

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on July 10th, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, July 10th, 2023, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Michelle Tutt
Delwar Ansar
Mahmuda Mouri, Assistant Secretary
Warren Smith, Secretary
Merle Boniecki, Vice Chair
Jonathan Lafferty, Ex-Officio
Garry Watts, Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner III
David Crabtree – Assistant Planner
Susan Heydel – Administrative Clerk
Mary Michaels - Assistant City Attorney
Patrick Conlin - Communications Department

1. CALL TO ORDER:
Vice Chair Boniecki - Calls the meeting to order at 7:06 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:
Secretary Smith – I need a motion to excuse Commissioner Chowdhury, she's out of town.

MOTION:

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

Secretary Smith – I need a motion to excuse Commissioner Kupiec, his wife is having some medical issues.

MOTION:

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

Secretary Smith – I also need a motion to excused Commissioner Robinson she’s out of town.

MOTION:

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

Vice Chair Boniecki – I’d like to recognize Ex-Officio Jonathan Lafferty and also Councilman Kabacinski is here.

4. APPROVAL OF THE AGENDA:

MOTION:

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

- A. Voting on the action of suspending a petitioner’s right to be heard by a full nine (9) member board. Per Article III(B)(3) of the Rules of Procedure, the Planning Commission may suspend the effect of the part of Article III (4), which gives the Petitioner’s the right to be heard by the full membership of Nine (9) members.

MOTION:

A motion was made by Commissioner Tutt to suspend the rule, supported by Assistant Secretary Mouri.

ROLL CALL:

The motion carried as follows:

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

5. APPROVAL OF MINUTES JUNE 26TH, 2023:

MOTION:

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

6. PUBLIC HEARING ITEMS:

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

A. 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). **Postponed from June 26th, 2023.**

PETITIONERS PORTION:

Mr. Robert Ihrie – My name is Robert Ihrie and I represent Vincent Bahri who is the petitioner and who is sitting in the front row in the audience. This is a petition as was correctly read by the Chairman. Obviously, I can't help but note that there are only five members, which means I need all five members to approve my project, and frankly I don't think that is fair.

I know that the rule was suspended that I don't have an automatic right, but I don't think that stops the Board from giving me a discretionary vote to have more than five people here. It's a nine member board, five people are required to pass anything and I go from having a little over 50% to having to have 100% of the votes in order to approve. So I would respectfully request that this matter be put over, I understand that there are only 8 members at this point the Mayor has not appointed a ninth as far as I know, but I don't think it is fair to require me to proceed with only five, making it as I said before to have 100%. So I would respectfully request that the Planning Commission vote on my request.

Vice Chair Boniecki – Ms. Michaels we suspended the rules, so by suspending the rules and voting on that doesn't it leave us five members here to vote going forward for the night?

Ms. Mary Michaels – That is, there is always the discretion to adjourn based on his request. However, there would have to be a motion by a commissioner, if there is no motion then it's not on the table and it would proceed to a hearing.

Vice Chair Boniecki – So we can make a motion to support or deny his request to postpone?

Ms. Mary Michaels – The Commission does not have to make a motion, if it's not on the table then the hearing will proceed, but the Commission would have that ability to make a motion to postpone.

Secretary Smith – Madame Chair, we have five members and that's all we need to make the decision and being we suspended the rule we should be able to go forward on this item.

Vice Chair Boniecki – Does any other Commissioners disagree with that. See none, we are going forward with the five members here tonight as we suspended. Please go forward with your proposal.

Mr. Robert Ihrie – I would just ask that the minutes reflect that I did ask for an adjournment and no motion was made. So as the Planning Commission is aware we have been here a number of times I think the last three or four times there was not a full Commission, so we will continue on.

It should first be noted that it's recommended for approval by the Planning Department and by the Planning Director. It has been recommended for approval for the last several times that I have been here ready to put forward our petition. The request and what is going to be operated in this particular location on Eight Mile Road is a retail store for Gardening Supplies and the request is also for outdoor storage. That outdoor storage has been recommended for approval by the Planning Department as well. The Planning Department did submit a number of conditions after meeting with me and meeting with my client several months ago.

My client and I have had an opportunity to go over all of the conditions that have been recommended by the Planning Department and we have agreed to 100% of all the recommended conditions of the Planning Department. That having been said we now have a recommendation by the Planning Department with conditions a complete agreement from the petitioner to abide by all the conditions.

The objections that have come forward to the Planning Commission have been essentially posed by a couple of people, maybe three, not all of which even live on the two streets that border this problem, the problems that they have identified, or they have spoken to the Planning Commission about. The two streets that are at issue are Cunningham and Le Fever, this is an Eight Mile Road property. My client runs a number of businesses in the City of Warren, he runs them successfully, he runs them honestly, he runs them as a good corporate neighbor. He also owns the properties where he runs his

business, I believe it was 6 to 8 businesses that he runs successfully in the City of Warren, and he enjoys being in the City of Warren.

He's going to take a Eight Mile Road piece of property essentially with the conditions that have been placed upon him. There's going to be a brand-new parking lot, there's going to be a brand-new façade. He purchased the house behind him, which is going to be landscaped and the visual of that property behind his property is going to be wonderful. It will be landscaped according to the requests of the Planning Department. When certain objects were brought forward about this project, I took it upon myself to ring doorbells and talk to people on Le Fever and talk to people on Cunningham the two streets that border. It should be noted that one of the conditions from the Planning Consultant is that all truck traffic come in off of Eight Mile Road and return to Eight Mile Road and that the truck traffic not go down the side streets.

So from Eight Mile Road to Toepfer there are approximately 63 or 64 houses on both sides, a little fewer on Le Fever I believe, I rang doorbells and talk to people who were outside of their homes and asked them if they had any questions, comments, concerns, or negative opinions about any kind of traffic coming from Hydro Depot which is the name of my clients business. One hundred percent of them said they did not have any problems and they had no concerns with respect to car traffic or truck traffic. And certainly you don't have to take my word for it, but if they did have concerns that were significant may I suggest that they would be here tonight expressing them other than the two or three people that usually do appear that have expressed their concerns. From Eight Mile Road to Toepfer other than the persons that you've already heard from there have been no concerns with respect to traffic or truck traffic expressed.

I have brought forth approximately 50 pictures and I'm not going to show all of them to you but I would ask that you look at some of them. I went up and down Eight Mile Road, I went up and down the mile roads, and I went up and down some of the north and south, shouldn't say north and south probably east and west, not the mile roads perpendicular to the mile roads and I took many pictures. From the pictures that I took I would like to start with picture number 40 if we could move to it. What I did was I took dozens and dozens of pictures of similarly situated properties as my clients, I guess I should ask if you're able to see what's on your screen, the pictures.

Secretary Smith – Communications we have a problem with our monitor were not getting a picture, there's no signal on our monitor.

Is there anyway you can check it for us real quick? Go ahead sir, sorry.

Mr. Robert Ihrle – I took pictures of dozens of businesses that are similarly situated as my clients, what do I mean by that? What I mean is there is a business on the mile road just like my clients building is on Eight Mile Road, there is a parking lot in the back and either traffic, truck traffic or other kind of traffic in the back lots of these businesses exactly like my client's business is. Meaning that all of the businesses that I took pictures of like the one that's on the screen right now looking down the side street just like it would be looking down Cunningham, behind would be Eight Mile Road.

Question, all of these businesses that are similarly situated as my clients have been approved and they have business licenses in the City of Warren. Some of them I am sure people that pull out of the businesses, and some of the businesses that I took photographs of for example would be Mc Donald's and gas stations where people can come out and if they want they can drive down the side street, they shouldn't drive down the side street.

So how does Warren deal with the issue of making sure or doing their best to make sure that truck traffic does not go down a side street? I would ask you to look at picture number 44. I will tell you what Warren does, the City of Warren places signage on those streets and I took a picture of many, many, signs that are at the beginning of the residential portion of the street that say a number of things. Either they say like this one does, which is picture number 44, commercial vehicles prohibited.

If you look at picture number 42 it's a little bit of a different sign, it has a picture of a truck with a line through it meaning no trucks permitted. If you look at picture number 40 the one we were looking at before on the far right side you'll see that sign no trucks. The same kind of configuration as my client's meaning on Eight Mile Road big parking lot in the back people could turn into a residential neighborhood but the City of Warren wisely has placed signage on it.

If you look at picture 37, and I'm not going to burden you with going over and over many pictures, but that's another similarly situated property as my client. If you look at picture number 35, the mile road is behind me, this is a picture looking right down the street from a clearly commercial building where the door is large enough you know it is for truck traffic, but as you see the sign says no trucks.

So we have to keep in mind this is Eight Mile Road it is a busy street there are lots of businesses that are even more industrial, my client's is not industrial, he's retail and he agrees that he doesn't want to see any trucks and he is willing to abide by any signage that the city may wish to put up.

At the last couple of meetings there was somebody that spoke that behind my client's property, and this was supposed to be to persuade you to not approve this petitioner, that behind my client's property there was somebody with a backpack and somehow, they were doing something illegal. This is Eight Mile Road I'm sure there are a lot of people doing things that illegal, I've lived within a few blocks of Eight Mile Road my entire life I know Eight Mile but that doesn't mean we don't allow businesses on it.

