

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on September 11th, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, September 11th, 2023, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

John Kupiec
Claudette Robinson
Michelle Tutt
Delwar Ansar
Mahmuda Mouri, Secretary
Merle Boniecki, Vice Chair
Warren Smith, Chair

Also present:

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

1. CALL TO ORDER:
Chair Smith - Calls the meeting to order at 7:00 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:
Secretary Mouri – Do I have a motion to excuse Assistant Secretary Chowdhury, she won't be able to come because of a dental visit today.

MOTION:

A motion was made by Vice Chair Boniecki to excuse Assistant Secretary Chowdhury, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

Commissioner Robinson.....	Yes
Commissioner Tutt.....	Yes
Commissioner Ansar.....	Yes
Secretary Mouri.....	Yes
Vice Chair Boniecki.....	Yes

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Chair Smith..... Yes

Secretary Mouri – Commissioner Kupiec has arrived.

Voting on the action of suspending the petitioners right to be heard by a full nine (9) member board per Article 3b, 3 of the rules of procedure the Planning Commission may suspend the effect of part of the Article 3-4 which gives the petitioners a right to be heard by a full board of nine members.

MOTION:

A motion was made by Vice Chair Boniecki to suspend the rule, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

4. APPROVAL OF THE AGENDA:

MOTION:

A motion was made by Vice Chair Boniecki to approve the agenda, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

5. APPROVAL OF MINUTES AUGUST 21st, 2023:

MOTION:

A motion was made by Commissioner Tutt to approve, supported by Vice Chair Boniecki. 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. AMENDMENT TO APPENDIX A, ARTICLE IV-A: Proposed ordinance amending Appendix A; Article IV-A, Division III, Section 4A, 13; Signs not requiring a permit. The proposed amendment would exempt permit requirements for public artwork commissioned by the City of Warren as part of its Placemaking with Art Initiative; PANAP230002.

Ms. Mary Michaels – If I may Mr. Chair, this is a proposed amendment from the City Attorney’s Office. Laura Sullivan could not be here tonight so in her place I’ll just say that the ordinance simply recommends to City Council change to the sign ordinance to allow for artwork or murals in the City of Warren. My understanding is that the city would accept a lease to certain parts of the building and commission of art by an Artist. There will be some limitations placed on the size and the duration of the art, it’s just to allow some murals to take place in the city for purposes of enhancing our culture, the aesthetics of the area, so there wouldn’t be too many burdens on it with a permit. It’s a recommendation to City Council.

Secretary Mouri – There is no correspondence.

Mr. Ron Wuerth – As the City Attorney was talking about it I wanted to just read it as proposed which changes section 4A.13 Signs not requiring a permit. This is L and it reads; Public artwork commissioned by the City of Warren as part of its Placemaking with Art Initiative. A permit is not required, however, notification to the City Building is required. So this is rather simple and now I’ll read the recommendation.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Lori Harris – I’m not going to give you my address. Public hearings are not usually limited by time, you’ve only done that because I was once and you didn’t like what I had to say, so that is

not fair to people. I heard what Mr. Wuerth just said and a public hearing was supposed to be held and I don't know how this was noticed to people. Before you make a decision, we are supposed to have discussion about this and understand the guidelines. I'm wondering if it's something we need to advertise for public input and then vote on it instead of doing it tonight without anybody being aware of what we are doing. I'm sure there would have to be questions about where these things would go and how they would be paid for. That's my input, thank you.

Mr. Ron Wuerth – Just to make comment there was public notice August 23rd, 2023 in the Warren Weekly, it was given in the Warren Weekly for the September 11th, public hearing and this is the September 11th public hearing, thank you.

MOTION:

A motion was made by Vice Chair Boniecki to approve the amendment, supported by Commissioner Robinson.

COMMISSIONERS PORTION:

Secretary Mouri – What type of artwork are we planning on displaying?

Mr. Ron Wuerth – When they say that the artwork is commissioned by the city that means that there will be a commission, a group of people who will review proposals for artwork. Upon their approval it will be placed in an area that the city has acquired.

Secretary Mouri – The only suggestion and input I have is if the commission that will be deciding will be diverse. Our city that we live in is a very diverse city so we want to make sure that everyone is represented through this artwork.

Mr. Ron Wuerth – It's been standard procedure that any commission has been recommended by the Administration and approved by City Council.

Secretary Mouri – Sounds good, thank you.

Commissioner Robinson – Is this the beginning of an initiative to streamline some of the bureaucracy that it takes to get things moving within city government, because I know that was mentioned in the past. Would this make it move a little faster for those who do have artwork by having this body to approve it?

Mr. Ron Wuerth – It's not this body that will approve it will be another commission, but certainly. I'm sure they'll advertise that there's

space available and want artists to come forward to review. I'm sure there will be a certain time period for artist to bring it forward they'll review, make a decision and the artwork will go up.

Commissioner Robinson – So the goal is to make it more efficient.

Mr. Ron Wuerth – Yes, it would.

