

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on April 24th, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, April 24th, 2023, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Sultana Chowdhury
John Kupiec
Claudette Robinson
Michelle Tutt
Delwar Ansar
Mahmuda Mouri, Assistant Secretary
Warren Smith, Secretary
Merle Boniecki, Vice Chair
Garry Watts, Ex-Officio
Jonathan Lafferty, Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner III
David Crabtree - Temporary Office Coordinator
Jasmine Early – Planner Aide
Mary Michaels - Assistant City Attorney
Patrick Conlin - Communications Department

1. CALL TO ORDER:
Vice Chair Boniecki - Calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

Vice Chair Boniecki – The petitioners have a right to be heard by a nine-member Board. Since we do not have a nine member Board if the petitioners prefers to be heard in front of a full commission they can request that their item be postponed to the next scheduled Planning Commission Meeting or they have the option of accepting the votes and results of the Planning Commission present at this meeting.

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES April 10th, 2023:MOTION:

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

6. PUBLIC HEARING ITEMS:

Members of the audience who wish to address the Planning Commission this evening for a public hearing item may do so by first checking in with the court reporter at the right of the stage and will have three (3) minutes to speak.

- A. REQUEST FOR REZONING FROM "P" TO "M-2": Located on the south side of Nine Mile Road, approximately 160 ft. west of Warner Avenue; from the present zoning classification of "P", Parking District, the south 150 ft. of the property, to "M-2" Medium Light Industrial District; Section 31; 2700 Nine Mile Road; Great Lakes Trucking, MI, Inc/Liliya Skikun (Paul Reschke). PR230001.
Postponed from April, 10th, 2023. The petitioner has submitted written correspondence withdrawing their application for rezoning. The petitioner will submit a new application for a rezoning with conditions.

PETITIONERS PORTION:

Mr. Paul Reschke – Paul Reschke on behalf of the petitioner. Last meeting we heard the voices of the residents, the neighbors and as we submitted our plan we didn't have an opportunity to discuss the things that we planned to do to the property. We want to be in harmony with the neighbors and we have some plans to do that. We are hopeful to meet with many of them this week to go over that and then we'll resubmit our comprehensive plan that will include things to border the property, a wall that we want to put in place along with some other things. We think it's a good idea on our behalf to represent with conditions so that we can satisfy what the people are looking for and live in harmony ever after. Do you want me to read the letter?

Secretary Smith – We have the letter but if you want to read it.

Mr. Paul Reschke – Sure.

Dear Secretary Smith, please be advised that as President of Great Lakes Trucking Michigan, Inc., I respectfully request that my company’s application for rezoning from a “P” to “M-2” district pursuant to PR230001 be withdrawn from the April 24th, 2023, public hearing agenda at this time.

Please be advised that Great Lakes Trucking Michigan, Inc., is withdrawing its application in order to consider all possibilities of a conditional rezoning. We would like to thank the Planning Commission for its consideration, and we plan to present a new application for rezoning with conditions included along with a site plan that details how we will address the residents concerns.

Very Truly Yours,
Liliya Skikun, President

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR A TAKE 5 OIL CHANGE SHOP: Located on the northeast corner of Ten Mile and Schoenherr Roads; Section 24; 25028-25036-25058 Schoenherr Road; Fairmount Properties, LLC/Anthony Rea (JM Civil/Kyle Flaming, P.E.). PSP230004. **Tabled from March 13th, 2023.**

MOTION:

Mary Clark CER-6819
April 24th, 2023

A motion was made by Commissioner Tutt to remove from the table, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

PETITIONERS PORTION:

Mr. Phil Sarandos – I am with JM Civil Engineering; I represent the applicants. This is a drive through oil change facility, there will be no major auto repairs being conducted on site, its only oil change, fluids and filters. There will be no long-term car parking on this site as well, it's a drive-through, the only parking on site will be the employees the rest of the service will be done by drive-through.

