

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on January 9th, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, January 9th, 2023 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
John Kupiec
Garry Watts, Ex-Officio
Jonathan Lafferty, Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner III
David Crabtree, Temporary Office Coordinator
Laura Sullivan - Assistant City Attorney
Patrick Conlin - Communications Department

1. CALL TO ORDER:
Chair McClanahan - Calls the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:

Secretary Smith – We need to take care of a little housekeeping from the last meeting. We made a motion to excuse you on the 5th and on the 12th of December and we didn't vote for it so we need to have a roll call vote on that tonight.

MOTION:

A motion was made by Secretary Smith to excuse Chair McClanahan on December 5th and 12th, 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

Secretary Smith – Commissioner Chowdhury's father passed away so we need a motion to excuse Ms. Chowdhury tonight.

MOTION:

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

Secretary Smith – We need a motion to excuse Commissioner Ansar for the meeting of December 12th.

MOTION:

A motion was made by Vice Chair Boniecki to excuse Commissioner Ansar on December 12th, supported by Commissioner Robinson. A voice vote was taken and the motion carried unanimously.

Secretary Smith – We need a motion to excuse Assistant Secretary Mouri on December 12th, supported by Commissioner Tutt. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES – DECEMBER 5TH, AND 12TH, 2022:

MOTION:

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

Secretary Smith – We should let the audience know that they are only allowed 3 minutes to speak on the public hearing items.

6. PUBLIC HEARING ITEMS:

A. SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES:

Located on the north side of Thirteen Mile Road, approximately 376 ft. west of Schoenherr Road; 13441 Thirteen Mile Road; Section 2; Randazzo Fresh Market (Salvatore Randazzo). **TABLED FROM DECEMBER 5, 2022.**

MOTION:

A motion was made by Vice Chair Boniecki to remove from the table, 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

PETITIONERS PORTION:

Mr. Denny Krestel – Good evening I'm with Guido Architects here to represent Randazzo. My work address is 23419 Ford Road, Dearborn, Michigan. I'm here requesting permanent land use approval for a permanent outdoor sale at the Randazzo Fresh Market on Thirteen Mile.

The areas for the permanent sales are located on the south side of the building, in a P district on the east side of the building in a walkway space, as shown on the site plan. These areas have housed outdoor sales for fruits, vegetables, and plants for many years under a yearly renewal permit. It makes sense to now look for a permanent status to avoid the yearly renewals. We are also aware of a few variances for the parking lot layout design that will require just part of this approval. The layout issues that we are looking for have mostly to do with the variances arose due to hardships in meeting the 24 foot length of the parking stalls that are required.

And some of those issues were due to the fact of the existing landscape islands and drive approaches.

So, we've created a striping plan that's shown on the site plan that's before you to improve on the current stall and isle layout, which has existed as it is and doesn't need ordinance for many years. This includes an agreement with CVS to the east for a cross access and encroachment of some of the parking spaces. As you may know the store is very busy and the current number of spaces needs to be maintained to efficiently and safely handle the customer traffic. As such we are also looking to maintain a 9 foot wide snow storage area as also shown on the site plan suggesting the allowance to maintain more spaces or to maintain the same number of spaces during snow plowing season. I'm here to answer any other questions.

Secretary Smith reads the following correspondence:

TAXES: Current.

ENGINEERING:

1. The site plan submitted does not correlate with the site plan approved in 2006. Contact the Planning Department for further directives.
2. The existing concrete patio/concrete wall impedes the drive approach and drive isle. Drive isle shall be minimum 22' wide.

FIRE: Approved.

MCDR: No Objections.

MCPW: No Objections.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING:

Ms. Lori Harris – Hi my name is Lori Harris and you all might not like me or like what I have to say, but I want you to think carefully. We love Randazzo's right, everybody loves but that is a terrible parking lot to get in and out of. And it's a really awkward parking lot for someone who needs accessible parking. So this approval by the Building Department is illegal it defies the ADA guidelines, the Federal Guidelines, and the State guidelines. So don't approve something that is illegal.

