

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on August 8th, 2022, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, August 8th, 2022, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Mahmuda Mouri
Michelle Tutt
Claudette Robinson, Assistant Secretary
Warren Smith, Secretary
Merle Boniecki, Vice Chair
Jason McClanahan, Chair
Garry Watts, Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner II
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 7:01 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:
Chair McClanahan – We did receive information from Commissioner Kupiec and Commissioner Chowdhury that they were not going to be here, so do we have a motion to excuse them?

MOTION:

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

5. APPROVAL OF MINUTES: July 25th, 2022

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OPEN STORAGE AREAS: Located on the west side of Groesbeck Avenue; approximately 791 ft. south of Eleven Mile Road; 26395 Groesbeck Avenue; Section 24; Frank Yousif (Joseph Rockwood). **Tabled from 7-11-22.**

MOTION:

A motion was made by Commissioner Tutt to remove from the table, supported by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

PETITIONERS PORTION:

Mr. Mike Locher – I work with J&A Architectural Engineering I work with Joseph Rockwood. We are trying to get site plan approval so that they can continue on getting their business license. We are not doing really any changes besides we are going to be adding some trees in the front of the site plan, everything else stays as is.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes:

ENGINEERING: Preliminary review of this site indicates no difficulty in development. However, any improvements in the Groesbeck Avenue right-of-way are subject to the approval of the Michigan Department of Transportation.

Preliminary review of this site indicates that the Planning Commission approval should be contingent upon the petitioner's compliance with the following condition (s).

The concrete areas on the plans are not labeled definitively as proposed or existing, if these areas are existing the Engineering

Division has no conditions for approval, if they are proposed the development must comply with City Ordinance 80-796 for storm water detention and treatment.

FIRE: Approved.

AT&T: Approved.

CN MANAGER OF PUBLIC WORKS: We have no objection as this is not near our tracks or right of way.

MDOT: The applicant's site plan will require a permit to have work in MDOT right-of-way. Any work (water main tap, sanitary sewer tap, drainage or driveway modifications) in MDOT right-of-way or changes to the drainage system that may impact MDOT's storm water system will require detailed plans, bond and insurance.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Lori Harris - I just have some questions, one is I don't see the E-Packet on the website for the City so there was no way to do a background check on this. Number two, I'd like to tell you that Warren Civic Theatre had a wonderful show this weekend, they used the stage and there were quite a few people that probably had Covid so you might want to put a mask on.

Is this an auto parts business that's having outdoor storage, that's all I could get out of the address 26395. I really think that information needs to be available to everybody. When you're thinking of these planning things also think about ADA issues, American's with Disability Acts accessibility for people and parking, how those things need to happen. I'd like those to be your questions that you ask when people come up to talk about their project. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Mouri – I know we just got the recommendation, so when I took a look at it it mentioned the fact that you had two previous cash bonds that is still retained by the Planning Commission. So with the new site plan being approved, I guess I just want to get the confirmation from you, are we going to have this completed because I believe the past two were not. I just wanted to bring that up so we can all get that promise from you that this is going to be completed.

Mr. Mike Locher – Yes it will, they already got Ms. Dig out there they got it flagged so it’s pretty much ready to go, to install the trees.

Commissioner Mouri – Okay.

ROLL CALL:

The motion carried as follows:

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

B. SITE PLAN FOR OPEN STORAGE OF EQUIPMENT,

TRUCK/TRAILER PARKING AND SCRAPPING: Located on the north side of Eight Mile Road; approximately 387.57 ft. west of Mullin Avenue; Section 34; 11177 Eight Mile Road; Dominic Atisha (A-L-I 8 Mile LLC). **Postponed from 7-25-22.**

PETITIONERS PORTION:

Mr. Andrew Cohen – Good evening Commissioners, I’m an Attorney in the area and I represent the property owner, next to me is Dominic Atisha representing the property. I have conferred with my client and due to the two Commissioners that are absent tonight we would like to ask that this matter be tabled for a future meeting.

MOTION:

A motion was made by Secretary Smith to table until September 12th, 2022, supported by Commissioner Tutt.

COMMISSIONERS PORTION:

Commissioner Mouri – In the note I saw the fact that we currently \$1150.00 cash bond for the site improvement, is that something that we currently have or is this previous notes?

Mr. Ron Wuerth – First of all we want to get the site plan approval then make the request to release the bonds for the previous ones. Those bonds are going to be wrapped into the newest bond, so we still have some assurance that we’ll get something done there with that.

Commissioner Mouri – I was looking at the pictures too and then I went by the area, the site was not as clean so I just wanted to make sure that's something that the Planning Commission and the City still have, right?

Mr. Ron Wuerth – Yes.