The building aesthetic fits in with the community standards, it does not look like a gas station or an auto repair shop. The site is very clean they don't do tire repair so you're not going to see tires stacked up. We had received the comments and agree and will be implemented.

Secretary Smith reads the following correspondence:

TAXES: Current.

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

1. Parcels combination shall be required.
2. Lots 360 and 361 shown on the plan does not exist in the City of Warren and Macomb County records. Provide correct lot numbers and parcel identifications.
3. Show and identify lot 69 on the site plan including the parcel identification.
4. Proposed mh/Inlet (site keynote 17) shall meet current City of Warren standards.

5. Site plan shall clearly show and identify/explain the scope of the project.
6. Any construction within Schoenherr Road and 10 Mile Road ROW's shall require a permit from the Macomb County Road Department.

FIRE: Approves.

AT&T: Does not have objections to this petition as long as proper Missdig procedures are followed as we do have a number of facilities in the vicinity. Should there be any conflicts, please advise the petitioner to contact Joe Sikorski, js3649att.com or 586-764-8261 to discuss how to proceed.

COMCAST: No conflicts.

MCPW: It appears there will be no work within the Schoenherr relief or the Schoenherr branches 10 Mile drains easements that is within the road right of way, therefore, this office would have no objection to the proposed building and parking lot addition. However, prior to site plan approval, any project that impacts a county drain shall apply to the Macomb County Public Works office design standards. Please note that a formal plan review and approval by the Engineering and Soil Erosion Departments from this office will be required prior to construction.

MDOT: Site plan doesn't appear to have work in MDOT right of way. Any work (water main tap, sanitary sewer tap, drainage or driveway modifications) in MDOT right of way or changes to the drainage system that may impact MDOT's storm water systems, will require a permit.

MCDR: MCDR has following objection to proposed development at above mentioned site:

1. Macomb County Department of Roads (MCDR) does not allow any signs in MCDR's road right of way. Therefore, remove and relocate proposed accessible sign out of MCDR road right of way.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Good evening sir, I was by the site yesterday and it looks like from the front there's a block that had a light pole on it at one time, I don't know if that light pole is going back because in the drawing it said a new light pole, but it didn't show the location of the

pole. It was item number 13 on the drawing it said new light pole but it wasn't on the drawing so I didn't know exactly where you're placing it, are you putting it in the same spot?

Mr. Phil Sarandos – Yes sir.

Secretary Smith – The other thing I noticed is you're showing three bays and the existing building has four bays, are you closing off the fourth bay?

Mr. Phil Sarandos – Yes it will be three bays.

Secretary Smith – Presently there's four.

Mr. Phil Sarandos – Our plan is to have three bays.

Secretary Smith – So are you going to enclose the fourth one, the one on the end?

Mr. Phil Sarandos – The one on the end that appears to be a fourth bay is actually the office.

Secretary Smith – No on the east end there's one that's got the big door and it's got the place where if you had exhaust in there you could put it out through the hole in the door, there's actually four of those service doors. The office is on the west side where you go in, but on the east side there's actually four service doors there.

Mr. Phil Sarandos – We are only intending to use three bays.

Secretary Smith – So they'll close the fourth one off then?

Mr. Phil Sarandos – Yes.

Secretary Smith – Thanks.

Commissioner Kupiec – Driving by there the fourth door to the east is the tallest of the doors and it's probably used for getting vans and trucks in. It was previously an all repair facility, but you're not going to do repairs just oil changes?

Mr. Phil Sarandos – That's correct, only oil, fluid changes, filters changes, and wiper blades.

Commissioner Kupiec – I noticed the name of your company is unique is this something new in the area the Take Five Oil Change?

Mr. Phil Sarandos – It's relatively new, it's a new franchise, there are a few existing sites around the country, I believe this will be one of the first in this area.

Commissioner Kupiec – So it is a franchise not privately owned?

Mr. Phil Sarandos – Its own by Driven Brands Inc.

Commissioner Kupiec – Are they using recycled products?

Mr. Phil Sarandos – They will make use of recycled products and they will recycle the items that are transported off the site.

