

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on May 8<sup>th</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:

Sultana Chowdhury  
John Kupiec  
Claudette Robinson  
Michelle Tutt  
Delwar Ansar  
Mahmuda Mouri, Assistant Secretary  
Warren Smith, Secretary  
Garry Watts, Ex-Officio

Also present:

Michelle Katopodes – Planner III  
Mark Gorbett – Planner I  
David Crabtree - Temporary Office Coordinator  
Mary Michaels - Assistant City Attorney  
Patrick Conlin - Communications Department

1. CALL TO ORDER:  
Assistant Secretary Mouri - Calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

MOTION:

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

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES April 24<sup>th</sup>, 2023:

MOTION:

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

Secretary Smith – I'd like to recognize our Ex-Officio here tonight, Garry Watts, thank you for being here.

6. PUBLIC HEARING ITEMS:

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

Secretary Smith – We have a nine member Board, we don't have a full Board so if you want your item to be heard by a full Board it can be postponed to the next meeting. If your item is heard tonight any decisions we make this evening will be final.

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 Ihrle). **Postponed from April 10<sup>th</sup>, 2023.**

PETITIONERS PORTION:

Mr. Robert Ihrle – Good evening to the Planning Commission, my name is Robert Ihrle I'm legal Counsel for Mr. Bahri. My address is 24055 Jefferson, St. Clair Shores, 48080.

It is my privilege to appear before you on behalf of Mr. Bahri. Mr. Bahri owns property at the address where he presently runs a company called Hydro Depot. It's a gardening supply company that provides materials to anybody that wants to do gardening, but it's not secret that he also supplies materials to those who may be involved in the cannabis industry as well, which of course is legal in the State of Michigan.

I know the Planning Commission has received the report and recommendation from the Planning Department and I have had an opportunity to look at the recommendation. The plan that was submitted to the Planning Commission according to the Planning

Department needs a small amount of attention. It has somewhere in the area of 20 or 25 recommendations, I should note that the Planning Department recommend approval of this request should my client wish to meet the conditions that were set forth. Those conditions are detailed in the recommendation, I'm sure the Planning Commission has this. So once we received this recommendation of approval with these conditions I met with my client and I met with the engineering company that did the site plan (inaudible) okay I think I'm back on, and went over the recommendations one by one and my client believes as does the engineer that we can meet 100% of the recommendations of the Planning Director Mr. Wuerth or the Planning Departments.

As this body is well aware there has been some opposition to the development of Hydro Depot primarily by one or more of the neighbors. I would just indicate that my client has done, I believe, the best that can be done pretty much meeting the concerns of the neighbors 100%. As the Commission can see all of the delivery traffic must come off of Eight Mile Road or empty onto Eight Mile or come off at the very beginning of Le Fever. There will be no truck traffic or delivery traffic that will go down Cunningham, there will be none that will go down Le Fever. The Planning Commission made a number of recommendations with respect to foliage that would make the location look as good as it could possibly look.

I might indicate that there was concern by a homeowner that lives on the east side of Cunningham that the home that had been there and had been demolished, she was unhappy about that. That property, if this is approved tonight, that property is going to have a beautiful berm with four or five juniper trees and with eight or ten bushes so that rather than looking out on what might be something that would be not attractive my client has agreed to place those bushes and those trees in there so she will look out on attractive foliage.

I would also share with the Commission that my client actually, he can't get a permit for it yet I don't believe, well I think he can get a permit actually. He actually has been approved to substantially improve the façade of the building. This is Mr. Bahri by the way, and he has brought plans that have already been approved to make the façade of the building much more attractive and much more beautiful. All of the things that will happen if this is approved. The parking lot is going to be essentially redone, some of it might just be resurfaced but I believe much of it is going to be redone as well.

My client has been accused of a number of things which I tried to be patient during those accusations I anticipate that they may come again tonight. Accusations that he made threats to people, and I just want to indicate that my client and I categorially deny that anything like that has ever happened.

Mr. Bahri owns many, many, businesses most of them are in the City of Warren, he owns a company called Detroit Natural Selections Enterprises, which is a retail facility, Detroit Natural Selections Property, which owns the property that company leases. Herbal Wellness Center LLC., which is also a retailer, Sozo's Pros Inc., which is also a retailer, Eight Mile Pros Inc., which is Hydro Depot that we are here for tonight. He owns 4545 Eight Mile which owns the property and is the lessor of that property. IDP Holdings, which is a marijuana processor which is also in the City of Warren. He owns Kenny Pros LLC, which is a Class C grow facility also in the City of Warren. He owns Stephenson LLC also in the City of Warren. He owns Groesbeck Pros Inc., which is also in the City of Warren, a class C grow operation. He owns 22550 Nagle LLC also in the City of Warren, which is a property owner the lessor of one of his other properties. Hoover Pros LLC in the City of Warren.

There was some concerns that he was a bad person because he had a business that as I recall the last time I was here at least that was called Big Dix's Pros LLC. What wasn't said was that business is on Dix's Road, D-I-X and was not anything that was profane or foul but just a comment that was used to disparage my client. He owns 313 Ventures LLC, which is a retailer, Applied Retail Solutions LLC, which is also a retailer in Ypsilanti, he has businesses in Ypsilanti, Lansing, and Warren. And I might indicate if the Planning Commission has any concerns about my client as a businessman, all of the businesses and operations that require a State License are State Licensed and had to be approved by the State of Michigan. All of them that are operational had to be approved by the City of Warren as well, the ones that require approval and they have all been approved if approval was required.

My client is a law-abiding citizen, he has no drug charges, he's never had a DUI, no felonies on his record and none of his businesses to the best of my knowledge have ever been sued. So I would ask the Commission to consider those facts in making a decision on whether or not to approve this site plan tonight. As I indicated he has done everything he can possibly do to make sure that the neighbors are not inconvenienced, of course this property is on Eight Mile Road it

is a C2 property for the most part. He is going to have to go to the ZBA for a couple of variances, one is a use variance for some parking property, and one he may need six parking spot waivers and he is and will of course do that. Also there was a recommendation with respect to a performance bond that is a little bit higher than what he thought it would be. I've spoken with him and he said he's fully agreeable to post a performance bond that was recommended by the Planning Department.