ROLL CALL:

The motion carried as follows:

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

- C. SPECIAL LAND USE FOR BANQUET HALL: Located on the northeast corner of Schoenherr and Stephens Roads; 23814 Schoenherr Road; Section 25; Latia Washington (Mayseer Mikhail). **Planning Staff recommends item be tabled to 9-12-22.**

Chair McClanahan – We received a letter that says that the above mentioned item has a property tax debit and will need to be paid in full in order to continue the special land use application process.

MOTION:

A motion was made by Secretary Smith to table until September 12, 2022, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

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

Mr. Mayseer Mikhail – The tax bill was actually paid and I have a receipt here that shows that and we'd like to table it for a sooner date, there was a misunderstanding with the City that it was not going to be paid in time.

Mr. Ron Wuerth – This will have to be verified tomorrow, someone dated this August 9th.

Mr. Mayseer Mikhail – This was paid today.

Mr. Ron Wuerth – I think we can table until August 22nd.

Chair McClanahan – Okay we will have to revote, Secretary Smith do you mind changing that to the 22nd?

Secretary Smith – No that’s fine.

Chair McClanahan – Assistant Secretary Robinson do you agree with that?

Assistant Secretary Robinson – Yes.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR NEW RELIGIOUS FACILITY: Located on the north side of Eleven Mile Road, approximately 130.84 ft. west of Shelbourne Drive; 13087 Eleven Mile Road; Section 14; Ephesus International Ministries (Tony Corso/Walter Rushton).

PETITIONERS PORTION:

Mr. Walter Rushton – The request is for the property on the a said property it would be described as a religious ministry. It was a medical center before and we have acquired that property and did all required things to do. We are looking for an approval for the property to be changed to a religious organization.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: No objection.

MDOT: Any work (water main tap, sanitary sewer tap, drainage or driveway modifications) in moot right-of-way or changes to the drainage system that may impact MDOT's storm water system would require a permit.

Mr. Ron Wuerth reads the recommendation of the Staff:

Mr. Ron Wuerth – If I may I'd just like to ask the petitioner a question, did you receive these?

Mr. Walter Rushton – No.

Mr. Ron Wuerth – You did not receive it, well we always send them out on a Friday through an email.

PUBLIC HEARING:

Mr. Robert Folkmire – I'm a resident in the area and my concern is the facility and the property is nowhere large enough to be used for the facility they are talking about, you're literally in other people's backyards. They have inadequate parking, it's going to cause problems with backup of traffic onto Eleven Mile during leaving and entering services. We also feel it's going to lead to parking on side streets, have any of these questions been answered or addressed? I have a feeling if this was proposed to you on an empty lot you would have said no right off the bat, I don't know why it's being considered now, you just heard all the variances they have to get. You're putting a facility in our backyards that we don't particularly care to have there, it's going to cause problems for the neighborhood from the size and inadequate parking. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Robinson – Approximately how many church goers do you have currently or do you anticipate?

Mr. Walter Rushton – We anticipate to have whatever the property will supply and we have 42 parking spaces right now, and that would be sufficient for us right now we don't have that many members. We have like 20 or 25 members but we expect more than that, that's our purpose of moving there. We just moved our facility from Nine Mile where we previously were. We sold that to move over in this area

because it was more convenient for our parishioners because we needed room for them to move around. As far as the senior citizens are concerned were we previously were there were stairs that was hindering us from doing what we needed to do there so we chose this facility because it had enough space and parking for us to continue our ministry there.

We had previously already talked to the city about having a church there and it's in the guidelines of Warren to have a church there. Right now it will seat 150 people and we don't have that number yet but everything was supported. We turned in all the paperwork that we needed to turn in with the appeal to have this done.

Assistant Secretary Robinson – Thank you for that, but what I'm concerned about is the Ministry and as you know most Ministries grow when that occurs I'm concerned about where these church goers are going to park. If you're right off of Eleven Mile Road where else would they park except in the neighborhood?

Mr. Walter Rushton – Well there is sufficient in the area where we can put in parking spaces within walking distance to accommodate that. We have considered everything you're talking about right now and we are prepared to move again if we have to we don't have a problem doing that if the city says we cannot bring a congregation in there. There's a Catholic Church across the street that's no longer functioning there so it seems adequate for us.

Assistant Secretary Robinson – So when your congregation grows and you only have 42 spaces where will they park, is there any vacate lots near this church where you could purchase for the overflow?

Mr. Walter Rushton – Yes there is, at the corner there's another vacant lot there when we looked at it the property was for sale. That's one of the reasons why we decided to move there because we had sufficient space to where we could expand.

Assistant Secretary Robinson – And how many spaces would that accommodate?

Mr. Walter Rushton – That space looks like it would accommodate another 20-25 spaces that would give us about 60 seats within walking distance. If I may mention, there's a couple of houses right next to us that seems to be up in age and we were thinking about

asking them to sell their property to us so we can expand there also, there's enough room for expansion. We consider all of this before we even bought the property.