Commissioner Kupiec – So the oils you put in the vehicles are recycled?

Mr. Phil Sarandos – Yes.

Commissioner Kupiec – That is new with the area because most of our oil changes currently are petroleum based or synthetic. You did say that you did received a copy of the recommendations, and you agree and area able to comply with all of them?

Mr. Phil Sarandos – Yes sir.

Commissioner Kupiec – How long do you think it's going to take to complete the project?

Mr. Phil Sarandos – Once the permits are approved six months of construction.

Commissioner Kupiec – That one bay we talked about you think you'll block that or shut that end of the building down?

Mr. Phil Sarandos – The existing building?

Commissioner Kupiec – Currently you have four bays and you say you're going with three bays?

Mr. Phil Sarandos – It's my understanding that they want three bays.

Commissioner Kupiec – Well there’s still quite a few things that need to be done on the recommendation list that’s why I asked how long you thought it would take to complete it. I’m going to recommend to the maker of the motion that we do a cash bond.

Secretary Smith – I’ll agree with that.

Vice Chair Boniecki – Motion for a cash bond by Commissioner Kupiec, agreed by Secretary Smith.

ROLL CALL:

The motion carried as follows:

- Commissioner Chowdhury..... Yes
- Commissioner Kupiec..... Yes
- With a cash bond and the change with the stall at the east end.
- Commissioner Robinson..... Yes
- Commissioner Tutt..... Yes
- Commissioner Ansar..... Yes
- Assistant Secretary Mouri..... Yes
- Secretary Smith..... Yes
- Vice Chair Boniecki..... Yes

- C. SUBDIVISION LOT SPLIT REQUEST: Located on the south side of Fourteen Mile Road; approximately 646 ft. west of Hollingsworth Avenue; commercial building to the west (6440 Fourteen Mile Road) to be split into own parcel; 6500 Fourteen Mile Road (Gardner White); Section 4; Derek Kosicki (14 Mack LP). PSLS230001

PETITIONERS PORTION:

Ms. Joanna Oldakowski – Good evening, I’m Joanna Oldakowski. I’m here instead of Derek Kosicki and I will be presenting the petition. Our client wants to split a parcel, parcel ID 13-04-126-021 into two separate parcels so each building will have separate parcel.

Secretary Smith reads the following correspondence:

TAXES: Current.

ZONING: I have reviewed the proposed subdivision lot split request and identified the following items: The following variances would need to be obtained from the Board of Appeals for Parcel A:

- 1. Retain the existing parking spaces at 9 ft. x 20 ft. along the adjacent property line (south property line of Proposed Property B) (section 4.32).

2. Waive the required curb along the adjacent property line (south property line of Proposed Parcel B) (section 16.07).

The following variances would need to be obtained from the Board of Appeals to

Parcel B:

1. Retain the portion of the building located in the required setback along the west property line (section 17.02B).
2. Retain the existing parking spaces at 9 ft. x 20 ft. along the adjacent property line (south property line of Proposed Property B) (section 4.32).
3. Waive the required curb along the adjacent property line (south property line of Proposed Parcel B) (section 16.07).

MCDR: No Objection.

MCPW: No Objection.

AT&T: AT&T is researching the possible location of an active fiber service line installed between the building at 6440 and 6500 Fourteen Mile Road. Per a follow up phone call on April 14, 2023, AT&T does not object to the lot split as long as any necessary easement is obtained. They intend to provide the results of their research prior to the Planning Commissioner Meeting.

COMCAST: No Conflicts.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION

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

COMMISSIONERS PORTION:

Commissioner Kupiec – In your opening statement you mentioned approved conditionally, are these the conditions we are talking about in the recommendations or other conditions that we need to know about?

Mr. Ron Wuerth – You'll have to repeat yourself I didn't understand that.

Commissioner Kupiec – Your first line you said the lot split to be approved conditionally, what is meant by conditionally?

