

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on April 25<sup>th</sup>, 2022, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, April 25<sup>th</sup>, 2022, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Warren Smith, Secretary  
John Kupiec  
Claudette Robinson, Assistant Secretary  
Merle Boniecki, Vice Chair  
Michelle Tutt  
Rustico Teodoro  
Jonathan Lafferty, Ex-Officio  
Garry Watts, Ex-Officio

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:  
Vice Chair Boniecki calls the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:  
Mr. Ron Wuerth – I received notice from Jason McClanahan that he wasn't going to be in tonight and also from Ms. Chowdhury.

MOTION:

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

Chair Smith – We need motion to allow Vice Chair Boniecki to run the meeting tonight.

MOTION:

A motion was made by Assistant Secretary Robinson, supported by Commissioner Teodoro. A voice vote was taken and the motion carried unanimously.

Vice Chair Boniecki – We do not have a full quorum tonight so if anybody would like to postpone their item until there is a full Board they are welcome to, if not we will proceed. We’d like to recognize the Ex-Officio’s that here tonight, thank you.

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: April 11<sup>th</sup>, 2022

MOTION:

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

6. PUBLIC HEARING ITEMS:

A. 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. **TABLED FROM 3-28-22.**

MOTION:

A motion was made by Commissioner Kupiec to remove from the table, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

- Commissioner Kupiec..... Yes
- Secretary Smith..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki..... Yes
- Commissioner Tutt..... Yes
- Commissioner Teodoro..... Yes

Commissioner Kupiec – Ms. Chair I did not get a copy of the site plan in my packet, not that it makes a difference now. I just wanted to let you know I didn't get a copy.

Mr. Ron Wuerth – There weren't any site plans passed out, you had to use the site plan that you had for before. They didn't give us revised plans at this time, so that's the reason for that.

PETITIONERS PORTION:

Mr. Ali Ajami – Good evening, my name is Ali Ajami from 6837 Chase Road, Dearborn, Michigan I'm the applicant.

Mr. Nassre Choucair – I'm the Architect, my address 3241 S. Telegraph, Dearborn.

Mr. Ali Ajami – This is an existing site with the car wash and the gas station. We are trying to redevelop the site and demolish the gas station and the car wash. The car wash is self-service automatic car wash. The gas station would be an expansion and relocate the gas station with a new store, façade and elevation. The dispensers they are going to be under one canopy instead of what we have now separated. We are eliminating two approaches the one which is closer to the corner, and we are only keeping two from each side of the street. We are developing the whole site in terms of landscaping we are meeting most of our requirements. We do have variances and we'd like to do a good presentation for you in terms of the new development. Thank you.

Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**AT&T:** We have existing cables going north/south across these properties. The cables are attached to poles on the property line between 25010 Mound and 5949 Ten Mile. AT&T does not object to the development of these parcels, as long as it will not affect our cables. It appears that the new gas pumps may extend to our existing cable locations and if so, the developer will first need to contact our custom work order group at (888) 901-2779 to arrange for the cable relocations.

**DTE:** DTE Electric Company has no objection to the above request for the demolition and the redevelopment of a new gas station and car wash as per the site plan provided, impacting 25010 Mound and 5949 10 Mile; section 21. However, the petitioner should be made aware that there may be clearance issues with overhead conductors, more specifically the conductors over the proposed gas station location.

**ENGINEERING:**

1. The plan shall have an original stamp and signature from a professional engineer.
2. All parcels shall be combined, provide existing and proposed legal descriptions.
3. The site shall follow the City of Warren storm water standards specified under ordinance 80-796. This includes detention, pretreatment, rate control, and infiltration. All storm water runoff shall be maintained on the site. Detention may be required.
4. The plan shall show all existing and proposed utilities and easements, as well as proposed utility connections.
5. Any proposed work within the Ten Mile Road right-of-way will require a permit from the Macomb County Department of Roads.
6. Any proposed work within the Mound Road right-of-way will require an approval from the Macomb County Department of Roads.
7. A boundary survey, signed and sealed by a Michigan licensed land surveyor, showing existing and proposed legal descriptions, and site conditions should be provided.
8. There is very little information given on this site plan. Existing condition such as pavement type and existing utility locations needs to be provided.
9. 16 foot drive aisle indicated between car wash and curb. Ensure that City of Warren drive aisle requirements are met.
10. 8-1 dimension shown on 10 Mile Road right-of-way is unclear as to what it is referencing.

