

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on May 22<sup>nd</sup>, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, May 8<sup>th</sup>, 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  
John Kupiec

Also present:

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

1. CALL TO ORDER:  
Vice Chair Boniecki - Calls the meeting to order at 7:03 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:  
Secretary Smith – Commissioner Chowdhury called in and said she would be absent because her mother is ill, so I need a motion to excuse her.

MOTION:

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

Secretary Smith – And Commissioner Kupiec is not here I need to have a motion to excuse him.

MOTION:

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

Vice Chair Boniecki – I'd like to recognize Ex-Officio Councilman Lafferty and also see Councilman Kabacinski.

4. APPROVAL OF THE AGENDA:

Vice Chair Boniecki – We have two corrections on the agenda, 6B it should say April 24<sup>th</sup>, 2023, not 2024 and on 6C we have the same correction it is April 24<sup>th</sup>, 2023.

MOTION:

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

5. APPROVAL OF MINUTES May 22<sup>nd</sup>, 2023:

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR RETAIL SALES OF GARDENING SUPPLIES: Located on the northeast corner of Eight Mile Road and Le Fever Avenue; 4545 & 4547 Eight Mile; Section 32; Vinson Bahri (Robert Ihrie). **Automatically postponed from May 8, 2023, as a result of not receiving the requisite five (5) concurring votes either in favor of or against the item by the seated Planning Commissioners.**

Vice Chair Boniecki – You have the right to be heard by a nine member Board and we currently do not have a full. Before moving forward we need you to indicate whether you accept the vote from this seven member Board or you can request that this item be postponed to the next meeting.

Mr. Robert Ihrie – Thank you we would ask that it be postponed to the next meeting. I would respectfully request a Planning Commission Meeting that is not on the 1<sup>st</sup> or 3<sup>rd</sup> Monday. I am the City Attorney in St. Clair Shores and St. Clair Shores has their City Council Meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Monday's. If possible, I would ask if we could set it for a meeting other than the 1<sup>st</sup> and 3<sup>rd</sup> Monday.

MOTION:

Mary Clark CER-6819  
May 22<sup>nd</sup>, 2023

A motion was made by Secretary Smith to postpone to June 12, 2023, 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

- B. 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. **Postponed from April 24, 2023.** The Planning Staff recommends this item be postponed to the June 12, 2023, Planning Commission Meeting to give the petitioner sufficient time to meet with the Planning Staff to address issues with the site plan and survey.

MOTION:

A motion was made by Commissioner Tutt to postpone until June 12, 2023, 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

- C. SITE PLAN FOR OPEN STORAGE AND PARKING LOT ADDITIONS: Located on the northwest corner of Nine Mile Road and Mac Arthur Blvd.; 8519-8531 Nine Mile Road; Section 27; Birnie’s Auto Service/James Birnie’ PSP 230007. **Postponed from April 24, 2023.**

Vice Chair Boniecki – The Planning Department received a letter from the owner James Birnie requesting that this be postponed to

June 26<sup>th</sup>, 2023, in order to have time to meet with the Planning Staff to discuss this recommendation.

MOTION:

A motion was made by Secretary Smith to postpone to June 26<sup>th</sup>, 2023, 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

- D. REQUEST FOR REZONING FROM “R-1-C” TO “R-4”: Lots 189 through 198, located on the southeast corner of Bart and Methuen Avenue; lots 255 and 256, located on the south side of Reba Avenue, approximately 333.20 ft. east of Methuen Avenue; lots 320 through 323, located on the south side of Capitol Avenue, approximately 93.14 ft. west of Woodrow Wilson Drive; lots 326, 354 & 355, located on the east side of Woodrow Wilson Drive; between Capitol Avenue and Waltz Avenue; from the present zoning classification of “R-1-C”, one family residential – 60’ lots District, to be zoned “R-4”, Mobil Home District; 2709 Capitol Avenue; Section 30; CC Shadylane Property LLC/Jeff Davidson (Atwell, LLC/Jennifer Roth); PR230005.

Vice Chair Boniecki – Good evening, you have the right to be heard by a full nine member Planning Commission, we currently only have 7 members tonight. Before moving forward, we need you to indicate whether you will accept the vote from the present Planning Commissioners this evening or you can request that the item be postponed to the next Planning Commission Meeting.

PETITIONERS PORTION:

Ms. Kim Scott – We will move forward.

Vice Chair Boneicki – Okay thank you, please tell us about your project.

Ms. Kim Scott – My name is Kim Scott. I represent the owner of the community CC Shadylane Property LLC managed by Cambio Communities, I’m here with Jennifer Roth with Atwell.

We purchased Shadylane back in December of 2020 and have been working with the city to redevelop the site in order to improve the quality and condition of the community.

Secretary Smith there are no correspondence:

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Heather Franklin – I live with my mother who is a senior citizen and everybody is being vacated from their homes, they are not giving anybody anything. Some of the people haven't even got money for their trailers, I just put \$3000.00 dollars on my roof and having known this I would have just stuck a band aid on the problem. I paid over \$20,000.00 dollars for my trailer; I own my trailer. They're making everybody in the park move, tearing down their trailers to put new trailers in. We were told in the beginning that nobody would be asked to leave as long as they pay their rent, that is not the case and that is so unfair.

My mom is a senior, this was supposed to be our forever home. We've been trying to update it, we just updated all of our floors, our bathroom has a band aid on it because I'm scared to put any money into it for them to tell me I've got to move in 6 months or a year from now. Then they are increasing the rent from you owning it they are pretty much doubling it when they put in brand new trailers, how is that okay. My mom is a senior citizen here and she can barely walk. How are we going to try moving, we don't have the income and not only that they are not giving anybody any money for trailers, how is that okay.

They are crapping on their long-term members of the community, they are crapping on everybody and they are doubling everybody's rent from what they are paying now. That's unfair and I'd like to know what they are going to do about it because they don't care about the residents that have been there for a long time and I think it's very unfair and hurtful. They tell me oh well you've got to move and that's not what we were promised at one of prior meetings. Thank you.

Ms. Charlotte Hill – I live in the Shadylane Trailer Park, I've been there since 1992. I'm in the same position as Heather is, I have a handicap husband he was born and raised in Florida he's got extremely bad skin cancer, he's handicap and barely can walk. He's got a enclosed head injury, he's got skin cancer, he lost his nose

they had to put a new one on, he's going to lose his hand now. We want to know how long we are going to be in that park. I need to do work on my trailer but I'm not putting any money into it if I'm going to have to move. We'd like to know what's happening, all of our doctors are close to us there and you need to go to the same doctors. Thank you.

Mr. Larry Stephens – Good evening, my name is Larry Stephens I live kiddy corner (inaudible) and Ross (sic) Avenue. I understand that they are trying to rearrange the park and make it better but can they do it without kicking people out and making them move. For the vacant trailers that are there they can tear them down but for the people that's there and been there most of their lives, I've been there since 2011. I've got a nice trailer and putting money into mine too and it's not fair that we are putting our money into these trailers, and they are going to move us out and destroy them tear them down anyway. Can they rearrange the park with the people still there, as long as they are taking care of their trailer. Or if people move out on their own they do what they want in that spot, it ain't fair to just boot them out most of these people have nowhere to go. It ain't right.

MOTION:

A motion was made by Vice Chair Mouri to approve, supported by Commissioner Robinson.

COMMISSIONERS PORTION:

Commissioner Robinson – When this project was introduced to the residents at Shadylane, if I can recall back there was some discussion that you would assist the residents in finding comparable housing, how is that going?

Ms. Kim Scott – Yes that was in fact discussed and that is the plan. There is no intent to remove anyone from their home without cause, if they are asked to leave it would only be because they are in violation of their lease. Unfortunately, I don't know the specific circumstances around the residents that just spoke, however yes.

We are going to do this in phases so as development takes place we will be relocating and making concessions for people that do own their homes, ensuring that they do have a clean safe place to live during that time. There will be options.

Commissioner Robinson – Would there be any compensation because many of the residents are on fixed incomes, and they only have a certain amount of money. As you know and I know that housing and rentals are very expensive right now so I was just

wondering how are you going to compensate these residents in finding suitable housing and for how long, and would there be something to subsidize?

Ms. Kim Scott – Each situation will be discussed and handled individually because as you can recognize every situation is different but there will be ample time, we just can't ask people to leave without warning. Even if we weren't redeveloping the community, you just couldn't go in and say we don't want your old home there. There has to be a process that takes place, and as you know even just talking through the redevelopment it's a very timely process and I understand that causes a lot of concern. We certainly want to help alleviate some of those concerns and we will address those concerns and provide ample notice as timing becomes more evident.

Right now we are only demolishing homes that have already been vacated. So there's been no attempt to notice anyone that's currently living in the community to take their home, to demolish their home, or to evict them unless of course there's been a violation of the lease which would be non-payment of rent etc.

Commissioner Robinson – Okay, thank you.

Vice Chair Mouri – Some questions for the petitioners please. I know some of the citizens were mentioning the rent was increasing, is the rent increasing on the property?

Ms. Kim Scott – Not to my knowledge, but again I would have to look into the situation because I just don't know. I'm not prepared to answer that now.

Vice Chair Mouri – Who would be prepared to answer those questions because we'd like to know. You mentioned there has to be a plan, so that means there is no plan right now as to if they get moved or they don't get moved. You were just answering my fellow Commissioner about there has to be a plan for them to vacate, so is there currently no plan that is in place right now, it was approved quite some time back it wasn't approved recently?

Ms. Kim Scott - Yes understood, and there were a number of conditions that we had to work through which took some time, we had some change in our team and so forth, so it's taken us a few months to get our arms wrapped around the project. When I said we didn't have a plan were not increasing people's rent that are currently living in the community, we are not doing that and were also not evicting people with the exception of a violation of their

lease. We can't finalize a plan until we get through some of this approval process, as you can recognize. We can't leave the community in its current state and we can't move forward until we resolve some of these issues on the table.

Vice Chair Mouri – So according to you right now there has been no one evicted from their trailer?

Ms. Kim Scott – Oh no I can't say that there may have been an eviction but not from this project it would have been an eviction for nonpayment of rent for a violation of a lease. Let me be very clear no one has been evicted in connection with this project.