Commissioner Robinson – So we will be seeing more initiatives like this to move things a little quicker through the system here, hopefully.

Mr. Ron Wuerth – Wouldn't that be nice, yes, it should go quicker.

Commissioner Robinson – Okay good, thank you.

Mr. Ron Wuerth – As far as the property is concerned it's property that's leased by the city in different locations throughout the city, I think we may start in the Van Dyke Corridor area, I'm not sure how big it will be but it will be a sign that will be at least on the side of a building and they'll determine where that will be, then the process will go forward.

ROLL CALL:

The motion carried as follows:

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

- B. SUBDIVISION LOT SPLIT: Located on the southeast corner of Twelve Mile Road and Adler Drive; 12980 Twelve Mile Road; Section 14; Osama Razooq (Warren C. Avey/Urban Land Consultants); PSL30003.

PETITIONERS PORTION:

Mr. Osama Razooq – Good evening, I live at 8755 Crestview Drive in Sterling Heights. So the project is to split the one lot to three lots my plan is to keep the existing house as is and build two new houses, one in lot A and one in lot C.

Secretary Mouri reads the following correspondence:

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TAXES: Current.

ENGINEERING: Preliminary review of this site yielded no comments from the Engineering Division.

AT&T: AT&T does not object to this parcel split.

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 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.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Howard Herbst – I live on Adler Drive. So he's going to put three houses on that lot and he's going to leave the original one. Have you people driven by there at all, you know what I'm talking about?

Chair Smith – Yes, I know what you're talking about.

Mr. Howard Herbst – There's no way it will work. And are the driveways coming onto Twelve Mile Road or are they coming out onto Adler?

Chair Smith – You can present your questions to us and we will present them to the petitioner.

Mr. Howard Herbst – If they are coming out on Adler it's not going to work, if they are coming out on Twelve it may, but you can't leave that big house in there those lots are going to be too small and the houses are going to be too small for that area. He knew what he was buying when he bought the property.

Mr. Ron Kosal – I own the property directly east of this property I don't think three homes there is a good idea. It's already a crowded space if you've ever driven in that area. I think subdividing it three ways is a bad idea. It's just my opinion, it's already congested, the middle school is down the street and it's terribly difficult for me to get in my own driveway, that's all I have to say.

MOTION:

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

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COMMISSIONERS PORTION:

Secretary Mouri – If I may call the petitioner up.

Mr. Osama Razooq – I just want to give a clarification about how we are running the driveway. The driveway to the east lot is going to be off of Twelve Mile Road and the corner lot is going to be off Adler Street.

Secretary Mouri – I just want to know I think I may have missed it, can you tell me a little bit more about what you're planning to do with the three lots?

Mr. Osama Razooq – I want to match the neighborhood, so the east lot is going to be like my neighbor's house, a single story not bigger than 1600 square feet. The corner one I'm looking to have a house like the existing one, a smaller size but the same style to keep the uniform. The corner lot is a really big one it's 75 x 135 so I think we can put a house like the existing one small size but same style.

Secretary Mouri – I know in the recommendation it says all the matured trees located on lot A, B and C shall be retained, so with those big trees there how are you planning on managing the space?

Mr. Osama Razooq – I don't have a plan for that yet because we haven't finished the drawings. I know exactly where I'm going to put the houses because I'm looking at the driveways right now. My point is to have the east lot of Twelve Mile Road and I think the corner one by the west south corner of the driveway, I'm not sure because we haven't finished the drawings yet. Our plan is to have a 55 x 135 and the corner one 75 x 135, but I think we are going to keep the trees. Just the middle tree between lot B and lot C that's got to come down because I think the driveway will run through the tree.

Secretary Mouri – So you're thinking you may only keep lot B and C trees in there?

Mr. Osama Razooq – No just lot A, we can keep the trees for lot A, but the tree between B and C that's a really big tree there.

Secretary Mouri – I want to confirm with you this because we have to be on the same page. Did you receive the recommendations from the Planning Commission?

Mr. Osama Razooq – Yes, I seen the recommendation.

Secretary Mouri – So when we approve or deny it is based on the recommendation, it's going to be approved conditionally. That means you have to meet all these conditions, so if there's a question that you have regarding the trees that would be something you want to talk to the Planning Commission prior.

Mr. Osama Razooq – The only issue is with the tree in the middle between B and C.

Secretary Mouri – Maybe we want to postpone to give him some more time because it looks like he's not agreeing with all the conditions, because you would have to agree with all the conditions before we approve.

Mr. Osama Razooq – Honestly that tree looks like it's about to fall, it's a very old one and we see the roots so I hope it doesn't fall on the existing house.

Secretary Mouri – Thank you, that's all my questions for you.

Chair Smith – This is just a lot split, we'd have to come back with a site plan so we can deal with the trees at that time.

Mr. Ron Wuerth – We'll make that decision right here right now because this is not a plan that will come back to the Planning Commission, this is a survey plan. So D is very restrictive, the way it's been worded sort of speak, it says shall be retained that's the trees. We can say except for those that will need to be removed that are in the way of any structures proposed or driveways and that should handle the condition.