So tonight we have a plan that was recommended for approval by the Planning Department. All the recommendations that have been recommended by that department my client 100% agrees to. He looks forward to rehabbing the property and making it look very nice on the outside facing Eight Mile Road and I think this will be an enhancement to Eight Mile Road. Hopefully a profitable business and another business that Mr. Bahri has chosen to invest in Warren. That's pretty much all I have to say tonight, if the Commission has any questions I'm happy to answer them, and if I can't answer them Mr. Bahri will step to the microphone and answer them.

Assistant Secretary Mouri reads the following correspondence:

**TAXES:** Current.

Ms. Michelle Katopodes reads the recommendations of the Staff:

PUBLIC HEARING:

Ms. Holly Fabian – I will do my best to keep this within three minutes. As far as the character of Mr. Bahri I can honestly tell you I'm not concerned about how many other buildings he's had, could I please remind everybody, although I know this extreme, but we all know that John Langasee (sic) was voted man of the year and actually has his picture taken with the first lady, but he still murdered 33 kids. The point I'm making is because he owns a bunch of buildings does not mean he's a good neighbor.

Ms. Lori Harris decided on Saturday to try and get some extra neighbors to come in and when we come out Ms. Lori got to experience firsthand what I get every day. She said she would like to get a couple pictures of the parking lot when we started to walk over and immediately four of his employees were right at the backdoor and what were they doing filming us, not a joke. I started to laugh and she looks at me and says they're filming us, I said yes. All we had to do was walk out of my driveway and in that direction,

I'm sorry would you guys like to be walking out the front of your door and have guys filming you. I don't know why they're filming me I've never been arrested, I've never broken the law, I've never done anything for this man to be offended by me. But here I am with him filming us because we just want to take a couple pictures of the parking lot. So when he's yelling he's done everything to make it good since you saw us last they now have come all the way to the fence on the Cunningham side and the stuff is piled at least 2 feet higher than the six foot fence, you can't see anything. Where he's saying we are going to make this beautiful in the front, we are in the back, I'm the neighbor in the back and I don't want to see this, I don't want to look at this junk.

While we were there taking pictures, I pointed out that their dumpster was once again wide open and when I left to come here it was wide open. They just leave it open so if the wind blows I get all their junk in my yard, Ella gets it in her yard and I'm going to venture the distance from here to that peak is about 10 feet so if they are going to come within 20 feet of the fence I'm going to tell you right now they are not going to be mowing the lawn in there and they are not going to clean it. It's going to become a bigger junk pile as well as the fact that you have people speeding up and down the street that work there.

And the Tabernacle, are you aware of the fact that there are children that go over there to that school and you now want to move that parking lot and butt it right up next to those kids, that's a wonderful thing for the kids to be around semitrucks. All they are going to do is pile more crap, I know it is stuff that they are selling but it is just too much for that corner just go to a different location. Thank you.

Mr. Gary Rinko – Hi my name is Gary Rinko I live at 20835 Le Fever. First I'd like to talk about the trucks, they have not settled the truck issue yet. About three weeks ago I was awakened at about three o'clock in the morning and there was a big semi and trailer driving south on Le Fever. I looked out my front door and they pulled into the parking lot of Hydro Depot, so there's still a problem with the trucks.

As far as them needing more space wouldn't it be better for everyone if they found and moved to a different larger location instead of moving a residential neighborhood. That's it.

Ms. Lori Harris – I went and looked at the plans at the Planning Office and I don't know about you but semitrucks are big, I'm not sure how they are going to turn around in the parking lot on the west side of their building. That was the one thing that distressed me immediately, that is not practical. Like Holly said we were there, the last time I was there there wasn't as much outdoor stuff and I'm not sure that they even have permission by ordinance to store any of that stuff outside. The entire area behind their store above the fence two to three feet is supplies. If they are going to move it back into the neighborhood and pour concrete into the next home that will never get reversed.

What I want to remind you is you are not a rubber stamp for any recommendations that the Planning Commission makes. The Planning Commission only has to tell them where to have curbs, how to have the parking spaces, how to have drainage, you don't have to approve it. You've heard from the neighbors long enough and several times, this is a bad neighbor. It doesn't matter how many companies he has, if I had more time I could have done a deeper dive into what's really going on with all of his companies. I think if someone owns 17 companies or has 17 LLC's in his name he probably has the resources to move his business someplace larger and more practical than in a neighborhood. I don't know how you notify all those semitruck drivers just don't go down those streets, you probably don't, they are going to turn where they want to turn. I think it's impractical. If you haven't been there shame on you, if you've been there you should be appalled to what's happening in that neighborhood. Thank you.

Ms. Nicki Becker – My name is Nicki Becker and I live on Cunningham. This issue has been before this committee before on a couple other occasions and it was voted down. My question to you is if this was your neighborhood would you want a facility that's selling and having semitrucks coming down your streets. If he wants go move this into a commercial area where the street is made for commercial vehicles, our street is not made to handle semis. So when the street gets all busted up because of semis who's going to pay for that. Do you want your kids to see that stuff, I know I don't want mine. We have some kids in our neighborhood already that are at that age where they are trying to decide what kind of people they are going to become, and this is going to confuse them. There are people standing outside the facility already smoking, I was just down there and I could smell marijuana. I know it's legal but do I want kids in the neighborhood that are having difficulties facing

being teenagers, being confused with something that's allowed, I don't.

Already the police don't come down the street when we get upset and we call because somebody is racing down at 70 miles per hour. I was in my living room just yesterday and I heard a vehicle at a fast speed. By the time I looked out my window that vehicle was already five or six houses down, that's a high speed, all I had to do was turn my head and move my curtain. The weekends are really bad. There are rules about grow facilities why aren't there rules for these kinds of facilities? The next thing you'll know he's going to decide he doesn't want to be Hydro Depot he wants to be a grow facility and then we'll have to deal with those kinds of people a dispensary.

I've gone down that one street and there's five dispensaries on it and some of the people coming in and out of the vehicles I don't want in my neighborhood. There are kids in our neighborhood. We want them safe we don't want cars traveling at high speed, we don't want semis tearing up our road and possibly hitting someone. They leave their gates open all day, it's just not a good situation, there's plenty of places where they can go and move this facility where it's commercial property already. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – It was nice to see that you received a copy of the recommendations and that you're willing to speak on behalf of your petitioner, and you're saying you can live with all the recommendations?

Mr. Robert Ihrle – Yes sir.

Commissioner Kupiec – One correction I believe has to be made on the bond, it should be a \$100,000.00 dollar bond with \$3000.00 cash, I believe that's what it should be.