Vice Chair Mouri – What is the plan for the owners currently who are currently renting or leasing there if they are asked to move, is there any plan in place. Are they going to be compensated I know that was one of the concerns of the citizens?

Ms. Kim Scott – Absolutely, so whoever is remaining within the community at the time that we kick off this project we will identify those individuals. Several options will we relocate their home, we have another community down the road that's also located in Warren where we have sites available there. We can relocate them possible to another part of Shadylane, or we can assist them financially in finding a new home at another area if that's what they so choose. So there will be several options that will be presented to them. This isn't going to be by see you later, there will be a process. It's tough for us to finalize that process until we get through some of these conditions. And tonight just getting through some of the rezoning and so forth that's necessary to move forward with the project.

Vice Chair Mouri – Okay, thank you.

Commissioner Robinson – I have another question, is it possible as you work through this process here that you could meet with the residents who live there and update them on what you intend to do, and to create an atmosphere of not being in fear of being put out. I think that's so important at this stage that you convey ongoing as to what you propose to do because that's a lot of anxiety.

Ms. Kim Scott – I understand. The whole purpose of purchasing the community in the first place was to revitalize it, Cambio means change and that's what our plan was. We purchase and we revitalize a lot of our team has been in this business for 20 years and our goal is to use that knowledge and experience to revitalize

destressed communities. I understand there was a meeting early on but over the last several months there hasn't been a ton of progress unfortunately. And a lot of that is not to anyone's blame I think there's just a lot of different things involved a lot of moving parts in this process. So once we get through these last couple items and we understand what our timeline will be yes we will call the residents together and have another meeting. We will have more information to share on a timeline, what the next steps are and what resources will be available to help them.

Commissioner Robinson – Thank you for that.

Secretary Smith – We've gotten off track today because this is about a rezoning, it's not about what's going on in the neighborhood. The reason I didn't say anything earlier because it gives the residents a chance to state their concerns. I agree with Commissioner Robinson when you came before us before it was supposed to be transparent have constant meetings with the residents to keep them updated on every move that you're making. I went through there the other day and it's called Shadylane but it's going to be unshadylane because they cut down a bunch of the trees all in the front. They moved all the trailers in the front they moved trailers throughout the project. There's no big trees anywhere in the front area, I know that's where they are starting to do the work, they cut down a lot of big trees. I was under the impression that they would keep some of the big trees, but I guess they had to go through and tear everything out.

This item is about rezoning, and you want to rezone the R-1-C to R-4 and I've got a problem with that in the aspect of the greenspace which is over by lots 189 through 192 it's still greenspace that's where the blue is at the top. And then down 320 to 323 that's supposed to be another greenspace but you got them in blue to be rezoned to R-4 which is residential for mobile homes. My problem with that is greenspace allows green areas in the project, if you zone them to R-4 what's going to stop you from putting mobile homes in there, nothing.

Ms. Kim Scott – First of all if I can I'd like to comment on the trees and the removal of the homes. A lot of that was in connection with the building department because a lot of those homes that were removed and even some of the trees were a health, safety, welfare hazard. It does, you're right, I was just through there last week myself and it's shocking but unfortunately in order to sometimes make things better we've got to step back and reevaluate and some

of those trees have not been maintained for years and years, in addition to some of the homes.

Secondly, with respect to the proposed greenspace and the rezoning it's my understanding, and Jennifer you correct me if I'm wrong, this site plan will really confirm the maximum number of sites that we will be able to build. So the site plan that you approved hasn't changed the preliminary site plan, there won't be an opportunity to add additional homes. In fact when we are done with this project we will need to go to the State of Michigan and ask that mobile home park license be reduced to match the number of sites that will be reconfigured here in connection with your site plan approval. So even though it's zoned we'd have to come back to you, which again we are not going to do that. Even if we wanted to we'd have to go through this whole process, but you approving the maximum number of sites in connection with the site plan approval that you approved before. So regardless if there's a playground, a park, a greenspace, or a clubhouse it wouldn't be zoned anything different it would still be zoned for the mobile home park.

Ms. Jennifer Roth – Just to add, we are meeting the open space requirement for the ordinance as well.

Secretary Smith – According to the question I was asking, if for some unforeseen reason this gets rezoned to R-4 where the greenspace is supposed to be and at some later date they decide to put a mobile home in there can we put a stipulation in that to leave it R-1-C so that they can't put a mobile home in that space?

Mr. Ron Wuerth – The site plan the Board approved, about a year ago or so, required the open space and that's a requirement of the R-4 district not a requirement of the current R-1-C district. If this gets rezoned to the R-4 district then there's that requirement for the open space, they put that into the site plan about a year and half ago. So can they use it only if they want to go before the Board again, that's you, to make a change and move the greenspace or open space somewhere else, but you'd have to approve it. Right now it's already an approved part of the community.

Secretary Smith – Thank you sir. That was a motion by Vice Chair Mouri supported by Commissioner Robinson.

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 Mouri..... Yes

- E. TO VACATE EASEMENT: Located within 50 ft. wide vacated Woodrow Wilson Avenue; located approximately 608.03 west of Warner Avenue, abutting lots 211, 212, 241 and 242; 2709 Capitol Avenue; Section 30; CC Shadylane Property LLC/Jeff Davidson (Atwell, LLC/Jennifer Roth); PEV 230001.

Vice Chair Boniecki – Again you have the same options since we do not have a full Board. You have the right to be heard by nine members if you choose to move forward at this time you will need to accept the votes of the present Board.

Ms. Jennifer Roth – We will continue.

PETITIONERS PORTION:

Ms. Jennifer Roth – This is still the same project, as we went through our site plan approval we had a few items that we had to clean up. The rezone and this is a utility easement that's running through the property through a road that's been vacated, they vacated the road but never vacated the easement. It was recommended by Planning that we vacate that easement because there's manufactured homes sitting on the easement right now. So part of follow up and finishing the site plan one of the conditions was to vacate this easement, so we are going to go through that process and get that easement vacated.

Secretary Smith reads the following correspondence:

**TAXES:** Current.

**FIRE:** Approves.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Lori Harris – I think it would have been nice had you reminded the people that left already who wanted more public comment about this situation they could have also commented during this item. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – When you vacate this alley behind the properties that are there now, they're on that easement pretty much. And it says here the purpose for the proposed public utility vacation request is a portion of this area for home sites as they presently exist. Which means that part of the property that's close to each one of those homes they can use it, they can't build anything on it, but they can use that space. If you go in and start removing their trailers then nothing no longer becomes available because once they remove the trailers then they can't build on that space. Do you understand that?

Ms. Jennifer Roth – So right now that top portion of the site plan that's up, I don't know what you're seeing, it's apparently it's a manufactured home sitting on the north edge of that property and there will continue to be when the alleys and easement is vacated there will be manufactured homes still within that same spot.

Secretary Smith – What I'm saying is because it's a utility easement you still have to have ways to access that easement, usually you can't build on the easement.

Ms. Jennifer Roth – The road itself is vacated, we have to verify with the city, but our current city map shows no utilities in that easement. The road is vacated so the roads not even showing up on city maps.

Ms. Kim Scott – There's no access anyway, so I think that's the whole purpose behind vacating the easement is there's no access anyway.

Ms. Jennifer Roth – Right now we agree there's to be no utilities sitting in that because the road has already been vacated.

Secretary Smith – I was by there and saw there was no road down through there but still even though there's no road if you have utilities you have to have access through the property in order to get through there. And when you vacate the alley then the portion is vacated to the properties and gets applied to the properties on each side, unless you change it up and then it all goes away. Mr. Wuerth could you come up please, am I correct on that assumption?

Mr. Ron Wuerth – The purpose of this action is to remove the easement. There was a right of way through there and that was

removed subject to an easement to remain for utilities. There are no utilities there, if you were out there you could see electrical services to the trailers on each side of that area they are using it practically as a road in that system. On the bottom picture right there, I think that's a trailer that's on the easement. It was there on top of the easement and there's another one just south of that structure, the same thing. So now removing the easement will allow those buildings to be legally set on that property.

I don't have the plan here. I don't know if any of that was going to happen in this case, but it opens up the land area to be used in whatever way the Planning Commission approved of that original site plan.

Secretary Smith – Alright thank you sir.

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

- F. SITE PLAN FOR NEW MARKAZ ALTAQWA MOSQUE BUILDING AND PARKING LOT ADDITIONS: Located on the northeast corner of Ryan Road and Marr Avenue; 25720-25710-25730 Ryan Road; Section 20; Markaz Altaqwa/Mohammad Haque (Hisham Turk); PSP230014.

Vice Chair Boniecki – You have the right to be heard by a nine member Board. At this point, if you wish to move forward you must indicate whether you will accept the vote of the current Planning Commission tonight. Or you can have your item postponed to the next scheduled Planning Commissioner Meeting, please indicate if you wish to move it to the next meeting or to continue tonight?

Mr. Hisham Turk – We can continue tonight.

PETITIONERS PORTION:

Mr. Hisham Turk – I'm the Architect who is working on this project and beside me is Mr. Mohammad Haque who is the Board Member Markaz Altaqwa a nonprofit organization.

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. Site plan shall show and identify all the parcels including the parcels identification numbers.
2. Site plan shall show and identify the location of all existing and proposed utilities in the vicinity of the project including their sizes, connections and discharge point.
3. Dumpster pad shall be minimum 8" concrete.
4. Differentiate the existing building from the proposed building addition and identify each as such.
5. Drive approaches shall be perpendicular to Ryan Road from the ROW. Proposed drives and sidewalk at approaches shall be minimum 8" concrete.
6. Site plan shall show the ROW widths of Ryan Road and Marr Avenue.

**FIRE:** The Warren Fire Department approves this site plan with the following provision: Fire apparatus access roads need to meet IFC2015 section 503.

Secretary Smith reads letters into the record.

We have one from Tracy Gleason, at 4309 Orr Avenue, Warren MI.

I'm against building any other than residential building located on Ryan and Marr.

This is 4326 Orr, Michigan, I can't read who it is. I guess they are against it because they didn't say anything.

Next one:

Dear Sir,

Thank you for the notice of the public hearing for May 22, 2023. I would like to express my objection to this action by means of this letter. I regret I have another obligation and will not be able to attend this important event.