Chair Smith – So are we changing item D.

Mr. Ron Wuerth – We will change D to say that.

Chair Smith – One thing I wanted to mention, we talk about the lot size being 55 the other houses in that area the lot sizes are 55 wide so it's conforming to the other houses in the area. They were put in before the last Master Plan in 1960 so there's a legal nonconforming but as long as they're able to meet the requirements of what's existing there then the 55 feet dimension will work. The talked over 7000 square feet, the lots are 135 feet long so that's where they pick up the extra square footage. With that said that was a motion by Commissioner Robinson, supported by Vice Chair Boniecki.

ROLL CALL:

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The motion carried as follows:

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

- C. SITE PLAN FOR NEW RECHARGEABLE ENERGY STORAGE SYSTEMS (RESS) AND OFFICE ADMINISTRATION BUILDING – PHASE 1: Located in the Southeast corner area of Thirteen Mile and Mound Roads; General Motors Technical Campus; 30470 Harley Earl Road; Section 9; Rodolfo Nieto/General Motors (Michael Serdiuk/Ghafari Associates, LLC); PSP230029.

PETITIONERS PORTION:

Mr. Michael Serdiuk – Good evening. This is phase one of a two-part project. This is a building where they will be assembling prototype batteries to be placed into vehicles. It's 135,000 square feet roughly located within the GM Tech Center property paralleling Chicago Road. We are currently looking at deleting the office building that was originally attached to that building, we are looking at options to bring that space inside the RESS Building so we can save some cost and construction.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site has yielded the following comments from the Engineering Division.

1. This appears to be one phase of a larger area of work on the site. Storm water, detention, and utility calculations should be provided that encompass the full site disturbance.
2. The area of disturbance for this site is greater than 1 acre and shall comply with the storm water ordinance of the City of Warren. All storm water runoff shall be maintained on the site. Follow the City of Warren storm water standards specified under Ordinance 80-796. This includes detention, pre-treatment, bio-retention cells, rate control, and information.
3. Provide drive aisle width dimensions to ensure they meet City of Warren Standards.
4. Provide details of any work that impacts the Meckler Drain.

FIRE: The Warren Fire Department approves this site plan with the following stipulations that need to be answered.

1. Heavy duty concrete environmental waste area does it have wastewater runoff drainage and what is the potential waste that is going to be in that area?
2. Raised island with standard duty concrete risk shelter provide a standard operation guideline (SOG) for transporting damaged batteries to the shelter.

AT&T: AT&T does not object to this request.

Mr. Ron Wuerth reads the recommendations of the Staff:
Remove item G.

PUBLIC HEARING:

Ms. Lori Harris – One of the things that would really be great, sorry that I called out before, but I think it was important to understand there was so little information about the art stuff. It was helpful to understand if these are city owned or city leased buildings that this artwork is going to go on.

About this issue, I like GM, everybody likes GM but I have a bunch of questions and this information when it gets published in the Warren Weekly has very little help to understand what it even means. I want to know about the open storage of waste products. I want to know about hazardous materials. I want to know you have a shelter in place how far away is my neighborhood if you have an emergency and there are toxic materials spread of fire or something else. What are the protections for the neighborhood, I want to know what waste products are? I understand this is the wave of the future, but I want to know it's safe and I think that you would want to know that it's safe also. I live close enough that it could impact my home, it impacts us as we drive down the road. In terms of it getting into the water is that going to be an issue. I would love to hear more about this. The oven or the heater, I apologize I don't remember what Mr. Wuerth called it, is that to incinerate materials and is there an exhaust from that. So those would be my questions that I would encourage you to ask. Thank you.

MOTION:

A motion was made by Vice Chair Boniecki to approve, supported by Commissioner Kupiec.

COMMISSIONERS PORTION:

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

Mr. Michael Serdiuk – Yes, we did.

Commissioner Kupiec – And do you have any issues or any problems with any of them?

Mr. Michael Serdiuk – There are a couple of corrections I would like to make. We do not have a shelter in place facility, the only shelters we have are risk shelters those are the Quonset Huts, where a battery that's runaway would be placed to control it's discharge. And in response to the incinerators, we don't have any incinerators planned for this. We have a steam boiler that was originally planned for the project to create steam for the process, that will no longer be required so that will be removed. The exterior waste containers currently labeled as environmental storage are products of the process of the wood pallets and scrap metal parts that would be deposited into bins and general trash and recyclable materials. There is no plans to have any environmental storage or product outside no contamination to the water stream.

We are currently in discussions with Wayne County Drain Commission on requirements for the site drainage and as those plans are finalized, they will be submitted to the city for review as well. I have with me Tristan Larson, the Civil Engineer and Sara Stanko from GM if there are any further questions.

Commissioner Kupiec – Have you had a chance to talk to Mr. Wuerth about some of these issues?

Mr. Michael Serdiuk – Yes, we have talked, Michelle and I have talked.