Assistant Secretary Robinson – Thank you.

Secretary Smith – How often do you have services at your church?

Mr. Walter Rushton – Sunday morning.

Secretary Smith – From what hours do you have service?

Mr. Walter Rushton – From 10:00 to 1:00 usually.

Secretary Smith – I was by there today and I looked at things I didn't see any trash enclosure, so as far as trash you accumulate at the church what will be done with that?

Mr. Walter Rushton – We'll get the trash for everything that's required, that will not be inhouse but on the grounds. It was set up for that originally by the other owners of the facility. We have two ways to get in on each side of the building so you come in one way and go out the other way without any interruption or any problems there. We have security guards to make sure everyone is getting in and out comfortably. We have handicap spaces already spaced out there, we've got three air conditioners in the building, all of the stuff that was there we are utilizing and putting that back together as we speak upon your approval.

Secretary Smith – The other question I have is are you planning on having any outdoor events where the noise would be a factor or anything?

Mr. Walter Rushton – No, no outdoor events there. Everything we do is out to other facilities in the neighborhood like places that are already set up for activities.

Secretary Smith – Thank you sir. Mr. Wuerth, I didn't have a site plan. I had a building layout but I didn't have a site plan of the whole site with showing the parking lot in my packet. One thing that I noticed on the findings on 4G it said there was a 4 foot brick wall on three sides of the building I went and measured it's only 2 ½ feet it's not 4 foot. So if it's supposed to be 4 foot it's got to be extended up because right now it's only 2 ½ feet.

Mr. Ron Wuerth – I got the 48 inches from a plan back in the 60's when they said they put up a wall that was 4 feet high at that time, so I didn't measure it, I looked at it and guessed. I'll go measure it again to make sure.

Secretary Smith – You don't have to measure it I measured it three times you're good.

Mr. Ron Wuerth – Excuse me?

Secretary Smith – I took my tape measure and measured it 3 times so you're good.

Mr. Ron Wuerth – Then the wall has to be raised to a minimum of 3 feet, the zoning ordinance dictates that to a minimum of 3 feet. These modern days we ask for a 6 foot high brick and boss poured concrete wall or the brick wall could be built upon to go up to 6 feet. As you can see all the way around there the people have wooden fences that are there so we don't have to see in or have people from there see them, so that's one of the reasons we go for the 6 foot high poured concrete wall. I think the petitioner will have to get a variance for the height of the wall if he wants to keep it that way or if he doesn't get the variance he'll have to raise the wall.

Secretary Smith – Thank you sir.

Mr. Ron Wuerth – I didn't hear his response to your question about a trash enclosure?

Secretary Smith – He was saying that they get the trash together, evidentially the building that was there didn't have a trash enclosure. I don't know if they had a company come and pick up the trash but there was no trash enclosure or dumpster in the parking lot over there.

Mr. Ron Wuerth – I missed that item, so that item should have been number 1 and it would have been G that they are required to have a trash enclosure on the site 10 foot x 10 foot, I forgot to put it on there. So they should have that or they put a note on the site plan that they retain, that is keep, the garbage inside the building.

Mr. Walter Rushton – We don't have any garbage, we are not doing any cooking.

Mr. Ron Wuerth – Excuse me sir, are there going to be waste paper baskets in the facility?

Mr. Walter Rushton – Yes, everybody has waste paper baskets.

Mr. Ron Wuerth – That's right so you'll have garbage.

Chair McClanahan – Sir, we'll have to have you build a trash enclosure or what Mr. Wuerth is saying you just take your trash home with you on Sunday and have somebody dispose of it, or have a service come. We just don't want trash stored outside or rats coming in and causing a mess. So if you're going to have minimal trash just from a service like two trash bags full that needs to be kept in the building and disposed of properly or we need you to build a trash enclosure with brick and bossed walls.

Mr. Walter Rushton – No problem.

Secretary Smith – So sir if you have to build a trash enclosure that's going to change the cost of the project and it's also going to change the bond. So you'll probably have to let Mr. Wuerth know which way you're going to go whether you're going to maintain the trash inside or whether you're going to do the enclosure because the bond might have to be adjusted.

Mr. Walter Rushton – I have a question, before this meeting I had no contact from anyone that told me anything about what was required other than what the medical center had. If the medical center had a trash there I guess we'd have to have one too, I don't have a problem with that at all. It seems a little sticky here and maybe we need to meet with our predecessor to see what their actually after because there's no more that the church requires, we require less than a medical center requires as far as trash cans, barrels, or brick walls.

Chair McClanahan – Please address us.

Mr. Ron Wuerth – Perhaps this gentleman needs to have his item tabled.

