes
 Secretary Smith..... Yes
 Chair McClanahan..... Yes

- D. SITE PLAN FOR TEMPORARY SEASONAL OUTDOOR RETAIL SALES FOR FLOWERS AND FIREWORKS: Located on the northwest corner of Thirteen Mile and Mound Roads; 5821 Thirteen Mile; Section 5; Matt Shango (Mike Kanarky).

PETITIONERS PORTION:

Ms. Caren Burdi – 31851 Mound Road, Warren, Michigan 48092. I'm here tonight for approval for seasonal outdoor sales for flowers and for fireworks. I've had an opportunity to get the recommendation, review it and it seems to be appropriate and we will follow those recommendations. As you know this was the site that's at the corner of Thirteen and Mound and in fact some approved buildings are now going in right on the corner that run north and south along Mound, so the idea is he's going to move down Thirteen Mile. If you have any questions, I'm available to answer them.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

AT&T: No Objections.

DTE: No Objections.

ENGINEERING: No Objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Smith to approve, supported by Assistant Secretary Robinson.

COMMISSIONERS PORTION:

Secretary Smith – Good evening, Ms. Burdi, I was by there today I know they have the cyclone fence up for the construction of the new development and I understand that we are going to be moving it further west. I know at one point and time General Motors was storing cars in there and I noticed today there was a whole line of

cars along that cyclone fence, so is that going to affect the storage of them storing cars in there?

Ms. Caren Burdi – My understanding is there is an approval for the storage of cars but because there's such low inventory there hasn't been the storage of cars. I went by over the weekend and didn't see that. I will say this because I did ask about the fence, I'm told by the landlord that the fence will be moved to accommodate this so I imagine that any cars will have to be moved to accommodate this also, we are not going to want to have the cars along the fence. So the landlord will have to speak to them to remove those.

Secretary Smith – Thank you.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....	Yes
Secretary Smith.....	Yes
Assistant Secretary Robinson.....	Yes
Vice Chair Boniecki.....	Yes
Commissioner Mouri.....	Yes
Commissioner Teodoro.....	Yes

7. CORRESPONDENCE:

None.

8. OLD BUSINESS:

- A. MINOR AMENDMENT TO SITE PLAN FOR BUILDING ADDITION TO GAS STATION: Located on the northwest corner of Thirteen Mile and Ryan Roads; Section 6; 31025 Ryan; Faiz Simon (GAV & Associates, Inc.); Minor Amendment is for an exterior patio addition.

MOTION:

A motion was made by Vice Chair Boniecki to recognize as a minor amendment, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....	Yes
Secretary Smith.....	Yes
Assistant Secretary Robinson.....	Yes
Vice Chair Boniecki.....	Yes
Commissioner Mouri.....	Yes

Commissioner Teodoro..... Yes

PETITIONERS PORTION:

Mr. Raphael Putrus – I'm the Construction Manager for the Development.

Mr. Faiz Simon – I'm the owner of the property.

Mr. Raphael Putrus – We are proposing to add an outdoor patio for a previously approved development at the gas station at Thirteen and Ryan.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: No Objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Smith to approve, supported by Vice Chair Boniecki.

COMMISSIONERS PORTION:

Secretary Smith – That's a fancy looking outdoor patio that you're going to build there, I've never seen a design like that. It looks like it's only going to be functional when the weather mild it's not going to be in the wintertime.

Mr. Faiz Simon – Anything that I do I do first class, I've been doing this for a long time so we are proud to build something like this in the City of Warren.

Secretary Smith – I thought I saw in the drawing an outdoor firepit or fireplace?

Mr. Faiz Simon – We were planning to put that in there, but I don't know if we will put that or not.

Secretary Smith – I like the plan it's something that I've never seen before it will be a nice addition.