Mr. Ron Wuerth – Every one of these points here those are conditions, point one, two, three, four, five and six those are all conditions.

Commissioner Kupiec – And then on the second page item 5 number 1, it's retained a portion of the building located in the required setback, are we talking about splitting the building?

Mr. Ron Wuerth – No, the building already exists, it's to be retained in an existing setback, so a part of the building is in the existing setback. That's what that is referring to. Even though it's there they have to have a variance to be there otherwise if the Zoning Board of Appeals turns it down and they are desperate to get this lot split then they'll tear down that portion of the building and take it out of the setback.

Commissioner Kupiec – So right now the building will stay there but if they don't approve it?

Mr. Ron Wuerth – This is a created issue here, they're creating this, by not having a wider setback than they are allowed. We are saying okay that we think it will work but ideally when you do these lot splits you want to create a line that is in a position that is properly setback from any existing building, if there are existing buildings like this.

Commissioner Kupiec – Has the petitioner inquired about any of these items to make sure they are familiar with it?

Mr. Ron Wuerth – That's a question for the petitioner, ask the petitioner.

Commissioner Kupiec – They've never come to the Planning Department?

Mr. Ron Wuerth – Gardner White, no. I do agree I think Gardner White should be here but that's another story.

Commissioner Kupiec – So to your knowledge they haven't come to the Planning Department to inquire about this?

Mr. Ron Wuerth – No, I don't believe so, I can ask the staff that's here.

Commissioner Kupiec – That's okay I'll ask them when they come up, thank you Mr. Wuerth.

Mr. Ron Wuerth – Okay, you're welcome.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR OPEN STORAGE AND PARKING LOT ADDITIONS: Located on the northwest corner of Nine Mile Road and Mac Arthur Boulevard; 8519-8531 Nine Mile Road; Section 27; Birnie's Auto Service/James Birnie; PSP230007.

Vice Chair Boniecki – The Planning Commission was informed that the petitioner had submitted a letter to request to postpone this item.

Secretary Smith – This email is to the Planning Department to David.

David, after conferring with my clients we have decided to ask for the project to be tabled at this time. No one will be attending the meeting tonight. The Planning Departments recommendation of a 25' landscape area along Nine Mile Road and reducing the only driveway to the front of the facility to a 30' limit would make the site completely unusable. We are currently seeking a meeting with the Planning Department to come up with a workable solution.

Regards,

Jeff Graham, Project Architect

MOTION:

A motion was made by Commissioner Tutt to postpone until May 22, 2023, supported by Commissioner Chowdhury.

ROLL CALL:

The motion carried as follows:

Commissioner Chowdhury..... Yes
 Commissioner Kupiec..... Yes
 Commissioner Robinson..... Yes

Mary Clark CER-6819
 April 24th, 2023

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

- E. SITE PLAN FOR BUILDING ADDITION FOR MAJOR AUTO REPAIR SHOP AND NEW PARKING LOT: Located on the north side of Ten Mile Road, approximately 395.41 ft. east of Thomas Drive; 3619 Ten Mile Road; Section 19; Lukas Koja/Chester Stempien Associates (Unique Design Service, Ron Yaldo); PSP230008. **The Planning Staff recommends that this item be postponed to May 22nd, 2023, Planning Commissioner Meeting to give sufficient time for the petitioner to address various issues with the site and site plan.**

Mr. Ron Wuerth – The letter was sent to you, that is the Planning Commission, the owners, and other Reps that are representing these people, this is from myself as the Planning Director, and I'll read it.

Upon review of the site plan and the survey plan of the site, certain discrepancies were discovered. The main discrepancy involves the site plan itself and the boundaries property lines. The length of the property is approximately 36 ft., short and the width is approximately 4 ft., short of what the survey plan indicates. The site plan represents a legal document, and all aspects of the plan must be accurately represented and depicted.