Chair McClanahan – Secretary Smith is the maker of the motion and Vice Chair Boniecki supported, do you think this will be a better

tabled until we can work out these issues and Walter can meet with the Planning Department.

Mr. Ron Wuerth – We can have a meeting before the next meeting.

Mr. Walter Rushton – We’ve been getting the next meeting, the next meeting, postponement after postponement for over 2 years. We bought this property over two years ago and we’ve been getting postponed for 2 years trying to get this church started. We’ve lost members because of these postponements. Maybe we need to do a little bit investigation to see what’s going on, is it a purpose to stop us from having this church put there. So maybe we need to go a little further and I don’t have a problem doing that.

Commissioner Tutt – I think tabling this item today is actually in your favor. I heard Mr. Wuerth ask if you had seen the planning recommendations and you had not so you would need to read those to understand what’s required. I understand your frustration but I do think tabling it is in your favor so you have time to review the suggestions and go over them with the Planning Department and get your questions better answered.

Chair McClanahan – Everybody wants bigger government, here’s what bigger government looks like. You want more and more government, more and more government here we all are. We can move it forward but you need to decide whether you want indoor trash enclosure or outdoor trash enclosure so if you want us to table it and give you a couple weeks to speak it over with the Planning Department we can do that.

Mr. Walter Rushton – I have no recourse but to do what he said.

Chair McClanahan – Do we have a motion on the floor by Secretary Smith supported by Vice Chair Boniecki to table it to the 22nd?

MOTION:

A motion was made by Secretary Smith to table until August 22nd 2022, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

Chair McClanahan..... Yes
Vice Chair Boniecki..... Yes

Secretary Smith..... Yes
 Assistant Secretary Robinson..... Yes
 Commissioner Tutt..... Yes
 Commissioner Mouri..... Yes

- E. SITE PLAN FOR TWO SECURITY GUARD BOOTHS AND PARKING AREA EXPANSION: Located on the south side of Twelve Mile Road, approximately 1151.63 ft. east of Mound Road; 6400 Twelve Mile Road; Section 16; Tom LaCross, PE/HRC (Greg Combs/General Motors, LLC).

PETITIONERS PORTION:

Mr. Tom LaCross – I'm Tom LaCross and this is Paul, Greg is on vacation tonight so Paul is also in the same group of GM. What we're proposing to install along the front edge of Twelve Mile would be security improvements, guard shack, and the fencing to secure the site the east entrance and the west entrance facing Twelve Mile. This would complete the security around the campus to keep people from driving in etc. that are not authorized to be on the GM property.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review of this site has yielded the following comments from the Engineering Division:

1. It was noted, during a preliminary site plan meeting on 6-7-2022, that this would be the first phase of work to be done at this location.
2. The area of disturbance for this site is 1.6 acres and shall comply with the storm water ordinance of the City of Warren. All storm water runoff shall be maintained on the site. Follow the City of Warren storm water standards specified under ordinance 80-796. This includes detention, pretreatment, rate control and infiltration.
3. Infiltration is only waived on sites that are listed as a hotspot. Soil borings and infiltration will be required.

FIRE: The Warren Fire Department approves this site plan with the following provisions to be made:

1. Knox box installed on the gate for Fire Department access afterhours.

DTE: DTE Electric Company has no objection to the above request impacting 6400 12 Mile Road; Section 16, per the site plan provided.

MCDR: MCDR has no objections to proposed development at above mentioned site.

Mary Clark CER-6819
 August 8th, 2022

MCPW: Please be advised that this office has no objection to the above referenced project as stated in your letter (copy enclosed). Proposed land changes require review by the Engineering and Soil Erosion Departments and have prior approval from this office.

CN-CA: Our Field Engineer reviewed this and stated “the Macomb County GIS parcel viewer shows the right of way next to this location as Grand Trunk Western, but when I go deeper into the tax account it is correctly listed as Conrail. The track on the east side of the building is part of the Conrail Sterling Secondary. Email from Angelina on behalf of Joseph Wojcik 7-20-22 sent email to Conrail on 7-21-22 for review.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Eddie Kabacinski – Just a personal observation it seems more and more as improvements are being made on the GM property, how can I put this, it’s not as aesthetically pleasing to look at anymore it’s more of a prison institution i.e. Mound Road Correctional Facility or that of the Tacom Facility, looks like either a prison or a military installation. I understand that GM is one of the primary tax payers if not the primary tax payer in the city as far as corporate taxes but just in coming and going and looking outside from City Hall across the street it just doesn’t look like it used to be it looks totally different now. Maybe that’s because they feel they need to have increased security but just as a personal observation, as a resident that’s been here for 26 years it doesn’t look the same. That island in the middle of the city represents more of an installation now than it does one of our businesses in the community, it’s like an island to itself. This is the observation of myself and many other citizens that live in that immediate area also. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Good evening sir, in regards to Mr. Kabacinski’s questions, I was confused when I went out and looked at the site today because I’m saying wait a minute that’s north of Twelve Mile that’s not south of Twelve Mile, but it actually is south of Twelve Mile. It’s one little section that’s south of Twelve Mile it’s separate from the main campus I think they call it the south campus?