Mr. Robert Ihrle – I think the Planning Department thought that the amount of the work based upon what they see is \$35,000.00, I'm not sure how they calculate the bond?

Commissioner Kupiec – It's 3%.

Mr. Robert Ihrle – Okay.

Commissioner Kupiec – You heard all the things the neighbors had to say and I don't know if there's anything you can do to make the neighbors feel more comfortable with your operation to satisfy them. Obviously, it's not as easy as it sounds to move a business because there's a big investment involved, there does seem like there's an effort to improve things. On behalf of the neighbors is there anything on the backside of the business that you could do to make it look a little more pleasurable and less of an eyesore. What are your hours of operations?

Mr. Vinson Bahri – The hours of operation are 9 a.m., to 7 p.m.

Commissioner Kupiec – And how many days a week?

Mr. Vinson Bahri – That's five days a week, on Saturday it's 10 to 7, and on Sunday it's 11 to 5.

Commissioner Kupiec – Do you accept deliveries from big trucks like semis after 5 o'clock?

Mr. Vinson Bahri – Not really, usually they are all before five.

Commissioner Kupiec – So is there any reason for the trucks to be coming there?

Mr. Vinson Bahri – No.

Commissioner Kupiec – You have the neighbors claiming that they do, but that's something you can't control. It could be a truck driver from out of town looking for the location for the morning delivery, it's hard to tell.

Secretary Smith – Could the people in the audience please hold your comments you've had your chance to speak, let us do our job. Thank you.

Commissioner Kupiec – I would like to suggest that you do everything you can to try and satisfy the requirements of the neighbors, make it a pleasurable operation, if you can. Keep it clean and within our specifications and with the recommendations of the city because we will be watching you. I will support the \$3000.00

cash bond. With that I can feel what the neighbors are saying I've seen some of it, some you can control and some we can't all I ask is you do the best you can. Thank you.

Commissioner Robinson – I have a concern, I can appreciate the owner with the improvements to (inaudible) the expansion here, but my main concern is with the expansion and technically you're running a 7 day operation. If you open on Sundays from 11 to 5 and then Saturday 10 to 7, so you're running a 7 day operation.

Mr. Vinson Bahri – There's no deliveries on the weekend.

Commissioner Robinson – With the outdoor retail sales it's going to create more traffic and along with more traffic comes more vehicles and more people. I kind of feel that it's going to create more of an encroachment into the residential areas with the outdoor sales and expansion. I think it's beautiful the way that you have improved the area but I think this is going to create more of a problem for the residents who are neighboring this business, so I'm not in favor of it. I think it needs to be placed somewhere else away from the neighbors. That's my thought.

Mr. Robert Ihrle – Mr. Chair am I allowed to respond?

Secretary Smith – We are having discussion right now, well what would you like to say sir?

Mr. Robert Ihrle – I was just going to indicate that the property where the house was taken down across from the neighbor is not going to be built upon. As I indicated it's going to look nice with foliage and if there ever is an opportunity or if there ever is going to be a request to build upon it that would have to come back before this body. As my client said the deliveries are not after 5 o'clock and not on the weekends. There certainly are many businesses on Eight Mile Road that have deliveries like fast food restaurants. I anticipate that my client will do everything that he can possibly do to make this a peaceful operation for the neighbors. Thank you.

Commissioner Chowdhury – Have you guys thought about the cleanup of the storage that's outside that's concerning the neighbors, what plans do you guys have in place for that?

Mr. Robert Ihrle – Are you asking about the dumpster?

Commissioner Chowdhury – The dumpster and all the other stuff that's piled up in the back.

Mr. Robert Ihrle – The dumpster should be closed; I forget what number it is here but the site plan that you have in front of you shows the dumpster in the northwest corner. The recommendation is that the dumpster be brought within the area where there will be storage, it won't even be seen by anybody even driving by. It's going to be covered and surrounded, the opening is going to be facing his building in the area where there will be storage and or outdoor retail sales. He will have a vested interest in keeping it clean and keeping it attractive for his own customers.

Commissioner Chowdhury – Is there a full check done at the end of the night when the business is closed?

Mr. Robert Ihrle – What kind of a check?

Commissioner Chowdhury – Just a thorough check to make sure the dumpsters are closed, and everything is in line with the compliance of the area before you leave for the day?

Mr. Vinson Bahri – Yes, we can have our guys walk around and make sure the dumpster is closed.

Commissioner Chowdhury – That would really help.

Mr. Vinson Bahri – I'm sure it's always closed at nighttime.

Commissioner Chowdhury – And how about the outside storage that you have out there are you going to be moving that inside the facilities or is it going to be stored outside?

Mr. Robert Ihrle – There will be some storage outside, there is some concern that maybe it was above a certain level I don't know if there is a requirement, I imagine there is a requirement to only go so high. My client is very cognizant and wants to abide by the codes. In all his other businesses I don't believe he's ever received a code violation and if there is a height limitation, he will of course live within it.

Commissioner Chowdhury – I understand he owns other businesses and other facilities, but we are talking about Hydro Depot right now and we want to make sure he's up to code with everything on this.

So if it's an issue with storage and things like that maybe he needs to relook at the code to make sure that he's adhering to that.

Mr. Robert Ihrle – He will.

Secretary Smith – Ma'am as I stated before this is between the petitioner and the Board right now and we'll handle the situation as we see fit. Thank you.

Commissioner Chowdhury – I have one more question, I'm not sure how this works with the city I know they keep saying that trucks are going down the streets and things like that, is there a truck sign that we can look into putting up that no trucks are allowed on that area of the road, that was just a thought to help the traffic.

Commissioner Ansar – A Commissioner asked you if you deliver on Saturday and Sunday and you said no, right, no deliveries on Saturday and Sunday's?

Mr. Vinson Bahri – Yes, we don't get deliveries on Saturday and Sunday.

Commissioner Ansar – I'm asking you a specific question, there will be no deliveries on Saturday and Sunday?

Mr. Vinson Bahri – Yes, it's very rare we ever get deliveries.

Commissioner Ansar – So your trucks will be working from 10 to 5 o'clock?

Mr. Vinson Bahri – No it's 9 a.m., we open at 9 a.m.

Commissioner Ansar – So before 9 a.m., there will be no deliveries?

Mr. Vinson Bahri – Yes, the store doesn't open until 9 a.m.

Commissioner Ansar – Okay so that was my question, you commented that Saturday and Sunday there will be no deliveries?

