

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on September 26th, 2022, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, September 26th, 2022, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Claudette Robinson
Michelle Tutt
Delwar Ansar
Mahmuda Mouri, Assistant Secretary
Warren Smith, Secretary
Merle Boniecki, Vice Chair
Jason McClanahan, Chair
Jonathan Lafferty, Ex-Officio

Also present:

Ron Wuerth – Planning Director
David Crabtree, Office Assistant
Mark Gorbett, Assistant Planner
Jazmine Early, Planner Aide
Cecil St. Pierre - 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:

Secretary Smith – Commissioner Chowdhury called, a family member had an issue and Commissioner Kupiec is still having leg pain so those are the reasons they are not here tonight.

MOTION:

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

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES: September 12th, 2022

MOTION:

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

Chair McClanahan – We do not have a full Board tonight so all of the applicants have the right to have their item in front of a full Board.

6. PUBLIC HEARING ITEMS:

- A. REQUEST FOR REZONING WITH CONDITIONS: Located on the west side of Ryan Road; approximately 120 ft. north of Dwight Drive; from present classification R-1-C, One Family Residential District to R-3, Multiple-Family Dwelling District; 27365 & 27389 Ryan Road; Section 18; Andy Salama (Amal Salama). **TABLED FROM SEPTEMBER 12, 2022.**

PETITIONERS PORTION:

Mr. John Harrington – My name is John Harrington I'm an attorney and I represent the petitioner Andy Salama and Amal Salama and Andy stands to my immediate right and to his right is his adult son Mark Salama. I know you've had this before you a couple of times already, this is just a presentation to try emphasizing the changes that have been made. I think the Salama's appeared last in front of you back in July, I know we were scheduled for September 12th their family had a tragedy so thank you very much for your accommodations for rescheduling for today.

Just to emphasize a few points here, there was modification for the prior submission, and I know the Planning Department has presented it's recommendations to adopt this new proposal.

A few of the changes and modifications, originally this property currently is R-1-C a single family dwelling it's now been requested to be modified to R-3 multiple family dwelling. There's the two lots here, there were two homes on the property that were somewhat dilapidated and since have been removed it's all vacant land and in this regard the proposal is to put multiple housing on that. There's been a modification to 11 townhouses, the original plan was for 12 townhouses. So now it's been recommended with the involvement

and the suggestion of the Planning Department to reduce that down to 11 two story townhouses. You've seen the plans I'm sure, there's four on the north side, four on the south side and three in the back. The three in the back which would be on the west end of the property would have garages there's four on each side and the north and south do not have garages. All are going to have basements which was not part of the original plan.

Also at the same time that the plan of the property is to have no short term leases, no Airbnb's, there is going to be revised landscaping plan which I think has been presented to all of you as well. There's going to be a long-term maintenance plan involved with this property. The plan is to have a brick wall built on the south, north and west side of the property that was different then what was planned before with just a regular fence. So now with a brick wall it will be much more appealing with the curb appeal and will address some of the concerns that some of the problems that the neighbors felt about this property.

Mr. Mark Salama and his sister, who is here as well, they both plan on living in these townhouses therefore will be present on the property to give more assurance that the property will be kept up and maintained. The plan is for there to be a homeowner's association as well. And with the homeowner's association there will be much more direct involvement by the whole entire community to make sure that the property is maintained. The Salama's have taken the time and effort back in August to meet with the neighbors, they meet at the Ukrainian Cultural Center, they gave a presentation at that time. They addressed some of the concerns of the neighbors, they had their concerns some people just don't want to see a change. But I think as been presented by the Planning Department that this is a very well structured development it's going to fit the Master Plan here. There's going to be suitable housing for many different types of people like the young professionals, the retirees, empty nesters, and those who really don't need a big yard.

I think that some of the complaints have been made by some of the neighbors, and it's interesting that it all came about over the last several months even though the Salama's have owned this property for approximately 15 years now and finally going forward with this type of development. They've now gone forward and made a lot of improvements, cut down a lot of the brush, cut down a lot of the debris, removed some of the waste there by trespassers, and they've removed any eyesore that was on the property as well.

I think the irony of the whole situation is that maybe now these complaints have been brought forward, never any complaints beforehand, but now the property is in even better condition than it was over the last decade or so. With that being said I know both Andy and Mark want to make some comments as well. And I think with all this taken into consideration that the Planning Commission should adopt the recommendation of the Planning Department and change the zoning from R-1 to R-3. With obviously the conditions that they had proposed our clients are readily accept those conditions. With that we ask you to please adopt the recommendations.

Mr. Amal Salama – I own this property at 27365 Ryan Road since November of 2009 and 27389 since 2009. It was two small houses on a big lot property so I'm requesting to change it from R-1 to R-3. It will help me to have a very good solid building, it's not a trailer park, it will be a beautiful building with fence, brick or green whichever the city prefers. It will benefit the City of Warren, Macomb County and the neighbors it will increase the area value. I hope you agree to change the rezoning from C-1 to C-3 and provide more housing for young professionals, for the new generation like my son or my daughter that's an affordable option such as those condominiums in a prime location. We plan to communicate closely with the planning committee to make decisions for the best interest of the community as well as our best interest. Please consider our project and change it from R-1 to R-3, thank you very much.

Mr. Mark Salama – I'm the son of the petitioner, I have over 7 years in real estate as a licensed realtor and I also have a Bachelor of Science in Business Administration with a Major in finance from Wayne State University. I had spoken at our last hearing back in July with everything that happened since then it seems like a year ago, even though it's only been a couple of months. So with that I'll first be going through the market and the relevant supporting data for the purposed townhouses that we are petitioning to rezone for.

Described as the missing middle our proposed development fills in to falling, current missing, or underrepresented housing options within the market of new condominiums within the City of Warren. I currently found houses built, current market data, has showed condominiums built from 2018 to 2020 there's approximately only 12 records of recent sales of them ranging from \$225,000.00 to \$370,000.00 dollars. Our proposal condos fills the following current missing and or underrepresented house options. As highlighted in the City's Master Plan the missing middle complies of duplex, triplexes, and fourplexes, courtyard apartments, bungalow,

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townhouses at 8% and multiplex live work. The type A units will offer over 1800 square feet, three beds, and a full basement we estimate the value to be a minimum of \$255,000.00, I have the current data to support it if anyone would like to see it. So from \$255,000.00 to up \$290,000.00 this is all based on current marketing prices we are currently in a economic uncertainty stemming largely from inflation.

The three bigger ones at the end, the difference between that one and the type B units are the smaller ones that are two bedrooms with no garages, the main difference between that one bedroom and that garage is a difference between whether a family can plant roots there or not. Three bedrooms tends to be enough generally to raise a family, two bedrooms doesn't seem to be adequate long term, it's okay for one child, not to cultivate a young family. The type B units I couldn't price them because it's hard to find a relevant comparable of a two-bedroom options with this one of a kind master suite in such a robust area and it's close to multitude of local market options ranging from restaurants, shopping, recreation and nightlife. We also tend to make it pet friendly, small pet friendly. Smaller units are largely transitory in nature which is a good thing because it will keep attracting more people towards this area because this is really an amazing area even the entire subdivision surrounding it is. When I hung up the flyers door to door to talk and engage with the community, I saw for myself how beautiful it was. So we will commit to doing right by the community because as of recently the emphasis on how important the community is has been made clear to us.