The reason that this business has met with somewhat of a chilly reception comes down to one word, marijuana. There are certain people who don't like the concept of their being marijuana in the city. So I'm here to tell you that my client and his business do not engage in the marijuana business. They do not sell marijuana, they do not grow marijuana at that location, they do not sell or grow hemp or CBD Oil, it is a garden supply location. Now many of their customers do grow marijuana and they buy gardening supplies for their lawful legal businesses many of which are in the City of Warren from that business, Hydro Depot.

That building and that structure has been in disrepair for awhile my client bought it he plans on completely rehabbing it, he's selling a legal product, he's selling it in a legal mode, he's selling it for legal purposes to legally licensed entities if they are engaged in the marijuana business. I've bought items there and I'm not engaged in the marijuana business. I've never used it in my life, but I have bought products there.

So I understand that there are people who don't like the word marijuana and they want to connect my client to being a grower or they want to oppose this because well he may not be doing it now. It's a trick somehow, he's going to run his business and then somehow change it into something else, he can't change it into anything else without coming back before the city. So the question is what conceivably would be the reason to say we are going to allow all these other businesses Schwartz Machine very similar also some other businesses that have truck traffic and say to my client well we're not going to let you have a business there because some cars or a truck driver may break the law and drive down the street. It's not fair to my client, it's not right for my client, my client will abide

by the laws he will encourage and advise all of his customers and anybody that delivers things that they have to come in off of Eight Mile Road move across the property and go out back onto Eight Mile Road.

He's redoing the entire parking lot, it's going to be restriped according to the terms and conditions of the Planning Department. The church that's behind him they have no objection to this, as far as they are concerned, he's been a good neighbor, they have no objection. Now I understand, I've been engaged with Planning Commission's, ZBA's, and City Councils for 40 some years. I understand that people that are vocal, and there have been vocal people that have come before this Board and said terrible things about my client that are absolutely not true. Now he stands finally before this Board thru his attorney and says I think I should have the same rights as anybody else to run a business on Eight Mile Road that's legal, that meets the conditions set forth by the Planning Commission and based upon the Planning Commissions recommendation for approval.

I have been, on behalf of my client, and this is how he would want me to be I believe 100% respectful every time I have come before this Board, even though I hear lots of little comments made to me that you can't hear that I can from behind my back. And I hope that at this point even though there are only five Planning Commission Members that all five votes approve this business. As I said was recommended, approved 100%, my client is going to make this look a lot better on Eight Mile Road, keeping in mind 63 houses and nobody showed up except the ones that you have heard in the past.

So, I would respectfully request based upon what I have indicated about the other businesses similarly situated have done should also be applied to my client. All the rules and all the regulations and I anticipate that when I sit down that the same people are going to come up and say terrible things about my client, they are simply not true. If he did what they said he does and did he'd be in jail, he's not, he runs successful businesses in Warren and he continues to run a successful, clean, legal, honorable business in Warren on Eight Mile Road between Le Fever and Cunningham. So we would respectfully request that you approve the petition that is before you tonight. I'll sit down unless you have questions for me.

Secretary Smith reads the following correspondence:

TAXES: Current.

FIRE: Approved.

Mary Clark CER-6819
July 10th, 2023

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Holly Fabian – Before I get started, I'd like to ask one little favor, this is the first time I saw all of this plan can I have a little bit more than three minutes; I promise this won't be 20, just give me a little bit more. I would like to say I never said a bad word about Mr. Bahri, not one. I never said I didn't like marijuana. I said this building is too small for their location. They should have been at Eight Mile and Dequindre where the K-Mart building used to be they would have had a ton of space.

And for his pictures that he showed where it says they were supposed to be the same, none of those buildings have the volume of traffic that this guy does. There's not one Hydro Depot that has the amount or volume of traffic this gentleman has in his building. That's not an insult to him it just shows he's in the wrong location, he needs a bigger place and I guarantee you not one of the pictures that he showed of these buildings and such that look the same as ours. Name one of them that tore down a house to put their parking lot in. I'm going to guarantee you not one of them went into a residential area and tore down a house to put in a parking lot, that's my biggest thing here. It's just not the same.

I don't know who he talked to on the block I know quite a few that we talked to that all said the same thing, they were not going to speak out because they were afraid. As soon as you get north of Hayden or Elza ask somebody at the corner of Toepfer they can't even see us, so it's not going to bother them. The people that are showing up here we are the people that live right there, so we are the most important, it's my house it's not your house, it's my house, and that big brick wall he got I don't want to live next to Leavenworth prison.

He can say he's going to put all these trees in, the lot that's there right now did you know that the weeds were this tall before they finally came out and mowed them. If they're not mowing them now when they move it down to 25 feet with trees, it's probably not going to be mowed. I can honestly say they're not respecting that 6 foot fence line they are going above it now, do you really believe if you give them something they are going to say alright we won't do it. They are going to continue to do it and push and push, don't give them more, they need to be in a different location.

As for the backpack, yea your darn right I brought it in. When you have a place that has maybe 25 people a day go through the

chances of crime are much lower. When you start getting a 100 people, 1000 people yea you're going to have more problems because there's more people. This is not the location for this, more people go to a different location.

Go ahead, make your money on pot and for them to say that they don't have any one of you walked in that building it reeks of marijuana in there. They may not be growing it but somebody is doing something because it knocks you off your feet when you walk in the door. I'm sorry, they are just in the wrong location. As I said, name me one of those buildings that came in and tore down a house, a beautiful 100 year old house that belonged to Mr. and Mrs. Wolf the original owners of that farm that sat there. They just tore it down and that was before they ever talked to you people about a plan, they just tore it down. I actually fought with the Historical Building Commission trying to get it reserved, it was beautiful in there I had been in the house, it was gorgeous.

Commissioner Tutt – Please wrap up your comments, time is up.

Ms. Holly Fabian – I thank you for giving me a little bit more than I had, please do not approve this they just need a different location.

Ms. Lori Harris – Hi Lori Harris, and yes I don't live on that street but I was willing to support this on behalf of friends who were finding themselves concerned about what was happening there. I wanted to say quickly picture number 40 I don't see any stack supplies three feet over the fence, picture number 44 signs haven't stopped semi's to Hydro Depot. Does Hydro Depot check for licenses before they sell supplies to growers, just wondering. How do you know you're only selling to legal businesses? There have been reports of nighttime business in the middle of the night, there is a report that on September 27th of an armed guard who shot at people who were in that business.

I want to remind everyone the Planning Department gives guidelines for how meet all the guidelines of the city, the Planning Commission's job is to direct the Planning Department. I want to know why the Planning Department isn't requesting property maintenance to handle the situation with things stacked so high. It hasn't changed every time that we've said it and the attorney has been here or Mr. Bahri has been here it hasn't changed. They know that they're wrong, they know that's not correct. I also want to know are you Hillary Bahri, well alright, because there is a marijuana license for a Hillary Bahri on the State site. So those are my concerns, those are the questions I think you should think about.

When I think of businesses, if they are expanding into that extra lot and they are going to have more supplies what kind of vehicles and equipment are people going to be bringing in to get their supplies. This is a large scale business and I agree with Holly it needs to be in a different setting, it's not practical where it is.

Mr. Eddie Kabacinski – Good evening Planning Commission, I am Eddie Kabacinski I'm the 5th District Councilman, I live in Warren, this is my Council District. I do not live in the City of St. Clair Shores nor am I the City Attorney for St. Clair Shores, but the City Attorney for St. Clair Shores is representing a business here operating in the City of Warren. I wonder what the City Council in St. Clair Shores thinks about that, well I'm going to find out. Believe that, the devil comes in many forms I think we seen that this evening.

I gave a packet for up there that goes over Michigan Criminal Law Lawyer Blog, let me read this so everybody is clear on this. According to Michigan Drug Paraphernalia Law MCL333.7415 drug paraphernalia means any equipment, product, material, or combination of equipment product or materials which is specifically designed for the use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, conversating, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance including but not limited to all the following. And all the following is not limited to marijuana by any stretch of the imagination. Ecstasy or otherwise known as MDMA, methamphetamines, heroin, cocaine, oxycodone, LSD, some of these I can't even pronounce but they are really bad.

In the last year in our country 140,000 American's have died as a result. It all starts somewhere, and it starts with the drug paraphernalia. Before you can even have the drug, you have to have the drug paraphernalia and that's what we have here, we have drug paraphernalia. The possession of narcotic paraphernalia has been ruled as a controlled substance offense against the public health code, so we are dealing with a violation of the public health code. The very existence we are talking about is a public health code violation, because it contains the materials to make illicit illegal narcotics, one of them being marijuana. Which is killing our youth, which is killing the Millennial population. Any reason why we have a lot of mental health issues now, could it be the legalizing and the propagation and the manufacturing of these illicit drugs, I think so. Thank you.