**FIRE:** No objections.

Mr. Ron Wuerth reads the recommendation of the Staff

**MOTION:**

A motion was made by Secretary Smith to approve, supported by Commissioner Kupiec.

**COMMISSIONERS PORTION:**

Commissioner Kupiec – When will you have a completed site plan available and submitted to the Planning Department?

Mr. Ali Ajami – They've been revised and submitted electronically we just need to give you the hard copy.

Commissioner Kupiec – Have you had a chance to review the recommendations, there's quite a few items here, how do you plan to address them?

Mr. Ali Ajami – So we've revised those items accordingly and we've met with the Planner afterwards to discuss them, there may be some variance issues.

Commissioner Kupiec – So you agree with everything on the plan and according to the recommendations you will correct?

Mr. Ali Ajami – Yes.

Commissioner Kupiec – And you know as Mr. Wuerth suggested that there are some variances that you need to go after?

Mr. Ali Ajami – That's correct.

Commissioner Kupiec – This was a shell gas station, wasn't it?

Mr. Ali Ajami – It was a Sunoco.

Commissioner Kupiec – How long has it been a Sunoco?

Mr. Ali Ajami – Since 2014, it was a Sunoco all the way up until maybe 05.

Commissioner Kupiec – Were you the owner back then?

Mr. Ali Ajami – No, we took over in 2014.

Commissioner Kupiec – How are the tanks in the ground, any idea?

Mr. Ali Ajami – We will be removing the tanks, they're steel tanks, so we'd be removing and putting in double fiberglass tanks.

Commissioner Kupiec – There's a lot of things to be done here so hopefully things will move along smoothly for you so we can get this completed because there's a lot of things that have to be done. Stay in contact with the Planning Department and get as much done as quick as you can.

Secretary Smith – Good evening, sir, is this a 24 hour operating you're running here?

Mr. Ali Ajami – Yes, it's 24 hours for both gas station and car wash, we'd be running them the same hours.

Secretary Smith – I drove by and looked at everything the other day I saw basically what you're trying to do. I didn't have my drawings at

the time but now I see the electronic drawing and I can kind of get a better idea. It looks like it's going to work pretty good, the only concern I had was the automatic car wash. What kind of time spaces allotted for the car to be inside the stall for the automatic wash?

Mr. Ali Ajami – There would be two bays, the wash time would be about four and a half, to five minutes. That's why we added an additional bay therefore we can cut down on the stacking. I believe we have 10 stacking spaces now, that 10<sup>th</sup> car assuming we were stacked fully would be waiting about 35 minutes to get a wash. I do have one of these at another location and I've never seen cars stacked more than four or five vehicles, but I did add an additional bay in order to offset that. The business are going to be comingled, so the process is that you can pay from three points either inside the store, you can pay at the pump, or you can pay at the pay station as you approach the car wash. You would enter, you stop, the wash starts, all the drying and washing would happen within the building it would be like four and half to five minutes to complete the wash.

Secretary Smith – So when they pull out there's no drying they have to do?

Mr. Ali Ajami – No.

Secretary Smith – Thank you.

ROLL CALL:

The motion carried as follows:

- Commissioner Teodoro..... Yes
- Commissioner Tutt..... Yes
- Vice Chair Boniecki..... Yes
- Assistant Secretary Robinson..... Yes
- Commissioner Kupiec..... Yes
- Secretary Smith..... Yes

- B. SITE PLAN FOR BUILDING ADDITION FOR AUTO REPAIR FACILITY: Located on the north side of Nine Mile Road, approximately 334.85 ft. east of Warner Avenue; 3229 Nine Mile; Section 30; Mediroutes LLC (Amel Softic).