Mr. Tom LaCross – Correct it’s known as south campus.

Secretary Smith – I looked at everything and I agree with what you were trying to do. I was confused when I looked at it to because I know GM has all their stuff in that one little area but this was actually on the other side. Thank you sir.

Mr. Tom LaCross – They decided to repurpose and reuse that facility instead of abandoning it so that’s the first step of many projects to come. As one of the comments was to work with the Road Commission on improving the entrances and we are in that process now to go through the permit process with the Road Commission to get those entrances updated to handle the truck traffic and stuff that goes in and out of the facility now, they are too narrow it’s been recognized. As we get this going over the next couple years this is like the first step in the right direction.

Secretary Smith – Thank you sir, have a good evening.

ROLL CALL:

The motion carried as follows:

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

F. SITE PLAN FOR BUILDING ADDITION : Located on the west side of Hollingsworth Avenue, approximately 1781.76 ft. south of Fourteen Mile Road; 32185 Hollingsworth Avenue; Section 4; John Vesper (Paul Antonelli)

PETITIONERS PORTION:

Mr. John Vesper – Good evening my name is John Vesper and Mr. Antonelli to my right he’s the owner of the property. If you have any questions I’ll be happy to answer them. His business has been going very well he purchased the building in 2004 and he needs some more warehouse space so we drew up a space that can accommodate due to parking requirements. It’s got plenty of property in the back enough room to put a lot more parking then he needed. We are asking for an approval please.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review of this site has yielded the following comments from the Engineering Division.

1. Ensure that no existing utilities are located under the proposed building footprint.
2. Indicate any irons which were located or set at the property corners.
3. Provide additional grades and ensure that no storm water is draining offsite.
4. It is unclear how the storm water is existing the site. The pipe sizes increase to the east, but there is no connection shown. There is a 6" storm sewer pipe which exits the site to the west. Please clarify the flow direction invert elevations, and rim elevations.
5. Show all downspout or roof drain locations and connections to the storm sewer.
6. Show any additional pavement and saw cuts where removal and replacement will be required.

FIRE: Approved.

DTE: No objection.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Good evening sir, I was by the site today and I looked at everything and I noticed there wasn't a trash enclosure on your drawing but you did have a dumpster on the side of the building by the door. I don't know if that's temporary but if you're going to have a dumpster that size you need to have an enclosure to put it into.

Mr. John Vesper – Yes we understand that, it's on the comments so a new trash bin will be built on the west side of the property. The dumpster you saw on the side of the building is temporary until we build a new one.

Secretary Smith – The other question is I went all the way to the back and the lot in the back had water standing in certain areas so I don't know if there's a drainage issue back there or not?

Mr. John Vesper – Over the years the asphalt in the back with trucks moving around it got loose so the back parking lot needs to be regraded and that's what we will be doing once this building goes up so we will get positive drainage to the catch basin that is located to the north of the cell tower.

Secretary Smith – And one last question, in our findings on page three there's a note that say there's no open storage allowed on the property and I noticed that on your fence on the opposite side of the drive way it has a lot of wood pallets stacked up all along the fence. You can't have those pallets there but if you need to store those pallets there you have to come to the Planning Commission and try to set that location as a place to have open storage and it would have to be approved. And there was also a pile of light fixtures in the back area, they might of just been there temporarily but the real long fluorescent light fixtures that are in a pile in the back parking lot also.

Mr. Paul Antonelli – We just redid some lightening so it will be there temporarily, I just told them this week that we have to get rid of those.

Secretary Smith – Okay, but the pallets like I said it looks like they may have been there for a little bit. But if you need to store the pallets there then you need to have an open storage area labeled.

Mr. Paul Antonelli – We keep them there temporarily and somebody picks them up like once a month.

Secretary Smith – Mr. Wuerth, being there's no open storage allowed on the site and he's keeping them there just a month or so just so they can be picked up does he need to request an open storage area for this?

Mr. Ron Wuerth – Yes he should, and it's not a bad thing except that it does have to be hard surfaced. You need a little bit of an open storage area so designate something out there where it's going to be in particular and have your Architect draw it in there and put it on the chart. Is that satisfactory?

Secretary Smith – That’s fine, thank you.

Mr. John Vesper – To designate a storage area in the back where the pallets can go while they are sitting there waiting to be picked up, we don’t have a problem with that.

ROLL CALL:

The motion carried unanimously.