Accessible parking has to be close to the door you can't just make a three foot pathway and decide that's close enough. So before you approve something like this you need to think about it. I'd like to

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point out in terms of what our city does is we had a beautiful grocery store at Eleven and Ryan which would have been a perfect place for Randazzo's to go where there was enough space. Trying to fit all of this in that space and not refigure the driving and the parking is really not helpful. So I am encouraging you to really think about it or delay it until somebody can find out what the Federal ADA guidelines are. I believe it's already been reported to the Department of Justice because the parking is not acceptable for people to have accessibility. When you go in Randazzo's if you shop there, the aisles are narrow, the doors are narrow, the place is not accessible for people who need assisted devices. So I would encourage you to do your research before you make a decision and agree on this. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – I shop at that Randazzo's every now and then it's a beautiful store, one of the issues I saw by shopping there is the outdoor storage area so close to the driveway coming in with the double in and out that it can cause problems with people parking along the aisle there. By them coming back and putting bollards in there that would at least give some safeguards to the people that are shopping there that the vehicles won't back up and back into somebody, so I thought that was a good move.

The accessible parking on the end has been there, I know they are going to redo the cart corral to make a wide enough path for accessible people to have the path to go into the store. Which would be better to have them come from there and go into the store then to try and cross through in and out traffic to come into the store. So that makes sense in that aspect. Thank you, sir.

Mr. Denny Krestel – The parking spaces that are now shown are the legal size for a van accessible spaces and regular car spaces with the maneuvering space on either side of the vehicle, it all meets the current ADA requirements. And the number of spaces, the five spaces meets the count required for the number of parking spaces we have. What we did improve is the aisle way out of the traffic, the aisle way for pedestrians traffic and people in wheelchairs which the minimum space would be 32 to 36 inches and we provided 36

inches between the bollard and the new cart corral that Mr. Wuerth mentioned that we are going to have to modify in order to do that.

And yes we are placing, as you pointed out, bollards along the edge of the pavement where the asphalt and concrete meet so there's now a barrier for any of those shoppers to keep them from walking out or moving out into that. There's not been one there before unfortunately I'm not aware of problems there but certainly it makes a lot of sense to do this on a permanent basis. So we are making improvements.

Secretary Smith – Thank you sir.

Commissioner Kupiec – Have you received a copy of the recommendations?

Mr. Denny Krestel – Yes.

Commissioner Kupiec – Are you familiar with all of them?

Mr. Denny Krestel – Yes sir.

Commissioner Kupiec – And do you agree with all of them?

Mr. Denny Krestel – Yes.

Commissioner Kupiec – You're planning on putting in bollards?

Mr. Denny Krestel – Yes bollards or we might be putting planters in, something that is going to define that area and keep the shoppers from backing out into those aisles.

Commissioner Kupiec – I see in your estimate that was recommended by the Planning Staff you put in zero and obviously it's going to cost you some money to put in bollards, so I'm going to recommend we add at least a \$1000.00 dollars for a bond to have these bollards put in.

Mr. Denny Krestel – Very good.

Chair McClanahan – Secretary Smith you're the maker of the motion and Vice Chair Boniecki do you both agree with the \$1000.00 dollars?

Secretary Smith – I support that.

Vice Chair Boniecki – I'll support that.

Chair McClanahan – We have a motion by Secretary Smith supported by Vice Chair Boniecki, with a \$1000.00 dollar bond change.

ROLL CALL:

The motion carried as follows:

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

- B. AMENDMENT TO APPENDIX A, ARTICLE XXI-A: Proposed ordinance amending Appendix A, Article XXI-A Village Historic District, Division 1 – GENERALLY, Section 21A.01 (c), (d), (f) – Background and purpose, Section 21A.02 (a) and (b) – District Boundaries, Section 21A.03 – Definitions, Section 21A.04 – Reserved; DIVISION 2 – MEMBERSHIP, POWERS, AND DUTIES, Section 21A.07 (b). Established; membership; terms; vacancies, Section 21A.08 (h), (l), (m), (q), (r), and (s). Powers and duties, section 21A.32 – Historic District Boundary; Amended ordinance of Article XXI-A is to bring it into conformity with state law so that the City of Warren may apply for a Certified Local Government (CLG) designation. **Planning Staff requests item be tabled to the March 13, 2023, Planning Commissioner Meeting.**

MOTION:

A motion was made by Secretary Smith to table until March 13, 2023, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec.....	Yes
Commissioner Robinson.....	Yes
Commissioner Tutt.....	Yes

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

- C. SITE PLAN FOR BUILDING ADDITION AND COURTYARD INFILL:
 Located on the northwest corner of Mound Road and Enterprise Court; 28635 Mound Road; Section 17; Bosch Automotive Services Solutions, Inc./Chris Folger (JB Donaldson Company / Bennett Donaldson).