PETITIONERS PORTION:

Mr. Amel Softic – I have a medical transportation company and I wanted to build a building where we could do some of the stuff inhouse as far as like oil changes, brakes, basic things like that. So I

wanted to just build an addition to it so I can house the vehicles there.

Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review of this site indicates that Planning Commission approval should be contingent upon the petitioner's compliance with the following conditions.

1. Site plan shall show and identify 9 Mile Road and Warner Avenue including the right of way parcel.
2. Show the location of all existing/proposed underground utilities including their connections in the vicinity of their project.

**FIRE:** Approved.

**AT&T:** No objection. AT&T has facilities in the easement behind the building. Unless the building addition is encroaching on this easement, we do not foresee any problems.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Commissioner Kupiec to approve, supported by Secretary Smith.

COMMISSIONERS PORTION:

Commissioner Kupiec – It's my understanding that you're not going to do any walk in repairs just your own fleet vehicles?

Mr. Amel Softic – Yes, my own fleet vehicles.

Commissioner Kupiec – How many fleet vehicles do you have?

Mr. Amel Softic – Twenty.

Commissioner Kupiec – You're in the medical service?

Mr. Amel Softic – Yea, non-emergency medical transportation, we take people to dialysis, appointments, things like that.

Commissioner Kupiec – So if someone needs a ride to the hospital or medical facility?

Mr. Amel Softic – We deal directly with insurance companies, they set up the rides for us and we complete them.

Commissioner Kupiec – So you'll be doing all of your own maintenance work?

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Amel Softic – Yes, I want to put everything in house.

Commissioner Kupiec – Did you receive a copy of the recommendations?

Mr. Amel Softic – No, I did not.

Commissioner Kupiec – There’s a lot of recommendations and a lot of work to be done. I’m a little concerned about you getting it done on a timely basis. I’m going to recommend to the Commission, first of all he gets a copy of the recommendation, and secondly that we table this until a such time where he can review the recommendations and talk to the Planning Department to address some of these issues.

Secretary Smith – He was saying he didn’t get a copy of the recommendations.

Mr. Ron Wuerth – Well I just checked with Mr. Crabtree he sent the recommendations to two of the emails that were listed in the application, so I don’t know what happened.

Ms. Michelle Katopodes – I just confirmed that he has the read receipt from Outlook and we just confirmed both email addresses that are on the application and that’s where they were sent to.

Secretary Smith – I think he needs to look at the recommendations to see all the problems or things that need to be addressed. So I’ll second the motion for Commissioner Kupiec to table for the petitioner to go over the recommendations.

MOTION:

A motion was made by Commissioner Kupiec to table until May 23, 2022, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

- Secretary Smith..... Yes
- Commissioner Kupiec..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki..... Yes
- Commissioner Tutt..... Yes
- Commissioner Teodoro..... Yes

- C. SITE PLAN FOR BUILDING ADDITION TO MARIHUANA GROW FACILITY: Located on the west side of Blackstone Avenue, approximately 648 ft. North of Nine Mile Road; 2325 Blackstone; Section 26; Pattah and Yolda Warren LLC (Design Struct Inc.).

PETITIONERS PORTION:

Mr. Raymen Yaldo – Good evening, it's an existing medical marijuana cultivation facility. I just purchased it in November of 2021 and I'm looking to move the bathroom and mechanical room. They are currently in the cultivation room and I'm trying to add a 648 square foot addition to the front to move the bathroom and mechanical closet.

Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**AT&T:** No objection. AT&T has facilities in the easement behind the building. Unless the building addition is encroaching on this easement, we do not foresee a problem.

**ENGINEERING:** No conditions for approval from the Engineering Division.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Smith to approve, supported by Commissioner Kupiec.

COMMISSIONERS PORTION:

Secretary Smith – I went by and looked at the job the other day, so you're eliminating the big door that's in the front?

Mr. Raymen Yaldo – Yes.

Secretary Smith – And that's where the addition is going to go?

Mr. Raymen Yaldo – Yes sir.

Secretary Smith – In the back I noticed that you got some concrete blocks like you used for barriers to go across, I was concerned about what those are for?