Mr. Vinson Bahri – No we don't have any forklift guys on Saturday and Sunday.

Commissioner Ansar – Okay thank you.

Commissioner Chowdhury – I have one question, you're saying that it's very rare, what do you mean very rare on Saturday and Sundays, sometimes have you had that in the past?

Mr. Vinson Bahri – Maybe one out of 30 or 40, it would be very rare.

Mr. Robert Ihrle – What he indicated is that deliveries when they come with a big truck they require a hi-low to lift them off and they don't have hi-low drivers working on Saturday's or Sunday's.

Mr. Vinson Bahri – We don't have staff to unload.

Commissioner Chowdhury – Well then you shouldn't have deliveries on Saturday and Sunday's even on a rare occasion if you're not staffed.

Mr. Vinson Bahri – Usually the truck companies, the suppliers, don't open on Saturday or Sunday but on a rare occasion a truck shows up on Saturday.

Commissioner Chowdhury – Then it should be denied if they come on a Saturday and Sunday.

Mr. Vinson Bahri – We can do that.

Commissioner Chowdhury – Yes, I think that should be done, thank you.

Secretary Smith – Ma'am please, ma'am please. I've been watching the property for a while and I know the concerns of the neighbors have been going on for quite a while, this whole project has been going on for quite a while. I've driven by there quite a few times and one thing that startled me the last few times I've been through there is you have a semi-trailer truck in the parking lot over there, that's a big truck it doesn't have a trailer on it but it's the cab that shouldn't be in there. The other problem I have with the new plan is you're unloading and loading along Le Fever and you moved the dumpster in the northwest corner right by the Tabernacle. You want to have a cut out in the driveway next to their driveway where you could have entrances coming in for that dumpster. I don't like the plan, it seems like you're pushing more back into the neighborhood and in the past he hasn't worked with the neighbors, it seems like he's pushing more and more into the neighborhood I have a problem with it, I really do.

Mr. Robert Ihrle – Those concerns have been rectified by the recommendations and the dumpster is going to be moved and there will be no curb cut close to north on Le Fever that’s recommended against, and we agree with that. And we also agree with the moving of the dumpster into his area as opposed to the northwest corner, so both of those concerns have been changed.

Secretary Smith – Alright thank you.

Commissioner Kupiec – I’d like to make a recommendation to the committee that we put a time limit on deliveries. That no deliveries shall be made before the opening time in the morning or the closing time in the evening they are only during business hours. Make that part of the recommendation.

Commissioner Ansar – Also on the weekends on Saturday and Sunday, no deliveries.

Secretary Smith – That was a motion by Commissioner Kupiec, Assistant Secretary Mouri do you support that?

Assistant Secretary Mouri – I do, and I want to make sure we include the \$3000.00 cash bond in the motion.

ROLL CALL:

The motion carried as follows:

Commissioner Chowdhury..... No

Commissioner Kupiec..... Yes

With the change in the bond and no deliveries before or after hours of operation

Commissioner Robinson..... No

Because the neighbors have been dealing with truck traffic coming up and down their street for years. I think we need to put ourselves into their position. Apparently, you can’t control what the truckers do but they are up and down the street and that is horrendous to live in that type of situation. Maybe they have been ticketed I don’t know if the police are there to control that, but I think with the outdoor sales it’s going to increase your traffic more with more deliveries I just think it’s going to create more of a problem for the residents, so I’m not in favor of it.

Commissioner Tutt..... Yes

In effort to be a good neighbor with the changes made and keeping the deliveries within business hours not before or after business or on the weekends and the increase of the bond.

Commissioner Ansar..... No

Assistant Secretary Mouri..... Yes

I believe with the new changes and recommendations that were provided, if they're followed, I think it could work.

Secretary Smith..... No

I don't see how this is going to benefit the neighbors, I know they say they are going to try and do things and they are going to try to do this and that. It's been years and they haven't done anything; it seems like they are moving more and more into the neighborhood and I just don't like that.

Secretary Smith – The vote is four to three, so it doesn't pass.

Ms. Mary Michaels – Mr. Chair, under 8.4 if five votes are not received it is postponed until the next meeting. If it does not pass by five votes at that meeting then it's considered denied.

Secretary Smith – Okay, because it's a four to three vote it has to be postponed until the next meeting and be voted on again.

Ms. Mary Michaels – Under 8.4 of the rules.

Ms. Michelle Katopodes – Additionally for anyone that said no there should have been a reason given, I wanted to point that out.

Secretary Smith – We gave our reasons. It's postponed until the next meeting because we didn't have a five-member vote either yes or no. The next meeting date is May 22, 2023.

- B. SITE PLAN FOR NEW 37<sup>TH</sup> DISTRICT COURTHOUSE BUILDING:  
Downtown Center, Gateway Neighborhood; located on west side of Kennedy Circle, between Common Road and Court Street; 8300 Common Road & 29900 Civic Center Drive; Section 10; City of Warren DDA Police & Court (Tom Bommarito); PSP230010.

PETITIONERS PORTION:

Mr. Henry Pittner – Good evening I am Henry Pittner with BKV Group representing the City and the DDA on the property. I wanted to give a quick presentation, I believe you have that in front of you. What we wanted to get through quickly is a description of the project so you have a better understanding overall of what we are trying to

do and what the required variances are as the Planning Department has already put together for you, a quick overview of the site concept and the exterior images.

The reason for this project is the existing courthouse has been around a long, long time it's served the community very well, but at this point it's physically, functionally and operational obsolete. So a solution was required from the City Council. We were hired to take a look at the property to see how we might utilize that and to put a new courthouse on that. As you look at that existing courthouse there's really no way to renovate it or do any of the things through the code issues that they have the separation of circulation is nonexistent in the public spaces. The court as it stands does not meet the current requirements of the State of Michigan on the court standards.

Next slide please. So what we are proposing overall is a new three story building that is state of the art it has all the separations the parts and pieces that comply now with the State's standards overall. We are looking at having a similar entry from the parking structure that kind of goes up between the courthouse and the existing police station. We are looking at a timeless durable type of building exterior image so it has the feeling that it is a judicial facility in a modern timeless way. It's going to feature a lot of daylight for the public so there's transparency to the courtrooms through the corridors. And we will also have daylight in the key spaces like the courtrooms and things like that, a lot of them are now in the lower level that get no daylight at all. So those are the key features we are looking at.