PETITIONERS PORTION:

Mr. Clay Thomas – Good evening I'm with JB Donaldson Company, 37610 Hills Tech Drive, Farmington Hills, Michigan. We are the applicant for this project. We are excited about this project in the City of Warren. As you mentioned it's at 28635 Mound Road, the northwest corner of Mound and Enterprise Court.

We are applying for approval for a site plan building addition of approximately 33,000 square feet in addition to some infill and a new driveway to Enterprise Court. The building addition will be located in what is an existing parking lot, although the remaining parking will meet or exceed the zoning requirements. This is a project that we seek approval from you. I'm also here with Sahil Navlani, our Project Manager and Matt Slicker, from HRC, our Engineer, to answer any questions you may have.

Secretary Smith reads the following correspondence:

TAXES: Current.

ENGINEERING: Approval should be contingent upon the petitioner's compliance with the following condition(s).

1. Commercial drives shall meet current City of Warren standards (25' minimum radius, 8" minimum concrete).
2. The drive approach on SE corner with proposed overhang door shall be brought to current City of Warren commercial drive standard.
3. Site plan shall show and identify the location of all existing and proposed underground utilities including size, connection, and discharge point in the vicinity of the project.
4. Additional storm discharge due to the increase in the impervious area shall be contained in the property before discharge.

FIRE: Approved.

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COMCAST: No conflicts.

DTE: No Objections.

MCDR: No Objections.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING:

Ms. Lori Harris – Thanks for this opportunity again. I would like to ask that the people on the Commission ask questions about the residential area behind this building, I'm trying to picture what neighborhood is there. This is a large addition to this building which will affect in terms of more semi traffic coming in, noise, and disruption to the neighborhood that's behind it. I wonder if those questions have been asked. I'd love to hear people on the Commission ask those questions before you approve things like this, I think those are reasonable questions especially if you live in that neighborhood. Thank you.

Mr. John Line – Good evening, my name is John Line, and I own the building across the street at 5750 Enterprise Court. It's a large addition or new building behind the building that's currently there. Can I ask what the building is going to be used for?

Chair McClanahan – This is your time to speak, you can ask any questions we will take note of it and ask those questions that you have.

Mr. John Line – I'm just curious on what the building is going to be used for. The last I saw there was a sign out front for lease or sale I believe.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – Have you received a copy of the recommendations?

Mr. Clay Thomas – We have.

Commissioner Kupiec – And do you agree with them, do you have any problems with them?

Mr. Clay Thomas – No problems, we are prepared to comply with all of them.

Commissioner Kupiec – As you probably just heard from one of your neighbors what will be the use of that building?

Mr. Clay Thomas – We don't currently have a user for the space, the addition is a warehouse and it would be used as such by a future user in which we do not currently have.

Commissioner Kupiec – What type of work does your company perform?

Mr. Clay Thomas – We own and lease real estate, so we will own this building and we will lease it to a tenant.

Commissioner Kupiec – Will Bosch continue to be there as one of your vendors?

Mr. Clay Thomas – We are purchasing the property from Bosch I don't have any reason to believe that they will continue, but I'm not here to speak for Bosch.

Commissioner Kupiec – So currently is the building that is there being used?

Mr. Clay Thomas – A business is running currently, yes.

Commissioner Kupiec – There is a for sale or lease sign there?

Mr. Clay Thomas – We are acquiring the building.

Commissioner Kupiec – So you're not the existing owner?

Mr. Clay Thomas – That is correct.

Commissioner Kupiec – So therefore you couldn't answer the questions that the neighbor had about the noise and traffic that might affect the neighbors that are on your west?

Mr. Clay Thomas – Well I know that all of the traffic will be on Enterprise Court which is on the opposite side of the building from where the residential is, there's existing screening. We will comply with all zoning, it's a existing M2 District. We're not suggesting

changing the zoning we will comply with the zoning. We don't expect there to be any issues.

Commissioner Kupiec – And currently you don't have a tenant in mind for that building that you're constructing?