Back on the location of it why we do believe it will only attract only the best and why we can charge a premium to only bring in the best. With the property being near the I696 ramp it will constantly attract work commuters, and this will be from a much-expanded radius as it's a quick commute even those who are local it would service their work commute. And it's also a five-minute walk from the northwest corner of Eleven Mile and Ryan which appeals to our target demographic and that of the City's Master Plan. It host a large Mobil Gas Station with a liquor license with adjoining Coney Island and also a Dunkin Donuts with a drive-thru. It's also near a host of business including but not limited to restaurants, recreation, fitness, nightlife and groceries. And it's only 10-20 minutes away from the best nightlife that southeast Michigan has to offer. The nightlife options within the City of Warren itself or other close by options like, Royal Oak, Ferndale, and Detroit are all under 20 minutes away.

Also to emphasize the point of the target demographic, since all the bedrooms are upstairs it would imply that those who would want to

buy it would have to be able bodied, and those within their earning potential of their career.

I also wanted to go into the benefits of onsite management, first off there would be real time reactions in the event of a repair via immediately or if a contractor fails in an urgent situation such as a blizzard snow fall. And also to take action against those that breach the bylaws like someone playing the music too loud, partying or smoking in the condos we can take action. The bylaws give us the authority to act but it is living on site that truly allows us a culture and maintain as status quo so this property will always be beautiful. Onsite management is something that we will uphold. Like I said the three larger units in the back is someplace where someone could plant roots and maintain it forever, it could be me. One thing we've learned is the future is always uncertain but again the emphasize of community and the things we've been through recently have struck a chord and our entire prospect has changed. Even if someone were to offer me a different position at double the salary I would still say no, because southeast Michigan, Metro Detroit is my community and I will stay here.

Mr. Imad Potres – Good evening, I think you've all seen me before I'm with Futuristic Design Consultant, I'm the professional who prepared this site plan. I would like to thank Mr. Ron Wuerth and all his planning staff for giving us the good feedback and the positive comments to make the site mature the way we presented it today. We went through so many different versions of site plans until we reached this site plan which is very acceptable, and I would say it's mostly in compliance with all the zoning ordinances. Everything was based on the future right of way that's where we put our setbacks and all the parking and building construction that we are proposing.

Also we did all the required buffer zone with the landscaping so all the neighbors will be really surrounded by a nice buffer zone with nice landscaping. I've been told from what everybody has talked about that this development will have a positive impact on that community. There won't be that much noise or traffic as we expect from a commercial building or an office building. There are only 11 units, limited parking, we only have one access, as we agreed, which I think is designed well with access one way in and one way out. So from my opinion that's the best situation design that we can propose. We are here to answer any questions or concerns. Thank you.

Secretary Smith – The only correspondence that I have is a letter received from Councilman Kabacinski and it says.

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City of Warren Planning Commissioners:

Due to a conflict this evening with a prior scheduled event I apologize that I am unable to present my position in person on this agenda item. I am certain that you are all heartbroken about that.

The issue has been ongoing since Monday, May 23, 2022. I presented photographic evidence of exactly what the neighboring residents have had to tolerate since that time on Friday, July 15, 2022. I will again forward those to you in a separate email in order to remind all of you of what occurred.

Although this is not a District Five issue, this is something that could easily take place in my district. I would hope that the other council members would want to advocate and represent for the interests of the neighbors currently living there in a lot of circumstances for many years.

I have discussed this with City of Warren District One Councilman Ronald Papandrea and we have agreed that this proposed development is not a good fit for this property with any more than 6 small 2 bedroom homes with an attached garage or 4 medium sized 2 or 3 bedroom homes with an attached garage.

I will be in opposition to the currently proposed 11 to 12 homes to be constructed on this property. I will continue in my efforts to stand with the nearby neighboring residents by advocating and representing for what they happen to see is the best fit for their community.

As homeowners they already have a vested interest in the City of Warren long before this situation had developed.

As duly elected officials and duly appointed officials we have the highest obligation to them.

I thank you for your time and attention in this matter.

Eddie Kabacinski, District 5

Mr. Ron Wuerth reads the recommendation of the Staff:
Item 1 (c) – I want to add the fact that within the last month and half the State of Michigan has approved a housing plan for the entire state and one of the main points that they continue to go to is how it's the missing middle, it's the multiple housing that the State of

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Michigan needs. Also, I was informed by one of the staff members, I think it was Channel 4, they had a presentation there it was to discuss Federal Grants with any developers who wanted to develop missing middle or multiple housing in their states and that's throughout the United States. They were saying we've got grants ready for developers to move forward and try and find places for missing middle or multiple housing in the State of Michigan in the City of Warren.

Item 3 – The owners did provide their proposal, I'm not going to read all that, it's lengthy, but it describes everything that the petitioners have already presented to you. The only thing that I will want them to do is correct in here conditions for rezoning request number 2 proposed development and it does say a total of 12 dwellings that was corrected to 11 dwellings, so that should be corrected. Then when we get down to the four units for the type A units it's not 4 it's 3, that's the only correction that needs to be made. Their proposal will be incorporated into a document formulated by the City Attorney's Office, and it's titled Conditional Rezoning Agreement between the City of Warren and the petitioner.

PUBLIC HEARING:

Ms. Debbie Mazur – I live at 27621 Ryan Road. My family has owned and lived on Ryan since 1954 I've seen development of subdivisions on the east and west sides of Ryan in the 60's. The majority of these homes are ranch style homes and are single family dwellings. During the 80's and 90's more development occurred on vacant properties again ranch style single family homes. I frequently walk the neighborhood and recently counted the number of empty houses just on my walk, there were 16 houses two for sale, four have city stickers on them, three are being removed or updated and the others are rentals but currently unoccupied. Of the occupied houses nearly all have two cars and many have three. Many only use the garage for one vehicle, for storage or as a partial enclosed patio.

The proposed development poses many concerns, first the architectural is nonconforming to the neighborhood by being both a multi-unit as well as two story not a ranch.

Second, the proposed 28 parking spaces is inadequate. Eight of the 11 proposed units do not have a garage if each unit is allocated 2 parking spaces this leaves 14 additional spaces, 2 of which are designated handicap. Essentially 12 spaces for those who have visitors, or don't want to use the garage, or for a third vehicle, etc. where is the overflow going to park. They can't park on Ryan that

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means they'll probably be on Dwight, which the corner is a school bus stop, or across the street on Garbor which is 5 lanes of traffic, or the business at Eleven Mile.

Third, the increased traffic is an issue, there's a potential of having an additional 2 dozen people trying to turn left onto the property between Ryan and Garbor this is a distance of less than 500 feet. I have personally witnessed an increase in accidents on Ryan including one car that went through my garage wall, another car lost control went into a telephone poll and crashed into a parked car across the street, and just last month a truck landed on my property as someone was trying to make a left hand turn at Garbor. According to Warren Police there have been 69 accidents since 2020 between Martin and Eleven Mile.