Also, this site is surrounded by industrial buildings that share site property line with the subject property. It is important to understand what each property shares with the abutting property owners. In this case, there is a maneuvering lane with a chain line fence along the west property line; a maneuvering lane along the north property line in which there is evidence of vehicles crossing or encroaching over the property line. And finally parking spaces along most of the east property line where bumper curbs seem to define the property line along with some fencing that encloses vehicles on the subject property.

Finally, the relationship between the subject property and the location of the buildings on the abutting properties is important. Usually setbacks are checked and difference in spacing of the

buildings can be important. None of the surrounding building sizes and locations are correct.

So, with the facts being presented I am requesting that the review by the Planning Commission be postponed until the May 22, 2023 Planning Commission Meeting. Providing the petitioner time to correct these identified mistakes and other corrections are identified by the Planning Staff on the site plan.

The Planning Staff is available to meet with the petitioner or representative to explain the site plan issues. So with that Madame Chair this is the review.

MOTION:

A motion was made by Commissioner Tutt to postpone until May 22, 2023, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

- F. SITE PLAN FOR NEW KUM & GO GAS STATION AND CONVENIENCE STORE: Located on the southwest corner of Fourteen Mile and Hayes Roads; 15150-15050 Fourteen Mile Road; Section 01; Tamras Tamou/Capital 14 Hayes, LLC (Kum & Go, L.C./Ryan Halder). PSP230009.

PETITIONERS PORTION:

Mr. Mike McPherson – Good evening, my name is Mike McPherson I’m with At Well, I’m the Civil Engineering Consultant for this project, here on behalf of Kevin Gill. It’s located at the southwest corner of Hayes and Fourteen Mile. It’s currently made up of three parcels, two of which have buildings on them both of those buildings could be completely removed for the project.

We are proposing a four thousand square foot convenience store with fueling, we have six MPD with 12 fueling positions. Kum & Go is a new brand to this Detroit market. They do have over 400 stores currently in the country, It's headquartered in De Moines Iowa, they are privately owned. They operate all their own stores, they have many different items of community involvement including some food give aways, profit sharing and things like that. So, a very good company that is looking to expand into the Metro Detroit. You'll see more of these around the area this is competing to be the first one, we are competing with the site in Chesterfield. So, we'll see which one we can get through the approval process first and under construction. You can see that we'll have one access point from each of the roads, we are actually closing a couple of access points that exist now, I think there's four access points. I'm sure the Road Commission is going to be pleased with that.

The building, there are some elevations and such in the packet it's all a very modern look with durable materials with medal handles. I do have Dave Lemons with Kum & Go here tonight if you have any specific questions about Kum & Go. It did receive the planner's recommendation letter with certain conditions, and we don't have any issues with the conditions. There was one item about the dumpster that came up, I'm sure we'll talk about it. So, the dumpster enclosure the materials on it are proposed to be consistent with the building so it looks the same, it is a cement board type of product. I know that's a little bit different than what the city typically requires but we would ask your consideration on that so it's all consistent with the architecture of the building. They do have a unique kind of double stacked canopy to give some architectural interest. The building itself has similar materials to that. With that we are excited about this project and happy to answer any questions, thanks for your time.

Secretary Smith reads the following correspondence:

TAXES: Current.

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

1. Provide a complete and accurate legal description including the parcels identifications on the site plan. Parcel combination shall be required.

2. Site plan shall show and identify the location of all existing and proposed underground utilities including their sizes, connections and discharge point in the vicinity of the project.
3. Any construction within the 14 Mile Road and Hayes ROW shall require a permit from the Macomb County Road Department.
4. Soil erosion and sedimentation control permit/waiver shall be required from the Macomb County Department of Public Works.
5. Site shall comply with the current City of Warren/Macomb County storm ordinance, detention and pretreatment shall be required. Provide the storm discharge narrative.

FIRE: Approved.

MCDR: Has following objections to proposed development at the above mentioned site:

1. MCDR allows only 30 feet (back of curb (bc) to back of curb) wide entrance approach in MCDR's road right of way (ROW). Verify and revise.
2. The radius encroachment letter will be required from the adjacent property owner for Fourteen Mile Road driveway.
3. The shared drive agreement may be required for Hayes Road entrance.