Mr. Clay Thomas – We do not have any current tenant in mind.

Commissioner Kupiec – Okay thank you.

Secretary Smith – Good evening sir, I have a question about the height of the building it's 32 feet which is 2 feet higher than what's normal for that area. Usually if you have a tenant coming or have an idea of a tenant coming in you build a building for what you think their concept is going to be and what the building is going to be used for. Being you have to get a variance for the height that was my concern because the other building is like a one story building and then you have this one that's a lot higher. I understand you have truck wells and it's going to be a warehouse but usually when a person does something like this if it's going to be higher than what's normally allowed they have to have some sort of concept of what this building is going to be used for, so that's the question that's not being answered that I was concerned about.

Mr. Clay Thomas – Perfectly understandable. Actually since the time that this was submitted and now we are going to comply with Zoning we don't intend to build higher than what Zoning allows, so we don't intend to go to 32 feet.

Secretary Smith – Okay thank you sir.

Secretary Smith – That was a motion by Commissioner Kupiec, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

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Chair McClanahan..... Yes

7. CORRESPONDENCE:

None at this time.

8. OLD BUSINESS:

A. 2ND MAJOR AMENDMENT TO PUD TO MODIFY USE FROM "MEDICAL OFFICE BUILDING" TO "BEHAVIORAL CENTER:

Located on the north side of Ten Mile Road; approximately 759.51 ft. west of Schoenherr Road; 13041 – 13251 Ten Mile Road; Section 23; Lorenzo Cavaliere (Warren 10 Mile Residential LLC). 2nd Major Amendment is for Addendum to the PUD Agreement for a Behavioral Health Facility.

PETITIONERS PORTION:

Mr. John Vitale – Good evening I'm with the firm of Stucky and Vitale Architects, 27172 Woodward Avenue, Royal Oak, Michigan, I'm here representing this item on the agenda this evening. We are making a modification to an already approved PUD and I'd be happy to answer any questions.

Secretary Smith reads the following correspondence:

TAXES: Current.

FIRE: Approved.

MCPW: Please be advised that this letter is for comment on right of way and drain easements only. Prior to site plan approval, any project that impacts a county drain shall apply with the Macomb County Public Works Office standards. Please note that a formal plan review and approval from this office will be required prior to construction. The legend on the preliminary site plan submitted does reference easements, however, this site taps into the Schoenherr Branches Drain. Please revise the plan and the legend to note the Schoenherr Branches Drain prior to submitting for formal review from this office. The Schoenherr Branches Drain Plan is attached for your reference.

AT&T: No Objection.

Mr. Ron Wuerth reads the recommendations of the Staff:

Before we go to the recommendation it was requested by Mr. Cavaliere to add a second request on this, add on. This has to do with a wall, you can look at your picture there, you can see the

building itself and then along the bottom of the picture that's where a wall is proposed.

First it was proposed to be along side the residential homes with the dwelling that's right there, and now they want to complete that west property line, you can see I, then you can go to the north corner where a second wall along the north property line and that's going up and down sort of speak vertical. The idea is to connect the wall and complete the boundary. So that was at the request of Mr. Cavaliere.

Add 2 – This is the second part of the recommendation, is to provide the connection of a proposed six-foot-high brick embossed poured concrete wall to the proposed wall along the west property line and connected to the proposed wall along the north property line of the new Behavioral Center.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – I'm looking at the drawing here and I'm not sure if I'm looking where the wall is that that you're talking about, it looks like there's sidewalks around it.

Mr. Ron Wuerth – There's no sidewalk there. So the bottom line, if you're looking at the same picture I'm looking at, the bottom line is the west property line. There's a house down there in the corner area and initially, the PUD, it was proposed to put a wall at that location, it's either a wall or a greenbelt, in this case it was chosen to be a wall. It went up to just a point there and stopped and then it left a open gap, in this case horizontally to the next line. The vertical line is the north property line and that was already an approved location for another part of the wall where it left open this gap. Mr. Cavaliere wants to close the gap.

Secretary Smith – Thank you for the clarification.

Commissioner Kupiec – I take it you got a copy of the recommendation?

Mr. John Vitale – Yes, we did.

Commissioner Kupiec – In your opening statement I think I heard you say that you had the approval of the PUD Committee?

Mr. John Vitale – Yes we do, we have full PUD approval.