Historically the property has not been kept up the owner has owned it for 15 years and just recently started to clean it after he chose to rezone it and had complaints and citations. And yet even in the cleanup it wasn't done by a professional crew or equipment but rather by the owner's family because it was too costly to hire it out, which hence to the quality of builders that he'll chose to build this. Rather than allowing the property to become a multifamily dwelling district let's try improving our city by filling the vacant houses, making property owners accountable for their current property, and let's look at the neighborhoods not just individual parcels of land to see the conformity and to look at traffic patterns to maintain and improve safety. I do not support the rezoning, thank you for your consideration.

Mr. Ed Miller – I've been a resident in my house for the past 25 years, up until the last five months there has been no maintenance on that property at all for 20 years. Infrastructure, water, gas, sewer, electric we have to have massive upgrades costing the city millions. The transformers one on the southside and one on the northwest side they're small. The one on the southside has a history of going and malfunctioning three and four times a year especially during the winter. There was a well on each one of those lots they were filled in and there was no record that I could find of any permit to be pulled to do so. I pumped 2200 gallons of water a day from a sump pump in recent days in 90 degree heat for a week with no rain lawns were drying out. I could trace water through my backyard mainly by looking at it because the water has watered the grass for me and the soil was always moist even in the winter.

There are no multifamily dwellings on the west side of Ryan from 696 to Ten Mile. The brick wall 6 foot high, to quote, insulate the

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residents of the condominium proposed from the rest of the Warren community or is it the Warren community insulated against the occupants of the proposed condominium. Insulate is a final and fancy word for segregation which is outlawed. Streetlights, streetlights over the proposed area would shine directly into my bedroom and directly into my family room disrupting my family. I do not want two story condominiums there. You have a map from the USG to back what I say.

Mr. Gary Osolinski – Good evening I live at 27407 Ryan Road I have the property that's on the northern boundary of the properties in question. I'm asking the Planning Commission to deny this proposal for the R-3 rezone based on the principle of rezoning. We are trying to force one type of rezoning into an established long standing different rezoning for the benefit of one property owner, that's what we have going on here. I did attend a meeting by Mr. Salama to explain the R-3 rezone that they are contemplating and with the massive homeowner opposition I was expecting that Mr. Salama would have a change of heart, change of direction, and change of plan, that he would want to build something that conforms to this area and build something that's compatible to this area, but that was not the case. The changes were instead of 12 units we are going to go to 11 units, and instead of 22 parking spaces we are going to go up to 28 parking spaces. It's like all the hearings we've had up to this point didn't matter, it's what the petitioner wants to do and it's what he wants to build. This is the danger of rezoning.

I was looking at the Planning Commissions minutes of the meeting for July 11th and yes it is true that the Planning Director did recommend this site plan but there's more to the story. If you go to page 30 Mr. Wuerth is talking about the City of Warren's Master Plan and these two properties came into the discussion. And on page 30 about ¾ of the way down and I quote, this particular development that we just listened to if you look at the findings it's kind of hidden, but I always try and make a comment about can the site be developed the way it's zoned, and I did say that, but I didn't say just put two homes back in the same lots. What I did say is how can we develop it for maximum use as R-1-C. I think I said if you can put it with a private drive four lots on there, but they want what I do believe 12. And again it doesn't matter what someone else says or recommends it's what the petitioner wants and that's all that matters. This again, is a danger of spot rezoning so I'm asking the Commission to deny R-3 rezone based on the principle of spot rezoning.

And number two, to not petition to rezone on basis of total disregard for the homeowner's input and number three, deny petition to rezone to R-3 based on a total disregard for the City of Warren the Planning Departments own recommendation to try to build with an R-1-C guidelines. Thank you.

Mr. Mike Taormino – I live at 27320 Ryan Road. Since the beginning of this in May we researched and there were 500 vacancies at that time in the City of Warren. I believe right now during current economic conditions that's probably going to rise. Having a zoning change that's a big deal. (handing out photos). You'll see a picture of five cars on the lot before there's even a building on there and it looks overcrowded then. There's not even a building there's no trash dumpsters and there's also two homes that are from Campbell Road and Fourteen Mile Road that are similar to the same lot size I think they could put in there. If they go through with this it's just going to add to Amazon, UPS, FedEx, US Mail, Uber, pizza delivery, Grub Hub going in and out of there. Ryan Road is a major route for Detroit Memorial Cemetery it's also a major route for fire, emergency, police and it's also a bus route. I live right there I watch it out my window every day. Sometimes it takes me over 5 minutes to get out of my driveway.

They are going to put this right in the middle of a deer crossing area that the city just put up the signs within this year I believe. In 17 years, this is the first time I've seen wild turkey. I've got four fox in my backyard that I've never seen before, they are digging holes all over my lawn but I don't care. I believe they said it's going to tame the wildlife well I believe most of the people here enjoy the wildlife, am I correct? I'd like to know if there's anybody in favor--

Chair McClanahan – Please address us sir.

Mr. Mike Taormino – Is there anybody in favor that's a city resident raise your hand if you're in favor of this zoning change.

Chair McClanahan – Sir, please address us.

Mr. Mike Taormino – At the meeting that he had at the Cultural Club Mark himself said if I was you I wouldn't like this either. So it's almost like saying screw you we want our monthly income on your behalf. It's going to stick out like a sore thumb. If you take a ride from Ten Mile to Thirteen Mile Road you'll see nice homes, actually somebody moved a home on Ryan Road and put it on one of those nice size lots. Starting at Ten Mile there's lots 4 times the size of mine and I have an acre and my neighbor has 2. This is a unique

area of Warren it's going to stick out like a sore thumb and I don't see how you can say it's an ideal place for a multiple dwelling.

Chair McClanahan – Thank you sir.

Mr. Mike Taormino – Do we have a time limit?

Chair McClanahan – Yes.

Mr. Mike Taormino – They don't have a time limit when they come up here and petition?

Chair McClanahan – During the public hearing you have three minutes, you've went four minutes.

Mr. Mike Taormino – How about the petitioner, there's no time limit?

Chair McClanahan – There's no time limit on that part.

Mr. Mike Taormino – Thank you, I just wanted to make that clear.

Mr. Mark Broadwell – Good evening I live with my wife at 27319 El Capitan, which borders Ryan, one block west of the property that we are talking about. We love our neighborhood; we moved here 35 years ago with a small son; we raised our entire family here. It's a beautiful area with single family homes single level homes I'd say the majority of everyone there takes excellent care of their property, their home, their landscaping, cuts the grass, takes their garbage out they do a really good job.

We have very few, I don't even know how many, very few homes that are rental homes, so rental properties are not the normal in this neighborhood. We have a couple two story structures in the entire neighborhood, it's a single-family single story home residential area. Everything looks uniform everything fits, it's what we love. What's being proposed does not fit, if you look at the back of this auditorium from edge to edge I would say visually double that area from that end to this end is the width of the property we are talking about and they are talking about putting three large buildings with 11 units in there parking spaces, garbage dumps, landscaping and all of the things that were aforementioned in this area, if you can visualize that plus the traffic flow. We don't want to look over a fence and see a second story structure that does not belong in our neighborhood. There's also the fact that this landowner, as previously mentioned, has owned this property for 15 years and has neglected this property

horribly until the last 6 months when they are trying to get it together to build something on it.

We can't trust this landowner to maintain the property, it's been neglected, it's looked horrible, it's had rats, it's had grass that's been 10 inches high it has not been taken care of. I think that most of my neighbors would agree with me we do not want this. If he reconsidered and came back and said two or three single family homes single level homes, we would probably go along with that, but this is a bad idea. Thank you.