Mary Clark CER-6819  
May 22<sup>nd</sup>, 2023

The subject lot and surrounding lots within 300 feet are zoned R-1-C, one family residential. A Mosque and parking lots do not fit the one family residential zoning. Neither do they qualify as a special use as the current structures are designed for single family residence. A Mosque and parking lots are not normal, incidental to, or subordinate to the principal use of the property. Furthermore, such actions will not meet the dimension or percentage of the lot coverage requirements as listed in the city ordinance, Article VII R-1-C.

My objection is not based on religious or cultural bias. I have no issues with the Iona Center located on Ryan south of 12 Mile. Nor do I object to the Islamic facility located at Eureka and 10 Mile. I would have the same objections to approving this specific space for commercial use, recreational use or church. My objection is the increase in traffic, noise, and the inevitable use of Marr Avenue for parking. Rezoning or allowing this special use will impede the comfort, peace, and maximum utility and livability of the individual property lots along Marr Avenue.

Regardless of the plan, to degrade the current use of the lot(s) into parking, Mosque users will inevitably use the existing residential street for overflow parking. Additionally, there will always be worshippers who wish to get a jump on traffic by parking on the street and not in the lot.

There is no parking allowed on Ryan Road, and to the north, Bayliss Avenue is not paved. Increased traffic and parking will damage Bayliss. Mosque worshippers will prefer to park on Marr Avenue which is paved.

The issue is further complicated by the design of Marr Avenue and placement of the driveways. I have a long vehicle (Ford F-250) used to transport equipment and handicapped family members. The placement of driveways allows for parking immediately across from my driveway. This makes it very difficult to back out a long vehicle.

I recognize Marr Avenue is a public street. Daily I encounter vehicles directly across from my driveway. I depend upon the parking immediately in front of my residence being available so that I can turn the wheels sharply and back out without causing damage. However, the parking in the front of my residence is commonly used by others. I have on occasion been unable to get the Ford F-250 out of the driveway because the parking spaces are in use. I have issues with the current parking situation; the problem will only increase with allowing the Mosque at this location.

Mary Clark CER-6819  
May 22<sup>nd</sup>, 2023

I object to rezoning, issuing special use permits, or any change to the use of this property from the one family residential.

Cheryl Neades

Regarding 25720-2576-25730 Ryan Road Section 20 Markaz Altaqwa Mosque.

I am strongly opposed to the building of this Mosque. We have approximately 20 residential homes along Ryan Road between Frazho and 10 Mile. To allow a commercial zoned structure to be in the middle of these homes would destroy our property values. Please don't allow this.

There is two other Mosque within a half mile of here. Why is another one needed so close. I have driven by these Mosque's while services are being conducted and seen armed security guards to keep their crowds under control. I can't think of anybody that would want to live within 300 feet of that kind of commotion.

Our home has been our biggest investment, please help us to protect our investment and our community by not allowing this.

Shauna Neych

I reside at 4296 Bayliss Avenue and would like to share my concerns with you on the site plan for the New Markaz Altaqwa Mosque expansion.

This was a house and should not be able to be turned into commercial property in a neighborhood. In my opinion it is no different than running a company out of your house and allowing customers to park all over the side streets to come to your place of business. Even with additional parking they will still have customers taking up tax paying homeowners spots in front of their houses. We already have issues with this on weekends.

This lot was not designed for the amount of traffic they will have and will cause backups on Ryan Road as people are coming and going just like the Mosque on Ryan between 12 and 13 Mile. If you drive by that Mosque on any weekend they have people parked all over the lawn. It is an eyesore and I feel bad for the neighbors because they will have a hard time selling with that next door.

Mary Clark CER-6819  
May 22<sup>nd</sup>, 2023

I really think they need a building with an actual parking lot zoned for commercial and not try to turn a home into something it was never designed to be.

Thank you for taking the time to read my letter and hearing my opinion.

Chris

Secretary Smith – That concludes correspondence.

Vice Chair Boniecki – Petitioner would you please give us a description of your actual project?

Mr. Hisham Turk - Yes, for the increasing (inaudible) community in Warren there is a need for another Mosque in this area. I think there is one Mosque on Ten Mile less than one mile south of the property here. Usually they have Friday prayers, that's the only time it gets crowded. If they have more people coming to the Mosque and it's getting crowded they usually have separate services two or maybe three services to make accommodations.

The Mosque on Ten Mile has two prayer services on Friday's. In this Mosque the owners already approached the city and talked with the Planning Department and talked with Zoning also. The zoning allows for a religious building in a residential zoning area. It's a small house and it's going to serve a number of people, which is the capacity of the prayer hall is 90 as you can see on the site plan drawing. The community that they have, the owners, and the families they probably have 40 people maximum 50 people now.

We understand this is going to expand in the future, they might have (inaudible) and filing the Mosque maybe in two or three years maybe more than 90 they will do the two services also for the Friday prayers. The rest of the time there is no crowd. The prayer service will be on Friday around noon time, the time is different from winter to summer. In the winter it's about 12:30 and in the summer it's 1:30. As I said, there are two services one at 12:30 and the other one starts around 2 o'clock after two hours after the people the services and the next service starts.

This is something to help the community that's increasing in Warren. I know there were some variances we need to get also. There is an existing wooden fence around the existing building, the property. We are asking to keep that fence if it's approved by the zoning. The size of the property is 10 feet less than the requirement, the width is

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more than what is required which is fine, but the length is about 10 feet less so that's another variance that we will apply for.

Mr. Ron Wuerth - This is a little bit different from just reading the recommendation. I want to make sure that everyone has a good understanding of the use and that it is a permitted use based on about 13 different measures in this ordinance. But before I do that the letters that Secretary Smith read there were certain things that were said in those letters that I wanted to clarify. I'm not going to name names I'm just going to read what I read and try to make sure that everyone understands what the interpretation is. In all the letters they mention that this is a commercial use, it is not a commercial use it is a religious facility not a commercial use. It is permitted by way of section 5.11 churches, schools, libraries and civic clubs, all of those that I just mentioned could go in that location if so be.

I think there's some talk about people parking in front of their homes, well that is a public right of way and when someone parks in front of my house I just move to another spot down the road, that's what people usually do, but usually I get to park in front of my house. Again back to the commercial use, someone mentioned that armed security guards are used and frankly from my experience of over 30 years here I've never seen it in the City of Warren.

In another letter it mentions that this is a special use it's not a special use it's a permitted use and we are not doing a rezoning by the way this is clearly site plan approval. The parking it's public parking along the roadways, I understand that there probably will be times when they are going to park in those areas, they need to park correctly not block driveways and that sort of thing. And if that happens then the Warren Police need to be called to make sure that is taken care of. So those were just a few comments on the letters that I wanted to clarify.

Now what I'm going to do is go through section 5.11 and it says: Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges or similar civic or social clubs shall be permitted with permission of the Planning Commission pursuant to the standards set forth in section 22.14(b)(1) and upon compliance with the following minimum requirements: These are the ones I was talking about, there are 13 of them. So our staff went through each requirement to make sure how they are required.

So I'll start with number one:

- (1) That these uses shall be located on a major thoroughfare as identified by the City of Warren Master Thoroughfare Plan. And Ryan Road is considered a major thoroughfare so for that matter it meets the standard.
- (2) That the size of the site shall be a minimum of one-half ( $\frac{1}{2}$ ) acre, shall have a lot width of not less than one hundred (100) feet and a lot depth of not less than two hundred (200) feet. And in this case the proposed use meets the standards of the ordinance for needing the  $\frac{1}{2}$  acre and the lot width. However, as the petitioner has indicated the property does not meet the 200 foot lot depth what they have is 190 and will be required to seek a variance from the Board of Appeals
- (3) That the driveway approaches shall not be located closer than 500 feet to a major intersection. The proposed use meets the standards the closest major intersection is Ryan and Ten Mile. That's a major intersection and that's over 1700 feet away.
- (4) That all vehicular access to and from the permitted uses shall be on a major thoroughfare or collector street. And we already said Ryan Road is a major thoroughfare and you can see up there in the site plan that both of the driveways go to that major thoroughfare.
- (5) That a six foot high wall or eight foot wide greenbelt pursuant to section 2.26 of this ordinance be provided where the site abuts a residential district or residential use or is adjacent to an alley, which of course there's no alley here, which abuts a residential district or residential use. So according to the planning review the petitioner intends to retain the existing 6 ft. fence. The petitioner will be required to seek a variance from the Board of Appeals to waive the 8 ft. wide greenbelt or 6 ft. brick embossed poured concrete wall. So that's two variances so far and the petitioner did mention that.
- (6) No building shall exceed thirty-five feet in height or two stories. And this meets the standards this doesn't reach that height.
- (7) The total site coverage shall be no more than 30% of the lot area. It meets the standards.
- (8) Every building shall have a front yard of not less than 30 feet. If a circular driveway is proposed in the front yard a distance equal to the width of the drive shall be added to the front yard setback. That's not the case here and so it meets the ordinance.
- (9) Every building shall have two side yards of not less than 20 feet each. The proposed use meets the standards.

- (10) The width of the side yard abutting upon a street shall not be less than 20 feet when the rear yard abuts a rear yard. However, in the case of a rear yard abutting a side yard of an adjacent residential lot, the side yard abutting upon a street shall not be less than 25 feet. And they meet the ordinance in this case.
- (11) Each lot shall have a rear yard of not less than 45 feet where the building does not exceed two stories or 35 feet in height. Where any building exceeds 35 feet in height, then such building shall be set back one foot in addition to 45 feet for each foot of the building exceeding the height. And they meet the ordinance in this case.
- (12) Off street parking facilities shall be provided as specified in section 4.32 of this ordinance. And they meet the standards for parking.
- (13) Accessory facilities such as community halls, fellowship or social halls, recreation facilities and other similar uses incidental to the principal use or facility shall also conform to the standardized parking requirement outlined in section 4.32 of this ordinance. And they meet the standards of that part of the ordinance.

So, there's quite a few standards that they have to meet it's pretty strict in my opinion and that section has been in place since the mid 1990's.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Mark Herroscheck – I live at 4318 Marr. Myself and many of our neighbors in the area are opposed to this for a number of reasons. The correspondence that was read in the record pretty much sums most of it up and we are in agreement with. The traffic issues, the congestion on Marr, it's already bad enough that people use Marr Avenue as a drag strip. Having a young child in the area I'm very concerned about the added flow of traffic.