Commissioner Kupiec – So there are items you agree need to be addressed?

Mr. Michael Serdiuk – We will update the plans with the items that were requested at this time we will be removing an office building and the associated parking. We have a ZBA Meeting on Wednesday to get approval for the park account as it was presented originally.

Commissioner Kupiec – Thank you.

Mr. Micheal Serdiuk – For clarification, some of the other outbuildings, the generator building is a generator it's not actually a building. The dust collectors are actually pieces of equipment that will be located outside of the building similar to the equipment that's located outside of the wall less battery building currently.

Secretary Mouri – I just have a quick question, in the history it mentioned that the Planning Commission approved something back in March 8th, 2021 for the site plan of battery sale laboratory building, can you tell me a little more about that?

Mr. Michael Serdiuk – I believe that's the wall less battery center building, that building is completed. When that plant was presented there was a phase II for that this is not that phase II. This is a separate project related to the same research, that's research on battery technology.

Secretary Mouri – Thank you.

Chair Smith – What are Quonset Huts, what are they used for?

Mr. Michel Serdiuk – If there is a battery pack that's being assembled that starts overheating the fire department is notified and at that point the fire department takes control of the situation. Once they've evaluated the situation and determined that the hazard has been remedied the qualified people will move that battery pack out of the building into the Quonset Huts, risk shelters, where it will be allowed to finish doing whatever it's doing before it is then sent to recycling. It's just a place located away from the building to allow it to settle down.

Chair Smith – So are there any kinds of fumes or anything toxics coming from these batteries as they are going through this stage?

Mr. Michael Serdiuk – I cannot answer that, I'm not a chemist.

Chair Smith – So the steam boiler building you're not going to do that one anymore?

Mr. Michael Serdiuk – The need for steam has been eliminated in the project.

Chair Smith – And the hazard waste building?

Mr. Michael Serdiuk – The hazardous waste building has not been defined to us yet, it's something that we anticipated will be needed. At this time there is no hazardous waste that's been identified to be stored outside. And it's not related to this building it's actually related to phase II building.

Chair Smith – When the battery comes out of the Quonset Hut and it's been said everything is okay from the fire department where does it go from there?

Mr. Michael Serdiuk – It goes to a recycling container adjacent to it and it gets picked up by the recycling company.

Chair Smith – How often is that container checked as far as pick up?

Mr. Michael Serdiuk – Everyday if necessary.

Chair Smith – Thank you, sir.

ROLL CALL:

The motion carried as follows:

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

- D. **SITE PLAN FOR NEW BATTERY CELL DEVELOPMENT CENTER (BCDC) BUILDING – PHASE II:** Located in the corner area of Thirteen Mile and Mound Roads; General Motors Technical Campus; 30470 Harley Earl Road; Section 9; Rodolfo Nieto/General Motors (Michael Serdiuk/Ghafari Associates, LLC); PSP230030.

PETITIONERS PORTION:

Mr. Michael Serdiuk – This is phase II of the larger project. This building will be the building where they assemble and actually create the battery cells that then get placed into the battery packs that get placed into vehicles. So, this is where all the chemistry happens to create the actual battery cells. It’s a single story building with a equipment mezzanine the total square footage is 368,000 square feet or thereabouts. Most of that is on the first floor, a slightly smaller area on the second floor, or the elevated mezzanine. This is a prototype facility using different chemistries as they developed to test before it’s put into full production at the actual battery plants out there.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site has yielded the following comments from the Engineering Division.

1. This appears to be one phase larger area of work on the site. Storm water, detention, and utility calculations should be provided that encompasses the full site disturbance.
2. The area of disturbance for this site is greater than 1 acre and shall comply with the storm water ordinance of the City of Warren. All storm water runoff shall be maintained on the site. Follow the City of Warren storm water standards specified under Ordinance 80-796. This includes detention, pre-treatment, bio-retention cells, rate control, and information.
3. Provide drive aisle width dimensions to ensure they meet City of Warren standards.
4. Provide details of any work that impacts the Meckler Drain.

FIRE: The Warren Fire Department approves this site plan.

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 work within or near the Meckler Drain or easement, therefore this office would require a review by the Engineering Department. Prior to 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.

AT&T: AT&T does not object to this request.

Mr. Ron Wuerth reads the recommendation of the Staff:
Remove item I.

PUBLIC HEARING:

Ms. Lori Harris – I just have a couple of questions that I would love to hear answered. GM has done a great job, we are very happy to have GM here, thank you for investing in our city, we need the investment. I do want to be reassured that things in the Master Plan like tree canopy and things like that are addressed. Typically I have noticed at the Tech Center there's a lot of trees and they seem to do a really great job keeping things planted and growing, which really helps. I would love to have information if there's any danger from any of the chemicals or products used that would escape or have a fire. If that information could be provided, maybe the Warren Weekly could do a nice article about this new battery production and give us some information, because information is power. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

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Secretary Mouri – I know one of the recommendations mentioned that the office building is being eliminated so I was just curious with this new development is it bringing in more jobs?