Mr. Dennis Fuller – Good evening, I live on (inaudible) with my wife we've lived there 31 years we'd be at the south end of this, right over one of the compound walls I think is what we are calling them. The proposed developer was up here in front of you tonight they said that they had a meeting with us, and they wanted to address our concerns. Well, that's not what the meeting was, the first thing out of Mark's mouth was that geeze if this was going to be put in my neighborhood, I'd be angry too. We said did you guys think about putting one story units instead of two stories, they said no, no, it's two stories it's tough luck. Well did you guys think about fewer units no, no we've got to put up as many as we can we've got to make money. You guys should be proud, you guys should be happy we sacrificed for this property for 10 years, we sacrificed. We said what did you do, you did some substandard lawn cutting only after we called the city every six to eight weeks and said what the heck is going on that's your sacrifice.

We asked him about 30 cars in and out of this thing 24 hours a day, if you had 16 houses you might have 30 cars up Dwight or up El Capitan on the other side, but in this spot 30 cars 24 hours a day, three gigantic garbage dumpsters on our property line that will be emptied once a month in the summer. We asked him what do you think about that, he said well hey that's the way it is we don't care. So that is how they addressed our concerns.

Had they thought about this back 5 or 8 years ago when the place was just looking like crap anyway they could have called us together and said hey this is what we are thinking, but no they didn't do anything. They waited until they were looking at 1 ½ to 2 million dollars here in sales we can get these people in the neighborhood to subsidize our development here by lowering their property values. When they go to sell their places people are going to say what the heck is this weird compound doing behind these houses. It's preposterous, I want you to just think about that and I thank you very

much for listening tonight, of course we don't want to see this development. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – I listened to the residents I understand the concerns and they talk about putting maybe two or three single family houses in that area, when you put more than one or two in there, you're looking at multifamily in there. In order to have multifamily in that area it has to be rezoned to an R-3. I know there's a lot of concerns out there but tonight is about the rezoning and that's the concern that's before us tonight. If you're going to put more than two or three houses in there it's got to be changed to a R-3 anyway. I think the project is a nice-looking project, it's a hard decision to make. The City of Warren does need infill properties, we need infill residence, we need to have places for people to live. I know there's a lot of places that are empty and vacant where no body is living in them, but new developments have a tendency to draw people, people like new things.

Commissioner Robinson – My concerns are with the residence, and Mr. President I'd like to make a comment about this very issue. There was a very interesting article that appeared in the June issue of the Michigan Planner by Planner Julie (inaudible) with Progressive A&E. What she says is what we are dealing with here, she's indicating here that missing middle housing does offer opportunities more than just single homes. She also mentions that the building design and character should be very similar in size and massing to other structures in that neighborhood. Also, she says the form and site standards these standards insure that development is architecturally consistent with surrounding properties.

To propose two story units into an area that's 95% single family homes is not in character with the surrounding areas. If the developer could come back with maybe single-story units and possibly with the garages because it has been done already. If you look a mile down the road just north of Frazho there you'll see the Ryan Road condominiums here the ranch style homes are abutting to this development but they are single story condominiums and it looks very integrated into that area there, it's very nice in there I've drove through there. I personally live at the Ryan Road Estates, when they started building those units there and on one side they were all ranch styles with the basements. So I believe that in

harmony, with what the concerns that has been presented with he neighbors that if he came back with a concept plan with single story units that they would be more receptive to this project. They were there before he purchased this development. So many smaller size and single story housing would be very complementary to that area there. That's all I had to say.

Assistant Secretary Mouri – I guess one of my concerns is especially with the amount of people that are going to be living there along with going in and out especially if we are having 11 units like it's proposed right now. We can assume there's two cars with each unit and going in and out of there, and also the petitioner also mentioned it's going to be targeted more for young professionals. They will be going to work, there's always doing Amazon delivery, and Grub Hub with all the traffic on Ryan Road with the small amount of space I guess that's my main concern. I'm not really sure that 28 parking spaces is enough along with how it's going to accommodate all the incoming traffic.

Chair McClanahan – Mr. Attorney this is just for the rezoning correct, we are not doing the site or anything tonight, just the rezoning?

Mr. Cecil St. Pierre – That's correct, and Mr. Wuerth can note as well on the agenda it's a request rezoning with conditions. At this point there was just a motion for rezoning. If you want to amend your motion, you would have to indicate the request for rezoning with conditions.

Chair McClanahan – So this has nothing to do with the site plan?

Mr. Cecil St. Pierre – As a current status of the motion it was just a motion to rezone from R-1 to R-3 is my recollection, Mr. Wuerth correct me if I'm wrong.

Mr. Ron Wuerth – This is a rezoning with conditions, and in the conditions they mention the site plan, the reason for the conditions is so that as I put it what you see is what you get. If it's a regular rezoning they can provide the site plan and then come back with a completely different type site plan, not with the rezoning with conditions that's what this is. That's why we have the agreement, if it were strictly a regular rezoning we would not have this agreement brought before you.

Mr. Cecil St. Pierre – Secretary Smith if you want it on the agenda you'd have to amend your motion to request for rezoning with conditions.

Secretary Smith – Well that's what the item says, request for rezoning with conditions, that's what item 6A says.

Mr. Cecil St. Pierre – Yea that's right, but I heard the motion was just to rezone.

Secretary Smith – With conditions.

Mr. Cecil St. Pierre – Okay then you're fine, that's the motion on the floor and there was support with the conditions.

Chair McClanahan – See nothing further that was a motion by Secretary Smith, supported by Assistant Secretary Mouri for rezoning with conditions.

ROLL CALL:

The motion carried as follows:

Commissioner Robinson..... No
 Commissioner Tutt..... Yes
 Commissioner Ansar..... No

I believe this is a residential area and we are trying to rezone it from a 1 to a 3 and all the comments from the residents. Also, it's 11 units and I believe that 5 or 6 would be best so that's the reason I vote no.

Assistant Secretary Mouri – I want to clarify something for my understanding too, with the rezoning with conditions the petitioner is going to be sticking with the 11 units is that correct?

Mr. Cecil St. Pierre – From a legal point of view what the State Legislator had done many years ago was allow you to have rezonings with conditions and contract. As you see in your packet there was an agreement with the developer on both lots and I believe the number of units are indicated in there as well as the number of parking spaces garages and things of that nature. These were combined but they both had separate agreements. You can rezone with conditions but as Mr. Wuerth has indicated to you that these are conditions that run with the land. No one can change their mind once they are in place, they can't make it more or less. It also avoids a site plan in the future as well and the agreements are contained in your packet.

Mr. Ron Wuerth – This isn't a comment regarding what Mr. St. Pierre is saying, it's just that anyone who has a negative please indicate

the reasons why and I'm simply going to ask Commissioner Robinson are your reasons what you've already said?

Commissioner Robinson – Mr. Wuerth I summarized as shortly and explicitly as I could that this development that's been proposed does not meet the character of the neighborhood.

Mr. Ron Wuerth – I just wanted to make sure that what you said are your reasons.

Commissioner Robinson – That is correct.

ROLL CALL CONTINUED:

The motion carried as follows:

Assistant Secretary Mouri..... No

I have to support Commissioner Robinson, with the character of how the area is and especially with 11 units being in there I feel will be a problem.