I believe that the site that they had chosen is going to be too small to support adequate parking, which again causing more congestion on the side streets. Within a mile and a half of this proposed location I know personally of at least four other Mosque. Nothing against our Islamic friends it's a beautiful religion and everything but how much do we really need. You don't see Catholic Churches this close together or other forms of religions, again this isn't a religion issue I'm using it as an example you don't see them all that close.

Also I had to take off my resident hat and put my MBA hat I kind of look at this from another perspective I'm of the opinion that this is a way of acquiring property and using the religion thing of it as a tax dodge. We need a tax base in this neighborhood to fix our roads and giving religion groups who get tax breaks on these properties takes away from our tax base, it takes away from the ability to fix our streets and make our neighborhood better. We've all enjoyed living in a nice quiet neighborhood and we'd like to keep it that way.

We have nothing against the Islamic faith or people practicing religion and their freedom here American's we just have to make sure we think of everybody's rights the people that have been there, our immigrants, everybody. We all have rights we all have to live together and we all need to share this land equally. I thank you very much have yourself a wonderful evening.

Mr. Peter Koss – I live at 4237, I oppose this. One, in the requirements it said that you need to have 200 foot depth and there's only 190 right now, so that doesn't meet the requirement. And two, there's 30 parking spots and like what he said before there's four other Mosque within a couple miles, there's one down the road that's probably 600 feet from this one, how many more do we need. I could throw a baseball to this lot from my backyard. If that building can support 90 people and that parking lot can only support 30 there's going to be 30 cars parked on the streets around it. I don't see how this makes sense and I oppose it for all those reasons. Thank you.

Mr. Marc Doyle – I live at 4242 Orr. I think the gentleman said you can have 90 people in there but there's 30 spots if they drive separately that's additional cars. I understand it's a public street and people can park there, but imagine you lived right by there and you have young kids. There's another one at Ten Mile and Eureka I have had issues with people from there stopping in my front yard, it's just a bush but my one bush gets flowers on it and they stop and pose for pictures in front of it and things like that. I can care less on one hand but on the other hand I have a three foot tall 200 pound dog that has issues with strangers coming up in my yard, especially if my daughters home. If she's going for a walk and these people decide to just come up into my yard, I think we all know where I'm going with this is he's going to see this is a stranger coming towards my kid I'm going to defend it, so now I'm going to have problems with that. This has happened numerous times that I've caught people in my front yard. I try not to be a jerk about it, but it continuously happens.

When there's services in session at Ten Mile getting in and out of there through that area is an absolute nightmare and now we are just going to compound it by putting one on the other side. Marr and Orr are both used as drag strips already and we are going to put more cars. I work in planning and building for a living, I run a medical facility and I'm looking at these plans and yes dimension wise it might barely squeak by with some variances on it, but practicality wise I can tell you right now it's going to be a huge issue for everybody around there. I've been doing it for 20 years and this is not going to be a nice impact on the neighborhood. No offense to the people doing it I'm sure they're nice people but we all live there they get to leave. Are we going to be guaranteed that there's not going to be people coming, my mom is actually a Minister so I know that people come in and out of churches all the time so there's going to be people there and it's just way to congested as it is.

Mr. Wayne Goheen – I live at 4261 Orr (sic) and I'm going to give you all the reasons everybody else did. I've lived here for 38 years I'm getting ready to retire and you're going to change my way of life with the parking situation and all the commotion. There's the Mosque on Eureka and Ten Mile the property is twice the size of what they want to build here and there are cars parked everywhere up and down the streets, it's not going to be good. I just wanted to voice my opinion, there's a lot of other people here that are probably not going to talk. If you ask everybody that's opposed to please raise your hand that's not going to speak that will help. Thank you.

Mr. Eric Quirouet – I'm a 48 year resident in the City of Warren, 4292 Marr, four houses from the proposed site. I would respectfully request that you deny this site plan for all the reasons that my neighbors have voiced. I think there's going to be a big problem with traffic flow. As it is now we have a lot of traffic through our street on Marr because of the dirt road on Bayliss, so we get a lot of traffic already, now we are going to increase the traffic. There are children in the area, not to say they are going to drive like maniacs, just that there's going to be a greater increase in traffic. Someone said earlier armed guards and whatnot that was in response to crazy people that were breaking into the Mosque on Eureka and Ten Mile, regrettably there were people destroying that Mosque, so they had to hire armed people to protect their Mosque. I think that is terrible that they had to do that, that there's people out there that would cause them harm. I would not want to invite more of that kind of behavior, not from the Mosque, but from people coming to the Mosque to do them harm.

Along with all the increase in traffic, they are asking for a couple of variances to even get to the place that they can do this project. I would please request that you deny, thank you.

Mr. Suhel Alam – Good evening, I grew up in Warren, I went to high school here. When we moved into Warren I believe in 2005 the only place that we could find to pray was Ionia at Twelve and Ryan. When I used to go on Friday the parking lot was full and we needed another place to pray. Currently I'm working at the Tech Center at GM when it's time to pray I would go at three o'clock and when the parking lot was full I started looking for different Mosque and different timing. So I support this Mosque, as you see the community is growing and we need more space to find a place for Friday because we have gatherings so we can go pray. This allows for us the people who are professional who are on the road to find a place to pray. We need a space to pray and I'm hoping we can organize with your approval and this will get approved. Thank you.

Mr. Ashfaque Khan – Good evening, I support the building of this Mosque and the main reason for that is there's an increase in population both in the Bengali and Muslims from different races and also we have many people moving to Warren area and working in the Warren area. With the increase of population comes the increase of need of prayer places. Again many times it's difficult to find prayer places within the working area like when someone goes to the office like GM and then they want to go find a place to pray and sometimes they have to go far. Also this Mosque specifically will be built for increasing knowledge for the religion and how to live here. This will produce the youth to be law abiding citizens who will grow up with good manners. So we need this Mosque for our youth and for ourselves to increase our own knowledge in terms of living in a peaceful society, and in terms of how to better ourselves in day to day life. Since there's an increasing population we need this Mosque for our knowledge, for ourselves, for our brothers and sisters from different races and ethnical backgrounds and our future generation. I wholeheartedly request that you please approve the building of this Mosque. Thank you.

Ms. Wendy Schneider – I live one block north of Ten Mile and one block east of Ryan and I'm on the northeast corner. I live right across from the Islamic Center at Ten Mile and Eureka; I have a good view of all that's going on there. That is a very big parking lot there, very big, and it is nowhere near enough to accommodate the population that they get. The one gentleman said they have their gatherings on Friday, well I'm going to tell you let's take for instance Ramadan I don't know if you know about it, this year it went from

March 22<sup>nd</sup>, until April 20<sup>th</sup>, that's pretty near a month. Every single day that parking lot was packed the streets were packed.

I don't know if they have to be there at a specific time, if it's looked down upon if they don't get there on time. I'm retired, I'm home most often and have seen a lot of this. You'll see them they can be in the parking spot right before the stop sign at Ten Mile and Eureka, and run because of the time requirement I guess, it's a lot.

The neighborhood can't sustain the amount of traffic and parking that's needed for that one and they have a very large parking lot and it's a very dangerous situation. I'm not positive but from what I see it appears that they rent the facility out, maybe they don't rent it, they put it out for use for parties, but I see people going in for events. It's more than just one day a week I would say on average five days a week that activities are going on. I'm against it because I drive a different way to avoid the dangerous issues and this place that's going to go up is part of the route I take. Thank you.

Mr. Wayne Clayton – I've lived in this city for 54 years; I've lived in my house for that long. This neighborhood I grew up in and I know the people that live here we have never, I repeat we've never had to have armed guards in our neighborhood. Gentlemen from the city just so you know I drove down and seen it myself. When you have a man in full tactical gear with an assault rifle standing on the corner that's going to do nothing beg for an answer. I don't believe in this, I was raised a church is a church, but that's not what this is. This is buying up property and changing rules so that they can make it what they want to make it that's not right, that's not even close to being right. If you actually lived and were in that neighborhood you would see how much it affects the traffic. The backing up of the parking lot that they keep talking about they use that for service that's not the church, that's not where their supposed to be parking the cars because they are lined up all over the place, they are using it for service. That's not what that's for, and they change the rules as they want. They did not say anything about the armed guards showing up, they did not say anything about using the parking lots and every other place to have their services.

I was raised by a Baptist mom and anybody that did anything against the church that's just wrong period, but this Mosque is not needed. With all the Mosque they have in the area. And you can't tell me there's not commercial property in this city that the city couldn't give them a deal and give them a parking lot that they need, give them the building that they need instead of changing all the codes to make this possible. Please refuse this Mosque.

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Mr. Ziadul Munshi – Good evening, I live two blocks away from the property. So we have (inaudible) like outside especially for the kids they don't have a driver's license to go to the Mosque they can walk. (inaudible). I support this Mosque (inaudible). Thank you.

Mr. Mohammed Islam – Good evening, my name is Mohammed Islam. We have a Muslim Community and I support this Mosque especially for Friday's we need this Mosque. Thank you.

Mr. Jamil Ahmed – Good evening, my name is Jamil Ahmed and I've been living in this city since 2008 and I've been living in the Detroit Metro for 25 years. So far I have no issues whatsoever praying, I work from home. I am strongly opposed to building this only because Churches and Mosque are supposed to bring people together and create unity and having three other Mosque just around the corner, I'm afraid this is going to bring division. I live over there I have no problem going to the Mosque we have other ones, and Friday is not the only day that we gather for organizing events. There are large number of cars that show up, people are having issues with parking so keep that in mind. That's all, thank you.

Mr. Abul Mamun – Good evening, my Abul Mamun. I live in this area and I support this Mosque for a peaceful community. This is located on Ryan Road, so I hope it does not affect the residential area. (inaudible). Thank you so much.