Mary Clark CER-6819
July 10th, 2023

Mr. Gary Rinko – My name is Gary and Carol Rinko and we live on Le Fever Avenue. It's too bad when they took pictures that they didn't take a picture of the Hydro Depot. If you did you would have seen their storage yard, it contains empty pallets, pallets full of white bags of whatever they sell. Lately they've got some big 50-gallon barrels of fluid stored over there, it's like a cluster of stuff. When they first moved in two years, they had a privacy fence on their fence and you couldn't see the stuff that they were storing but over time they took down the privacy fence now people can see everything. When I'm sitting in my lazy boy looking out my picture window that's what I see, I see big white bags of stuff stacked above the fence line. Now they have those blue barrels containing some kind of liquid I don't know what it is.

Enough of that, let's talk about the children. The children of the church every Sunday, they were meeting there tonight for a full meeting. There's little children less than 10 years old. They play on the sidewalks; they play in the streets and because of the material that the Hydro Depot sells it attracts an audience that doesn't care about the human condition. You can see tire marks where they've squealed up and down Le Fever Avenue, I'm afraid for the kids. We have families, I've got a family right next door a beautiful family.

Ms. Carol Rinko – There's talk about putting in an extra driveway, we don't need an extra driveway on Le Fever Avenue closer to the church. The one they have is plenty for the traffic they have and want to have.

Mr. Gary Rinko – Just like they took down the privacy fence now everybody can look and see what they've got. All those promises that they made I wouldn't give you two cents for them. Thank you for listening.

Ms. Nicki Becker – Good evening, I live on Cunningham. I just want to make a reference to the Attorney when he said that the only folks that he sees showing up here are the same opposing folks. Well that may be true, I don't see anybody on their side they are the only ones saying hey we want this. We are fighting this for our neighborhood because that's what we are, we are a neighborhood, we are people we don't want a business running on the street. I don't have a problem with marijuana, my sister died of cancer and she was using marijuana to control her pain, so I definitely don't have a problem with marijuana. And I don't like him saying that insinuating that the few of us that are here have a problem with marijuana that's not the issue here.

He also said he rang doorbells and talked to people that were outside, well did you ring doorbells, or did you talk to people outside? He's showing pictures in other neighborhoods, those look like those buildings have been there a long time. He mentioned Schwartz that building has been there a long time they don't have the amount of volume of vehicles in and out like this place will have.

People aren't just going to come in and go off of Eight Mile they are going to run down our streets. Are streets aren't made for that kind of traffic. People park on both sides of the street, there's kids that have a bad habit of going between cars and then going out into the street. These folks don't stop, they drive fast and when they leave the property what happens to everything that they've created, what kind of business is going to be allowed to come in there afterwards. Can they change it into something else? He said this is what they want to do. They can change it because four years ago when this started he had a different plan and now here we are and he's got a new plan. What's to stop him in a few years to have another new plan, and that includes selling marijuana.

You go down some streets in Warren that are in industrial or commercial areas and there's four, five, or six places selling marijuana. I don't want my neighborhood to turn into that. Going down Eight Mile there's a lot of businesses doing that sort of thing. It may not be what they are doing right now but give them a few more years and I'm sure they are going to be here with a new plan to be doing that. If they were trying to sell cars the city would have shut them down right away because there's a moratorium on used car dealers. I think of them as used car dealers and no they should not be here, it's a residential neighborhood. We don't want this, we don't want a brick wall, we don't want trucks, we don't want people racing up and down our street. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – On your report you said you talked to a lot of people up and down the street and nobody had a problem with it, it's kind of interesting not one of them showed up, seems like one or two would have showed up and said we don't have a problem with it. The other problem is we've been going through this for about four years now and it's been in the recommendation to not stack anything higher than the six foot high fence and they haven't brought the stack down, it's still up above the fence.

The other thing the fence on Cunningham which is supposed to be closed at all times unless passage vehicles are entering or exiting the yard. The many times I've been by two or three times during the day because I don't live too far from there, the gates never been closed. At our May 8th meeting you and Mr. Bahri stated in the minutes that there would be no deliveries on Saturday, but yet in the recommendation you want deliveries from 8:00 a.m., to 8:00 p.m. You said we open from 9 to 6 or 10 to 7 and there's no deliveries before or after that but now all of a sudden in the recommendation you want 8 am., to 8 pm.

Mr. Robert Ihrle – The recommendations were made by the Planning Department, and we agreed to them. I'm not aware of any requirement that that gate be closed. My client has agreed that if there are any local laws or state laws that are being violated it's like any other business, he can be cited for them. If he's violating a law of some type he can be cited just like every other business that is in the City of Warren. If somebody is doing something that is outside the scope of their site plan that was approved, if somebody is doing something that is a violation of the ordinance then they will be cited for it. I'm not aware that he is doing anything. I saw what was stacked was slightly higher than the 6 feet, I'm not going to deny that it was a little bit higher, I don't think that's sufficient to deny the request. Of course, I respect the Planning Commission's opinions.

Secretary Smith- The other thing the resident on Le Fever talked about the tire marks on the street from people speeding down the street and I know it probably didn't have anything to do with that, but I did see the tire marks on Le Fever.

Mr. Robert Ihrle – Again that's not something my client should be painted with. People pull out of gas stations and peel down the road and gas stations are on Eight Mile Road.

Secretary Smith – I understand that, I know you can't control the traffic, it may not have even come out of Hydro Depot. What the problem seems to be is they've been trying to encroach deeper and deeper into the neighborhood and it's affecting the residents they don't want it moving closer and closer. And when you suggested having the second driveway back by the church, which the Planning Commission denied, that was put right next to the driveway where they go into the church.

Mr. Robert Ihrle – I submitted those pictures to the Planning Commission weeks ago, not just this past week, weeks ago. I

submitted almost 50 pictures, and all those businesses have parking lots or some type of paved area in the back that encroaches into the neighborhood. Every busy street has properties that encroach into a neighborhood at one point McDonald's, Wendy's, and gas stations where they were once houses in order to provide and have a viable business section of a community. Unfortunately, sometimes there is some tension between the business and the housing and housing gets pushed a little bit so that there's either sufficient parking or storage area.

I've seen it on busy streets especially like Eight Mile Road for 40 years, that does happen. It doesn't mean the business is a bad business or that it shouldn't be there and as this person indicated well, he just got that house and demolished it that is absolutely untrue. He sought a demolition permit from the city, he had to seek that permit it was required, he was denied negotiations failed to get him the demolition permit. We finally had to file an action against the city and the city called me and said we're going to agree to issue you the demolition permit, it was issued, and he complied with the law 100%. He bought the property legally, he demolished it legally and frankly what he plans on putting up there is going to be far more attractive than what is there now and what was there before it was demolished, he's going to be a good corporate neighbor.

Secretary Smith – And that's the one problem I have, this has been going on for 4 years, even though a few neighbors have been coming out it's been the same complaints over and over. He hasn't been a good neighbor and that's where the problem is. If you're going to be a business in the neighborhood, you need to support the neighborhood because the neighborhood surrounds your business. And from what I've been hearing over the past four years he hasn't supported the neighborhood he's gone in and doing what he wants to do and when he wants to do it. I don't think it's fair to the neighbors, I understand he has a business but in 4 years he hasn't done some of the things that were in the recommendation. It seems if he wanted to pass it he would have stacked stuff lower and the gate was closed and stuff like that, but he hasn't even done those. What really was the icing on the cake was when we questioned him on the May 8th meeting about his hours and deliveries on Saturday. He said they weren't going to have deliveries on Saturday, no deliveries before nine in the morning or after five and then we got a recommendation that says eight to eight.

Mr. Robert Ihrle – It's not our recommendation.

Secretary Smith – But it's in the recommendation, you said you agreed with the recommendation.

Mr. Robert Ihrle – If this is what the Planning Department wants this is what we will agree to.

Secretary Smith – I've said what I had to say, I'll leave it to the other Commissioners, thank you sir.

Assistant Secretary Mouri – I did have a chance to stop by the area maybe like a week ago and it was right after closing hours, so my question do you have armed guards around the area 24/7?

Mr. Vinson Bahri – We have an armed guard whenever we are closed, we are right across one of the most dangerous cities in the entire world.

Assistant Secretary Mouri – One thing that really kind of concerned me was that he didn't know I was one of the Commissioners I was just driving by the area I didn't want to step out I was just driving in the parking lot to see what the area looks like and he seemed very cautious. Without me even telling him who I was he wanted to take my picture and was you can't be in here. Then I told him I'm one of the Commissioners I'm inspecting the area and he calmed down. That interested me because when he looked at me he's probably thinking I'm one of the citizens so targeting a citizen like that seem very concerning for me. I personally being a female and around 7:30 I didn't feel comfortable even being in my car in that parking lot because of the way he approached me. So that's something very concerning for all the citizens that live right there. Just someone like that next to me with an armed guard and is wanting to take my picture just because I'm in the parking lot was concerning.

Mr. Robert Ihrle – Can I ask what he said?