Mr. Mike Serdiuk – Yes there are new jobs, but that's a question that maybe GM would be better suited to answer.

Ms. Sara Stanko – I'm not sure about the creation of new jobs, these are people already employed by GM, this is a preproduction facility. This is where we are doing the experiments, the research, making the batteries to put into the preproduction vehicles so it's not like your typical manufacturing plan--

Commissioner Kupiec – Ma'am I can't hear you.

Ms. Sara Serdiuk – It's a preproduction facility where we are doing the research and building the batteries and testing them out in the vehicles that are not yet in production in a plant.

Chair Mouri – So it's not really bringing in any new jobs it's just a new place where the product is being finalized?

Ms. Sara Stanko – Yes, I mean there are new jobs created when we have a new division of course.

Commissioner Robinson – Approximately how many employees will man these two new buildings? Getting out and traveling on Chicago at certain times of the day, I think it starts at 3:00 o'clock when some of the shift ends it's very difficult to travel along Chicago. Will there be two shifts or one shift?

Ms. Sara Stanko – Again it's not like a manufacturing plant, it's preproduction so they are typically 8-5 business hours, it's like a plant that might have a day shift and afternoon shift. Also, the noted entrance that was highlighted is not proposed any longer.

Mr. Michael Serdiuk – We will be utilizing the existing gate 3, we will actually be closing gate 4 at this time that is just east of gate 3. So gate 3 will be the entrance where most of these employees come in and I think the total head count between the two buildings is in the area of 100 people.

Commissioner Robinson – Okay, thank you for that.

Mr. Michael Serdiuk – I would also like to clarify like Sara said we are not considering a new curb cut on Chicago Road and the

variance is scheduled to be heard on Wednesday for the parking spaces. There is a landscape plan that was submitted with the package, so we are following the landscape ordinance.

Regarding what's going on inside the building, that's all proprietary information, GM is not prepared to share any of that stuff publicly.

Chair Smith - We talked about something that Madame Secretary brought up on March 8th, 2021 we approved a site plan for the new battery cell laboratory building, how is that different from this one?

Mr. Michael Serdiuk – The new battery cell building develops the chemistry that goes into the batteries, this is where they actually implement the chemistry to make the battery cells, that's the best that I can describe it. What comes out of this is the actual battery itself that gets placed into a larger container that contains all the battery cells that then gets placed into the car.

Chair Smith – Are you okay with all the recommendations?

Mr. Michael Serdiuk – We've read all the recommendations; I don't see any issues that we are concerned with. The 9 foot masonry wall we question that, there's pressure internally at GM to make the building more attractive, the RESS Building which is closer to the street is a 135 to 150 feet off of Chicago Avenue and there's a berm and trees that hide the view of the building from the street. You basically will just see the top of the building; the 9 foot masonry wall never gets seen by anybody. And the building behind it, the BCDC Building only can be viewed from inside the property. The masonry wall adds cost to the building. The petitioner would like to eliminate it if possible, but if it's a condition of approval we will comply.

Chair Smith – If you were to start this project what's your time frame on starting the project?

Mr. Michael Serdiuk – The RESS Building is the priority, we are prepared to submit drawings for foundation permits immediately upon approval of the Planning Commission. The BCDC Building is at the end of 2025, RESS is supposed to be completed next year and the deadline on it is fast approaching actually.

Chair Smith – Thank you sir.

ROLL CALL:

The motion carried as follows:

Commissioner Kupiec..... Yes

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

- E. SITE PLAN FOR NEW GLEANERS BUILDING: Located on the northeast corner of Eight Mile Road and Sunset Avenue; 4401 Eight Mile Road (13-32-357-014), 13-32-357-009, 13-32-357-013, 13-32-357-012, & 13-32-357-011; Section 32; John Kastler/Gleaners Community Food Bank of Southeast Michigan (Kathleen Rupp/Ghafari Associates, LLC); PSP230028.

PETITIONERS PORTION:

Mr. Dave Webster – Good evening, I’m with Gleaners Food Bank and we are requesting a postponement for two weeks to give us a little more time to work with the Planning Department.

MOTION:

A motion was made by Vice Chair Boniecki to postpone until September 25, 2023, supported by Commissioner Ansar.

ROLL CALL:

The motion carried as follows:

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

- 7. CORRESPONDENCE:

- A. SITE PLAN FOR OUTDOOR RETAIL SALES OF GARDENING SUPPLIES: Located on the northeast corner of Eight Mile Road and Le Fever Avenue; 4545 & 4547 Eight Mile; Section 32; Vinson Bahri (Robert Ihrle). 16th Circuit Court Case Number 2023-002679-AA; Amended Claim of Appeal by Vinson Bahri and 4545 8 Mile LLC that the decision entered by the Planning Commission for the City of Warren to deny their petition for outdoor retail and outdoor storage of gardening supplies at 4545 and 4547 Eight Mile Road was improper.