COMCAST: We have aerial fiber in the area but this does not appear to be in conflict with the proposed plans.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Jason Ghannam – We own the plaza that surrounds this development. I just wanted to say we support it and are looking forward to it. Our only concern is that we have a pole sign that's going to be removed and we ask that when the time comes the City helps find a new home for that pole sign.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Good evening sir, I went by and looked at the site because there was a bakery there before and I see that's going to be demolished. I've never heard of this Kum & Go Gas.

Mr. Mike McPherson – They are new to Metro Detroit, they are also expanding to Grand Rapids, they currently have three stores open in Grand Rapids with a couple more under construction. They are

looking to open several stores in the Metro Detroit Area with this being one of them, but this is one of the very first one that's going through the process of getting approvals. Their headquarters are in De Moines, Iowa and they have over 400 stores currently. Their stores currently are mainly in the central region Iowa, Arkansas, Colorado, Utah, central US with Grand Rapids and Metro Detroit are a couple new markets to them where they see an opportunity and looking to expand into.

Secretary Smith – Thank you, what are the hours of operation?

Mr. Mike McPherson – They are 24/7.

Commissioner Ansar – Thank you for choosing our City, is it owned by a corporate or a franchise?

Mr. Mike McPherson – It's owned and operated.

Commissioner Kupiec – Did you have a chance to go over all the recommendations?

Mr. Mike McPherson – Yes, I did.

Commissioner Kupiec – And you agree with everything in the recommendations?

Mr. Mike McPherson – Yes, we will work with staff to satisfy the conditional items.

Commissioner Kupiec – Is this your first time building a Kum & Go in the Michigan area?

Mr. Mike McPherson – No, we've done several in Grand Rapids area so far, and again I am the Civil Consultant, so we've done a lot of work in Warren as Consultants previously, but Kum & Go has three stores open in Grand Rapids, two to three under construction and bunch more in the pipeline over there. There are many in the pipeline in Metro Detroit this being one of the first, so this one and a store in Chesterfield right now are the two furthest along.

Commissioner Kupiec – And they are 24 hours, seven days?

Mr. Mike McPherson – Yes sir.

Commissioner Kupiec – And you say there's a convenience store attached to the fuel station?

Mr. Mike McPherson – Yes, this one in particular will be about 4000 square feet. They do pride themselves on some food offerings, they do made to order food, they have a full kitchen in this building with a little seating for convenience. They focused on some healthy foods so you can get their grain bowls and things like that as well along with all their traditional items.

Commissioner Kupiec – Are you considering beer and wine?

Mr. Mike McPherson – Yes there will be beer and wine sales.

Commissioner Kupiec – How soon are you going to get going on your operation?

Mr. Mike McPherson – As soon as we can get all of our permits and approvals, we would hope to be under construction by late summer this year if all goes well.

Commissioner Kupiec – I'm going to make a recommendation to the maker of the motion that we do a cash bond on this. There are some things that need to be corrected and the gas station is new to that area there, I imagine the people in that area will be happy to have one.

Mr. Ron Wuerth – Madame Vice Chair, excuse me but I have to disagree, a \$60,000.00 dollar cash bond is very high. I would recommend at the most a \$20,000.00 dollar cash bond, thank you.

Commissioner Kupiec – The only problem with that Mr. Wuerth in the past I don't think we've ever agreed to that so we'd be setting a precedent there, I didn't realize the Planning Director was against it. I don't think we've ever split bonds, have we Secretary Smith that you can think of?

Secretary Smith – No we haven't, but usually when it's that high we don't require a cash bond.

Mr. Mike McPherson – If I may, Kum & Go is a National Retailor they are very reputable you won't find any issue with them issuing a bond or a letter of credit for typical process.

Commissioner Kupiec – I’ll withdraw my request.

Secretary Smith – Mr. Wuerth, correct me if I’m wrong, I thought I read in the information are they are going to have firewood and propane tanks outside?