Assistant Secretary Mouri – He was like who are you and I was I'm just looking at the area and he said you can't be here it's closed. He said hey I'm going to get a picture because you're in the area and I'm like no don't take my picture I pulled out my cards and showed him that I'm one of the Commissioners. Then he said I would have to call the owner to get a picture, which I didn't get a picture I just wanted to see the area. Thank you.

Secretary Smith – That was a motion by Secretary Smith to deny supported by Commissioner Tutt.

Ms. Mary Michaels – This is a motion to deny so if there's a vote in favor of the motion to deny there should be facts stated on the record based on the standards of our ordinance.

Vice Chair Boniecki – There's a motion to deny if somebody wants to support it they need to explain why?

Ms. Mary Michaels – Yes, correct.

Secretary Smith – I made a motion to deny and I stated my reasons and Commissioner Tutt supported it.

Vice Chair Boniecki – You said we need to describe if we are supporting it or denying it?

Ms. Mary Michaels – If you're voting yes to deny then there should be reasons given the facts that support the standards of the ordinance. For the record state the reasons for the vote to deny, why it does or does not meet the standards of the ordinance.

ROLL CALL:

The motion carried as follows:

Commissioner Tutt..... Yes

I'm voting to deny mostly because of a lot of the reasons that were brought up already. It seems like the petitioner is not eager to be a good neighbor. I couldn't imagine how Assistant Secretary Mouri felt in her vehicle, I couldn't imagine being a neighbor and seeing that around the clock.

Additionally, with things being stacked over the fence line it seems as though, I thought well maybe they are trying to be a good neighbor but with all the businesses that you own you know better, so my vote is yes to deny based on you not being a good neighbor.

Commissioner Ansar..... Yes

For the same reasons as Commissioner Tutt mentioned, (inaudible). As a commissioner she did not feel safe, so I don't think our residents feel safe.

Assistant Secretary Mouri..... Yes

The reason I'd like to mention is keeping in consideration of the neighbors and I think if Mr. Bahri moves to a new area I think it will better accommodate his business too, that place is not large enough for his business.

Secretary Smith..... Yes

I don't feel that even though he says he's going to be a good neighbor and he hasn't done the things that should have been done.

Vice Chair Boniecki..... No
On the recommendation they said they agree to it, so no to deny.

Secretary Smith – It's four to one to deny so with that vote and being this has been before us before it automatically gets denied.

Ms. Mary Michaels – That is correct, because this is the second hearing, he failed to receive five votes to approve so it's denied.

Mr. Robert Ihrle – Thank you.

- B. 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; PSP230007. **Postponed from June 26th, 2023.**

PETITIONERS PORTION:

Mr. James Birnie – I'm Jim Birnie we'd like open storage at an auto repair shop. I'm asking you to postpone for another two weeks, Planning had a couple issues with our site plan so I went back to my Architect and he's resolved the issues. Seeing as we had a short work week last week with 4th of July we weren't able to get a meeting with the Planning Department until this Wednesday, I think we'll give them a good drawing and go on from there.

Vice Chair Boniecki – If he's requesting to postpone if we postpone would that carry without public hearing?

Ms. Mary Michaels – The Commission could always entertain comments from the public, you don't have to, it was noticed for public hearing so you can open it up to public comment if you'd like.

Secretary Smith – I think even though it's postponed we should read the correspondence and get the Planning Departments recommendations and then we can continue with the postponement after that.

Vice Chair Boniecki – I agree.

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. Provide a complete and accurate legal description including the parcel's identifications on the site plan.
2. Site plan shall show size and identify the location of all existing and proposed underground utilities including their sizes, connections and discharge point in the vicinity of the project.
3. All parking proposed open storage shall be on hard surface (concrete or HMA), otherwise variance is required. Variance shall be required for the proposed open storage.
4. The outside perimeter of all paved/parking spaces shall be minimum 6 in. Concrete curb and gutter.

FIRE: Approves.

AT&T: No objection. We do have facilities in the area, but do not expect any conflicts.

DTE: No Objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Smith to postpone until August 7th, 2023, supported by Commissioner Tutt.

COMMISSIONERS PORTION:

Assistant Secretary Mouri – I know this item has been postponed twice already and the petitioner did meet with the planning staff on May 31st, did you have more questions for them?

Mr. James Birnie – Initially I didn't understand how the whole process worked after the last meeting I found out we had to go get the Architect to update the drawings to satisfy Planning. We got the drawing if there is any more difficulties it will be minor something he can fix in a minute.

Assistant Secretary Mouri – So the reason you're postponing is because you still need to submit more items?

Mr. James Birnie – Yes, we've got the drawing and I have the meeting with Planning on Wednesday, I thought I would meet with Planning last week, but the 4th of July bunched everything up and they had other things to do so I didn't get the meeting until this Wednesday. I want to submit one more and make sure they are good with the drawing and site plan and hopefully go on from there.

Assistant Secretary Mouri – Okay, thank you.

ROLL CALL:

The motion carried as follows:

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

- C. REQUEST FOR REZONING WITH CONDITIONS: (Parcel 1) located on the south side of Nine Mile Road, approximately 160 ft. west of Warner Avenue; from the present zoning classification of “P”, Parking District, the south 180 ft. of the property, to “M-2” Medium Light Industrial District; Section 31; 2700 Nine Mile Road; Great Lakes Trucking MI, Inc/Liliya Skikun (Paul Reschke); (Parcel 2) located on the south side of Nine Mile Road, approximately 340 ft. west of Warner Avenue; from the present zoning classification of “P”, Parking District, the east 140 ft. and the east 200.21 ft., to “M-2” Medium Light Industrial District; Section 31; 2500 Nine Mile Road; UAP – Chrysler National (Paul Reschke); (Parcel 3) located on the west side of Warner Avenue, approximately 639 ft. south of Nine Mile Road; from the present zoning classification of “P”, Parking District, the west 50 ft. and west 60.21 ft. of the property, to “M-2” Medium Light Industrial District; Section 31; parcel number 13-31-126-007 (Warner Avenue); DTC Michigan Corporation/Cheryl A. Chase (Paul Reschke) PR230001.

PETITIONERS PORTION:

Mr. Paul Reschke – I thought we were tabled until the 24th.

Ms. Mary Micheals – Yes that was my understanding I’ve had dialog with the Planning Department and spoke to Mr. Levitt and this was to be adjourned until the next meeting, is that right Mr. Wuerth?

Mr. Ron Wuerth – I do believe it was the 24th, yes. I can read this reason if you’d like?

Secretary Smith – Yes please.

Mr. Ron Wuerth – The Chief Assistant City Attorney is in the process of drafting a formal Conditional Rezoning Agreement between the City of Warren and Great Lakes Trucking MI, Inc/Liliya Skikun based upon the offer of conditions provided. Once the offer of the draft Conditional Rezoning Agreement documents are provided to the Planning Department it is anticipated that the Planning Commission

meeting will be held prior to forwarding it to the City Council for the final review. Therefore, it is recommended that the request be postponed to July 24th, 2023, Planning Commission meeting to have time to finalize the review.

We expect to see this document so that Planning Commission can also have time to review that it is part of the documents, City Council depends upon your review.

Vice Chair Boniecki – We had public hearing on the last postponement do we request that on this one?

Ms. Mary Michaels – If you want the members of the public to come up and speak that's fine, you don't have to have the recommendations. The item was opened if members are present and want to make a comment it would be part of the record.

PUBLIC HEARING:

Ms. Audrey Brys – We would like to know what kind of industry they want to put in there in that section because of noise and trucks coming and going that was our concern in the neighborhood. I'm on the dead-end section of Otis and it's always been a dead end through there we don't want anything going in that's going to open up that dead end to traffic. That was a big concern for a lot of the neighbors in that area. And we are concerned about more industry coming into that back area behind the Chrysler Building and the trucking company and all that. Or is it going to be an industrial area where we are going to hear presses going and fans going all night long. Is it going to be shops that are going to be open 24 hours for business with trucks coming and going, those are concerns in the neighborhood.

Can we find out what type of industry they're trying to put in there and if there's anything to do with the traffic situation with the dead end being opened up we don't want that, nobody in that subdivision wants that dead end opened up. It's a two block section from Dequindre and my street is three blocks in from Nine Mile and we don't want that truck traffic going through there. Can I get an idea of what kind of industry they are trying to put in there, is it machine shops, or construction companies what type of business is it.

Vice Chair Boniecki – This is not an open dialect this is for you to give your concerns.

Ms. Audrey Brys – Okay, those are my concerns and I'm speaking for a lot of the neighbors that didn't come tonight. We don't want

that dead end area opened or any kind of traffic from this industrial complex or whatever it is they want to put in there. We don't want the noise of presses and machinery and also the hours of operation. That's what the neighborhood is concerned about.

Vice Chair Boniecki – I'll close the public hearing and turn it over to the Commission.

Ms. Mary Michaels – Madame Chair, the public hearing portion should remain open if this is postponed.

Vice Chair Boniecki – The public hearing is not closed it will remain open this is a postponement.

MOTION:

A motion was made by Secretary Smith to postpone it until July 24th, 2023, supported by Commissioner Ansar.