MOTION:

A motion was made by Vice Chair Boniecki to receive and file, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

- B. Notice from the City of Troy’s Community Development Director advising that the City of Troy has prepared an update to their existing Master Plan and is requesting comments during a 63 day public comment and review period.

MOTION:

A motion was made by Vice Chair Boniecki to receive and file, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

- 8. OLD BUSINESS:

- A. SITE PLAN FOR OPEN STORAGE OF EQUIPMENT, TRUCK/TRAILER PARKING AND SCRAPPING: Located on the north side of Eight Mile Road; approximately 387.57 ft. west of Mullin Avenue; Section 34; 11177 Eight Mile Road; Dominic Atisha (A-L-I 8 Mile LLC); PSP220023. **Approved on September 12, 2022. Petitioner is requesting a one (1) year extension to September 12, 2024.**

PETITIONERS PORTION:

Mr. Najib Attisha – Dominic is not here, I’m his father, Dominic is ill. I’m a co-owner of the property and I requested this extension.

Mr. Ron Wuerth – I've attended several meetings with Najib and the Administration, they've been monitoring his progress and he has been making progress. It's a rather large site he's having trouble getting it all done within that year so the Planning Staff would recommend that the Planning Commission approve this. That will give him enough time to finally finish it right.

Mr. Najib Attisha – I wrote a letter, but I didn't want to elaborate too much it's been really difficult with the contractors. We sit on 24 acres of property and just maintaining it day to day and getting the contractors out there has been really difficult. We've been working with the Building Department and Mr. Ron Wuerth and as he mentioned we've attended a number of meetings. We are making progress. I don't know if any of you have had a chance to drive by the property or come inside the property, we've made substantial improvements we just need additional time to get it done.

COMMISSIONERS PORTION:

Chair Smith – I looked at your reasons extreme rainy day, extreme heat day, air quality warning day, contractor scheduling issues, holidays off, weekend days off, that's a lot of reasons.

Mr. Najib Attisha – That doesn't leave us many days. It's been not only difficult for our employees but it's difficult with contractors to schedule them. We've had part of our Eight Mile, we have about 135 feet we are sending the greenbelt back into our property the post and the foundation have been in for 2 months and I haven't been able to get anybody to come out there and finish it.

I can show you there's a local company in Warren, I brought the copies with me, last year when we got the one year I contacted them they gave me a price for it we have to go and get some variances that dragged on for about three months and when we got the variances done they said your original quote wasn't good. They gave us a quote three times as much and they won't even return our calls so I had to hire somebody else to do the foundation.

Our post and our foundation are in, once the wall is put in place we'll remove the fence. The things that I can do I do myself, I'm there six days a week 8 to 12 hours a day. The help doesn't want to work, I don't know if anybody on the Board has had any work that needs to be done at their house or business, it's not an easy thing in today's environment. There's construction on Eight Mile Road that's lasted forever, I've even contacted major construction companies to come out there and do some of the work they're like no they are busy. I

can't get anybody, we are just doing it as fast as we can and as efficient as we can.

Chair Smith – Do you think with all of the issues that are going on that one year is going to give you enough time, how many things do you have left to complete?

Mr. Najib Attisha – We have our trash dumpster; the columns are in place it just needs to be formed and poured and we have our front wall those are two major issues and then the parking in the back is just arranging the trailers. Like I said I don't know if any of the Board members went out there the trailers are supposed to be facing east and west, some of them are facing north and south. I purchased about 200 2 x 2 x 6 and some 2 x 2 x 4 concrete so I can put those in the center of the back lot to keep everything organized so one year should be more than enough. As much as I like everybody here hopefully I won't be back.

MOTION:

A motion was made by Vice Chair Boniecki to approve a one year extension to September 12, 2024, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR NEW ATTACHED CONDOMINIUMS: Located on the north side of Chicago Road; approximately 544 ft. west of Mound Road; Section 5; 5615 Chicago Road; Adeeb Zayto (Jeffrey Graham). **Approved on February 20, 2020. First extension request approved to August 8, 2023. Petitioner is requesting a second extension to August 8, 2024.**

PETITIONERS PORTION:

Mr. Adeeb Zayto – Good evening, I'm looking for another extension to start building on this property. We are really looking to start the project and we are searching around but because of all this issue the increased construction material wasn't available but now (inaudible)

so we are starting to work on it that's why we are looking for a year extension so we can have this project done. I'm very eager to do it.

Secretary Mouri – There is no correspondence, but I do have a letter.

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To Whom It May Concern:

I am writing this letter today to ask for an extension of my permit to build on the plot of land located at 5615 Chicago Road, Warren, MI 48092. I am very eager to start the project. As a longtime business and property owner in Warren, I have a desire to continue to invest in this great city. However, there have been numerous external factors that have prevented my ability to begin construction. This includes higher costs for building material and sharply increased interest rates on construction loans. As with any project of this size, timing is very important.