Mr. Ron Wuerth – Yes, we mentioned the fact and it’s in there that they have outdoor retail sales.

Secretary Smith – So that square footage is included with everything to?

Mr. Ron Wuerth – Yes, we asked for that in the recommendation those are supposed to be combined with the square footage of the building.

Secretary Smith – Thank you sir.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

Letter from Mayor Fouts thanking Jason McClanahan for his 10 years of service on the Planning Commission and to the City of Warren.

Secretary Smith – I’ll read the letter.

Dear Jason,

Thank you for your service on the Planning Commission for the last ten years and thank you for serving the City of Warren.

Best Regards,
Mayor James R. Fouts

MOTION:

A motion was made by Commissioner Robinson to receive and file, supported by Commissioner Chowdhury.

ROLL CALL:

The motion carried as follows:

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

8. OLD BUSINESS:

- A. MINOR AMENDMENT TO SITE PLAN FOR ROYALTY HOUSE BANQUET HALL: Located on the north side of Old Thirteen Mile Road, approximately 712.48 ft. east of Van Dyke; 8201 Old Thirteen Mile Road; Section 03; Larsa LLC/Faris Hermez (Dream House Estates/Zack Hanna). The Minor Amendment is for a building addition and other exterior improvements to the building. PMA230001. **Postponed from March 27th, 2023.**

PETITIONERS PORTION:

Ms. Raye Hanna – Good evening, I’m representing Zack Hanna. We agree with all the city’s recommendations for the changes, and we are working on the revised site plan. We are going to submit the variance for item 1J for the 18 feet.

Secretary Smith reads the following correspondence:

TAXES: Current.

ENGINEERING: No Comments.

FIRE: Approved.

AT&T: No Objections.

COMCAST: No Objections.

DTE: No Objections.

MCDR: No Objections.

MCPW: Please be advised that this letter is for comment on right of way and drain easements only. It appears there will be no work within the Bear Creek Drain Easement, therefore this office would have no objection to the proposed building addition and canopy reconstruction. Prior to site plan approval, any project that impacts a County Drain shall apply the Macomb County Public Works office design standards. Please note that a formal plan review and approval from this office will be required prior to construction.

Mr. Ron Wuerth reads the recommendation of the Staff:
Item 6 (2) should read – vegetation on both sides of the entire rail fence should be landscaped.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – Do you understand all the recommendations that Mr. Wuerth read?

Ms. Raye Hanna – Yes.

Secretary Smith – And you're okay with the landscape items that he's talking about?

Ms. Raye Hanna – Yes.

Secretary Smith – He said for the amount of work that needed to be done the bond needed to be increased, are you okay with that?

Ms. Raye Hanna – Yes.

Assistant Secretary Mouri – I know you mentioned that there's a new site plan that is coming out how soon do you think you'll have that submitted by?

Ms. Raye Hanna – We are planning this week; I don't want to say 100% but that's our goal.

Assistant Secretary Mouri – All the issues that were brought the owner agreed to all the changes, right?

Ms. Raye Hanna – Yes, he's here.

Assistant Secretary Mouri – Another question, us approving it does it put the performance bond at \$5200.00?

Secretary Smith – Yes.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

None at this time.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Mr. Ron Wuerth – I was off two weeks ago so this is a recap. I attended a Van Dyke Corridor Study Meeting at TIFA they are continuing that action. We did have a meeting with a gentleman who wants to build a fourplex building on Eleven Mile just west of Mound, so we are looking into that. We had a meeting with a couple gentlemen who are looking into a retail strip center, a couple of different buildings put together at Eight Mile and Ryan the north and west corner area.

We had someone with an interesting idea, he's located at Frazho and Groesbeck. The building is a very large marijuana grow but he's got a large parking lot and he's looking into using it as a food truck gathering place. They could be there at certain times, if it's advertised well enough probably a lot of people would go there. With the variety that would be represented it could be similar to what

the city has done out in front of City Hall. It's kind of fun, so we talked to that gentleman about the possibility.