Secretary Smith..... Yes

The reason I vote yes is because if they want to reduce it down to 4 units, 5 units, or whatever they want to do even though they want 11 units it still has to be rezoned to R-3. The meaning of this is to rezone to R-3 with conditions. That means that if they wanted to go smaller they could go smaller but if you want to put more than 1 or 2 units in you can't do it, it has to be R-3 to put multiple units in. So changing it like Commissioner Robinson said to single story units and have more in there that would be fine but the only problem is you can't do it in the R-1, you have to have it R-3. This vote is about changing it to R-3 so that's why I voted yes.

Commissioner Robinson – I was under the knowledge that if you vote positive with conditions that the design can't be changed going forward. I'm not opposed to R-3 it's just the development concept that I'm opposing. So if you say yes then that means you can't change the design development going forward?

Secretary Smith – This is just a rezoning, they still have to come back before us with a site plan. So with the conditions they could make changes with the conditions, but if we don't rezone it to R-3 then they can't put anything more in there than what was in there before with is one or two houses.

Commissioner Robinson – Okay as long as it can come back with something that's capable with the residence that live there I'm not opposed to rezoning, but I just want to know that option is available

moving forward even though the conditions have been out and spelled.

Mr. Ron Wuerth – I was having a conversation, so I didn't get the gist of what you were say?

Secretary Smith – What I was explaining to Commissioner Robinson is this is just a rezoning to R-3, which is multi family.

Mr. Ron Wuerth – Well it's not just a rezoning it's a rezoning with conditions.

Secretary Smith – What I'm saying is being it's a rezoning to multifamily with conditions Commissioner Robinson is saying if you make them all single it would be more conducive to the neighborhood but anytime you put more than one family in there you're talking multifamily. So this is a rezoning of multifamily with conditions, so they have to come back before us for a site plan approval. Even though they are asking for 11 units it may come to the point when it comes to the site plan that they could possibly change it at that point, am I correct?

Mr. Ron Wuerth – Yes they can change it to be in compliance and it could be less in units.

Secretary Smith – But they can only do that if it's rezoned to R-3?

Mr. Ron Wuerth – They could go less if they chose too even with the conditions. Also with the conditions they presented elevations plans they could modify those. It's not in a great expansive way that they could modify but certainly they could change it in site plan approval but not in a great way, if that helps.

Commissioner Robinson – When you say a great way does that mean no drastic changes can be made when you vote with conditions, or are you saying slight changes, or dramatic changes?

Mr. Ron Wuerth – Let me put it this way, to address what you said about no two story go to one story they could do that. The exterior design if they looked around and took a look at the design of the homes around them and perhaps started to design them a little bit like the single families although they are together common wall, then yes they could do that. These are things that they could do during that process still have to stay in that mold of the conditions and those aren't really large changes if they wanted to go that route. That's only if they get to that point.

ROLL CALL CONTINUED:

The motion carried as follows:

Vice Chair Boniecki..... Yes

Chair McClanahan..... Yes

Secretary Smith – Okay we have a vote of 4 yes, 3 no.

Commissioner Robinson – Based on what Mr. Wuerth has indicated I'm not opposed to the R-3 rezoning as long as it's modifications can be done with the development plan to satisfy the residents in the area, if he's receptive to one story units I don't know.

Chair McClanahan – So how are you voting?

Commissioner Robinson – I'm for changing it to R-3 hoping that the petitioner could be willing to change the development plan to satisfy the concerns of the residents in the area.

Mr. Cecil St. Pierre – To make the record clear you're voting rezoning with the conditions?

Commissioner Robinson – Yes.

Mr. Cecil St. Pierre – Then you have five votes.

Secretary Smith – We have five votes so the motion passes.

- B. SITE PLAN FOR SELF STORAGE BUILDINGS: Located on the west side of Mound Road, approximately 257 ft. south of Stephens Road; 23745 Mound Road; Section 29; Warren MI Self Storage LLC/Joseph Binder (Devon Self Storage Holdings (US LLC/Pat Roussey).

PETITIONERS PORTION:

Mr. Brandon Chaney – I'm with Nederveld we are a Land Planning Engineering Firm out of Ann Arbor, I'm representing Devon Self Storage and with me here today is Pat Roussey. I'll keep this fairly brief here, in essence we are proposing a redevelopment project at 23745 Mound Road. The property is roughly 4 acres in size it is just west of Mound Road and just east of Pinewood. The development will be essentially a combination of both interior climate controlled self-storage units as well as exterior traditional self-storage units. And with that I'll give it back to the Commission we are here for any questions you may have.

Secretary Smith read the following correspondence:

TAXES: No Delinquent Taxes.

AT&T: AT&T has no objection to the self-storage buildings. We do have facilities serving the existing building and facilities in the Pinewood and Mound Road rows, but none should be affected by the new buildings.

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

1. This site shall comply with the storm water ordinance of the City of Warren including pretreatment of storm water runoff. All storm water runoff shall be maintained on the site. Detention shall be required.
2. The plan shall show the location of all existing utilities in the vicinity of the project.
3. Provide a complete and accurate legal description of the parcel(s) including the parcel identification number.

DTE: No objection to the above request impacting 23745 Mound Road; Section 29, per the site plan provided, as long as the national electrical safety codes are maintained. There is a possible conflict with DTE overhead conductors approximately 200' west of Mound.

FIRE: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. **SITE PLAN FOR PARKING LOT ADDITION FOR MARIHUANA TESTING LAB:** Located on the west side of Mound Road, approximately 32.27 ft. south of Hayden Street; 20829 Mound Road – 20946-20840 Albany Avenue; Section 32; Seth Parker (Joseph Gumma).

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PETITIONERS PORTION:

Mr. John Gumma – Thank you for having us. We are here because there is a vacant land behind the property for the safety compliance lab so we could have additional parking for the employees. Those of you that are not familiar with this type of facility it's not open to the public it is Scientist and private independent carriers that are owned by the facility that go to the cultivation facilities and pick up their product bring it back and test it for microbials or whatever the state requirements are at that time. So it is not open to the public, there is no public parking, there is no public entrance, it's just private for the Scientist and the Lab Technicians. These facilities are very, very, clean they are like surgical rooms, so that's the type of facility it is. If you have any questions, I'm here to answer them.

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. Provide a complete and accurate legal description of the parcel(s). Parcel combination shall be required.
2. Site shall show the location of all existing/proposed underground utilities in the vicinity of the project including their connections and discharge point.
3. Show how you intend to drain the parking lot. All drainage shall be contained in the property before discharge restrictor shall be required.
4. Drive approach shall meet current City of Warren standards.
5. All parking areas shall be hard surfaced with minimum 6" concrete curb and gutter. Provide elevations.
6. The proposed alley pavement shall meet current City of Warren concrete paving standards.
7. Show how you intend to drain the paved alley.
8. We recommend paving the alley to limits of Lot #80 to the north and Lot #213 to the south.

AT&T: AT&T does not object to this request, we have an aerial cable in the public alley, but as the plans state overhead lines are to remain, it should not be affected by this project.

FIRE: Approves this site plan with the following changes: Change 14 ft. entrance to a 20 ft. entrance.

DTE: No objection.