While expenses are higher than expected, prices are starting to come down on building material and interest rates have started to level off. The timing now seems much better than when I envisioned starting this project over a year ago. I am confident that I will be able to start construction soon if I am granted an extension. Thank you very much for your patience.

Best,

Adeeb Zayto

Mr. Ron Wuerth – I did speak to Mr. Zayto and that was August 31st, I believe, I wrote a letter to him that indicated that he should come here and make an effort to obtain another year extension of the site plan so he can continue to work on this. These are new attached condominiums, and we certainly need more of this type of housing stock in the city. This was approved and if you recall how they look, they look wonderful and the Historic Preservation Commission also approved the look of how they are supposed to be. What's left are two copies of a landscape plan that they need to provide us, it shouldn't take much to do that. They also have recorded documents for ingress and egress and shared parking and a shared sidewalk. The City Attorney's Office has taken a look at that made the review and we are going to forward that to him to correct and get that recorded. The final thing is a performance bond in the amount of \$33,333.00 to be posted. Once all that's done, we can approve the

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site plan and move it on to the Building Division for permits that's what we hope to help him with. We recommend approval of this extension.

MOTION:

A motion was made by Vice Chair Boniecki to approve a 2nd extension to August 8th, 2024, supported by Secretary Mouri.

Chair Smith – Did you want to make a comment sir?

Mr. Adeeb Zayto – It was just about the sharing parking lot which I own that building with the parking lot.

ROLL CALL:

The motion carried as follows:

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

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

Ms. Lori Harris – I am pretty mad, and I'm going to tell you what I'm mad about. Number one, none of you asked what kind of chemicals or what the risk is to the neighborhoods around for that project at GM. So it's proprietary we can't even know, for all we know when we see cars on fire and things happening with batteries they don't seem real safe to me when I'm seeing these stories. Then you lowered their performance bond to only \$500,000.00 dollars for each part of the project. Is that because it's GM, maybe it should be higher since we don't know what they are risking in our community, that really makes me mad.

About this condominium project on Chicago I remember when it came up here and this gentleman just said it again that he owns the building next to it and that building kind of sit a little kiddy corner and if you've seen the driveway it sits kind of kiddy corner and he said

that's where they would park. That's not appropriate, there's no access to their actual condos, so how can you approve something, I mean you already approved it, but hopefully someone with sense would say if that building ever got used which it looks pretty empty all the time there's not enough parking spaces for six condos and say they have two cars, if every condo has two cars.

I also wanted to say on the Twelve Mile Road if they take that big tree down, I wish that you would have included something asking the Planning Department to make sure there was more tree canopy provided in that area, that should have been part of the agreement. If they had to remove that tree that they would have sustainable trees that would be planted.

I'm just really upset about the General Motors thing because we don't have the right to have the information and I think that's wrong. I'd also like to encourage you to keep looking and I know Tony will talk about it, the ADA Compliance where things are not getting added into the planning, they are getting approved by Building without being appropriately ADA compliant and that needs to stop. People like Tony and other people need to be able to get in and out of business. The sidewalks on Eight and Mound the intersections the detectable warning mats are not facing in the right direction.

Chair Smith – Your time is getting close ma'am.

Ms. Lori Harris – It shouldn't take a citizen to have to go and take pictures of all these corners to make sure it's done right. Thank you for your time.

Ms. Michelle Katopodes – Mr. Tony Baker is online.

Mr. Tony Baker – I don't know how many members on this Commission know who I am but I'm Tony Baker, I've been a resident of Warren for 20 years. I advocate for ADA compliance in this city and I'm also the keeper of (inaudible). City Council approved a local ADA ordinance 2 ½ years ago that Mary Michaels wrote, and I want to read a portion of what it states about (inaudible) so here goes.

It states; Any site plan approved by the Planning Commission are subject to plan review for compliance with ADA, 2010 ADA standards for accessible design where the Michigan Barrier Free Design Law and implementing regulations which ever standard would provide greater accessibility. Now I'm going to go back to Randazzo's, Lori Harris spoke at a couple of meetings telling this Commission that the parking spaces were not ADA compliant where they were located. I joined a ADA webinar and I asked the specific

question about Randazzo's parking spaces where they are located, they agreed they all have to be by the front door. Now what happened that this Planning Commission knows nothing about as Randazzo's put in two parking spaces instead of all of them. The ones they put in are not even ADA Compliant, they are not close to the door and the access isle is not between the two parking spaces. Back during one of the meetings one of the Randazzo's stated that if it pleased Lori that he would put two spaces by the door. Well he can't implement his own ADA regulations the way he wants them to go, he has to follow the city ADA ordinance and the Federal ADA Law. This has to stop, this is getting out of hand, it has to be enforced and this Planning Commission needs to pay attention to what's going on with this.

A while back I called Mr. Wuerth, I called the Planning Department to speak with him, and the lady came back and tells me he said to go through the mayor. I think Mr. Wuerth is Commissioned by Charter and he doesn't go through Fouts, so I'd like an explanation from him as to why he expects me to go through Mayor Fouts to speak to him. I hope you heard me, thank you.