Commissioner Kupiec – Did you have a meeting with PUD?

Mr. John Vitale – The approval was approval of the entire site so we do have that PUD, this is an amendment to that prior approval.

Commissioner Kupiec – So in the PUD, in the approval of the original site, did they talk about a Behavioral Center?

Mr. John Vitale – No, this is what the amendment is, the use is a Behavioral Center and that's the main amendment that we are proposing.

Commissioner Kupiec – Is this Behavioral Center going to be for adults, minors and teenagers?

Mr. John Vitale – Yes, adults.

Commissioner Kupiec – Strictly adults?

Mr. John Vitale – Yes.

Commissioner Kupiec – Now this PUD development currently has a lot of homes and things going in right across north of where you're talking about putting the Behavioral Center in?

Mr. John Vitale – That's correct.

Commissioner Kupiec – So I take it that everybody has been notified that this is going on?

Mr. John Vitale – Yes, yes they are.

Commissioner Kupiec – The concern I have is a large amount of homes going in there, multi-use homes, and right across just south where this is happening all of a sudden now we are putting in a Behavioral Center I'm not really sure that's a good move.

Mr. John Vitale – Mr. Cavaliere is the developer of that entire development and he's in full compliance with that use.

Commissioner Kupiec – Okay thank you. Mr. Wuerth, since this Behavioral Center has come up after a couple of years of talking about this development was it our responsibility to notify the neighbors, is there a responsibility on anybody's part to do this?

Mr. Ron Wuerth – This is a major amendment, that notice will come through City Council.

Commissioner Kupiec – So if this is approved it goes on to City Council?

Mr. Ron Wuerth – It does.

Commissioner Kupiec – Then it would be up to them to make this decision?

Mr. Ron Wuerth – It is, it's the recommendation from the Planning Commissioner.

Commissioner Kupiec – So we have no responsibility for notifying anybody?

Mr. Ron Wuerth – It would be City Council that makes the notice.

Commissioner Kupiec – Okay, thank you.

Secretary Smith – We need a motion to recognize this as a major amendment.

MOTION:

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

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... No

I'm concerned about the use of this facility with the housing development going on, so I'm going to vote no.

Commissioner Robinson..... Yes

Commissioner Tutt..... Yes

Commissioner Ansar..... Yes

Assistant Secretary Mouri..... Yes

Secretary Smith..... Yes

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

Chair McClanahan – We have a motion to approve by Secretary Smith, supported by Commissioner Kupiec.

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... No
 Commissioner Robinson..... Yes
 Commissioner Tutt..... Yes
 Commissioner Ansar..... Yes
 Assistant Secretary Mouri..... Yes
 Secretary Smith..... Yes
 Vice Chair Boniecki..... Yes
 Chair McClanahan..... Yes

- B. MINOR AMENDMENT TO SITE PLAN FOR AN EXTRACTION – PROCESSING MARIHUANA TRAILER FACILITY AND NEW PAVEMENT: Located on the northeast corner of Toepfer and Hoover Roads; 21704 Hoover Road; Section 35; 3RDS Inc./Frank Roye (John Gumma/Gumma Group). The Minor Amendment is to add a Trailer to process Marihuana and add new pavement.

MOTION:

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

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... Yes
 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. John Gumma – Good evening I'm with Gumma Group, my address is 7419 Middlebelt Road, West Bloomfield, 48322. This site

plan was in front of you a few years ago by a different organization that was approved. Since the pandemic hit they did not follow through with their commitment so my client and his group purchased it and is going to follow through with the revised plans. We plan on utilizing the existing building and if you see that it has a full-time permanent trailer that was in use in Corunna, Michigan that was approved by the BFS, Bureau of Fire Safety in State of Michigan and the CIA, it was in operation there. So they purchased this, transported it down to the site and upon seeking approval for you then that's what we would have as those two components for this phase. So that's it.

Secretary Smith reads the following correspondence:

TAXES: Current.