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

7. CORRESPONDENCE:

REQUEST FOR REZONING WITH CONDITIONS: Located on the north side of Eight Mile Road; between LeFever Avenue and Cunningham Avenue; from the present zoning classification of P, Parking District, C-1 Local Business District, R-1-P, One Family Residential and Parking District to M-2, Medium Light Industrial District; 4545 and 4547 Eight Mile; Section 32; Vinson Bahri (Robert D. Ihrie) (4545 8 Mile LLC). **DENIED by Planning Commission on June 22, 2020. Letter sent by Planning Director informing the petitioner that this item will be forwarded to City Council for their final decision.**

MOTION:

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

8. OLD BUSINESS:

A. MINOR AMENDMENT TO SITE PLAN FOR THREE NEW INDUSTRIAL BUILDINGS, PARKING LOT, AND LOADING DOCKS:

Located on the northeast corner of Mound and Nine Mile; 23500 Mound Road; Section 28; NP Mound Road Industrial LLC (Danny Holstein). Minor Amendment is for change to south building and split into two buildings. **Planning Staff recommends item to be tabled to 9-12-22.**

Chair McClanahan – Mr. Wuerth do we still recommend this to be tabled?

Mr. Ron Wuerth – Yes, that’s the recommendation, they requested it but we advised it. It started off with an amendment to the site plan and it was found and you can look in the findings that they don’t meet the requirement for a minor amendment, it will be a full site plan approval at that time. We’ll have a meeting, they’ll give us plans if anymore are needed and we’ll go from there, that’s what this is about.

MOTION:

A motion was made by Secretary Smith to table until 9-12-22, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OUTDOOR STORAGE: Located on the east side of Nagel Street; approximately 130.04 ft. north of Toepfer Road; Section 35; 11777 Nagel Joseph Gibbs (David White). **Approved on July 27, 2020. Extension Request to July 27, 2023.**

MOTION:

A motion was made by Assistant Secretary Robinson to extend until July 27, 2023, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR OPEN STORAGE: Located on the east side of Romano Street; approximately 101.80 ft. south of Ten Mile Road; Section 30; 24856 Romano Street; Joseph Konja (Theodore Berlinghof). **Approved on September 28, 2020. Petitioner request to withdraw. New site plan was submitted and approved by Planning Commission on May 9, 2022.**

MOTION:

A motion was made by Commissioner Tutt to extend until September 14, 2023, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR MOBILE HOMES PARK RENOVATIO;
OVERFLOW PARKING AREAS AND NEW GARAGE: Located on the north side of Ten Mile Road and the south side of Frazho Road; along Doncea Drive; Section 19; 3193 Ten Mile Road; Danya Mallad (Jeff Davidson). **Approved on September 28, 2020. Petitioner request to withdraw. New site plan was submitted and approved by Planning Commission on May 9, 2022.**

MOTION:

A motion was made by Assistant Secretary Robinson to withdraw the site plan, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

SITE PLAN FOR MOBILE HOMES PARK RENOVATIO; OVERFLOW PARKING AREAS AND NEW GARAGE: Located on the north side of Ten Mile Road and the south side of Frazho Road; along Doncea Drive; Section 19; 3193 Ten Mile Road; Danya Mallad (Jeff Davidson). **Surety bond in the amount of \$1,950. Project withdrawn. Request to release bond.**

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS:

A. Nomination of 2022-2023 Planning Commission Officers.

Secretary Smith nominates Chair McClanahan as Chair.

MOTION:

A motion was made by Vice Chair Boniecki to close nominations for Chair, supported by Commissioner Tutt. A voice vote was taken and the motion carried unanimously.

Secretary Smith nominates Vice Chair Boniecki as Vice Chair.

MOTION:

A motion was made by Secretary Smith to close nominations for Vice Chair, supported by Commissioner Mouri. A voice vote was taken and the motion carried unanimously.

Commissioner Tutt nominates Secretary Smith as Secretary.

MOTION:

A motion was made by Vice Chair Boniecki to close nominations for Secretary, supported by Commissioner Tutt. A voice vote was taken and the motion carried unanimously.

Secretary Smith nominates Commissioner Mouri as Assistant Secretary.

MOTION:

A motion was made by Vice Chair Boniecki to close nominations for Vice Chair, supported by Commissioner Tutt. A voice vote was taken and the motion carried unanimously.

MOTION:

A motion was made by Vice Chair Boniecki to close nominations, supported by Assistant Secretary Robinson. A voice vote was taken and the motion carried unanimously.

Chair McClanahan – We have to wait until the next meeting to finalize that correct?

Ms. Mary Michaels – Yes, because we do not have a full Board.

- B. Approval for change of date to the Planning Commission meeting in October 2022. The meeting scheduled for October 17, 2022 will be rescheduled to October 24, 2022. In your packet is the new schedule for 2022.