Next slide please. There's a whole list of pieces in the recommendations for the variances. The thing to know is that this parcel of property has never really been zoned for anything but the police and the courts, although your zoning ordinance doesn't reflect that it reflects housing and a component to that. So we can't comply with virtually anything on that so that's the reason we are in front of you today to go through that. All of these points reflect some of that as we go through it.

Next slide please. The site plan itself, there was a question from the Planning Department about Court Street and the connection coming through the parking structure area. We are intending to take that portion of the street so that people can continue to make the loop as it is, and kind of separate that from the entry point on the northwest corner of the parking structure. The parking structure will remain as

it is in both of the corners, we will address the safety and security of the campus of the police station no vehicles coming through that area. It will be easy to get from the parking structure right up to the courthouse, it also happens to be the same route that takes you to the police station so the public will be well served through what we are doing. The small picture that's on the right of the diagram kind of shows that throughway and where that connection is.

Next slide please. The exterior imagery is really about durability, a lot of stone, a lot of glass all the way around it. Areas that don't have stone or glass are aluminum in the dark color that would include any mechanical, there are a lot of mechanicals in the lower level that need air to get in and out. It has a consistency to it and should look really nice as you come through there, you can see all the materials that are on the right so it should look good.

Next slide please. We thought we'd show you some three D imagery just to get an idea, so these are organized from top to bottom as you're looking from left to right. So the upper left side for example pretend your standing on the top deck of the parking structure looking towards the entry, so you'll see the sidewalk that comes through it will be flat it won't have that huge hill that's there now and we will make that up with a ramp at the end for accessibility purposes. There is a nice crossover that gets everybody over to the police station appropriately, so that will be the way that is. When you look at the picture right below that that's kind of the entry way so it has what you would expect in a courthouse, stairs coming up, some columns. The upper right we are going to go counterclockwise around the building, as it goes to the upper right there's that aerial view of that. (inaudible) two on the north, two on the east kind of looking into the middle so that's the view you're going to see from that area.

Next slide please. Then continuing around the back to where the staff parking is on the upper left photograph there. It's the exact location of where the staff parking is now but we've taken some of the area where the police parking is on the north. On this side it's a three-story volume whereas on the public side it's a two-story volume because of the grades going up, so we are maintaining that. The last few on the right is kind of on the northwest corner looking from the police station over to the courthouse so you kind of see the relationship and the view of how that happens. So that's kind of a quick overview of what we have for you today. Thank you.

Assistant Secretary Mouri 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 condition (s):

1. Site plan shall show and identify the location of all existing and proposed underground utilities including size, connection, and discharge point in the vicinity of the project.

**FIRE:** Approved.

**COMCAST:** It appears Comcast has facilities that may be affected by the construction of the courthouse building. We are including them on this reply to alert them to a potential need to move or wreck-out their cables and equipment, or otherwise protect them from damage during construction. The Comcast construction coordinator to which this will be assigned will work out those details with the contractor that is building the courthouse.

**MCDR:** No Objection.

**MCPW:** Please be advised that this letter is for comment on right of way and drain easements only. It appears there will be no work within a county drain easement, therefore this office would have no objection to the proposed building. However, prior to the site plan approval, any project that impacts a county drain shall apply the Macomb County Public Works Office design standards. Please note that a formal plan review and approval by the engineering and soil erosion departments from this office will be required prior to construction.

Ms. Michelle Katopodes reads the recommendation of the Staff:

**PUBLIC HEARING:**

Mr. David Metzler – Good evening I'm David Metzler I'm at 29567 Park Place Drive directly across from this area. I had a couple of concerns, we had issues in the area directly south of there it's typically used as a staging area and we want assurances that there won't be a lot noise in that area. I should also state I'm also the Vice President of City Center Square #6 Condo Association, which is directly east of the property. The parking lot directly south of the courthouse is in a position where it reverberates back towards us as far as noise. We've had several different projects going on there with a lot of noise, so we would want assurances that it would not be conducted during the off hours.

Also, as I understand it, towards the right there, that picture is Kennedy Circle, so this would not have an entrance near Kennedy Circle is that what I'm understanding, I don't know if you can answer that question, that's my concern with that.

Our concern also is we don't have any inmates that would be released in that area, which sounds like that's covered. I just have the concern of the noise level because like I said we've had multiple projects where there's noise at 4, 5, at 3 in the morning sometimes and we don't want to have that noise. Obviously everybody that's been in the city knows that the court needs to be replaced but it is also a situation where we have to have our livability as residents in the area, so we just want to make sure that the project is conducive to that. There are other neighbors here to speak I just wanted to give my two cents, thank you.

Mr. Richard Marecki – Good evening I live at 29711 Park Place Drive. My concern is parking, will they be parking on Kennedy Circle on the side of the building? And another thing, when court is in session, they are using the parking lot plus the field that's next to it for parking. My concern is there's dust and everything else that comes from there, are they still going to use that? Is it going to be a three-story building? That's all I have to say, thank you.

Ms. Susan Reynolds – I live at 29887 Kennedy Circle and Park Place Drive, so we have that right across the street from my front door. I'm also concerned about parking as Richard said, we already have an overflow of parking across the street and sometimes on our road and looks like a lot of parking will be taken away from this. Right now there's four lanes of parking and it looks like it's going to be two lanes of parking in the picture that's on the screen. So if they are taking away parking that would be a main concern for me, I don't want to have more people parking on Kennedy Circle making it harder for us to drive down that road. Thank you.

Ms. Lori Harris – I want to say I think that it's lovely, it's really impressive. We need a new courthouse and I think it looks lovely and regal, thanks.

MOTION:

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

COMMISSIONERS PORTION:

Mary Clark CER-6819  
May 8<sup>th</sup>, 2023

Commissioner Kupiec – I'm sure that you received a copy of the recommendations, and you seem like you are interested in completing them keep them as stated. Make sure you keep a copy of the recommendations close by and if you have any problems get a hold of Mr. Wuerth. It is a beautiful looking facility and long overdue, we've heard about all the flooding at the courthouse, and it's been pretty embarrassing.

The neighbors did indicate the noise, that's something that's kind of hard to control because you have independent contractors coming on site, all you can do is ask them to ask them to keep the noise down. Make sure it's reasonable hours if they have to start early and work late. Other than that it looks like a beautiful project, when do you think it will get started?

Mr. Henry Pittner – We have the Zoning Board of Appeals to go through and then City Hall then we'll begin schematic design of the project with the team.