I attended a meeting with the Assistant Chief Attorney talking about the ordinance for pawnbrokers and secondhand goods to update the zoning ordinance on that issue. I met with the Fire Commissioner having to do with above ground fuel tanks, we run into those in site plans from time to time. What's interesting is the general consensus if you all remember is the setback for these fuel tanks is a 150 feet from any property line and they don't agree with that at all. It has to do with the construction of these fuel tanks and the barriers that are put up around them and that type of thing. I think our zoning ordinance will be proposed to change to a lesser distance from a property line.

We had a meeting regarding mobile home parks trying to understand the processing between site plans or just simply trying to have replacement dwellings on those parks and figuring out layouts, not necessarily for site plan approval. That's about all I have at this time.

This was sent to everyone. It's the SEMCO Regional Transportation Plan Visioning Session. And one of the sessions will be at the Community Center.

Ms. Michelle Katopodes – It's on Thursday, May 4th, 2023, from 10:00 a.m., to 12:00 p.m. The link that I emailed if you click on it it will have the information to register if you'd like to attend.

Assistant Secretary Mouri – What is it for again?

Ms. Michelle Katopodes – It's SEMCO, which is the Southeast Michigan Council of Government it's the Regional Government Agency regarding transportation, it's a Visioning Session. A public meeting to talk about transportation going into 2050 it's about just looking at those different issues that affect this whole region regarding transportation.

Mr. Ron Wuerth – It's like a Master Plan basically for the whole entire Southeast Michigan. Also I think it was mentioned it will be virtual, I read it in some other communication. I'm not going to be able to attend so I'm going to try and do the virtual one.

Assistant Secretary Mouri – I look forward to the award ceremony that's coming up so thanks to Mayor Fouts and the City Council Members that we have presented here.

I do want to mention one thing, the last one I was able to attend, it was my first time the specialty food like the vegetarian options were not accommodated I just wanted to emphasize that. Thank you so much.

Vice Chair Boniecki – I'd like to also say thank you. I was trying to round this up with everybody tonight and because everybody wasn't sure if they were coming alone or with a spouse I'm going to take Secretary Smith's suggestion that everybody now has a copy they know if they can attend or not so please contact Jeff with the number of people going so nobody is left out. Thank you.

Commissioner Kupiec – In reference to this annual awards dinner, are we going to try and get a table for the Commission?

Vice Chair Boniecki – Last year they didn't have that it wasn't set up that way. I don't know how they are actually setting it up. I'm a member of it and they had a meeting tonight which I could not attend so I don't know what they decided on.

Commissioner Kupiec – Are you our representative?

Vice Chair Boniecki – Yes and they've had two meetings and both meetings have been the same night as our Planning Meetings.

Commissioner Kupiec – It would be nice if you could get us a table together.

Commissioner Ansar – I agree, the Planning Commission should have their own table.

B) Planning Commission Discussion and Concerns:

Secretary Smith – At our next meeting Vice Chair Boniecki is not going to be here, that means we are not going to have a Chair or Vice Chair. According to our bylaws we have to nominate someone to Chair that meeting and we need a voice vote on it. And the other item is, we got a notice on the Commissioner Dinner if anyone wishes to attend, they need to contact the phone number on the paper.

If we vote on a Chair for the next meeting today, then we don't have to worry about doing it at the next meeting.

Vice Chair Boniecki – On May 8th I will be out town so I will need someone to take over in the Chair position, do we have a nomination for someone to Chair May 8th?

Secretary Smith – Everyone is pointing to me, okay.

Vice Chair Boniecki – Since Secretary Smith will Chair the May 8th meeting, we will have Assistant Secretary Mouri as Secretary.

Ms. Mary Michaels – We need a vote to approve.

ROLL CALL:

The motion carried as follows:

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

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

- 14. ADJOURNMENT:

MOTION:

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

The meeting adjourned at 8:42 p.m.

Vice Chair Boniecki, Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
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Approved