MOTION:

A motion was made by Commissioner Tutt to receive and file, supported by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

11. CITIZEN PARTICIPATION:

Ms. Mary Mataczynski – I live on Aspen Drive in the Aspen Wood Condominiums south of Twelve Mile and off of Imperial. My notes are changed a little because I thought Mr. St. Pierre was going to be here. I was here on July 25th to give all of you a quick history of a barricade erected in 1973 on Gerald just west of Roan. At that time the Planning Commission denied the installation of this barricade on a city street. On July 26th Mr. St. Pierre wrote a legal opinion which contains many errors including Abbey Nursing Home which closed in 2016. Since 2016 it's been Advantage Nursing Home for a few years, currently it the Orchards Michigan. Mr. St. Pierre's opinion

appears to be speaking more as a spokesmen for the Mayor rather than an Assistant City Attorney in the legal department.

Part of Mr. St. Pierre's opinion includes a statement, it's a three page opinion so I'm not reading it, but it says on the second page three paragraphs down, a whole bunch of stuff about advisable to vacate any street. Then it says delivered to Planning Commission except that when a petition to vacate a street, alley, or public place or any part thereof shall be duly execute by 60% of all owners or land any part thereof. There's also a provision for 60% of all owners of land continuous and adjoining such street, alley, or public place. Well I've been trying for a few days to find out what this 60% means. Is it 60% of all the people that live east of Ascension Macomb Oakland, is it 60% of all the people that use Imperial as a egress and ingress, what is the 60%.

In January of 2017 then Councilman Keith Sadowski and Councilwoman Kelly Colegio both spoke at a City Council Meeting regarding this barricade issue, both came in person that month to view the barricade situation. I personally gave Mr. St. Pierre, at that time he was the President of the City Council, many photos of an incident where a Warren EMT vehicle and a big fire truck engine from the fire department locked Imperial for a long time trying to get an ill person out of Huntington Club Apartments. In fact I recall Mr. St. Pierre coming over to Imperial Drive at approximately six a.m. during a snow emergency and counting 27 illegally parked vehicles on both sides of Imperial so the snow plow had no choice but to plow the cars in. We were left with one lane to use north and south both as an ingress and egress.

I'm going to venture to guess that this barricade issue is one of the longest ever stuck in Planning, I have a letter from Mr. Wuerth dated December 14, 2016 to Mr. James Van Havermaat, City Engineer, and Jere Green, Police Commissioner, that was almost 6 years ago. This letter from Mr. Wuerth say that at it's public hearing of December 12, 2016 the City of Warren Planning Commission passed a motion that the Engineering and Police Department be advised of Mary Mataczynski's concern. During the citizen portion of the Planning Commission Meeting Mary Mataczynski raised concerns that there are ingress and egress issues on the south side of Twelve Mile along Imperial, Gerald, and Roan. So now we're looking at August of 2022, 6 years later we still don't have an egress.

It's gone through many attorney's, Mary Michael's has dealt with this issue, Ms. Pierre has dealt with it, Mr. Vinson has dealt with it, I just don't want to wait many more years.

Mr. Eddie Kabacinski – I know the item for Eight Mile Road and Mullin got tabled tonight but I was out there today at the request of Mr. Najib Atisha I guess he's one of the co-owners of the property, and I did call Mr. Watts and he was invited to come I just wanted to note that so I did walk the property today. You guys met about 2 weeks ago and there hasn't been any improvement on any of the items that were brought to your attention two weeks ago and then two weeks prior to that there's been no changes. The façade is still crumbling and falling apart, the front end is still the same, the weeds are still there, the trees are still growing from the roof, the open storage in the back where the critters are running. And now there is a barge back there it is holding standing water in it. Everybody knows what happens with standing water in this kind of heat, we have mosquitos. Then it's a ripe ground for rats, mice, and ground hogs to get a drink and take a bath in there, so that's what is going on on the back of that property. This guy takes pride in the condition of the property like this and doesn't agree that the façade, at least the front façade where everybody can see is not in horrible condition.

If you don't remember what Carboloy looked like it was a gem back in the day when it was actually taken care of it, these guys have let this property just go. Again cutting severed garage doors on windows and drilling into the frame of it who does that. They've let this property go they are letting it dilapidate and they are more concerned about the back of the property and annoying the residents that live on Rivard. I understand Ms. Murphy is going after them in court on these things and that's fine. I understand Mr. Scott from Property Maintenance has been out there, I know you got on their case about it.