Commissioner Kupiec – How long do you think this will take?

Mr. Henry Pittner – We'd expect by the end of the year to be completed with the drawings and bidding early in the winter January and February and hopefully breaking ground in March or April.

Commissioner Kupiec – And during this time you'll continue to operate at the old court?

Mr. Henry Pittner – Yes, they will continue operating, that's part of the reason we are wrapping around it so we can continue with the entrance which is on the west side coming in. So all of that kind of is the same and then the building wraps itself around it appropriately.

Commissioner Kupiec – We've got to make sure we keep those court doors open so we can bring those tickets in there and keep our taxes down, I'm just kidding you. Like I said it's a beautiful operation and I look forward to seeing it come up.

Commissioner Robinson – When this project gets underway and maybe 80% constructed, the demolished of the current structure what is going to be there? Any plans for that vacant land once the old courthouse is demolished?

Mr. Henry Pittner – What's planned and shown currently in the concept is it's going to be a terrace a front entrance to the building as you go up, because there's quite a bit of height differential right now and it's really good for us for security to continue to maintain that height and to keep our new entrance the same height as the police station so that they all fit together. So when you're looking from the public's side it's a two story, but if you picture the roof still being at that same height when you go along the east and the north side it becomes a three story volume at that time.

Commissioner Robinson – So it will be conforming with the police station?

Mr. Henry Pittner – Correct.

Commissioner Robinson – That should look nice.

Mr. Henry Pittner – To clarify, there will be no parking on Kennedy, our parking lot is adjacent to Kennedy that berm that exist now with the trees we are going to maintain all of those, and the parking lot is in the same exact location basically. Then the area that's south of the courthouse that is not part of our project I know it's being used in different ways but do realize the court standards require that the staff parking is secured so there will be a fence that goes around and they'll have a great entrance to get in. So they won't be parking in different areas anymore because they'll want to be safe and secure.

Commissioner Robinson – They'll be secure in there?

Mr. Henry Pittner – Yes there will be a secure fence and access in and out.

Commissioner Robinson – I'm looking forward to it.

Secretary Smith – Good evening sir, I did notice on the drawing you have some retaining walls, 2 ½ foot retaining walls going up?

Mr. Henry Pittner – Yes.

Secretary Smith – The second one from the new building coming down the elevation is wrong on it, the other ones are running like 621 feet on the elevation and on that particular one it's 821 feet so that needs to be changed on the drawing.

Mr. Henry Pittner – I will check that, thank you.

Secretary Smith – And I believe the purpose of the retaining walls because of the slope going up is to kind of hold the soil to keep it in place.

Mr. Henry Pittner – That is correct, yes.

Secretary Smith – And the one thing that I noticed because one of the thoughts in my mind also was the flooding that we had in 2014, I did see you put an underground storage, retaining system underneath there.

Mr. Henry Pittner – We assume, we haven't done the calculations yet since it's very preliminary at this point but that's the next phase of the project, is to be sure we cover that. We are showing, I believe in the parking lot on the east side of the property underground storage there. I don't know to what extent that is at this point.

Secretary Smith – Thank you sir, it looks like it's going to be a great project we are excited to see it come to fruition. I hope I don't have to go to court for anything, but I will drive by and look at it.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR BUILDING ADDITION FOR MIXED USE REDEVELOPMENT: Downtown Center, Urban Neighborhood; located on the east side of Van Dyke Avenue; approximately 160 ft. south of Civic Center Drive N. 30130 Van Dyke Avenue; Section 10; Warren 12 Prop 3 LLC/Nicholas Lavdas (Ivanovic Construction Inc./Dan Ivanovic). PSP230012

PETITIONERS PORTION:

Mr. Dan Ivanovic – I'm the General Contractor and Architectural Designer working with Mr. Nick Lavdas who many of you may know.

He owns many properties and businesses here in Warren and he maintains them in an impeccable condition along with his reputation. I can also assure you from previous professional experience Mr. Lavdas does not take any shortcuts and takes great pride in developing, renovating and maintaining all his properties.

This particular site falls under the urban neighborhood zoning it is a very stringent and challenging ordinance and this is the site that's directly across from the Tech Center it used to be an old Bally's building. It's been this way for quite some time because of the ordinance and the restrictions put on it. So they are proposing a multi-use facility in its place we are going to renovate this project. I believe this design incorporates all of the elements and captures the essence of the ordinance by catering to both pedestrians and vehicular circulations. Along with creating a great social environment by providing exterior patio for congregating and also providing a direct path for the pedestrians from the sidewalk to the building.

It also provides elevated departments through balconies and luxurious living accommodations. We believe that this building is very elegant and very attractive, it will serve the community very well. Tonight we are here before you as we have recommendations from them to go forward with this project, we are excited about bringing it back to life.

Assistant Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**MCDR:** No Objections.

**MCPW:** This letter is for comment on right of way and drain easements only. It appears there will be no work within a county drain easement, therefore this office would have no objection to the proposed building addition. However, prior to site plan approval, any project that impacts a county drain shall apply the Macomb County Public Works Office design standards. Please note that a formal plan review and approval by the engineering and soil erosion departments from this office will be required prior to construction.

**COMCAST:** No Conflicts.

Ms. Michelle Katopodes reads the recommendation of the Staff:  
Item 6 (2) – Strike - The concrete curb line shall then continue west following a 20 ft. radii and a 30 ft. radii to a concrete curb line setback 3 ft. from the south property line and stopping in line with the

exiting building to the south. The entire line of concrete curbing defines the limits of the maneuvering lanes and parking spaces on the site. We met with the petitioner and his rep today and we are modifying the statement to indicate the curbing will stop around the existing trash enclosure and up to the petitioner's property line. Initially this was written to continue onto the adjacent property, but we are modifying it to stop at the property line.

PUBLIC HEARING:

Mr. David Metzler – Good evening again, 29567 Park Place Drive. I really appreciate that there's a lot of parking with this area. My only comment is in general and it's more for the Mayor that this would have been a great place to have a hotel. It's too bad the city couldn't have bought the property and the Mayor could have had his hotel. Just a thought, have a good evening.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – I take it you have received a copy of the findings and recommendations?

Mr. Dan Ivanovic – Yes.

Commissioner Kupiec – And you agree with all of them?

Mr. Dan Ivanovic – Yes.

Commissioner Kupiec – Is there any problems that you can see?