Mr. Shawn Barrick – Good evening, my name is Shawn Barrick I live on Eureka. I've lived in Warren for over 30 years and as you heard prior there is a Mosque at the end of Eureka and Ten Mile Road, which isn't very far from the proposal here. I don't know if you folks up there on the Board have this particular drawing up on your computers there, but it looks like a really small building and I don't know notice that Ryan Road there is very busy it's five lanes wide, two south, two north and the center lane.

Mr. Turk also mentioned there might be expansion and I'm not sure how you can possible expand that building unless it's a population expansion. If that's the case he's got 27 parking spots and it holds 90 people I don't see where the other people will be parking, especially if there's more people that will be in the building where will they park. I'm 100% against the Mosque idea. One reason is it's a safety issue, and I think we can all agree here that safety should be the priority. Ryan Road is a very dangerous road for everyone including children. These kids are going to be running in and out of cars and it's going to be a nightmare. We see a bunch of kids

running up and down at the end of Eureka and it's very chaotic and it's a big factor for safety and it should be considered. Thank you for your time.

Mr. Anes Halimic – My name is Anes. I would like to ask you to approve this because I hear a lot of people saying how many Mosque do you need in this area, obviously we need one more because the ones we have now are packed, especially on Fridays. I usually go to IONA and it's full so I stopped going there and started going to one in Sterling Heights. So most of us who are investing in this project with hard earned money it's not because we want something new it's because we need another one because of the population. A lot of Muslim's are moving to Warren, we need more space and buildings like this. Most of the buildings that we have are not designed to be Mosque they are smaller places so, by the people coming to Warren, those places are becoming too small for us. This is one of the places we are hoping we are going to have enough space so maybe in the future other people are going to ask to do the same thing (inaudible). So please approve this for all of us and our kids. Thank you.

MD Hossain – I recently moved to Warren from another city to Warren (inaudible) because a lot of Muslims are moving here. (inaudible). A lot of Muslims living around this area and most of the older people who cannot drive can walk to the Mosque easily. (inaudible). We need this Mosque for our community especially for the older people and the kids who can walk there. Thank you.

Mr. Ken Pasque – Good evening, Ken Pasque, I live at 25510 Ryan Road, just five houses south of my dad's place. He passed away in his house in 2018 and there's just a couple concerns about it. I live on Ryan Road also and I work across the street at Paslin and the traffic is a drag strip, usually Paslin lets out between 3:30 and 4:30 so they will be heading north when they will be having prayer at this location and the traffic congestion might be very dangerous.

I live right across the street from where I work and I have to drive my car because of how scary it is on Ryan Road. I know how to look both ways, but it can be pretty hairy so you're adding more people onto Ryan Road. I also heard the existing trees will have to stay and on the first parcel that's full of very mature trees, there's probably 20 trees there. I respectfully request that you deny this project. I always wanted to see someone buy that house to improve it and my dad loved that house and this is one way to improve it really, to transform it into a Mosque I'm sure it's going to look very nice but from a practical standpoint I think it will be dangerous. Thank you.

Mr. Shabib Haque – Good evening, my name is Shabib Haque. I stand before you today as a college student who (inaudible) to Michigan in pursuit of knowledge and better horizons. The proposed Mosque is crucial to our Muslim community as much as a library or college is essential to (inaudible). Besides being a place to pray it would serve as a platform for interfaith dialog, mutual understanding and community engagements through various initiatives and education seminars. The leaders of the Mosque have committed to being reasonable neighbors strictly adhering to local regulations. As we collectively strive for diversity, respect, and mutual understanding let's consider this Mosque not just a religious structure but a symbol of our shared values and commitment to a harmonious community. Thank you for your time.

Mr. Thawhed Chowdhury – Good evening, my name is Thawhed Chowdhury. I am originally from the Hamtramck area and recently in the Warren area due to work. I would say to approve the Mosque and I understand that some people may have problems due to the traffic and everything but at the same time the traffic maybe will be like once a week on Friday because that's when the big prayer happens. At the same time you could say the same thing about Churches because on Sunday that's when all the gathering happens and that's also when traffic happens.

Another thing I would like to point out is when people said there are like already a couple different Mosque around the area there's also a couple different Churches around the area like Catholic, Christian, they also have different types of belief. So these are the topics I wanted to talk about and appreciate you listening to me.

Mr. Iftiker Choudhury – Good evening, I'm Mr. Choudhury and I'm 19 years old. I support the making and establishment of this Mosque because this will fulfill our needs for educational spiritual knowledge. I go to the Mosque five times a day, I drove from Thirteen Mile to Hamtramck many times a week. Having this will cut down the commute and save time for me, which is very important for a student like me. Thank you.

Mr. Peter Koss – I just want to make one more point that there are a lot of people here that showed up as property owners, and I hope you take into consideration the actual property owners verses the people that don't own property around this proposed site. Thank you.

Ms. Lori Harris – I don't live down there, but you've seen me here dealing with Hydro Depot and their armed guards and the troubles with Hydro Depot. What I want to talk about in terms of this issue is we understand that there are many denominations of churches and there are probably plenty of places in Warren where churches are actually in the community like on the side streets or in the neighborhoods. Has there been a traffic study done or could there be a traffic study requested because you have prayer time around the same time the high school gets out and middle school and there's probably a lot of traffic there.

To the gentleman that said he goes 5 times a day to pray, you go to a Mosque five times a day. The beauty of faith is that you can pray without being in a building and Covid taught us that, didn't it. Churches yes they have services on Sunday but usually they're not packing the neighborhoods they have big enough parking lots. This parking lot has 25 spaces, two that are handicap assessable and 25 other spaces. Forty people right now would attend and we can assume that maybe a portion of that would be walkers from the neighborhood, which is wonderful to have something they can walk to. If their goal is 90 where are they going to park?

Also, I want to point out that every single petitioner that has come here you've given them the speech about you can go on with a full Commission or you can accept our approval. None of them have been told that if you don't get five votes either way you have to be revoted. So I'm challenging you that Hydro Depot from two weeks ago should have been accepted as a regular vote.

Assistant Secretary Mouri – Please address this item.

Ms. Lori Harris – This is part of this issue because this is about how you're asking these petitioners to accept the vote that happens without a caveat that if they don't get five votes they have to revote. Thank you.

Mr. Phil Holmes – Excellent point, traffic safety study. We can use the Mosque on Twelve Mile and Ryan as a perfect example. Look at the amount of pedestrian verses car accidents that has gone on over there since that Mosque has opened up in the past few years, it's a mess a complete cluster. I live on Mound so besides the nuisance of parking, like this gentleman said if somebody parks in front of my house, I'll just go park in front of my neighbors house, it don't work like that. Now I'm a nuisance to my neighbor if I'm lucky enough to park there I've lived it and seen it. Public safety is number one and let's keep it to that. There definitely should be a public safety study

done before we go any further with this. I ask you to deny it on those grounds alone. Thank you.

Mr. Shawn Barrick – If you don't mind, I'd like to get back the 10 seconds of what I had originally.

Vice Chair Boniecki – We actually can only speak once, I'm sorry.

Mr. Shawn Barrick – I didn't use my whole three minutes.

Vice Chair Boniecki – When you were done speaking that was your time.

Mr. Shawn Barrick – Can I just say one thing to the Board?

Vice Chair Boniecki – At citizen participation you can come up and voice your opinion.

Mr. Shawn Barrick – Okay thank you. Real quick.

Vice Chair Boniecki – At citizen participation, we're not there yet.

Mr. Shawn Barrick – I'm going to say what I want to say, there's a reason why there's no church at Ryan, Marr, the Church was over at Eureka and Ten Mile Road and now that is a Mosque. Keep that in mind, thank you.

MOTION:

A motion was made by Commissioner Ansar to approve, supported by Vice Chair Mouri.

COMMISSIONERS PORTION:

Commissioner Ansar – First of all I want to thank all of you for coming and sharing your thoughts and concerns. Mr. Wuerth could you please come to the podium, I have a few questions. I know you already mentioned that this is R-1-C is a single family residential zone, am I right or wrong?

Mr. Ron Wuerth – It's a--

Commissioner Ansar – So we don't need to rezone right for this R-1-C?

Mr. Ron Wuerth – No, no rezone needed.

Commissioner Ansar – Exactly. A few of the residents mentioned that's going to be commercial or business but the confusion is this site plan is not here for rezoning it's here for approval. I think there's some legal issues because it's a religious thing and the constitutional right. I have another question to the petitioner. Did you receive the recommendation?

Mr. Hisham Turk – Yes, we did.

Commissioner Ansar – So you reviewed all the recommendations?

Mr. Hisham Turk – Yes we all read the recommendation and are ready to address anything that the Planning Department recommends.

Commissioner Ansar – You heard that the residents had some concerns for the parking and other issues?

Mr. Hisham Turk – Yes, I heard the concerns, but I think in my opinion this is not going to be a problem. The capacity of the building is like 90 if you see the drawings and floor plan. We went with the zoning ordinance for the 90, and we need to provide 30 parking spaces. There is a reason for giving that number for the parking spaces, not each person that comes to the Mosque has a car there may be three or four people that come together, that's how it works. We went according to the zoning ordinance, we provided 30 parking spaces and there is no way to put more than 90 people inside that building, the building is small. The community now almost has 40 or 50 people coming on Friday prayers. If you want me to explain the five daily prayers which was concern from a resident.

Commissioner Ansar – You are saying the traffic will only be Friday?

Mr. Hisham Turk – And not a lot of traffic.

Commissioner Ansar – When do you think traffic will be?

Mr. Hisham Turk – Yes between 12:30 and 1:30.

Commissioner Ansar – So after six days there will be no traffic?

Mr. Hisham Turk – No, there is a daily five prayers yes and there will be five to a maximum of ten people for the daily prayers. The Friday service is the main prayer, like going to church on Sunday's.

Commissioner Ansar – Thank you.

Commissioner Tutt – So a couple neighbors brought up concerns about armed guards, do you have armed guards at your facility?

Mr. Hisham Turk – Recently they don't have a guard. The reason of the guard being over there, I'm an Architect I work in on different Mosque also, I worked on IONA and a Mosque in Sterling Heights that they are building now on 16 ½ Mile, I'm a Muslim myself and I go to the Mosque in Rochester Hills. There were some instances that happened in different places which you may have heard on the news that's why they brought a guard and maybe sometimes the police department of the city come to help to make it safe for the people who are coming to pray and people around us.