Mr. Raymen Yaldo – Those were actually existing but in front of the garage, we just removed them.

Secretary Smith – So those are going to be removed from the site?

Mr. Raymen Yaldo – Yes.

Secretary Smith – There's not supposed to be any open storage, and there were a couple of bollard poles that were pulled out or something, they must have been in front of the door also.

Mr. Raymen Yaldo – They were.

Secretary Smith – You know those have to be cleared out.

Mr. Raymen Yaldo – Yes.

Secretary Smith – The silver tank on the back of the building what is that for?

Mr. Raymen Yaldo – That's a C02 tank.

Secretary Smith – Thank you sir.

Commissioner Kupiec – Did you receive a copy of the recommendations?

Mr. Raymen Yaldo – I did.

Commissioner Kupiec – And did you have a chance to go over them?

Mr. Raymen Yaldo – I did, my Architect actually addressed them and we should be submitting them to Planning tomorrow.

Commissioner Kupiec – So are you making some recommendation changes?

Mr. Raymen Yaldo – No we just addressed all the recommendations.

Commissioner Kupiec – Okay, thank you.

ROLL CALL:

The motion carried as follows:

Commissioner Teodoro..... Yes  
 Commissioner Tutt..... Yes  
 Vice Chair Boniecki..... Yes  
 Assistant Secretary Robinson..... Yes  
 Commissioner Kupiec..... Yes

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Secretary Smith..... Yes

- D. SITE PLAN FOR BUILDING EXPANSION: Located on the west side of George Merrelli, approximately 526 ft. south of Tank Avenue; 27485 George Merrelli Drive; Section 16; Realty Group LLC (Giffels Webster, Dave Root).

PETITIONERS PORTION:

Mr. Dave Root – I'm Dave Root from Giffels Webster, I'm the Civil Engineer on the project. Cari Easterday, the property owner apologizes she actually contracted Covid over the weekend so she couldn't be here.

Our project is an expansion of the existing elements facility, it's a testing facility for automotive parts. They are looking to expand, to expand their further testing and business. I understand that were are some items we need to address and we've already been discussing those with the Planning Department, we already commissioned to get a survey updated so that will be available in the next few weeks.

There are a few other things that we need to get on the plans so we will definitely be taking care of those including working with the current tenant of the property. I know that there's a few other items that are being questioned, the two vehicles that are in the parking lot that are stripped down, those are actually testing materials they keep them exposed to the elements of our natural environment. In order to properly test those materials of the vehicles with their new elements that they are developing for their business. I'm happy to answer any other questions.

Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**FIRE:** Approved.

**AT&T:** AT&T does not object to the expansion of this building. Please note that we do not have cables serving the building and should these cables be in conflict with the proposed expansion, customer will need to discuss options with the Engineer, Ray Balick.

Mr. Ron Wuerth – Please bear with me a little bit I had to make changes throughout this particular item today and we will provide the one with changes to you afterwards.

Mr. Ron Wuerth reads the recommendation of the Planning:

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Eliminate D2 from the recommendation.

Item 1G should read – The site data chart indicates no open storage, the open storage area and concrete pad shall be noted on the site plan as, to be removed and replaced with grass.

Item K should read – The plan indicates a new trash enclosure along the west property line. The plan also indicates a dumpster area. Provide a note on the plan describing the contents of the dumpster area, it's size, what it is constructed of, and setback dimensions between the dumpster area and the north property line and between the dumpster area and the existing building.

Eliminate 5C from the recommendations

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – You did indicate you did receive a copy of the recommendations?

Mr. Dave Root – We did, yes.

Commissioner Kupiec – And obviously you started addressing some of them, do you have a problem with anything Mr. Wuerth talked about?

Mr. Dave Root – I spoke with Cari extensively today again just going through all these items. We will definitely be getting these things cleaned up, added to the plans as appropriate, and working with the Planning Staff to make sure that everything is addressed. Going to the Board of Appeals to get the two items that we need to take care of as well.

Commissioner Kupiec – Thank you sir.