This is my District, I'm not up here trying to tell you guys what to do you are going to do what you want to do. I'm simply just coming up here as an advocate and a representative of the people in my district. Those people on Rivard have had enough, the neighbors that are in that area have had enough of looking at this property. When their family and friends are coming over from Wayne County or Oakland County to look at Warren or Macomb County as a place to do business in and they see this off of Eight Mile as a gateway to Macomb County they say why would we want to come here. I'm

trying to work with the DDA on, Mr. Bommarito is trying to get the first Waffle House in the State of Michigan here in Warren. How is that going to happen when they see on Eight Mile what the frontage to Warren looks like, that's definitely not going to happen in District 5 if this keeps up like this. So please know I'm going to be on their case until they make some improvements here. They've had four weeks now and the excuses are absolutely ridiculous Covid has nothing to do with you improving the front façade of your building. Thank you.

12. PLANNING DIRECTOR'S REPORT:

Mr. Ron Wuerth – These are just highlights here for the last month and I also had a couple of vacations. On July 15th we have these meetings with staff and I'm talking about the Building Division, Attorney's Office, Zoning and all that looking to revise completely the zoning ordinance. We do these as often as we can get everybody in the room, sometimes that's not always that easy. What we talked about was we are in the process of doing the whole thing but then we decided to take a look at going after some amendments that create better conditions, less work in the administration, but better conditions out there, more opportunity for development, things like that. So we start off with give us your 10 best that you think are worthy of amending then we'll come back. We came back and we spent a lot of time on just 5. So we are going to work on some amendments here and get something rolling, get them written and sent to the Attorney's Office, they'll analyze things from their prospective and hopefully we'll get some of these to you first then to City Council for their opinion and recommendation. That was a couple of the meetings that we had.

I met with Frank Yousif on M97, that was important. We spent a lot of time going over his site plan, his junkyard, it's far better organized than it ever has been.

One thing was of interest here, I hope David passed out the Master Plan, we had them printed finally. When you put that in your hands it's a little different then looking online on our website so take a look at that go over it. We felt that you needed this as opposed to the other.

When we were talking about housing recently and the reason for multiple housing all sort of just came together it was time to get that printed. I gave you some backup information that came right out of the Master Plan, I wouldn't call it the Bible, but that's certainly what

we are going to try and live by in this community. We've had a lot of meetings and a lot of people were behind this, so were you, and so was the previous Council who got it started and the new Council who approved it. So we are happy about that and it was good talking to the people who do that type of work.

We did have a meeting with Mr. Salama of the Ryan Road that was July 25th and I think we have another meeting scheduled with him again and he continues to clean the site and that's all I'm going to say about that. We'll talk more about what he's doing as it comes back to the Planning Commission for your review and recommendation. That's about it other than doing lots of findings and everything else in the office.

Assistant Secretary Robinson – When you met with Mr. Salama is he going to be more receptive to an 8 unit verses 12 units because that's what he presented to the residents that he was going to go with 8 and then when he came before the Planning Commission he changed it to 12, so what is he leaning towards now?

Mr. Ron Wuerth – I won't know until we have the next meeting, I'll be asking that question. Why he provided a document with 8 units to the neighbors and then comes to the meeting with 12 units proposed. I recalculated the site and he's going to provide us with additional right of way to create the normal 60 foot right of way. When you do that you take away some land and you use the land area to make the calculations. So it no longer comes out to be 12 it comes out to be 11 that's what he's permitted to do. If he wants to do 12 he'll have to get a variance to have an extra unit. We have no problem with 8 units, but I don't know, I can't answer that question until we talk to him at our next meeting.

Chair McClanahan – The MAPP Conference is coming up in October and Commissioner Tutt has expressed interest in doing the Citizen Planner Course at Mackinaw and I know Vice Chair Boniecki is going to do the same thing. I know in the past it has been reserved for the Officers but I would like to open that up for Commissioner Tutt because I don't believe Assistant Secretary Robinson has expressed interest in going, is that correct?

Assistant Secretary Robinson – Going to Mackinaw, no.

Chair McClanahan – So I'd like to open that up for Commissioner Tutt to take her spot and get her Citizen Planner.

Mr. Ron Wuerth – Alright we'll set it up. She should come in to the office where we have the application unless you've downloaded some of it. There's three parts, first the conference itself the cost for that, the cost for where you stay, and the cost for the boat ferry cost. So make an appointment to get into the office as soon as you can along with anybody else who wants to come in and get that worked on and we'll go from there.

Chair McClanahan – Okay, I appreciate that, we are super excited about Commissioner Tutt and Vice Chair Boniecki taking this seriously and going through the training. I know it's wonderful, Secretary Smith and myself have done it in the past.

Mr. Ron Wuerth – You can get that all done in 3 days it's pretty good.

Commissioner Mouri – If there is a spot open I would also be interested.

Mr. Ron Wuerth – Alright.

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

14. ADJOURNMENT:

MOTION:

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

The meeting adjourned at 8:36 p.m.

Jason McClanahan, Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

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Approved

Mary Clark CER-6819
August 8th, 2022