ENGINEERING:

1. The drive approaches must comply with our current standards.
2. Drive aisles and approaches shall be constructed in conformance with City of Warren commercial drive approach requirements. It appears that the transition between the drive approach and drive aisle has an uneven transition and does not meet the City requirements for width.
3. The maneuvering lane around the proposed building does not appear to be wide enough to accommodate traffic attempting to bypass drive-thru vehicles.
4. This site shall comply with the Storm water ordinance of the City of Warren. All storm water runoff shall be maintained on the site. Pretreatment is not required on sites less than 1 acre. Detention will be required.
5. The plan shall show all existing utilities and easements, as well as proposed utility connections. Our records indicate a 10-inch storm sewer crossing the site. Indicate whether that is a public utility or located within an easement.
6. All storm water runoff shall be maintained on this site. Provide a storm water collection plan.

Note: These comments were also discussed with the owner/developer at the meeting on 7-17-2019.

1. Due to the width of the site, a variance will be required for building setbacks.
2. Stormwater detention will be required, accounting for the difference in runoff from the existing to proposed site. If Phase III is expected, consider accounting for future development in the detention calculations. Also, consider replacing existing gravel with grass to offset detention calculations.

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3. Insure that all maneuvering lane widths allow for fire trucks and emergency vehicles to pass. A truck turn sheet may be necessary.

FIRE: Approves.

AT&T: No Objections.

COMCAST: No conflicts.

DTE: No objections.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Did you have a chance to look over all the recommendations?

Mr. John Gumma – I have.

Secretary Smith – And the issue about the building extending over the right of way have you talked to Planning to see what can be done about that?

Mr. John Gumma – No, but that will be our next step.

Secretary Smith – So we don't have to do variances with this?

Mr. John Gumma – We would have to go for a variance on that, it looks like it was successful twice.

Secretary Smith – But the purpose of this is to try and eliminate and having to keep coming back for a variance, I know it's only a foot, I don't know what can be done other than getting another variance. The trailer once it's mounted on the property is going to be a permanent trailer, it's not going to be removable?

Mr. John Gumma – Yes.

Secretary Smith – And what kind of processing happens in this trailer?

Mr. John Gumma – So the product comes into the existing building it is stored in a vault in a secured spot, secured location, secured

room, then it goes to the trailer and gets processed and then it comes back into the secured building for a safety transport to remove it off site.

Secretary Smith – What's the purpose of the utility building?

Mr. John Gumma – That's how the trailer generates its power.

Secretary Smith – Okay, and the generator provides power if there's a problem with the power?

Mr. John Gumma – Correct.

Secretary Smith – And you understand that the barb wire on the fence has to come out?

Mr. John Gumma – Sure.

Secretary Smith – Thank you sir, that's all the questions I have right now.

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

Mr. John Gumma – Yes, I did.

Commissioner Kupiec – You see there are quite a few items that need to be cleared up on this?

Mr. John Gumma – Yes.

Commissioner Kupiec – Are you able to comply with all of them?

Mr. John Gumma – Yes.

Commissioner Kupiec – What is it you're doing, you're shutting down an existing building?

Mr. John Gumma -The existing building is vacant, it was never in use. We purchased this trailer that does exactly same thing that the previous landlord was going to do, it's faster, easier and up to code ready to go. Instead of building a new structure it's been Michigan approved for both uses the BFS and the CIA and it's in use all over the country, it actually started in California.

Commissioner Kupiec – So you say them trailers are being used all around the country for marijuana use?

Mr. John Gumma – For extraction only sir.

Commissioner Kupiec – Is that all you're using yours for?

Mr. John Gumma – Correct, there's no cultivation, there's no dispensary, nothing.

Commissioner Kupiec – So you just take the grown product and extract it?

Mr. John Gumma – You purchase the product, it comes in oil base and they either put them in cartridges or they infuse it and then it gets shipped out to the provisioning centers.

Commissioner Kupiec – What was the trailer used before you purchased it?

Mr. John Gumma – The same exact purpose.

Commissioner Kupiec – They were doing the same thing?

Mr. John Gumma – Absolutely.

Commissioner Kupiec – And it was approved in the City of Warren?

Mr. John Gumma – No, not in the City of Warren, it was in Corunna, Michigan.

Commissioner Kupiec – So that brought the trailer from Corunna, Michigan so it's something new on the site?

Mr. John Gumma – Correct.

Commissioner Kupiec – Has the addition of the trailer been approved to be on the site?

Mr. John Gumma – Yes, we actually asked for permission to store it there while we go through the motions, and they allowed us to store it there.