Mr. Dan Ivanovic – No, there's some additions we discussed with the Planning Department. My client and I are willing to do whatever it takes to bring this building to life.

Commissioner Kupiec – Historically Mr. Lavdas has been known to do a class act in whatever he does so lets hope he follows in this one. When do you think you might get started?

Mr. Dan Ivanovic – We still have to go through the zoning and then submit the plans so hopefully by the end of this summer.

Commissioner Kupiec – Do you have occupancy in that building now?

Mr. Dan Ivanovic – No.

Commissioner Kupiec – So it looks like you're leaning towards a gym type environment, a fitness center?

Mr. Dan Ivanovic – Okay thank you, we look forward to seeing it.

Commissioner Robinson – I think this is going to fit in to our downtown development whenever that gets on board. One of the items on here is indicating you would have a 24 hour residential access or something in that regard, can you elaborate on that?

Mr. Dan Ivanovic – Yes that's the apartments, we have apartments up on top and we have the residential access from the north side. If you look at the site plan the landscape area is by the dumpsters and that walk widens there, there's access there to the elevator and the staircase to go upstairs to the apartments.

Commissioner Robinson – It says around the clock urban pedestrian lifestyle, so when you say pedestrian lifestyle?

Mr. Dan Ivanovic – That's at the front of the building at the west side, you see where the city walk is we have a nice, landscaped path from the city walk directly to the building with the walk path. That would tie it into a 7 foot front wall with the landscaping and outdoor seating areas. So we are trying to incorporate bringing the pedestrian traffic into the building verses just vehicles we are trying to cater to the pedestrian traffic as well, kind of a European style.

Commissioner Robinson – But when you say around the clock is that 24 hour access?

Mr. Dan Ivanovic – It's not around the clock, it's just business hours.

Commissioner Robinson – So it's going to have limited hours, okay that clarifies that then, thank you.

Commissioner Chowdhury – Do you know what type of fast food or café is going to be in there?

Mr. Dan Ivanovic – No.

Secretary Smith – Good evening sir. One of the section of 21B.17 the prohibited use of a drive in restaurant would not be allowed in the downtown center. My concern is I look at the drive-thru lane and how it's coming around the one side, my concern is you have apartments up above it and I don't think that would work well with people trying to live and having a drive-thru coming around on the side of the building with the noise. If you're going to put a restaurant there I'd rather see where they can dine in or dine in the patio and not have the drive-thru on the side. I think the noise from a drive-thru could pose some issues.

Mr. Dan Ivanovic – The reason we wanted to do a drive-thru is because a lot of the restaurants that we are trying to get into the area it's hard for them to sign a lease without the drive-thru. Whether we like it or not drive-thru are here to stay with all restaurants. We are trying to incorporate the outdoor congregation areas and build the businesses in there that allow for that. So it's kind of working hand and hand. As far as the traffic you have more noise coming from Van Dyke traffic then and drive-thru traffic.

Secretary Smith – I understand that sir, but when the drive-thru is right next to the building you're going to get some echoing bouncing off the building while the cars are running. You might want to think about sound proofing the apartments on that side to where they are not affected by any noise from the drive-thru.

Mr. Dan Ivanovic – Absolutely, especially when it comes to energy code, insulation, we use the best materials out there that are most insulated and sound resistant that's available.

Secretary Smith – Thank you.

Mr. Nick Lavdas – I'm the owner of the property. We will look into that because the type of apartments we are putting up are going to be first class apartments so I would never do something that's going to affect them.

Commissioner Robinson – Another question, what will the hours be for the drive-thru?

Mr. Nick Lavdas – I'm not looking for a McDonalds or Burger King, I'm looking a café or restaurant with a sit-down area, 9 or 10 o'clock tops nothing late. I'm looking for an urban development there that ties everything in, not the name brand fast food restaurants.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR MACHINE SHOP BUILDING ADDITION: Located on the northeast corner of Miller Drive and Hollingsworth Avenue; 6855 Miller Drive; Section 04; 6855 Miller Road LLC/Daniel Blake (Dedicated Machine/Daniel Blake). PSP230011

PETITIONERS PORTION:

Mr. Mike BlaneK – Good evening I'm with the firm Stucky Vitale Architects, 27172 Woodward Avenue in Royal Oak and with me is also Daniel Blake the owner Dedicated Machine.

Mr. Daniel Blake – We have a machine shop, a high procession machine shop it's very capital intensive, we don't have a lot of employees, we are expanding and have to add a machine for more or less redundancy as well as increase output. If the machine breaks down and I fall down on deliveries I could be in jeopardy so I really have to add one more machine into the shop and this addition will accommodate that.

Mr. Mike BlaneK – So the addition is, basically back in 2015 Mr. Blake was here with an addition onto the existing building and he had to require a variance which he was granted back then. Our proposal tonight is to extend that addition. As part of the site plan approval we have to go back for another variance to extend that variance along that one property line we are adding about 1600 square to the building to accommodate a second machine. It's going to match the existing building materials, color, all the recommendations that they've put in the report that we received were fine we can meet all those. We have already applied for the variance, but I don't know when we'll be on the agenda, but we are working on that as well. We are here to answer any questions you have, it's a pretty straightforward project.

Assistant Secretary Mouri reads the following correspondence:

**TAXES:** Current.

**FIRE:** Approved.

**AT&T:** Does not object to the proposed addition. We do have facilities in the area, but not expected to be in conflict. Please advise the petitioner to contact us as soon as possible if any issues arise.

**COMCAST:** No Conflicts.

**DTE:** No Objections.

**MCDR:** No Objections.

**MCPW:** This letter is for comment on right of way and drain easements only. It appears there will be no work within a county drain easement, therefore this office would have no objection to the proposed building addition. However, prior to site plan approval, any project that impacts a county drain shall apply the Macomb County Public Works office design standards. Please note that a formal plan review and approval by the Engineering and Soil Erosion departments from this office will be required prior to construction.

Ms. Michelle Katopodes reads the recommendation of the Staff:  
Strike H because it was a repeat.

**MOTION:**

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

**COMMISSIONERS PORTION:**

Commissioner Kupiec – You indicated you have received a copy of the recommendations?

Mr. Mike Blaneck – That is correct.

Commissioner Kupiec – And you do agree with them?

Mr. Mike Blaneck – Yes, we do.

Commissioner Kupiec – And how about your variance?

Mr. Mike Blaneck – We are familiar with those as well.