Mr. Ron Wuerth reads the recommendation of the Staff:

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Item 5 – This is a correction, the amount of \$21,000.00 dollars be posted according to the estimated cost of \$700,000.00 by the petitioner.

PUBLIC HEARING:

Mr. John Bakalis – I own a property at the other end of the block closer to Mound Road. I just want to be clear on the site plan that I see the public alley is going to be paved but still left open, is that the case?

Chair McClanahan – We'll address that.

Mr. John Bakalis – So they are just adding a fence and concrete to the back lot?

Chair McClanahan – This is your time to speak we will address those comments.

Mr. John Bakalis – That's what I'm asking, from what I see on the site plan is that accurate?

Chair McClanahan – This is your time to speak we will address those concerns; we are making notes of your concerns.

Mr. John Bakalis – My concern is to make sure that the alley stays open because about six years ago someone down at that end tried to vacate the alley and block the alley and that is a public alley for both utilities and emergency vehicles. So as long as that stays open I have no objection. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – In response to the gentleman's question about the alley, yes the alley will remain opened and yes it will probably be repaved and the fence will go as you see on the drawing around the parking lot.

Assistant Secretary Mouri – You mentioned the fact that there's going to be Scientist and when I looked at the notes it says that there's going to be laboratories, analysis room, offices, stores, conference rooms, receiving area and break rooms, how many people would you expect to be there in the building in one day?

Mr. John Gumma – I would say like the busiest shift like four or five people there's in and outs for the carriers when they bring their samples in.

Assistant Secretary Mouri – I know it's 14 parking spaces right, so that's one of the reasons I'm bringing this up, there's a lot of different rooms with five people with all these different rooms.

Mr. John Gumma – I think there's no other parking over there and I think the neighbors need it.

Assistant Secretary Mouri – I just wanted to make sure that you have enough parking spaces, thank you.

Mr. John Gumnma – We do, thank you.

Secretary Smith – One last question, what are the hours of operation of this business?

Mr. John Gumma – I don't know, I really don't know, I can find out real quick.

Chair McClanahan – We got one of your workers here that wants to speak.

Mr. Christopher Hammond – Gentleman was yelling from the back of the auditorium so could not hear all of it. The time of operation will be between 7 a.m., and 6 p.m.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:
None at this time.

8. OLD BUSINESS:

A. MINOR AMENDMENT TO SITE PLAN FOR INDUSTRIAL BUILDING ADDITION AND TRUCK WELL: Located on the north

side of Stephens Road; approximately 630.5 ft. west of Mound Road; 5587 Stephens Road; Section 29; Thomas Kemp (Patricia Ellingson). The Minor Amendment is to change the screening along the west property line from a wall to a greenbelt.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

PETITIONERS PORTION:

Mr. Tom Kemp – Tom Kemp 275 W. Drive, Madison Heights. We are here asking for a minor amendment when we came in originally to get the building approved we had shown the concrete screening wall and as we've investigated it with what's along there and some of the houses, gardens, and things along that fence line it's pretty (inaudible) getting into the people's backyards to try and get this wall up. I guess we weren't aware we've got 30 feet of greenbelt on that side of the building, and we weren't aware that one of the allowable screening techniques is the planting the trees as a screen wall. That's why we came in, I'm not sure we needed to come to the Planning Commission but wanted to because we've had some real good cooperation with the neighbors, and we want to continue to have it and we wanted them to be aware of it that we weren't just trying to change something on the fly. We had several people that didn't like the wall and a few people may like it but there's some garages that are on the property line. There are some things that are probably zoning issues if we have to get into building the concrete wall.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: The detention pond shall be protected from the residents.

FIRE: Approved.

AT&T: No objection.

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DTE: No objection.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – I went by and looked at the project today and I saw how far the concrete wall went down and then I saw the shrubbery past that, when we first approved this I didn't realize it was that long. One thing I did notice is that there's no openings on the backside of that building facing the residents so any greenbelt that runs down through there that would be a perfect buffer down through there to provide the buffer from the building to the residents. It won't be as high as the building, but it would give them some buffer other than just having the wall there, so I think it's a good idea. Thank you, sir, thank you Mr. Chair.

MOTION:

The motion carried as follows:

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

- B. **SITE PLAN FOR BUILDING ADDITION AND PARKING LOT RESURFACING FOR M-97 AUTO PARTS:** Located on the west side of Groesbeck Highway; approximately 791 ft. south of Eleven Mile Road; 26395 Groesbeck Highway; Section 24; Frank Yousif. **Petitioner request to withdraw site plan, given approval on November 13, 2017. New site plan approved on August 8, 2022.**

MOTION:

A motion was made by Commissioner Tutt to withdraw the site plan, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR NEW PARKING LOT: Located on the west side of Blackstone Avenue and approximately 335 ft. south of Stephens Road; 23917 Blackstone; Section 26; Robert J. Tobin (Robert Batton). **Approved on November 27, 2017. Extension Approved to November 27, 2020. Never Finished expired.**

MOTION:

A motion was made by Vice Chair Boniecki to recognize as an expired site plan, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

- A. SITE PLAN FOR EXPANSION OF JUNK YARD FOR M-97 AUTO PARTS: Located on the west side of Groesbeck Highway; approximately 800 ft. south of Eleven Mile Road; 26395 & 26301 Groesbeck Highway; Section 24; Frank Yousif. **Cash Bond in the amount of \$1050.00. Site plan withdrawn. Release the bond.**

MOTION:

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

ROLL CALL:

The motion carried as follows:

Commissioner Robinson..... Yes
 Commissioner Tutt..... Yes
 Commissioner Ansar..... Yes

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

- B. SITE PLAN FOR BUILDING ADDITION AND PARKING LOT RESURFACING FOR M-97 AUTO PARTS: Located on the west side of Groesbeck Highway; approximately 791 ft. south of Eleven Mile Road; 26395 Groesbeck Highway; Section 24; Frank Yousif. **Cash Bond in the amount of \$1050.00. Site plan withdrawn. Release the bond.**

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS:
 None at this time.

11. CITIZEN PARTICIPATION:

Mr. Tom Welles – I live on Blackmar at 24634, the question on A the modified site plan I for one would have been in favor of the wall but I guess that just got approved as an exception. The wall was originally part of the program, that's my opinion, I would have liked to have the wall. The other thing is there was a Zoom Meeting several months back where an apparent exception was made so that the business would be able to operate past the 7 p.m., deadline that normally is afforded. Businesses that are operating this close to residential property and next to nobody on Blackmar was ever notified of that Zoom Meeting. The obvious conclusion might have been that there was no interest in it, I want to assure you there was interest in it and I wish that some of the neighbors would have had an opportunity to express their opinions. There was also something here where it says that there's a modification to a truck well I wish

Mr. Wuerth or somebody could tell us where that truck well is going to be or if it's something new and exciting. Thank you for your time.

Ms. Laura Sanders – I live at 24438 Blackmar Avenue, I am here to speak on item 8A which we just heard about. Mr. Kemp has requested and I guess from what I understand you guys have approved the forgoing of the screen wall or precast concrete wall in lieu of a green wall from which I understand is trees and shrubbery. I don't understand how that happened, there's a loading dock on the west side of that building that is 80 feet from my bedroom window and we are now allowing them to not put up a brick wall. You have approved a variance for that building in which allows that building to run from 6 am to 10 pm. We the residence have not put-up muck of a fuss about what is going on in the property behind us. Currently there is a 30-foot monstrosity of a building 30 feet behind my property line.