Commissioner Tutt – So the guards are there while service is happening?

Mr. Hisham Turk – Yes, sometimes on Friday's they bring a guard.

Commissioner Tutt – When there's no service there's isn't guards there?

Mr. Hisham Turk – No.

Commissioner Tutt – I know you said there will be multiple services on Friday, how many is multiple services?

Mr. Hisham Turk – Maximum three, but usually if they don't have the people coming to the same Mosque they have one prayer, some Mosque only have one prayer service. For example, the Mosque that we are proposing here the capacity of the building is 90 when they see they reached that number they will make two services. So, they tell the people there is two services so some people come for the first one and some people will come to the second.

Commissioner Tutt – How many members do you have now?

Mr. Hisham Turk – Thirty or forty.

Commissioner Tutt – And is there ample parking now for the numbers you have come to service?

Mr. Hisham Turk – Yes.

Commissioner Tutt – How many services do you have now?

Mr. Hisham Turk – Right now we don't have any services.

Commissioner Tutt – The gentleman that said he prays five times a week, right?

Mr. Hisham Turk – Yes usually you do five times a prayer besides Friday. Friday is our holiday and at noon time we gather for one hour (inaudible) if there's more than 90 people in the future then we will do two separate gatherings.

Commissioner Tutt – Somebody else brought up Ramadan I believe they said for about month, would that mean multiple prayer days throughout the time of day?

Mr. Hisham Turk – The Mosque of the Ramadan they fast from the morning until the evening until the sunset time. After sunset they have prayer service after the sunset, like in one hour after the sunset, they have a prayer service which people come also and it last about one hour. That's only in Ramadan, yes.

Commissioner Tutt – Ramadan is about a month, right?

Mr. Hisham Turk – A month.

Commissioner Tutt – So every day for a month at night you would have one service or multiple services?

Mr. Hisham Turk – One service, not everybody comes. The Friday prayer we call it an obligatory service each person needs to go, but the service in the Ramadan in the evening is not obligatory and will not be as crowded as a Friday.

Commissioner Tutt – Okay, thank you.

Assistant Secretary Mouri – I know this was addressed by our Planning Director and I'm going to just reread what he just said. The proposed use meets the standard of the ordinance, so I want to restate that real quick. Just a couple questions, you mentioned having 30 spaces for that area is meeting the requirements?

Mr. Hisham Turk – Yes.

Assistant Secretary Mouri – So even if you have 90 people 30 is the requirement that the city requires, so let's say somebody else comes out and they want to build something in there the city will tell them

the same thing, you need 30 spaces? I just want to make sure everybody understands that because that is the requirement, for 90 people you will need 30 spaces and the Mosque currently has that.

Mr. Hisham Turk – Yes.

Assistant Secretary Mouri – So for the overflow parking that you might expect because let's say people aren't carpooling, because that is an expectation people do carpool. When they go to the Mosque or anywhere you expect them to carpool or walk because that is the neighborhood around there and there may be a lot of people who may be able to walk to the Mosque. Do you think there's a lot of Muslim population around there that will walk there.

Mr. Hisham Turk – Yes there is a lot, and they are going to walk to the Mosque. Those people coming from far they will drive and definitely one person never comes, they usually come with friends, two or three people.

Assistant Secretary Mouri – So there is five times prayer throughout the day, what are the times, I know it's an estimated time and it changes every day, so what are times that you expect people to come and for them to do the service?

Mr. Hisham Turk – There is five prayer times, one before the sunrise in the morning and usually two or three people come to that. One at noon time exactly at 12:30 or 1:00 o'clock, one in the evening now it's around 5:30, in the winter it will be earlier like 3:30. The fourth one is after the sunset it depends, it's different between winter and summer. And one is after the sunset, like an hour and half.

Assistant Secretary Mouri – So from those five times a prayer it looks like most of them their estimated time does not fall in the rush hour. In the morning there's a rush hour from 6:00 until 8:00 o'clock so it probably doesn't fall within those times?

Mr. Hisham Turk – No.

Assistant Secretary Mouri – Thank you.

Commissioner Tutt – I have another question, a couple of people and even you guys brought up the other Mosque that are not far from this place, are they denominations, is it the same religion or is it a different type of Mosque?

Mr. Hisham Turk – I didn't understand the question exactly.

Assistant Secretary Mouri – Can I clarify for you. I think what she may be asking is there is different Sunni Shia (sic) within the Muslim community. IONA I'm not exactly sure what they practice and even with the Ten Mile Mosque, I believe is this going to serve the same people that is being served in the other two Mosque?

Mr. Hisham Turk – IONA I think is the same yes.

Secretary Smith – I have a lot of concerns, it's a beautiful building, the layout is beautiful, but the parking is what concerns me. If you're going to have 90 people, I don't know how you're going to control the number of people that would come in at one time. You said some people would walk there, some people would carpool but my concern is the neighborhood because I have seen where they park on the grass, they park down the street and block people's driveways. I don't know how you can regulate that and it is something that needs to be regulated because you're inconveniencing other people. I guess what I'm trying to say is you can't have control over who is coming, when they feel the need to come pray they will come.

I think the building is nice, I think the space is nice, if it was 90 people that would be fine but my thing is if it gets overloaded and you've got to turn people away or you have people outside you will have more noise, commotion, people getting in and out of cars which affect the neighborhood. If you gather outside is that noise going to infiltrate through the neighborhood there's a house next door and some on the backside. Those are just some of the concerns I had, my main thing is safety for the neighborhood.

Mr. Hisham Turk – Of course I can address that. The safety is our concern also, I can give you examples of other Mosque that are operating now, which they started small maybe they expanded later on. For the Friday prayers let's say if this Mosque reaches it's capacity of 90 people and 30 cars at the same time there's always volunteers from the community to direct the traffic inside the parking lot and how to get out. Some Mosque like the Rochester Hills one that I go to the Friday prayer it's a huge Mosque it doesn't compare with this small one. They hire the police department, two police officers come and they control the traffic because that Mosque houses like 500 people at the same time. There's no comparison between them but this is how it works, they are also exiting to the same capacity of road as Ryan is, which is Auburn and Livernois if you are familiar with that area. That's an example.

From our point we don't regulate the zoning ordinance, we don't regulate anything we can't control that, but we will do our best to make it safe for the people who are praying there and our neighbors.

Secretary Smith – Thank you for that. The other concern is it's small in size now and if it starts to grow then it's not going to be big enough to handle everybody that's coming, how will you deal with that situation?

Mr. Hisham Turk – When I say expansion, I'm mean keeping the property as it is, we have no space to add a building or to add more occupancy to the building. If you add three more people into the occupancy you need to add one more parking lot space and we don't have that, so you can't expand at this one. When I say expand in the future maybe they will find another property to move to or maybe they can purchase the neighbor's property if it goes on sale. I don't know if that's going to happen, but if the community expanded by they will build another Mosque somewhere else which they will have the same situation.

Secretary Smith – Thank you sir.

Commissioner Ansar – As you mentioned you will have a volunteer on Friday your busy time, right?

Mr. Hisham Turk – Right.

Commissioner Ansar – During these three hours you'll have a volunteer that will have the traffic not bothering neighbors, is that what you said?

Mr. Hisham Turk – Yes

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

Mr. Hisham Turk – Yes.

Commissioner Kupiec – And do you agree with all the recommendations?

Mr. Hisham Turk – Yes, the only is the third variance number 3C to retain the wooden fence located along the east 93 feet of the south property line Marr Avenue and set back 12 feet from Ryan Road west property line, we are probably not going to retain that. We are going to retain the fence that is on the property where the next

property is residential, so the north property line and east property line.

Commissioner Kupiec – I don't really understand what you're saying. The wooden fence is going to be under scrutiny anyway because it was put up without a permit so it's going to be reviewed to make sure it's up to standards for the city before it's even approved. The wooden fence was never approved to put up there so it's got to be looked at by the city and if it's not approved it has to be brought up to approval or possibly even taken down.

Mr. Hisham Turk – Yes.

Commissioner Kupiec – That's something you have to take up with the Zoning Department. I'm not convinced that this location is compatible with the general surroundings. I see quite a few Mosques in the area and I see the confusion around them, but they are mostly located in small shopping centers or small business centers. The confusion that occurs during the traffic times of people coming and going whether they are walking or driving does not affect the neighborhood. My concern is in this location that with the traffic you have during shift change even if you have the police out there controlling traffic.

Maybe there is a need for a survey to be taken but my concern is for the public safety of that area and the way it's located. It's designed for people to live in not to fix cars in or have churches in but things are changing but changes are taking place in a little bit more of a commercial area where it's away from the residential area. This is right dead center in a residential area along with the high traffic on Ryan Road.

I have no problem with the church I'm a firm believer in people believing in their religions. It just doesn't look like it's a good fit. One of my recommendations is that proposals should be compatible with the adjacent use of land and all the land around here is residential, I don't see how this is a good fit.

Mr. Hisham Turk – We are (inaudible) that a religious facility is not a commercial building, and it is allowed in residential areas, it's allowed to be next door to a house.

Commissioner Kupiec – I didn't saying it wasn't allowed to be, I said it doesn't make a lot of sense to be.

Mr. Hisham Turk – If you look at all the religious buildings I'm not talking about Mosques or Churches specifically as an architect I can notice that 80% are in residential districts.

Commissioner Kupiec – But they also have the population in that residential district to support them, do you have the population in this district to support that Mosque?

Mr. Hisham Turk – If you don't believe that there is no population that's something I can't argue with. If you think that there's no population that this Mosque is going to serve in that area that's something I can't argue.

Commissioner Kupiec – From a legal standpoint there are some rights but I'm saying from my position I don't see it as a good fit and one of my recommendations here should use is compatible with adjacent use of land and I don't see where this is a compatible fit. I know the traffic on Ryan Road is very heavy, I'm not sure about the community traffic as far as children, I'm just concerned about the safety of the people during those hours.

Mr. Hisham Turk – We are too concerned about the safety.

Commissioner Kupiec – I'm not in favor of it but I would say if by some chance it was to pass, I'm going to recommend a cash bond because there's are a lot of things that have to be complied with and I would hope that they are. I'll recommend to the maker of the motion if it is passed it's passed with a cash bond. That's all I have Madame Chair.