Secretary Smith – The dumpster that they are talking about on the one site if you have the trash enclosure is that dumpster still going to be needed over there?

Mr. Dave Root – I will need to check with the tenant on that specifically, I think they have a separation of different materials, but we can definitely work through that with the Planning Staff. If it can be eliminated it will be.

Secretary Smith – And the other question I had is from the 2018 site plan there's some things that weren't completed was there a reason why those weren't completed?

Mr. Dave Root – I honestly can't answer that I wasn't involved in the project at the time but the property owner Cari indicated that she thought that the process was moving along, so honestly I can't answer that. I can assure you as I told Michelle, we will be sure that these things get addressed on both ends to get this to the next step before anything gets approved by City Council.

Secretary Smith – Thank you, have a good evening.

ROLL CALL:

The motion carried as follows:

- Secretary Smith..... Yes
- Commissioner Kupiec..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki..... Yes
- Commissioner Tutt..... Yes
- Commissioner Teodoro..... Yes

7. CORRESPONDENCE:

Planning Director's Impact Statement to the Zoning Board of Appeals regarding 5860 Frazho Road.

Mr. Ron Wuerth – I can summarize some of this unless you care to read it. What occurred was at this particular site at 5860 Frazho Road it came before us site plan approval, they wanted an open storage area, a salt dome. It came through for site plan approval here but because we were still a little worried about whether the people understood what we were talking about we had a meeting about a week later. We had our two Ex-Officio's Councilmen at that meeting and we walked around and looked at the site and determined the owner was doing the right thing so we went about moving to the next step. The next step was Zoning Board of Appeals they had variances on the tanks that they have there. The use variance and setback variances those were normal for where it's located.

Apparently the Zoning Board are unhappy because I hadn't provided an impact statement. I am not required to provide an impact statement to any of those actions that take place at Zoning Board of Appeals. The only thing I'm required to do is work with the word that

says may, and when I have time to do it and when my staff has time to do it then we provide the impact statement. They tabled this item because there was no impact statement so then I spent time reviewing the video and answering all the questions that those members who spoke needed to have answered, I think. I go through the whole meeting and try to answer all the questions to the best of my ability. I hope that when they hear this item I think it's May 5<sup>th</sup>, that they'll approve it, I think this gentleman has worked really hard to get his business up and running. I'm going to have a meeting with Jennifer Pierce who is the Assistant City Attorney on that Board, she wants to talk to me to discuss this. My throat is getting dry, so I'll end it right here, unless you have some questions.

Assistant Secretary Robinson – Exactly how detailed and what elements are included in an impact statement that they are asking for. I mean does it take a lot of time or is it something that can be done within a half hour, how detailed is an impact study?

Mr. Ron Wuerth – Well that's a good question, I've been trying to analysis exactly what information they want. I've given impact statements that were quick. The ones I mostly focus on come through our Board and if I'm requesting approval and it gets approved then I simply say that it has been and that was done at a Planning Commission Meeting. I know that there are some members on that Board that would prefer to see a copy of the findings, like what you all have in front of you and that I could probably easily provide. I have provided that a few times when I thought it was necessary. We have our findings, we have our recommendation, and that certainly could be provided with a few words from me in my opinion and how it should be looked at, it just depends.

Somethings are very simple and other things are very detailed and this particular one, if you read it all, it's kindly important so you can get a feeling on how the Board of Appeals questions and operates. So like I said I pay close attention to this and I had quite a bit to write in this particular case but I wouldn't do that for all of them.

Assistant Secretary Robinson – The concern that I have is because the petitioner has been occupying this property since the summer of 2020 and I feel that we don't need to have any more delay in getting something resolved in this matter. The main issue here is the tanks and the close proximity to the north of those condo's that they're building over there where you can see those tanks right across the street. I hope we can get this resolved so that they can make a decision because the petitioner and everybody has been held in

abeyance because they don't know what is going to be done with this.