I came here today because I got a notice from first Kemp Construction and second the City of Warren Planning Division saying that we could come to this public hearing, and I guess I misunderstood because I thought that the resident would have a say in what was going to happen with that screen wall. Put yourself in my position live in my house, sleep in my bedroom less than a 100 feet is a loading dock where semi's are going to come and unload anywhere between 6 am and 10 pm. I have a job and this building has impacted my livelihood. I am a lifetime City of Warren resident. I don't understand how this could just happen so quick and easily without any thoughts to the residents who live behind this building.

On the south end of the street and on the north end of the street there are businesses on the east side of the property and those properties have a brick wall. But those of us in the middle of the block that used to have a beautiful field behind us now are going to be stuck with the largest building in the area with a loading dock in our backyard. And if I understand correctly, you guys have just approved them to not put up a wall, I don't see how that takes the residents into consideration at all.

Ms. Michelle Coleman – Good afternoon, I'm a resident on Blackmar as well my address is 24450. I have been in my home since 2011 for the last six months or so I have tolerated construction I have not complained at all. Prior to construction starting I sent an email with my concerns to Kemp, I did receive a response, and in my email I did express my concerns. I expressed my concerns about the business operation, I expressed my concerns about what barrier was going to be put there. We received a letter if I'm not mistaken that

stated that the brick wall was going to be there and now all of a sudden there is no brick wall and you're going to throw shrubs up there.

My backyard backs directly up to the loading zone so that means from 6 or 7 in the morning until 10 at night there will be people coming and going and loading and unloading. A prime example before it got really cold just recently, I was in the backyard watering my flowers and one of the construction machines was being used and I said dang they are out here kind of late doing construction and there's nobody else on the site right now. There was actually a little boy that was operating the machinery while his father was standing at the truck allowing him to play on the machinery. Now mind you this is at like 7 o'clock in the afternoon evening. There was no construction going but yet this is the sound that I'm hearing while I'm sitting in my backyard.

I don't know esthetically what it's going to look like, there's complete openness there besides the chain link fence that's there now on the property line. Why can't they put the brick wall a couple feet closer over towards the building. There's a wall down on Stephens behind the building where the UAW is, there's a wall down on the other end by Ten Mile. So the houses right in the middle where you have the loading zone you're not putting nothing there but some bushes. Which material a fence, a brick wall, or bushes would be a better sound barrier to make a better environment for the neighbors as well as the business, it just doesn't make sense to me.

I've sent a couple of emails addressing all of these concerns about what I have and now here it is and it's just been approved they don't have to put the brick wall so it's basically open and the noise is going to be there and that's what I'm going to hear. I pay taxes. You said you were going to do the brick wall now you're changing it all of a sudden and if I was not mistaken a brick wall was supposed to go up prior to construction, so that didn't happen.

Mr. Thomas Turmel – Good evening I am Tom Turmel 24462 Blackmar a 57-year resident of that home, it was my family home I grew up there. I did talk to Tom Kemp about the noise there are four truck wells there, there's four of us that are adjacent right to it. The truck well is 240 foot long from the end of the building. So 15 houses from Stephens just have a 30 foot wall and it's an attractive building for what they had to work with it's a difficult property it's not even 200 foot wide but we are at the loading dock and it's 30 foot away. What I've asked Tom Kemp for was a wood fence six foot high attached to the building and to the loading dock to the edge 240

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foot long to defer the sound over. Right Way trailer is right behind us also public storage, which pushes the sound back to the homes. I'm thinking that a wood fence would absorb the sound and not ricochet all around. I did talk to Tom Kemp about this, and he agreed that would be a viable solution and I don't think he has to go through another site plan for that but he did say he would put that fence up. As far as the law goes they really don't need a wall down there because they don't have a problem with the noise that's going to occur. I'm not against the project the sound is going to be definitely an issue and I hope that Tom Kemp keeps his word and builds that 240 foot wooden quality cedar fence like we spoke of. A vinyl fence does nothing but shoots sound all around, I'm not a specialist with audio but I do know that property because I've been there since I've been there since I've been seven years old and I'm an old man. So anything that can be done as far as his efforts would be greatly appreciated. Thank you.

Mr. Mark Wyer – 24508 Blackmar resident there for over 20 years, I actually live next door to Tom. Mr. St. Pierre it's nice to see you in that chair again, it's been a while. I just wanted to speak on this, Mr. Kemp did send us his neighbors on Blackmar this note prior to getting information from the Planning Commission but his reasons were for noise reduction, existing residential fencing shall remain, existing residential shed shall remain, quicker installation, less invasive interference to neighbor's all reasons that he was going to put the wall up originally. So it's funny how the switch happened here. These were reasons he said the wall was going to go up and now this is reasons the wall is not going to go up, so it's very confusing.

Mr. Kemp left I understand we can't speak during old business but that's a little confusing because these were all reasons that the wall was going up so you guys just approved for that change. Not hearing from residents again, a little bit of a bait and switch on how that works. We're not real pleased with the wall not going up. Tom has made, as you know, has made some adjustments with Mr. Kemp in regards to that. The little boy operating the machine by Michelle is the first I've heard of that. We still have some concerns with contaminated soil that's in the field still and we're not sure if anything has been done about that. Then the original plan shows 1 building and right now it's actually two buildings. There's a split in the middle with a brick wall going up and some overhead doors going in there so it's actually split, your plan that you just had up there a little while ago was one building and now it looks like it's two buildings.

Again Mr. Kemp has been cooperating with us, he's been upfront with us but these are things that I will email him about, but I wanted it on record in front of the Planning Commission that we really do have some more concerns as neighbors that have been in this neighborhood for a long time. Thank you for hearing us.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report

Mr. Ron Wuerth – This is a report for the last couple weeks and we'll bring you to update with what we've been doing besides just writing findings. We did have a meeting with a representative from Regina High School they are looking to put in a new recreation field, one with track and field, stands and that type of thing. They are not playing football they are playing soccer and any other type of game that requires a field that big.

I attended the Mayor's Staff Meeting I always do before a City Council Meeting. The first was just a standard rezoning that was on Ten Mile east of Easy Street it was a large property that had been used for open storage many times in the past and City Council approved that rezoning.

The second rezoning was a rezoning with conditions that's at Eight Mile and Cunningham if you remember that the Planning Commission had voted to deny that particular one and they held off from going to City Council for almost two years. So we basically forced the issue, the Planning Staff did, to get them to go to City Council and have a final decision. Long story short the final decision was a denial from City Council for that site. The thing about it is now that activates a tabled site plan that they initially came to us for open storage. That's going to come back to the Planning Commission here shortly and we'll talk about that again. It depends on what they want to do but it's a tabled item and we'll have a recommendation at that time. So that's what happened with the City Council Meeting and the results on that particular one.

I did attend a Civil Service Meeting and in that meeting Michelle Katopodes was promoted from a Planner II to a Planner III so I'm happy for her.