ROLL CALL:

The motion carried as follows:

Commissioner Teodoro..... Yes

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Commissioner Mouri..... Yes
 Vice Chair Boniecki..... Yes
 Assistant Secretary Robinson..... Yes
 Secretary Smith..... Yes
 Chair McClanahan..... Yes

- B. SITE PLAN FOR BUILDING ADDITION FOR NEW BUDDHIST TEMPLE: Located on the southwest corner of Twelve Mile Road and Grobbel Avenue; 5356 Twelve Mile; Section 17; Thuy Bich Thi Dang (Juan Davis/Bryon Speed). **Approved on October 22, 2018; First extension request approved to April 19, 2022; Second Extension requested; One (1) year extension to April 19, 2023.**

MOTION:

A motion was made by Assistant Secretary Robinson to extend to April 19, 2023, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

Chair McClanahan..... Yes
 Secretary Smith..... Yes
 Assistant Secretary Robinson..... Yes
 Commissioner Boniecki..... Yes
 Commissioner Mouri..... Yes
 Commissioner Teodoro..... Yes

9. BOND RELEASE:

- A. SITE PLAN FOR EXPANSION OF EXISTING OUTDOOR RETAIL SALES AREA: Northwest corner of Thirteen Mile and Mound Roads; 5823 Thirteen Mile Road; Section 5; City of Warren. **Cash Bond in the amount of \$2400.00. Project completed, release the bond.**

MOTION:

A motion was made by Vice Chair Bonieck to release the bond, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....Yes
 Secretary Smith..... Yes
 Assistant Secretary Robinson..... Yes
 Commissioner Boniecki..... Yes

Commissioner Mouri..... Yes
Commissioner Teodoro..... Yes

- B. SITE PLAN APPROVED FOR A TEMPORARY SEASONAL OUTDOOR RETAIL SALE WITHIN THE VILLAGE PLAZA: Located on the northwest corner of Thirteen Mile and Mound Roads; 5823 Thirteen Mile Road; Section 5; Masoud Shango ^ Michael Kanakry (James Cummings/Charles Earl Jr.) **Cash Bond in the amount of \$500.00. Project completed, release the bond.**

MOTION:

A motion was made by Vice Chair Boniecki to release the bond, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Robinson..... Yes
Vice Chair Boniecki..... Yes
Commissioner Mouri..... Yes
Commissioner Teodoro..... Yes
Secretary Smith..... Yes
Chair McClanahan..... Yes

- C. SITE PLAN FOR OUTDOOR RETAIL SALES OF FIREWORKS: Located on the northwest corner of Thirteen Mile and Mound Roads; 5823 Thirteen Mile; Section 5; Michael Kanakry. **Cash Bond in the amount of \$500.00. Project completed, release the bond.**

MOTION:

A motion was made by Commissioner Mouri to release the bond, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Commissioner Teodoro..... Yes
Commissioner Mouri..... Yes
Vice Chair Boniecki..... Yes
Assistant Secretary Robinson..... Yes
Secretary Smith..... Yes
Chair McClanahan..... Yes

- D. MINOR AMENDMENT TO SITE PLAN FOR OPEN STORAGE OF TRUCK TRAILER PARKING: Located on the south side of Tan Avenue; approximately 800 ft. west of Van Dyke Avenue; Section

16; 7500 Tan Avenue; Paul Deters (Jefrey Bochnig). Minor amendment is for a sign. **Cash Bond in the amount of \$300.00. Project completed, release the bond.**

MOTION:

A motion was made by Commissioner Vice Chair Boniecki to release the bond, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....	Yes
Secretary Smith.....	Yes
Assistant Secretary Robinson.....	Yes
Vice Chair Boniecki.....	Yes
Commissioner Mouri.....	Yes
Commissioner Teodoro.....	Yes

- E. SECOND MINOR AMENDMENT TO SITE PLAN FOR OPEN STORAGE OF TRUCK TRAILER PARKING: Located on the south side of Tank Avenue; approximately 800 ft. west of Van Dyke Avenue; Section 16; 7500 Tank Avenue; Paul Deters (Jefrey Bochnig). Minor amendment is for a sign. **Cash Bond in the amount of \$300.00. Project completed, release the bond.**

MOTION:

A motion was made by Commissioner Mouri to release the bond, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Commissioner Teodoro.....	Yes
Commissioner Mouri.....	Yes
Vice Chair Boniecki.....	Yes
Assistant Secretary Robinson.....	Yes
Secretary Smith.....	Yes
Chair McClanahan.....	Yes

- F. SITE PLAN FOR NEW CONDOMINIUMS (BROWNSTONE DWELLINGS): Located on the southwest corner of Hoover and Irene Roads; 29465 Hoover; Section 10; William Jenney. **Cash Bond in the amount of \$15,000.00. Project completed, release the bond.**

MOTION:

A motion was made by Assistant Secretary Robinson to release the bond, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

Chair McClanahan..... Yes
 Secretary Smith..... Yes
 Assistant Secretary Robinson..... Yes
 Vice Chair Boniecki..... Yes
 Commissioner Mouri..... Yes
 Commissioner Teodoro..... Yes

10. NEW BUSINESS:

I'd like to welcome Rustico Teodoro, welcome to the Commission we appreciate your service to the community.

11. CITIZEN PARTICIPATION:

None at this time.

12. PLANNING DIRECTOR'S REPORT:

Mr. Ron Wuerth – This report also includes what I wasn't able to provide at the last meeting, I just simply didn't have the time unfortunately. On March 2nd, I attended an electric vehicle webinar for Southeast Michigan. It was pretty interesting, we've already done some of that about six years ago with an amendment to our zoning ordinance, but there's more to be done actually.

On March 3rd, I attended our usual Zoning Ordinance Review and we keep working at that. On the 7th I met with the owners of the Buddhist Temple at Ten and Warner and they wanted to come here for site plan approval the problem is they placed so many additions to the site that weren't approved that they're going to have to go to the Zoning Board of Appeals first and get those approvals. If they don't get the approvals for the work that they've done all that work is going to have to be removed before they can ever continue to expand their facility. It's very serious actually.

Also on that same day we had a budget hearing with the Mayor that seemed to go well with no complaints, no changes at this time. We are thinking about a change to the budget, right Michelle? Did you get anything from Tina the City Engineer?

Ms. Michelle Katopodes – I haven't received anything.

Mr. Ron Wuerth – This has to do with sharing our data basis, why don't you come up Michelle and explain a little more about it.

Ms. Michelle Katopodes – It sounds like there would be some sort of workstations to allow for digital plans to come through. From what I understand Engineering and Building are asking for it in their budget so once we get the quote from her we are going to look at adding it to ours and do an amendment. I just remembered it called Blue Beam.

Mr. Ron Wuerth – This is to remain consistent with the other departments in their work to update and upgrade everything that we do. When we get it we will run it past the Planning Commission and add that to the budget.

Just an update regarding the Groesbeck Toepfer site that I mentioned earlier I did have a meeting with the owner and with the event hall person. The owner was more than happy to make the changes, he realizes that the changes to that site are rather old and none of that stuff can be grandfathered according to Zoning so it's got to be fixed up and he seemed to accept what we are asking him to do. I did talk to a Mr. Davidson he's the owner of Shady Lane Trailer Park, and mainly that call was to confirm the woman named Donia (sic) who was there kind of representing him and kind of not. And it's important that we always know who's representing who, I do not want people going up there and speaking for others without being a representative. He verified by the way that she is now a representative for him, her and Nellie Lee (sic) are both on board and working for him.

Finally, we are working hard trying to get a new temp secretary to help us out with some of the work there in the office, we had three interviews today and we've got a couple more interviews this week and hopefully next week we'll make a decision and get somebody else on board to help us out with some of the other things that just take up a lot of time. I did have an interview with our new Commissioner, we always do that everyone has been interviewed before and we got to know each other well. Thank you.

Chair McClanahan – Any comments or questions from the Commissioners for Mr. Wuerth?

13. CALENDAR OF PENDING MATTERS:
None at this time.
14. ADJOURNMENT:

MOTION:

A motion was made by Assistant Secretary Robinson to adjourn, supported by Secretary Smith. A voice vote was taken and the motion carried unanimously.

The meeting adjourned at 7:48 p.m.

Jason McClanahan, Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

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