Mr. Ron Wuerth – One thing everyone should know is that there's 150 foot setback that the tanks need to be away from a property line. So to the north they meet that standard, they are 150 feet or more south of the north property line of Frazho Road. They don't need it going to the south property line I think it's behind the building there or going to the west it's less, that's why they have to meet a variance there. It's a use variance because they are not permitted in a M2 District. I've seen these approved all over town in M2 Districts, not that they all should be but in this case I think it should be.

Assistant Secretary Robinson – So is it the understanding that you are going to put something together for them?

Mr. Ron Wuerth – No, what you see here is what they got, I spent a lot of time, effort and work on this, they've all received it, this is my report to them.

Assistant Secretary Robinson – So there's nothing else that needs to be added to this?

Mr. Ron Wuerth – No, my understanding is that they've asked Skip McAdams, the Fire Commissioner to show up and questioned about the tank. The interesting thing about it is that from a fire prevention and fire point of view they're not interested in how far away from the property lines where they are set that's Zoning's concern. From the Fire Department's concern, it's safety, it's the tank, it's the construction, it's barriers that keep vehicles from crashing into the tank, if the tank leaks is there a containment area, I think the owner had said that these are doubled wall tanks. So if there's a puncture from the outside there's always an interior wall that's got to be punctured also. So that's what I think Mr. McAdams will speak on at that time. I don't think I have to add any more.

Assistant Secretary Robinson – So, hopefully this can be resolved.

Mr. Ron Wuerth – I would hope so.

Commissioner Kupiec – I think you're perfectly right in what you said in reviewing what you wrote, it seems to me like you more than covered the questions that I've heard over the period of time about that site. I don't see what more they can be concerned about, I think you more than adequately covered it, you did a good job.

Mr. Ron Wuerth – Well I thought I did, I give them quite a bit of history on some of the cases and some of the questions that they had and some of the reasons why someone would locate there. Zoning Board thinks in a different way and they ask questions in a different way then we do. They work with the Zoning Ordinance that's why people are there to get variances, but they also have other types of questions and ways of thinking.

MOTION:

A motion was made by Secretary Smith to receive and file, supported by Commissioner Kupiec. A voice vote was taken and the motion carried unanimously.

8. OLD BUSINESS:

Written Request from the Board of Directors of Presidents Village Condominium Association (29358 Hoover Road), requesting that they be allowed to replace brick wall along south property line with a vinyl or wood privacy fence.

PETITIONERS PORTION:

Mr. Greg Macieczn – Good evening, near the south side of our complex we have a complete brick fence around the whole complex, but the south side recently fell about a month and a half ago. We've had structural property walls fall around our property, if you look at it when they built this there was no foundation, it's just brick on brick. And as they fall down they just put a foundation and then bring them up again. Unfortunately, this is about 50% of that wall is gone now, and it butts up to the parking lot of the Church that's facing Twelve Mile. There's a small baseball diamond, the parking lot and there's about 8 feet of grass before our wall. So we just ask if we could just replace it with a more better looking fence rather than rebricking that cement which their estimate was about \$80,000.00 dollars to just replace that wall again.

Mr. Ron Wuerth – I'm going to read a report to you the Planning Commission, but I just want to ask the petitioners did you get a copy of this report that I made for the Planning Commission.

Mr. Ron Wuerth reads letter to Planning Commission:

I have received communication from the above-mentioned condominium association. The request is to replace the existing brick wall along their south property line. They indicate that over time the wall has become a maintenance problem. The wall has fallen down in several sections.

The petitioner, Mr. Greg Macieczni, President of the Condominium Association request that the wall be replaced with either a vinyl or wood privacy fence.

My research finds that per Article X, R-3 Multiple Family Dwelling District, Section 10.10 off street parking facilities, that the masonry wall is a requirement of the zoning ordinance. The petitioner shall request a variance from the Zoning Board of Appeals to change the content of the required masonry wall to a six (6) foot high white vinyl fence that is as near the color of the existing brick wall, and with either a brick or masonry texture.

Also, if the existing brick wall is falling down due to it being struck by vehicles, then you may need a secondary barrier as in a line of posts setback 3 or 4 feet and spaced every 5 feet along the vinyl fence.