I had another interesting meeting with a gentleman named Vito Castelana he's the developer of those townhouses that you can see from City Hall, it's called Towne Center, they're brand new and beautiful. He came to us because the development to the east

which was the old high school they tore down. The high school went for site plan approval a petitioner named Shafer and now Shafer doesn't want to do the development and he's looking for a buyer. So Castelana decided that it might be a good idea just to go ahead and purchase and continue his development through there. This was a meeting with Tom Bommarito, myself, and Mary Michaels discussing whether that's a good idea or not, well we thought it was a good idea until we came to the end of the discussion where he said the only problem is taxes and how taxes would affect his development and frankly whether he could make any money. Come to find out he's checked with the Assessing Office, I was shocked, but I find out that taxes are high in Warren. To put it in quick terms they are so high that this man can't purchase the property, he can't build and make a profit, he can't make any money. He found that out last week after he talked to the City Assessor, so he's withdrawn, he's not going to build, so now we have a problem with development and I hope that's not going to continue. I hope the city can find a way to remedy that. If that's the way that the developers take a look at the tax situation here in this town, we better start thinking about how to remedy that.

I did have a meeting with Lorenzo Cavaliere with his new PUD and a gentleman by the name of John Vitale. He'd like to actually rezone part of that PUD use that medical building, I think that you're familiar with over there and turn it into another medical type use that requires an SS District, this proposal is very interesting. The problem is as I told Lorenzo if you have part of that certain size amount of that PUD that would have to be rezoned if it's over a certain percentage it's got to go back to City Council. It starts with us for recommendation then it goes to City Council to see if they'll approve any changes to that PUD. So that would be the question whether we want to approve a change to the PUD so someone can come in rezone the property go to an SS medical type of use and make a change. I'm not sure about it, we are still talking and we will have another meeting after the gentleman, who wanted to do this Vitale, sent us an information sheet on the type of medical use that they want to do. I'll let you know how it turns out.

So that's primarily it, the only thing that I want to mention to everyone is that City Council does livestreaming so it reaches a larger audience, and I was told it could be done for the Planning Commission. So I'm asking the Planning Commission to think about that, you don't have to answer tonight, whether you want to have our show livestreamed, it's not just going to be heard by those in Warren. So consider it and let me know I'm not going to make the decision for you it's your decision. People who actually work in the city but live outside the city could watch the Planning Commission

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Meetings to see how things turned out. Even developers or anybody else who has interest in all that could watch it livestream if they so please. That's an advantage I'm not sure what the disadvantage would be. We'll make it a discussion item and we can talk about it and make a decision.

B) Planning Commission Discussion and Concerns:

Commissioner Robinson – Whatever happened to the mayor's directive to have zoom how is that going, to have the meetings zoomed for those individuals who can't attend.

Mr. Ron Wuerth – I thought we went over that last time, that has to do with those people who have deficiencies and can't make it here all they have to do is contact our office. For those particular people or persons and it turns into a zoom for them individually and others can join with that reason. They have to contact us and set it up through communications and it turns into a zoom. It's not the zoom meeting like we used to experience where everyone was at home, that's not how it works.

Commissioner Robinson – So it's up and running now?

Mr. Ron Wuerth – So if you take a look at the agenda in front of you on the first page it says any person with a disability who cannot attend the meeting may participate via zoom.

Commissioner Robinson – That's great I just saw that.

Secretary Smith – I noticed that we approved the greenbelt over on Stephens for the trees and shrubbery and things like that and I noticed the comments from the residents about how they wanted the wall for the noise from the truck well. Anytime you have noise and it bounces off of something solid it seems like it would be more noticeable then if you had trees or shrubs there. Correct me if I'm wrong, I'm not sure, I'm just throwing this out there. Is it a possibility that we could have more trees or taller trees in that area to maybe block some of that noise verses having a wall or fence. It seems like it would cushion the sound a little bit more, maybe I'm wrong that's why I'm asking the question.

Mr. Ron Wuerth – First of all, think about our required wall that we have put up brick and boss so it's not a flat face, it's on purpose. It's brick and boss it looks like brick and it's got uneven surfaces so that actually helps stop the noise from shooting out and reflecting sort of speak that's what that wall can do. A gentleman who was here was

talking about a wooden fence and that certainly might be an option. Mr. Kemp didn't mention it. I did notify the people along that line because I felt they needed to know that this was being heard and they did get up and talk and I think they would have liked to talk during the hearing. They certainly expressed themselves, I guess that's all I have to say about that.

Commissioner Ansar – So Planning Department recommended a wall, I'm talking about 8A that we already approved, so now we approved for a greenbelt.

Mr. Ron Wuerth – I'm sorry not understanding what you're asking, there was a wall that was approved along that entire side. Mr. Kemp touched base with us and had a meeting with us and said many of the people there didn't want the wall and he gave the reasons standing here why not. A lot of it had to do they didn't want the fences touched, the wall would have come close to some of the buildings, structures, garages, and sheds so if you don't build the wall you put in a greenbelt. It's either in the zoning ordinance a wall or a greenbelt and so they're going to put in a proposed modified greenbelt and that was to take into account those shrubs and trees that already existed there. So we wouldn't take those out but he would plant the greenbelt in and around those trees. If you plant the greenbelt according to the specifications that we have then after about three or four years, it doesn't take long for these trees to grow a couple feet now you've got trees that are as tall or taller than six feet. If they are put together in a reasonably close way which is a design that we have so that would happen then it creates a screen, it's a living screen. As long as those trees live, if trees die they have to replace them that's common. So it was proposed here tonight to the Planning Commission you heard him and you approved it.

Commissioner Ansar – Thank you.

Chair McClanahan – I live with a medical building right behind me and there's utilization of walls and the greenbelt and it is my opinion that the greenbelt is far superior. A couple of the audience members talked about nature and stuff, obviously nature loves trees a brick wall right in your backyard is like living in a prison. Echo sound doesn't block it, it's not near as pretty or nice as trees, that's just my opinion.

Mr. Ron Wuerth – My choice has always been a greenbelt. I'd rather see a greenbelt along property lines everywhere in the city as opposed to a wall but there's choices to be made and that's why the option is offered in the zoning ordinance.

Assistant Secretary Mouri – Last time we brought up the training session for the Planning Commission I was just wondering if there was any updates or when we are going to have the training session?

Mr. Ron Wuerth – I'm not sure yet, I mentioned it, I felt that we needed some training regarding the planning commission it's operations, just a review basically.

Chair McClanahan – Isn't there a MSU extension class at Mackinaw this year?

Mr. Ron Wuerth – If you're talking about the Citizen Planner then yes.

Chair McClanahan – So some of the members that haven't went through that course could do that while they are at Mackinaw?

Mr. Ron Wuerth – They can.

Chair McClanahan – We've got three that haven't went through that course that are going. It's a wonderful course it will touch on everything that we do here.

Mr. Ron Wuerth – Mr. Ansar you may want to think about that so you can get that Citizen Planner achievement out of the way.

Chair McClanahan – Michigan State University Board of Extensions is going to offer a Citizen Planner program it goes into what we do here today and that's going to be at the Mackinaw Convention.

Commissioner Ansar – Are you talking about October 10th to the 12th?

Chair McClanahan – Yes.

Commissioner Ansar – I already applied.

Mr. Ron Wuerth – We can talk about that.

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

14. ADJOURNMENT:

MOTION:

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A motion was made by Secretary Smith to adjourn, supported by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

The meeting adjourned at 9:16 p.m.

Jason McClanahan, Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
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