ROLL CALL:

The motion carried as follows:

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

- D. REQUEST FOR REZONING WITH CONDITIONS: Two properties located on the north and south side of Ten Mile Road, approximately 326.85 ft. east of Mound Road; from the present zoning classification of "C2", General Business District, "M-2", Medium Light Industrial District, "P", Parking District (north property, Section 21) and "R-1-P", One Family Residential and Parking District (south property, Section 28) to "M-1", Light Industrial District; Sections 21 & 28; 6014-6015 Ten Mile Road (Formerly De Carlo's Banquet and Convention Center); SHE Warren, LLC/Frank Jarbou (Will Grapentine); PR230002.

PETITIONERS PORTION:

Mr. Frank Jarbou – Good evening. I'm Frank Jarbou from Symmetry Management, we are the developers of the site. We acquired the former De Carlo's Banquet Facility at the end of last year. We've been working with the Planning Department and Mr. Wuerth to redevelop it into a storage facility. With the current zoning the way it reads a little bit of light industrial a little C2, our proposed use of storage is significantly less intensive. We plan to rehab the building

there's certain exterior elevations that Mr. Wuerth wanted us to maintain, and we will. We will build across the street as well additional storage. We are maintaining the greenbelts obviously bring it up to today's landscaping standards. I'd be happy to answer any questions you may have.

Secretary Smith there is no correspondence at this time.

Mr. Ron Wuerth reads the recommendation of the Staff:
Number 3 should be 15 copies to match number 4.

PUBLIC HEARING:

Mr. Ted Davis – I live on Peter Kaltz three doors down from the corner of Braun. When that cement factory went in on Ten Mile we were told that our neighborhood would stay green I've lost cherry trees, I've lost mango trees, my cars are covered in dust, my house is covered in dust. I am losing and replacing more plants than Home Depot carries. We have young children in our neighborhood right across the street from me there's a family of eight, the industrial is killing my neighborhood.

I've lived there 10 years and it has changed dramatically. If this site is going to be used for storage what are we storing there, this is 50 feet from my front door, I'd like to know what's going to be stored there. My neighbor behind me has trees upwards of 50 to 80 feet high in his backyard and it didn't stop the lime (sic) from coming in and killing my cherry trees, my peach trees, all of my flowers and my grass is burnt so I'm constantly replacing sod. So I don't see how the beautification, the greenery of trees, is going to stop the wind from pushing in lime (sic) we don't know what's going to be stored there. I've learned being a dad my daughters got away from me in the blink of an eye and if they are going to be in a lot and there's something stored there that (inaudible) to them are they going to get hurt and then come home. It's just simple storage of industrial supplies and industrial equipment I can't trust that people after a 12 hour day aren't going to miss something. Now that the neighborhood has changed to younger children again these kids are going to get into it. The trees and beautification it doesn't stop the lime from coming in and it's not going to stop the smell from the equipment being returned at the end of the day.

A lot of my neighbors have come down with cancer in the last three years and they've lived on my street their whole lives. I have an 80 year old couple who have lived on my street their entire life, raised their children there and now they have cancer. Now we want to

bring in more industrial light or heavy it's pushing our neighborhood to be smaller, less and pushed out.

Not to mention I ride a moped, I lost one of my legs on a motorcycle, we have people on our street that ride motorcycles, I have friends that come over and visit on their motorcycles the entrance to Peter Kaltz on Ten Mile is grossly non-maintained. The gravel, the dust, the debris from the cement trucks leaving this cement company coming Ten Mile to Mound now we are going to put more light industrial storage over there. You're going to have accident because the companies aren't maintaining the surrounding area entrance to the neighborhood.

Commissioner Tutt – Please wrap up your thoughts your time is up.

Mr. Frank Jarbou – I just want to clarify exactly what we store there, this is mini storage.

Vice Chair Boniecki – We can ask that when it comes to the Commissioner portion.

Ms. Debbie Cronin – I agree with the city the storage units would be better than light industrial or apartments. I was told before that it was going to be mini-storage units for personal use and storage but right now there's an existing 8 foot wall, my entire lot would be across the whole parking lot. It goes almost a block long the property that he wants to buy from Ten Mile to our side street, so my lot runs parallel with the brick wall existing right now. I think the wall is 8 feet tall so a 6 foot wall if he's going to tear down the nice brick wall that's there now a 6 foot wall would not even cover the height of a storage unit. The easement, which is a great idea, the green easement, but the shrubbery or evergreens definitely need to be like 15 feet tall. I can see the entire parking lot from my home standing in my kitchen I see all the way to Ten Mile.

Also the other concern is that there's no entrance, they would not be allowed to have an entrance off of our side street, like right now the entrance is off of Ten Mile. The old Warren Chateau used to have an entrance off the side street of Braun. So as long as that remains closed and they can't enter except off of Ten Mile and enter through the residential area. So like right now if they built storage units there I could see all of them right from my kitchen window because our property is higher. So my concern is having a good green easement to protect that for us. Lighting is another concern, how much lighting would be on the property because that would shine right into our

backyards, our bedroom windows. I think that's all of my concerns, thank you.

Ms. Lori Harris – I just want to ask, do we need more self-storage? Is that part of our Master Plan or are we trying to look to find ways to revitalize our neighborhoods. I'm concerned that that's all we tend to get is self-storage. That's my concern, thank you.

Mr. Jonathan Lafferty – Good evening, Councilman Lafferty representing this district. I did have a conversation earlier this week with Director Wureth about this particular item and a mistake during the conversation was conveyed that this item was going to be the one that was postponed. I then conveyed that information to a couple of residents on Peter Kaltz who opted to wait for when this item would be reheard by the Commission. So procedurally I would ask that you please postpone this item to your next meeting, or the next available meeting to consider giving them the opportunity to voice their concerns about this proposal. I don't have any objection or thoughts on the matter, thank you.

Ms. Tina Hall – I live right down the street on Peter Kaltz by Ted. I agree with everything that Ted said except I've been in the neighborhood since 1972. I've watched every change, I've known every neighbor, I know every property that's gone there. I feel like our neighborhood is kind of being targeted right now because all this time it's been quiet, it's been peaceful, it's been clean, it's been decent, there's not any garbage there hasn't been any of that until more recent. So this cement company is not what we are talking about but you guys made the decision to let it be there. So that last decision, which is behind my house just like two yards behind my house has taken away all my privacy. When it's fall and all the leaves are gone, I can see all the way to Sherwood and Ten Mile. My bedroom window is now exposed to all those people who go across those railroad tracks and drive up and down there all the time, my daughter had to point that out. So great I've lost privacy all of our cars are dirty, our houses, our property, that alone brought all kinds of drama and property issues to our neighborhood and we're still dealing with that. Three drains that I don't even think were put in and one of them that that company took out and it affected all of us.

That's not the issue here, the issue across from me now so it's right behind me, now this is directly across from me. Here's Peter Kaltz, I'm right here, there's my neighbor, here's the business where they want to put storage units. I tried to find out what this was, what they are, what they are going to store, who's doing what, but nobody would tell me anything. I started knocking on doors asking if they

were going to this meeting, do you know about this. It was the 4th of July weekend we are out of town. The timing is bad our neighborhood isn't even represented here because of the timing. So now all my privacy is gone and like he said we've got sickness and different things happening in our neighborhood. There's old, veterans, seniors, disabled, children, families, not the riches of areas we admit, but it's a community we help each out, we are there for each other.

This business is directly across which is right behind the old couple that just got cancer directly behind their property. There will be lights, there will be noise, there could be people in and out of there 24/7, we don't know, that could attract crime. It can attract people to follow people in and out, crime is happening more and more everywhere and that could attract more of it to our neighborhood. If it does more crime, property taxes go down, more crime, everybody has to get more security, they have to get more lighting which means more money out of everyone's pocket.

DTE has already raised so all that electric we have to get we are paying more and more. What do these companies want from our little neighborhood with three little cross blocks. I've asked police at 7 Eleven for years how's our neighborhood, how are things going, it's safe it's fine we don't get any calls for your particular street.

Commissioner Tutt – Please wrap up your thoughts your time is up.

Ms. Tina Hall – Thank you, I don't agree with this, and I don't feel prepared or represented at all.

Secretary Smith – Mr. Wuerth, being that the residents didn't get enough notice to be represented properly should we go ahead and postpone this until the next available meeting?

Mr. Ron Wuerth – I think you should postpone it but the neighbors were noticed properly, I will tell you that. There's no doubt in my mind about that. I think that they think that we didn't notice enough people, it's kind of hard to measure if you don't understand how notice takes place. Notice takes place with any property that's within 300 feet of the property line of the subject property. We certainly did that it's verified, that's not a problem. We can't tell go out and tell people well here's where we draw the line, however if they'd like to come into our office we certainly do have a list of those that were notified and that doesn't stop others who are beyond the 300 foot, by the way we go to 350 just to make sure that we do notice everyone

and don't make any mistakes on that. People can come from all over if they have an interest and care to provide their opinions.

Secretary Smith – Alright thank you sir.