This is my recommendation at this time. If the Board of Appeals denies the request, then you must continue to either maintain the brick wall or replace it with a standard six (6) foot high brick embossed poured concrete wall with 45 degree angle cap. So that's my recommendation.

COMMISSIONERS PORTION:

Secretary Smith – Do you understand what Ron is recommending and do you agree with that.

Mr. Greg Macieczni – I heard it but I'd like to see what he wrote.

Mr. William Cook – The biggest problem we have with that brick wall is that the ground from the church is anywhere from 18 inches to 3 foot high, they are above our property, so everything drains on our wall and undermines the foundation of it constantly.

Secretary Smith – One thing Mr. Wuerth read is instead of redoing the brick walls it's a possibility that you can use a vinyl fence, but if it's being knocked down from somebody hitting it or something like that you may have to put some bollards or some sort of protective apparatus in front of it as you go down to the fence. So you can try and see if you can change the content from the masonry six foot high brick to a vinyl fence that is near the color of the existing brick and wall. So this is something that you probably have to bring up with the Zoning to see if they'll allow you to do the vinyl fence.

Mr. William Cook – Okay.

Mr. Greg Macieczni – So our next step is to go to the Zoning Board?

Secretary Smith – That's your next step yes. And if they agree with it then you can probably do the vinyl fence and then you wouldn't have the issue with the bricks falling over. If they don't then you're back to stage one where you'd have to put up a concrete wall down through there, which is a little more expensive. I looked at the pictures where it showed it falling over and it needs a lot of repairs.

Mr. William Cook – That section that's falling over is where all the water drains from their baseball field, everything goes in that corner, it undermines the foundation of that brick wall.

Secretary Smith – If you put a vinyl fence what's going to stop the water from flowing underneath the vinyl fence?

Mr. Greg Macieczni – We were thinking leaving the existing brick that's there as a barrier and then put the vinyl fence on our side to cover it up.

Secretary Smith – But still you don't want the bricks just laying there.

Mr. Greg Macieczni – The bricks that are falling over we will get rid of all that, the existing brick we would just leave there as a barrier to prevent the dirt from washing over.

Secretary Smith – If a lot of water is coming underneath that fence you might want to try to suggest maybe having some sort of drain down through there along that fence. So when the water hits the drain it takes it to a different area so it doesn't go underneath the fence. If you put the vinyl fence in and you've got wood post that you're putting the vinyl fence in with eventually the water is going to rot out the wood. So you need to have some way to stop that water from going underneath that fence even if you do the vinyl fence.

Mr. William Cook – I know it happened years ago but I don't know what allowed that church fill that dirt up that high, and nobody said anything about it.

Secretary Smith – Maybe you can talk to the church and see if they can do something on the other side.

Mr. William Cook – I already did, they told us to go to hell, that church doesn't have any money.

Secretary Smith – Hopefully you'll have better luck with Zoning, thank you.

Mr. William Cook – Thank you.

MOTION:

A motion was made by Assistant Secretary Robinson to receive and file, supported by Commissioner Tutt. A voice vote was taken and the motion carried unanimously.

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

None at all.

12. PLANNING DIRECTOR'S REPORT:

Mr. Ron Wuerth – I'll speak on what I've done for the last two weeks and some other things.

So to start out back on the 11<sup>th</sup> I had a meeting with Lorenzo Cavalier, Mary Michaels, Jim Cummings, and a few others working on that agreement for the PUD. I think we are at that point where it's in total and complete. On the 12<sup>th</sup> it was when Jazmine Early started working with us, also Vicky Swanson she's not with us anymore she's moved on the SEMCOG and she's going to be a Transportation Planner.

I also attended a meeting that night with City Council and that was the Event Retail and that was at Eight Mile and Audrey and City Council approved that. On the 13<sup>th</sup> we had our usual zoning ordinance review we are going to be working on that document for a while trying to bring it into order and hopefully improve things for this city. On the 14<sup>th</sup> went to what's called a Van Dyke Corridor Study Meeting, I was a little late Michelle and Mark were there earlier to hear far more than I did, but I got there in time to get the tail end of it. Those gentlemen that had the first item here I had that meeting with them, the gas station and the car wash on the 18<sup>th</sup>.