Commissioner Kupiec – Do you have any problems with the bond?

Mr. Mike Blaneck – No.

Secretary Smith – I was by there today and took a look at the project it's a very clean operation I don't think I could have found a speck of dirt on the ground anywhere. So good luck with everything.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

None at this time.

8. OLD BUSINESS:

None at this time.

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

Ms. Holly Fabian – I'm very sorry for my outburst down here. I am fighting for my house and I am fighting for my neighborhood when we said we wanted to rebuttal I wrote down these things. I can answer your questions, the signs, there are signs on either side of Toepfer on Ryan and Mound, they ignore them. We actually complained enough on Cunningham, I don't know if they are on Le Fever, but on Cunningham and Toepfer there's a sign there. There's a sign right by my house that actually says no trucks are supposed to come north of that. I have given video not only to you folks but to City Council showing semis that came off of Eight Mile and came forward up and over my lawn to try to back in. So even though there are signs they are ignoring them.

The next one would be they're not doing what they should, when you said now that they are offering this talk to Mr. Steve Watrion he's

written them nine tickets. When I had him on the phone he looked up and said wait a minute where did my tickets go they've miraculously disappeared. He has ticketed them nine times himself and he's not the only one. They know they are not zoned for all that outside storage,, it should not be there, but they are still doing it and they've been doing it since 2019. I do not believe for one minute if you tell them okay put the fence there that they're not going to go further than they should or higher then they should. That's about 20 feet can you imagine being in Ella's yard and having a BBQ there's now storage or people buying and shopping, would you want that in your backyard. Would you want to have your family over for a BBQ and have to listen to these people or have to deal with semitrucks that are going to be turning around in the Tabernacle that's right behind Ella's house not to mention the kids that are going to be there.

I should also tell you that the trucks do come early, I have had pictures and I sent a video to Mr. Garry Watts of a vehicle out there at 8:30 in the morning and he parked himself northbound on Cunningham and the back of his semi was at the curb and sidewalk. If anybody came southbound they could have had a head-on collision because you can't see around the semis. They pull up and sit there and wait for a half hour for this place to open then when they try and pull in they block all the traffic and everything else. I'm trying to answer all the questions you guys asked. There are rats over there I have seen them and unfortunately I can't get a night time picture for you but you can watch them come from their building and go across the street to the satellite building that used to be Burda (inaudible) Tires and then they turn around and go back, so there are rats there too.

All I can tell you is I don't think these guys are going to do what you're asking. I think they are not going to comply, since 2019 they're not doing anything, we've asked them, which is what I asked you last time. If you were getting stopped by a cop and he said where's your insurance and you said I applied for it you're going to get a ticket. He's not going to look at you and say when it comes through let me know, why are they not being told they have to conform to what they are licensed and zoned for right now. Instead they are piling more stuff up, in the last week it's gotten a lot more. Thank you for your time and please consider, this is my home.

Ms. Lori Harris – I also want to say I'm sorry for my outburst, it's almost like none of us have been here before. Your questions did

not reflect to the petitioner, who was finally here, any of the issues that have come up and been discussed with you. Remember this is a garden shop with gardening supplies even if it's used for marijuana why do they need an armed guard there all night, why do they need that? Garden shops typically don't have that, this is not a typical garden shop.

The requirement that they not store outside of their building they are supposed to only have their supplies inside is not being enforced by the city. I'm not sure if it's been attempted recently, it sounds like they get citations, and they don't do anything because it's not settled, remember he's also suing the city right now. Mr. Kupiec have you driven down there to look at this? How you cannot think of the whole picture instead you think he's going to be a good neighbor; he hasn't been a good neighbor. The grass is getting long it may be cut but on that plan it's a fenced area of that whole yard that will now be outside storage. They made it sound like no it's not going to be it's going to be really nice and every question you asked him about hours that's just his store hours. You didn't ask him specifically why do you have business there at night, why are the neighbors hearing people there and seeing lights on at night, in the middle of the night.

Also I want to know asks the Mayor, but you need to have another Chair on your Commission replaced so that you have a full Commission. I don't know if that's something you ask the Mayor to do or the City Council ask, you can't go on having an ineffective Commission without enough members. So thank you, and again I apologize for hollering before it's very frustrating. Have a great night.

Secretary Smith – Thank you, have a good evening.

12. PLANNING COMMISSION BUSINESS:

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

Ms. Michelle Katopodes – Good evening. So basically, just catching up, the Planning Staff has been busy with potential applicants for possible projects and working on all the upcoming meeting items.

On Friday, April 8<sup>th</sup> there was a pre-site plan application meeting with the developer and his attorney to discuss the feasibility of a storage facility and building addition that was on Nine Mile west of Groesbeck. On May 4<sup>th</sup> Mark and I attended the Regional

Transportation Plan Visioning Session that was the meeting that SEMCO put on at the Community Center. The Regional Transportation Plan for southeast Michigan is a long-term blueprint for investing in federal, state and local transportation dollars within this transportation network. If you're interested in more information you can visit the SEMCO Vision 2050 Hub it has videos and all different information about and if there's upcoming meetings or virtual meetings it should be on that website.

On May 5<sup>th</sup> that was Jasmine Early last day in the Planning Department. She served as a Planning Aide and help process applications, prepared files, she learned quickly, so with her gone we're unfortunately understaffed again. We do have positions posted which is a good thing. We have the Planning Aide position which is a temporary part time position and also we will be filling the Administrative Clerk position. Right now that's only open for civil service employees but if no one applies it will be posted online for the public. This ends my report, if you have any questions let me know.

Assistant Secretary Mouri – I have quick question for the City Attorney, can I ask a question about 6A to the Planning Department?

Ms. Mary Michaels – I would not because the petitioner has left, now is not the right time. Maybe you can direct a question to Michelle or Ron after the meeting, the petitioner has left so it shouldn't really be discussed.

Assistant Secretary Mouri – Thank you.

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

None at this time.

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

14. ADJOURNMENT:

### MOTION:

A motion was made by Assistant Secretary Mouri to adjourn, supported by Commissioner Chowdhury. A voice vote was taken and the motion carried unanimously.

The meeting adjourned at 8:58 p.m.

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Warren Smith, Secretary acting as Chair

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Mahmuda Mouri, Assistant Secretary

Meeting recorded and transcribed by  
Mary Clark - CER-6819

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DRAFT

Mary Clark CER-6819  
May 8<sup>th</sup>, 2023