Assistant Secretary Mouri – I do want to mention one more thing from rereading section 5.11 Churches, Schools, Libraries and Civic Clubs: Churches, synagogues, mosques, public schools, public libraries, private educational institutions, funeral homes, community buildings, country clubs, fraternal lodges or similar civic or social club shall be permitted with permission of the Planning Commission pursuant to the standards set forth in section 22.14 (b)(1) and upon compliance with the following minimum requirements. I just wanted to mention that so we all are aware of it.

Vice Chair Boniecki – I would like to voice my concerns as well. I live five houses off of Ryan, not at this location but by IONA, and I am concerned for the population that you have in our city in that area I think a building of 90 people is not going to be satisfactory at all, I think you'll grow out of that in no time. I think what Commissioner Kupiec was saying not that it's a commercial building, I just think you

need a bigger building instead of getting a lot of small buildings. I think you need to really invest in Warren since your population is bigger so that you can serve all your people, I think that's what the Commissioner was getting at.

My other concern is Ryan is a big road and there are commercial buildings there and school buses down Ryan. You mentioned prayer time 12:30, 1:30, 3:30, 4:30 and 5:30 those are rush hours, those are lunch hours, those are schools getting out. Do you meet at the same time on Fridays as IONA and the other one so would they all be getting out at the same time on Ryan Road for those three miles?

Mr. Hisham Turk – Usually they talk with each other and make it a half hour between release the people from the services.

Vice Chair Boniecki – I know that's an issue. I think you're bigger and you need something bigger, I hate to see you spend all this money to do this and then say it's not big enough we need to go get another one.

Mr. Hisham Turk – For the bigger property and bigger project then more financial will be needed for that. The community that they have here is a small community and this will serve them.

Vice Chair Boniecki – As one of the Commissioners asked is IONA, the other one on Eureka and yours are they all the same or is there something different when you go to these?

Mr. Hisham Turk – I don't know exactly about the Ten Mile one, but IONA is the same branch, let's say, of religion. There is another Mosque in Warren or Madison Heights and there's one in Sterling Heights which they are different.

Vice Chair Boniecki – Because IONA is big, is that too big where you can't go there is that why you need to do another one?

Mr. Hisham Turk – No, IONA is already crowded, this will help actually. The Bengali community can go here and reduce the numbers going to IONA.

Vice Chair Boniecki – Okay thank you.

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... No

As I said I don't feel this is a compatible fit for the area, I think there are a couple of Mosque up and down Ryan Road that could satisfy the population.

Commissioner Robinson..... No

I feel that this location is not adequate due to the fact you can't control the number of people who are coming, and I think it would be detrimental to the neighbors. I think the overflow parking continually would impact their enjoyment for residential use, so I'm against it.

Commissioner Tutt..... No

I don't think the expansion would be used enough to justify the reasoning for it. If you're only doing it on Fridays about three or four times a day I don't think that's enough reason in my opinion.

Commissioner Ansar..... Yes

Assistant Secretary Mouri..... Yes

I live next to a church and there's parking everywhere, there's parking on my street because it's public property. I live with it every day. I have a couple family members who are around that same area too. I do want to mention one more thing really quick, go inside one Mosque and visit it yourself because having three Mosque in the same area it's not going to increase the traffic. Some of the IONA folks are probably going to go to this one because it's the same domination, it's the same people who are living in that area who are going to IONA.

Secretary Smith..... No

I still have a problem with the traffic. I understand people are going to walk there, I understand they carpool. Like you said some people from IONA are going to come down here so that's going to make it fill up a lot faster. I know it meets all the standards of the ordinance and I agree with that, but I still feel that parking is going to be an issue. I'm feeling from my heart here I've been thinking, I've been listening to what everybody said and try to take it all in to see what the best situation is and I just can't get passed that there's not going to be enough parking.

Vice Chair Boniecki..... No

I think you need a bigger space, I think you are bigger, and I don't think Ryan Road with the other two and all the commercial buildings and school traffic, I don't think there's enough room there. I think it will be health and safety for everybody trying to get out on Ryan and I don't want to see more people hurt in accidents and everybody rushing to get there. I don't think it's a good location for something of that size.

Secretary Smith – The vote was 5-2 and it was denied.

7. CORRESPONDENCE:

Mary Clark CER-6819

May 22<sup>nd</sup>, 2023

None at this time.

8. OLD BUSINESS:

- A. MINOR AMENDMENT TO SITE PLAN FOR A NEW BUILDING ADDITION: Located on the northeast corner of Mound Road and Rinke Avenue; 24622 Mound Road; Section 28; Wico Metal Products Holding Co/Ryan Pline (Lee Industrial Contracting/Jim Searle); PMA 230004; The Minor Amendment is for a building addition to the site plan.

MOTION:

A motion was made by Commissioner Robinson to recognize as a minor amendment, 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

Vice Chair Boniecki – Good evening, you have the right to be heard by a full nine member Board as well as everybody else here tonight. Before moving forward you need to indicate whether you wish to continue and if you continue the vote presented tonight will be the decision.

Mr. Jim Searle – I wish to continue.

PETITIONERS PORTION:

Mr. Jim Searle – I’m representing Wico Metal Products. We are proposing to raise the roof of 16,000 square feet of this facility to approximately 12 feet from 30 to 42 feet high for plans to install several stamping presses in the facility in the future. We are also going to install an approximately 11,000 square foot addition on the property that height of the addition will remain at 30 feet.

Secretary Smith reads the following correspondence:

**TAXES:** Current.

**ENGINEERING:** Permanent structures are not allowed within the influence of storm sewers and catch basins. Remove or relocate the existing 8" storm line and catch basin.

**MCDR:** No Objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Smith to recess for 5 minutes, supported by Assistant Secretary Mouri.

At 9:47 p.m., Planning Commission takes a recess.

At 9:51 p.m., meeting continues.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – I see you're raising it to 12 feet for some equipment that you're going to be installing in that addition, do you need that additional height?

Mr. Jim Searle – Yes, they will for the stamping presses, yes.

Secretary Smith – How many presses are they putting in there?

Mr. Jim Searle – Right now there's plans for five.

Secretary Smith – Were you able to look over the recommendations?

Mr. Jim Searle – Yes.

Secretary Smith – And you're okay with those?

Mr. Jim Searle – Yes.

Secretary Smith – Mr. Wuerth, being the original building height is 30 feet 3 inches and this addition is going to put it up to 42 feet 3 inches does he have to get a variance for the extra height?

Mr. Ron Wuerth – No, I don't believe so.

Secretary Smith – Because usually if it's over the height of the building you normally have to get a variance for it.

Mr. Ron Wuerth – I'll check it out, I don't have that memorized so I can't provide you with the right answer. You can either postpone it until the next meeting.

Secretary Smith – I don't know if we really need to postpone it, I was just concerned because the maximum height in M2 is 30 feet.

Mr. Ron Wuerth – I can't answer your question.

Commissioner Kupiec – That was one of my questions, why are we going for 42 feet, are we going to make this as a condition of approval?

Secretary Smith – The reason he's making it 42 feet is because of the stamping presses that he's putting in there, he needs extra height. I don't see a problem with it, it's the interior of the complex so it's not really being affected by the exterior properties. I just thought if the building height in that area was 30 feet anything over that you would need a variance, that's what I was trying to find out.

Commissioner Kupiec – That's what I was trying to figure out. Are you saying we don't have to have a variance?

Secretary Smith – He said he doesn't know.

Commissioner Kupiec – I don't think we should table this because it's a pretty clean deal. I think we should just go ahead and approve it with the understanding that would be taken up with the Planning Director to be worked out. I recognized the company through the years and they are a pretty reputable company.

Secretary Smith – They've been around awhile, I agree with that.

Mr. Ron Wuerth – Madame Chair, I looked at the findings, I questioned the gentleman, I didn't realize that he's raising the roof on another part of it, my focus was on the building addition. The building addition says 30 feet but apparently it's noted on the site plan that they are going to raise the roof to that 40 foot level, they will need a variance for that. I'm sorry about that sir.

Secretary Smith – Thanks for your patience sir, you will need a variance for the extra height you'll have to go to Zoning Board of Appeals to get the variance. We are going to add to this

recommendation is you need to go to Board of Appeals for a variance for the height of the addition.

Mr. Jim Searle – Okay.

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

- B. SITE PLAN FOR OPEN SOTRAGE FOR LANDSCAPING FACILITY: Located on the west side of Mound Road; approximately 1,078 ft. south from Ten Mile Road; Section 29; 24617 Mound Road; Justin Sparkman (Grounds and Gardens). **Approved on June 7, 2021. Extension requested to June 7, 2024.**

MOTION:

A motion was made by Secretary Smith to approve the extension request to June 7<sup>th</sup>, 2024, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

- Commissioner Kupiec..... Yes

I'm getting a little concerned this is the second or third. They are in the landscaping season right now and it seems like since Covid they're given the opportunity to extend this and I'm not sure if they are getting anything accomplished by doing this. If it's going to help the petitioner, I'm more than glad to approve it. I'll go ahead and approve it but I'm getting a little concerned for these extensions.

Secretary Smith – To clarify Commissioner Kupiec's question. I'm requesting an extension of our site plan open storage for the landscape facility it was originally granted June 7<sup>th</sup>, 2021. The reason for the request is we are purchasing the property located next door to the north located at 24629 Mound Road, which would change our overall site plan. That was the reason for the extension.

ROLL CALL CONTINUED:

- Commissioner Robinson..... Yes

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

- C. SITE PLAN FOR THREE NEW INDUSTRIAL BUILDINGS, PARKING LOT, AND LOADING DOCKS: Located on the northeast corner of Mound and Nine Mile Roads; 23500 Mound Road; Section 28; NP Mound Road Industrial LLC (Colin Vail). **Approved on November 8, 2021. Surety bond in the amount of \$6,090,000 posted on April 20, 2022. The petitioner is requesting a 50 percent reduction in the bond amount, due to more than 50 percent of the site work being completed.**

PETITIONERS PORTION:

Mr. Colin Vail – Good evening, this is my first meeting, this is quite the meeting to attend, I'm representing North Pointe Development. We had a surety bond posted for site work roughly 11 months ago and since then a lot has gone on since then. We had a wonderful ribbon cutting about two weeks ago, which I believe a few members here were a part of. Since then, we've also completely 50% of the building two property for Home Depot and we've completed all underground site utilities as well as the two detention ponds. We are more than 50% complete with the site work. And finally the phase three that we are hoping to begin here in the coming year has been fully graded so we are ready to put a building down on that land once we receive funding for it.