Commissioner Kupiec – You have quite a few items you have to address, hopefully you'll be able to comply with all of them and get everything up and running. It just seemed like a fairly small condensed operation for what you're trying to accomplish.

Mr. John Gumma – It's just a two or three man person operation.

Commissioner Kupiec – How many people will be working in there?

Mr. John Gumma – Three or four max, one is full time in the building, and maybe two are full time in the trailer that's all we need.

Commissioner Kupiec – Thank you sir. I'm going to recommend to the Commission that we make it a cash bond.

Chair McClanahan – Secretary Smith you're the maker of the motion, do you agree with a cash bond?

Secretary Smith – I'll support a cash bond.

Chair McClanahan – Commissioner Tutt?

Commissioner Tutt – Yes.

Chair McClanahan – That's a motion by Secretary Smith, supported by Commissioner Tutt with a cash bond.

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec.....	Yes
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 MEDICAL MARIHUANA FACILITY AND PARKING AREA:** Located on the northeast corner of Flanders and Harold Avenues; Section 24, 13-24-331-002; Sharif Dababneh (Reid Cooksey). **Approved on November 9, 2020. Never Finished. Petitioner requests to withdraw site plan.**

MOTION:

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

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... Yes
 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 MEDICAL MARIHUANA FACILITY AND PARKING AREA: Located on the northeast corner of Flanders and Harold Avenues; Section 24, 13-24-331-002; Sharif Dababneh (Reid Cooksey). **Approved on November 9, 2020. Cash Bond in the amount of \$15,000.00. Never Finished, Withdrawn. Request to Release 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 Kupiec..... Yes
 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:

Lori Harris – Let's start at the beginning of this meeting. I am wondering if you can have roll call to excuse absences by people who weren't there at the original meetings to excuse those absences. For example, you roll called everybody at the panel for the people that were missing on December 5th and 12th, but everybody wasn't there on December 5th and 12th, so that's just a question.

About Randazzo's, ADA accessible spaces must connect to the shortest accessible route to the accessible building entrance or facility they serve. That's not if it works, that's a directive, accessible spaces must connect to the shortest accessible route. The shortest accessible route at Randazzo's would be across from the doors. Now perhaps the configuration of the parking lot would need to be adjusted but you approved something that is incorrect and not ADA compliant.

When I'm looking at this medical marijuana facility the extraction processing marijuana trailer, I'm not sure because I haven't had a chance to look it up, I want to empower all of you people to ask questions. You're not here just to be a pretty face and approve everything you can ask questions. So putting that trailer on that property does that change how far away they are from residential areas, schools, libraries and things like that. It's a different place then the building and that 500 or 1000 feet or whatever the guidelines are, ask the questions it doesn't hurt. They moved that trailer there and then they get permission to do that I think that's kind of taking advantage of the city in my opinion.

I also point out that I heard Mr. McClanahan, you can't do things two ways, you can't have public comment on tabled items on one agenda and then not open public comment on tabled items on another agenda. I think you need to have a guideline and you need to follow it. I'd also like to remind Mr. Ansar that I think you should resign from this Commission, I think your behavior was despicable and you should be ashamed of yourself. Thank you.

Chair McClanahan – I appreciate all the Planning Commissioners doing their homework and asking questions before hand, going to the classes and studying and doing all their work so we don't have to grandstand and take up people's time. I appreciate it.

12. PLANNING COMMISSION BUSINESS:

Mary Clark CER-6819
January 9th, 2023

A) Planning Director's Report:

Mr. Ron Wuerth – I'll go over a few things that stand out since the 12th of December. So that starts out with that meeting we had with Randazzo's in which we did spend about two hours going over everything about that and about everything that is in compliance. Also I attended an RFP Meeting on our new courthouse, they haven't touched base with me but they should be submitting plans, I'd say in the next two weeks, for the new courthouse so that should be interesting and exciting.

I attended Staff Meetings; through the process I was in contact through a Zoom Meeting with some people who are interested in the old DeCarlo's site. They'd like to turn it into a storage facility modify it and change it and add some additional storage facilities on that site it's for complete redevelopment. That was an inquiry let's see what they do with it. We also did have a Zoning Ordinance meeting to talk about where we are with the new zoning ordinance and we are going to be moving forward with that on a regular basis.