On the 19<sup>th</sup>, Mark, Michelle, and myself and others attended the Historic Preservation Plan Meeting over at the Community Center so we listen to Jessica Flores, an expert in that field, give a great presentation. As a matter of fact she has provided us with a plan

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that we are to review and get back with her on our thoughts on what's been written. On the 20<sup>th</sup> that's when Susan Maraldo came aboard on her first day, so we've finally gotten ourselves up to six people on our staff.

I did notify the Officer's here at this Planning Commission, I was ordered not to attend the City Council Budget Hearing last Saturday, so obviously that didn't happen. What I did do is get the Administrations Budget and had a meeting with them. There were two things having to do with employees, things that we counted on having done promotions and changes that they seem to disagree with. I fully intend to discuss those issues at length for as long as it takes to see if I can get those items changed. The rest of our budget from the Administration's view looked really good.

The State of the City Address will be on Thursday, May 5<sup>th</sup>, that will start at 11:30 am and run to 1:00 pm, at Andiamo's. I've talked to several people who've already shown interest to go we can get ourselves a table and sit together and listen to what the future thoughts the Mayor has for the city.

Commissioner Kupiec – You said it was \$35.00 dollars, can you take the money tonight?

Mr. Ron Wuerth – Why don't we talk about that tomorrow and I'll give you more information.

Commissioner Kupiec – As far as our budget you said most of the major items were okay for Planning except a few is that salary or personnel?

Mr. Ron Wuerth – There were a couple of things I wanted to do with some of the employees, yes.

Commissioner Kupiec – And that was not approved?

Mr. Ron Wuerth – No, I don't think they understand what I had plans for and how it was all going to work. There's also a problem with how the Planners are paid now and how they should be paid on a general scale. They had one before and then there was a change in the wage for the Assisted Planner, once that happened it changed the whole scale system. That's been now for about three or four years, and they haven't worked on it to try to correct it, I have asked many times. I'll take care of it in my own way, I'll make sure that they see me.

Commissioner Kupiec – Is it the Administration or City Council?

Mr. Ron Wuerth – Administration.

Commissioner Kupiec – Are they familiar with the Master Plan?

Mr. Ron Wuerth – Yes, they approved it.

Commissioner Kupiec – They realize the amount of work it takes to stay in compliance with the Master Plan.

Mr. Ron Wuerth – It's in our report, it's the Planning Commission's report that the Planning Department put together for you and it clearly indicated that and we are following the Master Plan. We've got a Master Plan and we need four Planners who are working on planning items, that's what we need. That would bring us back to the standard that we had back in 1989 when I first hired in. Now that we have a plan we need Planners, there was a time when it was just me. Now thankfully we have Michelle, and we have Mark, but we need another one. We have a Master Plan Committee, and we'll make reports we will meet about three times this year to see where we're at and how we are making steps forward with it. We do that for five years and that's when they talk about revisions.

Commissioner Kupiec – Thank you. On another subject I probably missed the meeting when it was approved, I noticed at the corner of Thirteen and Mound there's some activity going on there, so is something going in there now?

Mr. Ron Wuerth – Yes, that's Shango Group we approved their plan on that corner, they went to the Zoning Board of Appeals got the appropriate variances and they're moving forward with that plan. So you'll see some buildings being constructed there this year. They've got a retailer coming in and they need to get that moving, they are very excited about it. The one thing I will tell you Mike, the guy who sells all the vegetables and plants, he'll move a little bit to the west but he'll still be there selling vegetables and plants and he'll have the firework stand.

Commissioner Kupiec – So he's going to stay there just move to the west.

Mr. Ron Wuerth – Exactly.

Commissioner Kupiec – And that's acceptable to the tenants that will be up front?

Mr. Ron Wuerth – Yes, that was site plan approved, the owner knows all about it.

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 8:41 p.m.

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Merle Boniecki, Vice Chair

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Warren Smith, Secretary

Meeting recorded and transcribed by  
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