Vice Chair Boniecki – I closed the public hearing but we are discussing maybe postponing this, so do we open the public hearing back up and vote on postponing this?

Ms. Mary Michaels – Do not close the public hearing if it's postponed there will be other public comments made.

Vice Chair Boniecki – Okay, so the public hearing is closed for tonight.

MOTION:

A motion was made by Commissioner Ansar to postpone to August 7th, 2023, supported by Commissioner Tutt.

COMMISSIONERS PORTION:

Commissioner Tutt – So we are saying that within 350 feet they notified all the neighbors they were aware, but Mr. Lafferty made the mistake of telling the people that it was postponed, is that why we are postponing it?

Vice Chair Boniecki – Yes, I believe that is why. They were informed but then they were informed it wasn't going to happen tonight.

Secretary Smith – It seems like a couple of residents that came to the meeting tonight didn't know what to expect and therefore to give a little clarification. These are self-storage climate controlled units, where people can store their personal things and then there will be other units out around the perimeter and across the street on Ten Mile. So it's a self storage unit for people to store their personal items, it's not anything industrial going in there where you have dust and everything in the air. So there's not going to be a lot of traffic just people coming in put their stuff in and that's about it and it's going to be well landscaped. Just to give you an idea of what it's all about so you don't get the wrong idea that it's something industrial with dust and all that stuff. Thank you.

ROLL CALL:

The motion carried as follows:

- Commissioner Tutt..... Yes
- Commissioner Ansar..... Yes
- Assistant Secretary Mouri..... Yes

Mary Clark CER-6819
July 10th, 2023

Secretary Smith..... Yes
 Vice Chair Boniecki.....Yes

- E. REQUEST FOR STANDARD REZONING: Located on the east side of Ryan Road, approximately 176.3 ft. south of Eleven Mile Road; from the present zoning classification of C-2, General Business District, C-1, Local Business District, and “P”, Parking District, to C-2, General Business District; Section 20; 26688 Ryan Road; Village Fair Shopping Center (Iden Kalabat/Kalabat Engineering).

At 9:02 p.m., Commissioner Ansar is asking for a recess.

At 9:11 p.m., proceedings continued

PETITIONERS PORTION:

Iden Kalabat – Iden Kalabat of Kalabat Engineering, thank you for your patience tonight. We have an existing shopping it's the Village Fair Shopping Center on Ryan Road and 696 Service Drive. The property existing as three different zoning classifications the building and the majority of the parking are zoned C2. The back alleyway along the east side and the south side of the property, and I hope I'm getting those two correct and mixed up, are zoned C1 and then the roadway frontage areas are zoned P for parking.

A couple of years ago they had a use variance, this used to be an old supermarket that closed down, they had a use variance that was granted for wholesale user that sold wholesale packaging goods packaging products for retailers and things like that. That user along with the Dollar Tree occupies the full shopping center. The parking demands are extensively less than the available parking that's there, so the property owner has been entertaining and looking at potential out lot development opportunities in that shopping center. The main obstacle of hurdle with that is that the area that they are looking to develop has three different zoning districts for it, there's a C1, C2, and P. So, the first step would be to rezone the property to 1 (inaudible) zoning.

Again, the current uses would not change in the existing shopping center and once that was obtained they would then continue on developing and pursuing the site plan approval for an out lot development. That is the project as it stands and the request as we presented it. I'm here to answer any questions or concerns you may have.

Secretary Smith there is no correspondence at this time.

Mr. Ron Wuerth reads the recommendation of the Staff:

Mary Clark CER-6819
 July 10th, 2023

PUBLIC HEARING:

Mr. John Larson – I live in the Royal Hill Apartments next door, I've lived there for 15 years. I wasn't aware of what was going on when the supermarket moved out, it's a warehouse. I only have hearsay of what they are storing in it, I know it's a smoke shop and paraphernalia shop on the service drive on Eleven Mile Road. I'm not familiar with C1 or P, or C2 zoning, at the moment when I'm looking out my apartment window, I see tractor trailers and trailers coming and going, parking there at night. The tractors are on, meaning there are people in the tractors I can hear rumbling from my window.

I've called the city about this, it's not as bad lately but it felt like a Michigan State rest stop. I object at this point until I have a better understanding of what all these different letters and numbers are. What it looks like to me that C1 would be more businesses they want to build a building in that area or it's a drive that goes out that would be right next to the wall where I live. If there's movement of traffic there or if they are going to build more buildings against that wall it will be noisy, it's noisy enough right now so it would just be worse. It's a residential area there are churches.

Listening to a lot of the other things right now it seems like a lot of people don't understand what these businesses are that are going in, they are just coming in and presenting what the property owners want and it's not fully explained or explained well enough. So I don't have a complete understanding of what this is but I don't want it to get worse then it already is, so if there's a possibility of postponing it to a later time so I can get an understanding by looking this up and figuring out what's being offered here.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – The gentleman that came up doesn't understand the different zonings and what you're trying to do, this is just a rezoning. When you have a property that's got two or three different zones there's different qualifications for each zone. So the biggest part of the property is already zoned C2 so what you want to do is take those other zones that are not in the C2 and combine them with

the C2 to make the whole property C2. This is just about rezoning right now.

As far as the out lot I saw where you had a concept plan that you are going to do it looked like an oil change place and then another one looked like a drive thru restaurant and that's closer to Ryan it's not back in the back of the place it's up in the front. That site plan review comes later, right now this is about the rezoning to the point that we take these zones that don't belong in there combine them so we have one zone to deal with, which has its own qualifications.

Mr. Iden Kalabat – Absolutely, Commissioners I couldn't have said it better myself. I did want to address a couple of his other concerns. Number 1, the smoke shop was an old tenant. It's not currently there it's been closed down for several years now, so there is no smoke shop. The wholesaler that's in there sells wholesale packaging goods, these are packaged bags, Tupperware, cases, boxes and things like that for different retailers and supermarkets and things like that. So there's no paraphernalia they don't supply smoke shops that was an old tenant.

With respect to some of the semi truck traffic the property owner just informed me they did have an ongoing issue with trucks utilizing that property at hours that they were not supposed to in connection with activities that they were not permitted to do so. They took action by having many of those tractor trailers towed to remove them, they were unauthorized users of trying to park their tractor trailers and they did take steps to correct that and have those vehicles towed. So that may be why some of that use has not persisted or has gone down since he noticed it.

To address some of his concerns, as you said Commissioner Smith, there's no intent to expand into areas that are currently zoned C1 those areas are going to be maintained as drive isles and parking areas as they are currently configured. There's really not much room to build and expand building construction within those portions of the property. It is mainly, as you stated, the portion along Ryan Road kind of adjacent to the fried chicken joint on the corner and it would be the portion of the property up front in between the two drive isles. So part of that area is zoned P and part is zoned C2 so we are trying to clear that up and in the process properties tend to have a much more successful life span if they are humongous zoned, they don't have the burden of multiple zoning districts.

Although the current configuration does not require us to rezone those C1 Districts we feel it is the proper thing for the property for it's

life time use and the owners full benefit of that property and any future owners benefit of that property so they inherit one congruent zoned property and not a hodge podge of multiple zonings that were never corrected when the separate parcels may or may not have been assembled. So this is a bit of clean up and also to try and accomplish a goal along Ryan Road.

Secretary Smith – Thank you sir, this is just a rezoning but if you decide to do anything there you have to come before us with a site plan, which we have to approve and during the site plan approval we can go over items to detour the truck drivers from being in there. As far as signs and things like that, but that's something during site plan approval. So we would have to know what you're going to put in there and all the different things that go along with a site plan application. This right now is just for rezoning we want to make it one common zone to eliminate any issues as far as regulations in the different zones.

Mr. Iden Kalabat – That is correct.

Secretary Smith – Thank you.

Commissioner Ansar – Have you decided what type of business is going to be there?

Mr. Iden Kalabat – They have not, the primary target would be a drive thru coffee shop, would not have any sit-down seating it would be drive thru only. But again the first step would be to try and get the zoning situated and then start developing a site plan that would be approvable. I think once they had an approved site plan then they would start marketing for actual users based on the approval, so they currently they are beginning the planning process for it.

Commissioner Ansar – Thank you.

Secretary Smith – Once you get viable businesses in there it should eliminate all the trailer parking, standing in there, and sleeping in there because you'll have more attention to what's going on in the businesses instead of just as a parking lot. That's one of the things you can consider but you need to also consider other things you can do in case they still do it. Thank you.

ROLL CALL:

The motion carried as follows:

Commissioner Tutt..... Yes

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Commissioner Ansar..... No
The reason I'm saying no is because it's a residential area even though it's a C1 which allows all those local businesses and when we transfer them to C2 it's going to allow general business.

Mr. Iden Kalabat – Can I offer a point of correction, the vast majority of the property is zoned C2, the businesses in there are already zoned C2. If I direct your attention to the graphic a good percentage of the property is zoned C2, we would not be increasing the intensity of the zoning I wanted to make sure that was clear. As the previous applicant mentioned that we are up against a challenge with a reduced Commission and one no really makes a difference, so I wanted to make sure we were clear on that.