Chair Smith – Thank you sir, sorry for not being able to connect sooner.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Mr. Ron Wuerth – Just a few highlights in the last few weeks or so. As of today I had a meeting with a gentleman Hatem I think it is. He's been a developer in this town for a number of years, so he started off with three items. One is the Cole Street development and that had site plan approval actually legal action involved with it and they are unable to construct what they had intended to do. Hatem and the people that he represents seem to think that they can change the plan and get it reapproved. So with that said they are going to contact the City Attorney's Office to discuss that with them with the legal document that's already in place and hopefully come to the Planning Commission with another plan that shows another development that hopefully can be approved again and perhaps developed this time around.

Number two, is this Trembleton property east off of Van Dyke on the southside and that's a city owned piece of property that came before us a few times where it was proposed by Mr. Eckert he had some dwellings about 8 of them that he wanted to build, it's just taking a lot

of time and hoops to jump through, too many for him to jump through anymore and he's going to withdraw from that. Again, Hatem has an idea for multiple family developments in that area and so he's contacted Mr. Eckert and he's also going to contact the City Attorney's Office to discuss the matter of ownership of who owns the property. Once we get past that we'll talk about other ideas about the development and how that can work.

The other thing was just a small rezoning which isn't worth mentioning at this point and time.

Last week I attended a meeting regarding a group called Colvanta and they transform liquids that are developed, not developed but as a byproduct and they transform them into a hard type of material that can be used for burning, it's safe as we were told. They want to bring it to a facility here in Warren, transform it chemically there and then move it on to places that will use the hard materials. It's kind of interesting we had a lot of questions; we will continue to talk to them.

I had a meeting with Mr. Lentine and Mr. Lentine had owned Lecom that's over off of Mound Road, I forget the side street. At that site they had the bucket trucks that go out they help during storms both electrically and they cut trees the problem is they've used the site also for a lot of open storage that they never had approval for. It's been a problem and it seems like we are finally getting to the point where we can agree on some open storage but if anyone's seen it and seen all that out there and thought it didn't seem right to them, then they are right. We had that discussion, and we'll see what happens with that in the future.

I attended a Macomb Regional Housing Conference, it's not a conference, it was like a couple hours in place of Michelle. She can probably talk more about that if anyone wants to understand what they are doing. It does have to do with the housing study that the State of Michigan put forth and completed and now they are requiring a regional housing study in which Macomb County is considered region and they are trying to put together the needs of this region. It's really basic, Michelle has more details on that if you care to know more about that.

We had recent discussion with Beckett and Raeder it had to do with our zoning ordinance we are looking forward to them finishing and tweaking the new zoning ordinance. Which means they're coming forward and getting that approved, first of all by this body and then approved by the City Council, they've got quite a bit still to do so we are working with them on that.

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And the final thing I'll say is on the agenda. You had that information from Troy regarding an addition or amendment to their existing Master Plan and you have that document and you all should if you want to check in on that website and take a look at their Master Plan and see how theirs compares to ours. I've already copied the greenspace initiative that they want to work on because that's what we are going to be doing in the very near future, within months we'll be working on a plan for greenspace. So advise anybody who wants to go take a look at that website and check it out. With that are there any questions from the Commission?

Secretary Mouri – I have a question related to you mentioning looking into the Master Plan. I know maybe a couple weeks ago there was mention of training for all the Commissions, I don't know if there's any progress to that?

Mr. Ron Wuerth – I've had no time, that's the truth. You see the staff the three of us, it's been that way for the past two weeks there's no way we can even put thought to that. I'd say in the next month we'll have six people on staff I've been working on that, we'll soon have another Assistant Planner that will be two Assistant Planners. Right now we are advertising for the Administrative Secretary to take over for the front office part, the administrative part of the Planning Department, which we need badly. I think about it but I just don't have the time.

Secretary Mouri – Is there any update on getting the 9th member onboard?

Mr. Ron Wuerth – Potentially, but I can't really speak anymore about it, that's all I can say. It's all up to City Council to hear it or not, it's not up to us we've already put forth a try and everyone of you are on that list. As soon as they determine that they want to put it before City Council that you all get reupped and approved, I don't know why they haven't done it. They are the ones to speak to not necessarily the Planning Staff.

B) Planning Commission Discussion and Concerns:

Chair Smith – Can we get some amendment to the rule for the 9 member board where we do not have to go through that every time we have a meeting. We don't have a 9 member board, it's been awhile since we've had a 9 member board, there's got to be something in there that we can put in our bylaws that says we are not required to stick to that as far as making decisions.

Ms. Mary Michaels – Yes, the Commission asked for that. Next meeting I'll put something for you to review to permanently put into place. I'm sorry it hasn't been available yet, it will be.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

A motion was made by Vice Chair Boneicki to adjourn, supported by Commissioner Ansar. A voice vote was taken and the motion carried unanimously.

The meeting was adjourned at 8:57 p.m.

Warren Smith, Chair

Mahmuda Mouri, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

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