We had a meeting with a representative from Ashley Capital that's over off of Frazho and Bunert they are interested in a small corner piece, the only way I can describe it is the south and west corner of their parcel there's a parcel next to it that is available. They need passenger vehicle parking so we talked about different ways to make that site work, we'll see if they come to us with our recommendations from that meeting.

On the 19th there was discussion with Laura Sullivan, she's here tonight as a matter of fact, regarding the Village Historic District amendment we had a couple of meetings actually. She had a nice presentation at the last meeting discussing the process of how new historic districts may be expanded. We have one in this town and there's no reason why we can't have others because there are other facilities throughout this town that deserve being taken care of through a district like that. So that's part of this whole revision of the zoning of the Village Historic District in our zoning ordinance. We saw it on our agenda today and that's been moved to March. It takes a little more time to get things exactly together for you and City Council.

I did attend a City Council Meeting that's where Ed and Lil's lot split got completed and I know they've moved along with that lot split and

got it completed. I'm sure their finally happy and they can sell the place, that's what it was all about frankly.

We had a meeting regarding Heritage Village at 12 Mile and Mound and the homes in there, the subdivisions are finally getting completed and there's some issues with completing the roadways, so we have to review all of the files and it's going to take some time. Make any inspections from the Planning Department and Engineering and come up with some letters that we have to send to the primary developer of that site and the secondary developers of each individual component as that when on through time.

Also we had a meeting with the traffic consultant who is working on a traffic study for the Gerald Street barricade. We'll take a look at that, the question is do we keep it open or do we keep it closed and what kind of improvements to the roadway to Imperial Drive and some of the other roadways around there can be made. So this consultant has already been there with his crew they did some looking around, they've taken some counts, so we are gradually getting to that point and we'll bring that to the Planning Commission. That essentially is whether or not we recommend the vacation of Gerald Street again or whether we don't recommend the vacation of Gerald Street. So it does come down to that. That's all I have at this point.

B) Planning Commission Discussion and Concerns:

Chair McClanahan – I'd like to say thank you to the Planning Department for always being there and answering any questions I have I appreciate all the hard work that everyone does. All the Commissioners that went to the MSU extension courses, I appreciate that. Secretary Smith and me always go to the sites and I appreciate that and I know a lot of the other Commissioners are doing that too. I also wanted to say for myself I am Robert Rule of Order up to date with the latest edition and I am trained in that and I do take this seriously, I appreciate everybody's hard work.

Mr. Ron Wuerth – I appreciate the three Commissioners, Commissioner Ansar, Boniecki, and Mouri for going to the Michigan Association of Planning Conference and becoming Michigan Citizen Planners. That's what we require so to not only what goes on here in Warren, but what goes on in the State of Michigan. Things that that you picked up as you went through that class can be used here. So if you have some ideas we are open we'll listen to them. We are

in pretty good shape as a Planning Commission in the State of Michigan.

Commissioner Kupiec – The last couple weeks this street you mentioned where the barricade is at?

Mr. Ron Wuerth – Gerald Street, do you recall where the Italian Cultural Center used to be at the south end of Imperial Drive.

Chair McClanahan – Between Hoover and Schoenherr, Martin and Twelve Mile.

Mr. Ron Wuerth – It's right next to the hospital, St. John's Ascension going to the east. You go down Twelve Mile and there's a light a signal and that's Imperial Drive, it used to be Abbey's Senior Health Center there.

Commissioner Kupiec – On the south side there, yes.

Mr. Ron Wuerth – That's what we are talking about Gerald Street was closed off back in the early 70's and it's come up being an issue throughout the years. So it finally has come back to us for review at the request of City Council.

Commissioner Kupiec – So Gerald Street is south of Twelve Mile?

Mr. Ron Wuerth – Yes, south of Twelve Mile.

Commissioner Kupiec – Does it run east and west or north and south?

Chair McClanahan – North and south.

Mr. Ron Wuerth – It's located at the south end of Imperial Drive and if you take it from Imperial Drive then you can go east a short distance, it's closed right in there.

Commissioner Kupiec – You can't see it from Twelve Mile?

Mr. Ron Wuerth – No you cannot, it's about a ¼ of a mile south.

Commissioner Kupiec – I'm in and out of the hospital and I've never seen it. Thank you very much.

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

14. ADJOURNMENT:

MOTION:

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 8:21 p.m.

Jason McClanahan, Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
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