Commissioner Ansar – Yes, I have read it and I vote no, thank you.

CONTINUED ROLL CALL:

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

Secretary Smith – It's four to one so we have to postpone it to the next meeting.

Mr. Iden Kalabat – I appreciate it, thank you Commissioners.

Secretary Smith – It will be July 24th, 2023.

- F. REQUEST TO VACATE EASEMENTS: Vacate the existing north/south eight (8) ft. wide utility easement located on the rear of lots 1065, 1066 and the north 17ft of lot 1067 and vacate the existing east/west five (5) ft. wide utility easement (east 8.5 ft.) of Piper's Van Dyke Subdivision No. 5; located on the southwest corner of Van Dyke Avenue and Toepfer Road; 21647 Van Dyke Avenue; Section 33; Valentino Holata. PEV230002.

PETITIONERS PORTION:

Mr. Valentino Holata – We own a building on Eight and half of Van Dyke it was the old laundry mat. It's been there for a long time and my parents owned it before that it was sitting there as an eyesore. So when I ended up getting ahold of it trying to take it off their hands and get it to the next step. We are trying to do the easement so we can get to the project part of it and make it into a shopping center, it's one big building now and I'm trying to make it into a three unit shopping center. We want to bring it up to date, fix it up a little bit.

Secretary Smith reads the following correspondence:

TAXES: Current.

DPW: Approved.

MCPW: Please be advised that this letter is for comment in relation to right of way and county drain easements only.

It appears there will be no work within or near a county drain or easement, therefore this office would have no objection to this request. Prior to site plan approval, any proposed project that is under the jurisdiction of this office shall apply with the Macomb County Public Works office design standards. It is advisable to schedule an engineering meeting with this office to discuss how our standards may apply to this site. To schedule a meeting with this office please contact; heather.morin@macombgov.org.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING:

Mr. Eddie Kabacinski – Madame Vice Chair, Councilman Kabacinski, District 5. I’ve been working with Valentino Holata on this along with Mr. Bommarito from the TIFA DDA to get this accomplished. This is the old laundry mat, this is cleaning up some issues that were from where the old laundry mat was at on the corner of Van Dyke and Toepfer. This new development that’s going to go here is going to be a more viable project than the eyesore that is currently there where the old laundry mat is at. It will also take care of a lot of the gravel and a lot of the problems that are in that area right now with the plan. I fully support this so let’s get on with him going on with his project so we can have a viable retail location. Thank you.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- G. SITE PLAN FOR NEW PARKING LOT: Located on the southwest corner of Van Dyke Avenue and Toepfer Road; 21647 Van Dyke Avenue; Section 33; Charles DeWinter (Valentino Holata). PSP230018.

PETITIONERS PORTION:

Mr. Valentino Holata - This project is going to be an extensive project, it's about a 4200 square foot building trying to make into three units. Make it more like an environment for the community, like a snack shop, pizza place, something like Little Caesars.

I've had somebody speak to me about an idea or there for a UPS or FedEx they kind of got the ball actually rolling when people started coming up to me and asking me what would you do if you decided to do this with the building. So when they came and spoke to me these things kind of jump started me. The building has been sitting there. Maybe I've been looking at this project the wrong way sometimes. Looking at and making it into a three-unit building might be beneficial for everybody and the community at the same time.

Another gentleman was kind of interested in opening Little Caesars in the facility. So I was hearing good things so I was like, you know what this is a project I'm willing to work on and trying to accomplish it for the city and see if it would work out. I know it's going to be extensive, but it will get done.

Secretary Smith reads the following correspondence:

TAXES: Current.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Eddie Kabacinski – Again this is going to be rehabbing a property that has been vacant for many years, this was the old laundry mat. There is going to be a viable retail location as Mr. Holata said. There's been an interest in having a Little Caesars in the very south end, Little Caesars usually tries to put these locations within three miles of each other. So to have one in the south end would be a very viable location. Also a UPS Store has been proposed that would help out with mail service in the area also for post office boxes and that kind of thing. The retail environment has not been established yet but this would be one heck of an improvement from what it is now and I hope you will be in favor of it. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Smith – So if you do the UPS and the Little Caesars these would be two separate entities in the building?

Mr. Valentino Holata – Yes.

Secretary Smith – What do you think would be the best application the UPS or Little Caesars or something different?

Mr. Valentino Holata – I'm trying to make it into a three unit property so I was hoping for both actually UPS and Little Caesars to be there. They've both already shown interest, but they want to see the project up and going to actually see how long it's going to take. That's why I'm trying to get the ball rolling. I'm not sure where we would put them we might put Little Caesars in the first unit or the UPS, that's what we are working on now. The units are exactly what they are supposed to be as far as the square footage of both of them. So each of the units would be ideal for either one to pick.

Secretary Smith – So they would be in the same building?

Mr. Valentino Holata – Yes.

Secretary Smith – You know when you've got a Little Caesars in there and the equipment to cook pizzas, you'll have to have the proper ventilation and requirements for a kitchen.

Mr. Valentino Holata – It's actually three units, it's one big unit now but we are making it into three units.

Secretary Smith – I'll have to go by and look at it again because I didn't think it looked that big.

Mr. Valentino Holata – It's about 4200 square feet, so each of them are almost 1400 square feet in square footage. Little Caesars said that would be beautiful because their standalone buildings are no bigger than 2000 square feet. They try not to look for anything 2000 square feet or bigger and 1200 square feet or smaller for a standalone building. There's no Little Caesars or another corporate pizza place in that area, in the three or four mile range, there's a Hungry Howie's Pizza at Nine Mile Hoover.

Secretary Smith – There’s a Nonos Pizza down the street to.

Mr. Valentino Holata – They are good too, when I told Little Caesars about Nonos Pizza they didn’t even involve them. They were looking for Jets, Little Caesars, Happy’s Pizza, Hungry Howie’s and Domino’s.

Secretary Smith – Thank you.

Commissioner Ansar – Would it be okay if we added two charging stations, electric car charging stations?

Mr. Valentino Holata – Yes, there would be.

Commissioner Ansar – Can we add two or three charging stations to the recommendations, it’s coming so it will help your business to.

Mr. Valentino Holata – I wanted to say something about it, my whole vision is honestly making those 10 parking areas that you guys were talking about getting rid of into two or three charging stations. I was trying to do something back in that area with the charging station idea.

Commissioner Ansar – That will help your business too.

Mr. Ron Wuerth – If I may comment, we do have charging stations, there is a section in the zoning ordinance that talks about it. There’s a certain design regarding it so the petitioner is going to have to check with the staff in order to do such a thing. I called attention to the fact that there is extra parking on the site he certainly could have charging stations, but they are a different size, and you have to have an area for the electrical. It’s specific, it’s in the ordinance we will have to talk to the petitioner about it.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

- A. **SITE PLAN FOR OPEN STORAGE OF TRUCKS:** Located on the south side of Stephens Road; approximately 306.95 ft. west of Amber Avenue; Section 26; 12300 Stephens, Thomas Morgan (Ernest Broughton). **Approved on January 12th, 2020. Extension approved to June 13th, 2023. Never Finished. Expired.**

MOTION:

A motion was made by Secretary Smith to receive and file, supported by Assistant Secretary Mouri.

ROLL CALL:

The motion carried as follows:

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

- B. **SITE PLAN FOR PARKING LOT EXPANSION FOR EXISTING RETAIL BUILDING:** Located on the southwest corner of Van Dyke and Toepfer Road; 21647 Van Dyke; Section 33; Donna Delour Holata. **Approved on January 9th, 2017. Never Finished. Expired on January 9th, 2019.**

MOTION:

A motion was made by Commissioner Tutt to receive and file, supported by Assistant Secretary Mouri.

ROLL CALL:

The motion carried as follows:

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

8. **OLD BUSINESS:**

SITE PLAN FOR OUTDOOR STORAGE: Located on the northwest corner of Schoenherr Road and Saint Andrews Avenue; Section 35; 21975 Schoenherr Road; Alen Aboush (Janas Holdings). **Approved on July 12th, 2021. Extension requested by the petitioner to July 12th, 2024.**

PETITIONER PORTION:

Mr. Alen Aboush – I'm asking that my friend help me and translate for me, my English is not very well.

Mr. Roni Dawod – He's requesting an extension to get the irrigation system installed because he had a hard time finding someone to do it. He finally found someone that would do it and he said he would get it done within 2 months. He said everything else on the site plan was completed except the landscaping part which will be done within a couple of months.

Vice Chair Boniecki – So you are requesting a two month extension, no you're asking until July 12, 2024 next year.

Secretary Smith – Right next year.

Mr. Roni Dawod – So his site plan doesn't expire until 2024?

Secretary Smith – He's requesting until July 12th, 2024.

Mr. Roni Dawod – Okay he thought it was 2023 and that was the reason he was here.

Secretary Smith – I've got a letter from you and you have a date of July 5th, 2023, is that what you're asking for?

Assistant Secretary Mouri – I think there's some confusion, they are requesting the extension for 1 year but you're saying you need two months. Your site plan is expired so you need the extension?