The main reason for our request is there's a hefty fee that comes along with holding a surety bond, so with your consent it would help us save a lot of money if we could cut the surety bond in half. Thank you.

MOTION:

A motion was made by Secretary Smith to approve 50% of the surety bond which would be 3,450,000.00 dollars, supported by Commissioner Ansar.

COMMISSIONERS PORTION:

Commissioner Robinson – What two buildings are you going to erect?

Mr. Colin Vail – That is still not up for what I know at the moment, but they are coming and there's still plenty of approval to come with that they are putting two buildings there.

Commissioner Robinson – It’s in the planning stage.

Mr. Colin Vail – Yes ma’am.

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

9. BOND RELEASE:  
 None at this time.

10. NEW BUSINESS:  
 None at this time.

11. CITIZEN PARTICIPATION:

Ms. Lori Harris – Hi Lori Harris again, I did hear some good questions this time so it looks like people are starting to think a little bit. But I do want to make a comment about the letters that were written for 6F. Those letters were sent as if they were a citizen coming to the microphone, but they couldn’t come to the microphone, and Mr. Wuerth getting up and arguing with the citizens letters to tell you what they said that was wrong is inappropriate. Just like I’m standing here I get to say what I want in three minutes, those people got to say what they wanted. Maybe they weren’t 100% correct but those were their thoughts and their feelings. It is not for Mr. Wuerth to come here to the microphone and dispute their input, so I feel very strongly about that, it was very inappropriate and unnecessary. He did have the opportunity to come to the microphone and share what the guidelines were and what the ordinance was, there was no reason to do that. If those people ever watch the meeting, I’m sure they would be very distressed that they were discounted in a public fashion like that. Someone’s not going to get up behind me and say you don’t have the right to say that, no I get to say it and that’s that.

And the Hydro Depot thing, you could have all said no, you could have voted not to postpone it. You are putting these people through this every two weeks to have to come here to remind you again and

again that there's business happening at night, that there's semi trucks on their streets, and that they are not a good neighbor. I would encourage you to keep progressing and also I don't know who is in charge of requesting that this seat get filled, but like I said in the other comment five people had to vote for Hydro Depot none of these petitioners got told that. Ms. Michaels maybe you can clarify that, I'm not thinking that was right and I think that vote should be upheld. Thank you have a good night and next time wear your winter coats.

Mr. Eddie Kabacinski – Good evening Planning Commission, let me go to item 6C that was postponed for Birnie's Auto. During the lockdown of the pandemic and everything a lot of individuals got their cars repaired and they didn't pick it up. And what the owner is dealing with right now is basically people got their vehicles repaired and abandoned it and never picked it up. It takes a very long time to get the mechanics lien done through the Secretary of State that is the main problem that the property owner is having there and needing to expand the parking lot for open storage. The length of time it takes for the mechanics lien to get cleared through the Secretary of State. So these are abandoned vehicles that got repaired and nobody ever picked up.

There has been significant improvement on that property it did go through nuisance abandonment. I did go through the nuisance abandonment hearing, I tried to work with the property owner. This is the old Arco Gasoline Station it's been there since the early 50's in that neighborhood and Birnie's Auto has been a staple in that neighborhood, they've been there forever. He's improved the property drastically and the open storage in the parking lot is needed because of what I explained.

Going back to Home Depot really quick. I'm really concerned and I think everybody in the city should be concerned that we have a City Attorney out of the City of St. Clair Shores that is defending Mr. Bahri and his actions that he's doing in south Warren. I think there's a conflict of interest why do we have a City Attorney out of St. Clair Shores wanting to practice law here in the City of Warren, defending a person that we've had nothing but a problem with. Mr. Bahri and his business have been nothing but a nuisance. I think we all should be questioning what the City of St. Clair Shores motive is sending their City Attorney here to defend somebody in the City of Warren, thank you.

12. PLANNING COMMISSION BUSINESS:

Mary Clark CER-6819  
May 22<sup>nd</sup>, 2023

**A) Planning Director's Report:**

Mr. Ron Wuerth – Just a little bit about what I've been doing, I did have a week and a half vacation off. Had many, many, meetings we did talk to Shadylane people during this time period, the Courthouse review, Ajax Company at Toepfer and Marmon they are huge. They want to add a pretty significant building addition in that area with some more open storage, so that's going to come forward.

Last week myself, Michelle and Mark went to the Michigan Associations of Planning, Spring Institute and the entire day that we spent in Lansing was speaking about the demographics of the State of Michigan and where we are going to be in the year 2050. We spoke about housing and our drastic need for that in this state and it will continue to be that way and frankly if we don't add it I don't know where the people are going to go. It's going to be like the trailer park people that you heard earlier, they have no place to go. There needs to be multiple housing that was discussed at length frankly. There was someone who made a presentation about the climate and how the climate will change in the world and how our climate in Michigan will get warmer, not exceedingly warmer but it will be maybe a place because of climate more desirable to people. Michigan is not necessarily a desirable place to be in this country.

There was discussion about the lakes, and we seem to be protecting the lakes quite well and they continue to do that. There's a lack of infrastructure throughout the entire State of Michigan now. When I mention these things Warren is just a small piece of it and we are doing the best we can, but there's a lot of infrastructure in this town. Without change and improvements that Mayor Fouts has talked about for a heck of a long time they are going to stay static. Otherwise, we need to start looking to the future, improvements, moving forward those are all words that the Mayor has used and those are all words that you're going to see every person whose running for Mayor or Council saying before this election, without it we don't survive and we don't live.

The one thing that seemed to stand out is I think in 2035 that's when there will be more older people in the population than births, first time it's happened in history. That's a significant problem because we're not getting enough people to replace us. So demographics they used a particular word that I'm not even going to say here, so we really need to step it up somehow with other things. I believe that's all I have to say, if you have any questions that I can answer I would be glad to do that.

Commissioner Kupiec – A couple of meetings ago I think before you went on vacation, I talked about the signs going up in windows covering windows and all the different displays going up in windows. You were going to put together a letter to the Zoning Department and have him go out there and start taking a look at some of the stuff, did you ever get anything accomplished with that?

Mr. Ron Wuerth – The Planning Commission has to approve that together.

Commissioner Kupiec – I thought we did.

Mr. Ron Wuerth – I don't recall that. You need to discuss it amongst yourselves if you want some kind of letter like that then and decide upon it, you will have me write a letter to the zoning section of the Building Division a letter from the Planning Commission requesting it.

Commissioner Kupiec – My initial question was have they changed the zoning ordinances or the building requirements, have they reduced them. For awhile they couldn't have all these dangling lights, fancy lights hanging through the windows, all the signs in the windows.

Mr. Ron Wuerth – Make a list of the items, you're going from signage in windows to lighting.

Commissioner Kupiec – Signs in the windows is my concern.

Mr. Ron Wuerth – I can't do it without a consensus from the Planning Commission to send a letter, I'll be glad to do it but I need the Commission as a whole to ask me to do that.

Commissioner Kupiec – At one time we had a clean look to our city and now we are starting to get a gaudy look. One of the things that the City Administration has always stressed to us was to keep the city looking clean.

Mr. Ron Wuerth – There are a lot of things as I drive around that could be changed.

Commissioner Kupiec – To me it's not acceptable. When you go out and look at a site and you drive through the complex and you see all these signs.

Mr. Ron Wuerth – If you want this to be a discussion item you could do that and have it placed on the Planning Commission agenda and it can be discussed.

Vice Chair Boniecki – I was going to suggest that we make a motion to actually ask the Zoning Board what the restrictions are for signage in windows and how much they can cover and how many they can have.

Commissioner Kupiec – I'd like to make a motion to the Commission if they accept it okay. I'll make a motion and what I'm talking about in driving around like I do and Secretary Smith does, and I'm sure he sees the same thing I'm talking about, you got a guy here that has a nice neon sign in his window promoting his business and it looks real professional. Then you go next door and the guys get a bunch of raggedy old paper hanging in the window like beef steaks for sale, Budweiser twelve for six. I don't even drink beer, but you see more beer advertisements. It was against our ordinance for a while. I'm going to make a recommendation that we send a letter to the Zoning or Ordinance Department and ask them to inspect it and see if they can't control it.

Commissioner Tutt – Ms. Michaels is that being handled the proper way?

Ms. Mary Michaels – I hate to be the procedural police; we technically should amend the agenda to add this to take action. What I recommend just to keep it clean is to make it an item on the next agenda discussion and action, so that there's disclosure on the agenda. If we do it tonight we'd have to go through two steps.

Commissioner Kupiec – If that's the procedure I don't have a problem with that, we've sent letters in the past on different things, if we need to put it on the agenda let's put it on the agenda.

Commissioner Tutt – What do we do to get another Board Member, I'm kind of getting tired of us looking like we don't know what we are doing when we do. So how do we fill this seat, so we don't have to keep giving people a chance to postpone their item.

Mr. Ron Wuerth – The Mayor is responsible for providing a recommendation of someone to fill that position. He does that and then he sends that off to City Council for their approval, that's the process.

Commissioner Robinson – We have to keep rescheduling it just makes us look (inaudible). What is going on, we never have a full

Board. I think we are doing a disservice to the petitioners that come before us and this could go on for weeks. Should we let the Mayor know that we have a vacancy?

Mr. Ron Wuerth – I can do that; I talk to him just about every day, I'll discuss it with him tomorrow.

Commissioner Tutt – We'd appreciate it.

**B) Planning Commission Discussion and Concerns:**

Vice Chair Boniecki – I would like to just say thank you to all of the volunteers of our city and we had a very nice appreciation dinner. Happy Memorial Day.

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

14. ADJOURNMENT:

MOTION:

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

The meeting was adjourned at 10:25 p.m.

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Merle Boniecki, Vice Chair

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Warren Smith, Secretary

Meeting recorded and transcribed by  
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