Mr. Roni Dawod – Yes, we are just asking for an extension, correct.

Assistant Secretary Mouri – Yes, I know, but do you need one year or do you need a couple of months?

Mr. Roni Dawod – He's saying if he can have one year but he'll try to get it done sooner.

Secretary Smith – Okay so we'll keep the extension until July 12th, 2024.

Mr. Roni Dawod – Yes, that's correct.

MOTION:

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A motion was made by Commissioner Tutt to extend until July 12th, 2024, supported by Assistant Secretary Mouri.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

SITE PLAN FOR NEW PANERA DRIVE THRU RESTAURANT:

Located west of Mound Road; approximately 360 ft. north of Waterview Drive; Section 8; 30093 Mound Road; Theresa Padu (William Eisenberg). **Approved on November 4th, 2019. Surety bond in the amount of \$4,500 posted on December 9th, 2019. Completed. Release the bond.**

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

None at this time.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Mr. Ron Wuerth – Good evening I'm going to report on a few things I've done that would be of interest. Back in June the 28th I attended a meeting with General Motors, and they want to come and get site

plan approval for a couple very large building where they are going to house batteries. Not only batteries they are going to make and produce them not in a grand scale, small scale so there was some interesting discussion. I think they are trying to stay away from lithium, which seems to have a problem with sometimes burning up, blowing up.

I've been working with Meijer's on Mound Road, if any of you ever noticed last year, they removed part of the parking lot and turned it into a grass area they curved it and did all the nice stuff. Right now it's still a grass area they haven't maintained it, I don't know if they themselves have a perception that it's some kind of rain garden area, it is not. So occasionally when I see things like that, I wait a while to see if anyone else has noticed it and no one did. I complained about it, the problem with what they did is that they need to amend their site plan. They just removed a whole lot of parking and I don't know if they are in compliance anymore with their site plan under the rules of the PUD and they are different from our relaxed rules that we put forth just in this last year and a half. So they've got to come back to us and revise their plan showing that parking is not needed.

On top of that though it seems as though they had an idea about what they really wanted to do. What they really wanted to do was market it as an out lot for some type of use. I've spoken to Bill Eisenberg, an acquaintance of mine he works for Grand Sakwa he's talked about the fact that no less than five different types of restaurants drive-thru probably wanted to locate there, they felt they could fit in that space. The one that has really caught their eye believe it or not is another car wash and they seem to think that's a great place for one. I've talked to our Council it's going to be recommended here that it's not going to be an easy prospect to do. They are going to have to go, as I understand it, back through and get a major change to the agreement and amendment because car washes in this case are not considered an accessory use not like the car wash that's on the corner of Mound and Thirteen, this is different, so they'll have to get City Council's approval along with Grand Sawka's approval. You can Grand Sawka is already on board for that so if they really want this they'll have to go through the Planning Commission and then they get to go to City Council and see if City Council thinks it's a good idea to put one more car wash in the Twelve Mile and Mound area.

Another place that's sort of like Mr. Birnie's Auto Place is located on the corner of Nine Mile and Marmon. I got to speak with Chris Aiello and he represented them, talk about packing a site like I've always described some of these auto shops they are like a sardine can they

are packed in tight, all these cars. David had a chance to sit in on the meeting and listen to all of that, they have a lot to do. My recommendation was that they move their whole operation because it's a small site and it's just like Neuner's the same kind of problem, so that's got to be worked on, it's complicated.

One of the more interesting things that I just received is a copy of the draft of the Van Dyke corridor plan, it's only 199 pages long. It shows you that there's a lot of detail that they went through above and beyond and there's a lot of work to be done on the Van Dyke corridor. So that draft is going to be available to those who are on the committee, and it needs review and comment. I think it can turn into a great plan, but it needs a lot of review. I looked at just a couple of pages and a couple of charts and showed that to our Assistant Planner and he agreed he didn't understand the chart, so if you can't understand the charts, I think we need a little change. Aside from that it looked pretty good, I don't know about 199 pages because our Master Plan is like 129. I don't know if I'm criticizing or just wondering about it, but it's going to take time to review that and get it back to Beckett and Raider, I'm always shooting for the best we can get. So if we can get a really nice corridor plan we might get something like what happened with the Master Plan, so that's my goal to work with the others there.

An update on those of you that want to be reapproved as Planning Commissioners, it is not on the agenda for tomorrow night, I don't know when that will happen, I have no idea. It's all on the City Council as to when they think things should happen, and I'm not going to question their judgement.

Now I'm going to talk about something just today and this involves one of our Planning Commissioners who received a call from C&G Newspaper, and she asked that person all about one of our items, it happened to be the one where they thought the junk yard was going. That got around and somehow, they contacted her, Gina Johnson and so she not only contacted the Planning Commissioner, but she contacted our office about four times or something like that. She continued to ask more questions, wanted to know everything there was to know about it.

That's not how we operate when it comes to answering the newspapers or newspaper reporters. It's a real simple thing to remember if, Mahmuda, if someone calls you up from the newspaper and starts asking you questions you simply say that they have to get permission from the Mayor, that's what we say. They have to contact the Mayor to tell the Mayor what they want to ask somebody

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in the office and he decides whether or not it's appropriate or not. That's how I've operated and it works real well because I'm not always friendly with the newspaper people, that's the way I am I've not had the greatest relationship with those type of people. And today she had finally contacted the Mayor like she was told to do he contacted me we ended up on speaker phone and all three of us talked about what that particular issue was all about and she got it cleared up. As a matter of fact, she's not here now, but she did attend the meeting like we asked her to so that she could get a feel for exactly what is going on here. And the Planning Commissioner told her to come to this meeting and find out what it was all about. I'm just informing you that's proper procedure and if the newspaper people talk to you and you feel uncomfortable you better tell them to talk to the Mayor before they can talk to you. That's about all I have, any questions?

Commissioner Ansar – Charging stations do you have an ordinance?

Mr. Ron Wuerth – We do and it tells you the size of the space, how the conduit goes, where the charging station is and the signage so there's all that stuff that goes with it. And if that's what they want to do I don't have a problem with it, it's just they need to do it according to our ordinance.

Commissioner Ansar – The ordinance says that they have to have one or two parking spaces for this business for any apartment?

Mr. Ron Wuerth – They can do it upon approval of the Planning Commission, they can't just go around town putting up charging stations all over because everyone thinks cars are going to be charged.

Commissioner Ansar – I think we should work on this, when we are approving site plans for any business, I think we should recommend they have one or two charging stations. That way we are supporting climate change. In my family I hear four (inaudible). I hear a few cities have already started recommending the charging station for every business so if we can work on it.

Mr. Ron Wuerth – If people want to install the charging stations, we certainly can help them with where it's going to be on the site, but requiring it is a whole other story. It's expensive to put them in, it's thousands of dollars, it's not a small amount of money. So that's why I haven't been that aggressive.

Commissioner Ansar – I personally think it is time to put it as a requirement, I personally think. If we don't push they will not spend the money. When they are opening a business, or we are approving a site plan if we don't push or put it in the requirement they won't spend this couple thousand dollars.

Mr. Ron Wuerth – Well, I repeat, they are very expensive and as I was trying to finish what I was saying Northpoint happens to be the example, I asked them to put on their massive site there four charging stations and they did not want to do that, at all. So if a big company like them isn't interested in charging stations, which is a little unusual because General Motor's is going to have one of those buildings there, but they didn't want to do it. So forcing people to do as a requirement it's not, it's an ask and we can ask. Do you understand.

Commissioner Ansar – I understand sir, I still believe if our ordinance needs to change, I think it's time to look at it. If we are approving a site plan for an apartment and there's not charging station--

Mr. Ron Wuerth – Remember people have to pay when they are charging their vehicles, I don't even know who would own it, more than likely the owner of the property in some way. but I repeat it's expensive. By the way I am for it, when the charging stations first got into the ordinances about 10 years ago when we were in contact with Auburn Hills and Dearborn Heights and we worked hard on how to do, where to do it, and all the particulars about that. We put it into our zoning ordinance, but it's been difficult to get anyone interested in it. Maybe people will be more interested now, but it costs a lot of money.

Commissioner Ansar – Do you have any idea how much?

Mr. Ron Wuerth – Not off the top of my but I could get an estimate, I don't know other than I've been told it cost a lot of money and the example is North Pointe who have millions and they don't want to put in 4 charging stations. Any other questions.

B) Planning Commission Discussion and Concerns:

Secretary Smith – I'd like to recognize our other Ex-Officio Councilman Watts, he was a little late entering our meeting.

Mr. Ron Wuerth – And really quick I almost forgot we have Susan Heydel here, she's our new Administrative Clerk.

Vice Chair Boniecki – Welcome. I do want to say that in the Bylaws we are nominating the Chair, Vice Chair, Secretary and Assistant Secretary at the next meeting and then at the following meeting we will vote on it. So if anybody is interested let us know at the next meeting.

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 10:20 p.m.

Merle Boniecki, Vice Chair

Warren Smith, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

E-mail: maryclark130@gmail.com