

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on October 16th, 2023, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 16th, 2023, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Sultana Chowdhury, Assistant Secretary
Claudette Robinson
Delwar Ansar
Mahmuda Mouri, Secretary
Merle Boniecki, Vice Chair
Warren Smith, Chair
Garry Watts, Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner III
David Crabtree – Assistant Planner
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 – Commissioner Kupiec if out because his wife is in the hospital and also Commissioner Tutt is out today.

MOTION:

A motion was made by Vice Chair Boniecki to excuse Commissioner Kupiec, supported by Assistant Secretary Chowdhury. A voice vote was taken and the motion carried unanimously.

MOTION:

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

Chair Smith – I’d like to get a motion to suspend the rule for a nine member board.

MOTION:

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

ROLL CALL:

The motion carried as follows:

Assistant Secretary Chowdhury.....	Yes
Commissioner Robinson.....	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 Secretary Mouri to approve, supported by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF MINUTES SEPTEMBER 25th, 2023:

MOTION:

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

Chair Smith – I’d like to recognize Councilman Watts and welcome him to our meeting. Before we go into the public hearing items, I’d like to make a couple of statements.

There was a lot of disruption in the audience at our last meeting. I know the residents want to come and speak which they are allowed to do, but what I’m going to recommend tonight is no comments from the audience unless they are speaking on a particular item. Come up to the podium state your name and address and you’ll have a limit of three (3) minutes to speak. So compose your thoughts in that three minutes if after the three minute time is up if you have additional thoughts save them for the citizen participation later in the agenda.

No remarks are to be made during the meeting when the meeting is in process, that's just a matter of respect.

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 NEW WAREHOUSE BUILDING AND OPEN STORAGE: Located on the north side of Barber Avenue; approximately 364.64 ft. west of Gloede Drive; 14601 Barber Avenue; Section 13; Marvin Marooki/Chistian Investment Properties LLC (Kalajian Architecture); PSP230021. **Automatically postponed from September 25th, 2023, as a result of not receiving the requisite five (5) concurring votes either in favor of or against the item by the seated Planning Commissioners.**

PETITIONERS PORTION:

Mr. Marvin Marooki – Good evening, I'm the President of Christian Investment Properties. I would like to postpone this meeting since there's only six members. Last meeting, we had six members and there was only three votes voted for me and also my Architect had a last minute emergency travel plan. For those reason I request to postpone this until the next available date.

MOTION:

A motion was made by Vice Chair Boniecki to postpone until November 6, 2023, supported by Commissioner Ansar.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OPEN STORAGE OF LANDSCAPING EQUIPMENT AND MATERIALS: Located on the east side of

Flanders Avenue, approximately 120 ft. north of Harold Avenue; 25800 Flanders Avenue; Section 24; Matthew Lockhart, 25800 Flanders LLC (James Van Havermaat/PE, NorthStar Engineering LLC); PSP230032.

PETITIONERS PORTION:

Mr. Matt Lockhart – Good evening, my address is 17400 Penrod Drive, Clinton Township. We just purchased the building at 25800 Flanders which is directly across the street from the recycling center. We are trying to get the rest of the yard approved for our usage for what we need to do for our business. I know there's a few things that we talked about. We were at the Zoning Board of Appeals Meeting on Wednesday and went through that process and now we are here to continue our process.

Secretary Mouri reads the following correspondence:

TAXES: Current.

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

Variance shall be required for the proposed outdoor storage.

MCDR: Not in MCDR jurisdiction.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Mouri – I know on October 11, just a couple of days ago you had the Zoning Board approve the variances?

Mr. Matt Lockhart – Yes.

Secretary Mouri – So right now with this plan going forward what else are you trying to do there, you have that part done right?

Mr. Matt Lockhart – Yes.

Secretary Mouri – I know usually we approve it and then it goes to the Zoning Board I was kind of confused about that.

Ms. Mary Michaels – That’s the preferred practice but it’s not always done that way.

Mr. James VanHavermaat – Mr. Wuerth indicated that this is the current practice that we would get the variance first and then come to Planning.

Chair Smith – I think you come to Planning first and then get the variance, because Planning needs to look at it to see if you even need a variance. You come to Planning we see if you need a variance then you go to the Zoning Board to get the variance.

Mr. James VanHavermaat – We knew that a variance was required because of the limited amount of open storage permitted.

Chair Smith – Thank you sir.

Assistant Secretary Chowdhury – Have you had a chance to review all the recommendations, and do you agree with all the recommendations?

Mr. Matt Lockhart – A few of them I’ve already started to do. Like the fence I already did the slates all of it has been repaired.

Assistant Secretary Chowdhury – And you are in agreement with the recommendations that they provided right?

Mr. Matt Lockhart – Yes.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR REDESIGN AND DEVELOPMENT OF PARKING AREA: Located at the southwest corner of Nine Mile Road and Warner; 2700 Nine Mile Road and 2760 Nine Mile Road; Section 31;

Paul Reschke/Spartan Real Estate Group (Great Lakes Trucking MI, Inc./Liliya Skikun); PSP230033.

PETITIONERS PORTION:

Mr. Paul Reschke – Good evening, Paul Reschke with Spartan Real Estate on behalf of Liliya Skikun, who is the owner of Great Lakes Trucking, MI and the owner of multiple parcels. Back on July 10th we came before your Board on this project which consists of multiple parcels, and you gave us approval of conditional rezoning. This past Tuesday in an exciting City Council Meeting we received agreement on the conditional rezoning. So this parcel was not a part of the original property and this is on the corner of Warner and Nine Mile. It was suggested that it made sense for us to buy the property and use it for parking of cars. We've created the site plan which helps alleviate some of the traffic and congestion in the back of the property. It also allows us on the original property to take some of the parking that sits in the Nine Mile setback just take that parking out and put it into this side lot and then landscape that front end.

In the plan there's 60 spaces for car parking it will be fence, there's a retention pond, we've got a small berm with some low planting along Warner and Nine Mile. We have been working with the three neighbors who border the property, we just had a meeting with them about a week and a half ago to share with them the plans for this property. One of the things they asked us to do is the first house there the fence line sits maybe eight (8) to ten (10) feet in front of the house and it kind of impacts their driveway, so they asked us if we could push that fence line back so that it's parallel to the edge of the house and even some of the landscaping there making sure there's no impairment to their site line for people backing out of their driveway so that they can see the traffic on Warner Avenue and we've agreed to do that.

Secretary Mouri reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. 27' row dedication to the City of Warren shall be required from parcel 13-31-126-003.
2. Parcels combination shall be required.

Mary Clark CER-6819
October 16th, 2023

3. Site shall comply with the current City of Warren storm ordinance. Detention and pretreatment shall be required. Provide a detailed storm narrative on the site plan.

FIRE: The Warren Fire Department approves this site plan. If you have any questions, please contact me at 586-756-2800 ext. 3300.

AT&T: No objection.

MCDR: Not in MCDR jurisdiction.

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 the Bear Creek County Drain or easement therefore this office would have no objection to this request. *Please note that the Bear Creek Drain is the nearest county drain in the Nine Mile and Warner Road right of way, no work permitted within that easement without review and approval. 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. To schedule a meeting with this office please contact heather.morin@macombgov.org. Please contact this office, should you have any questions, 586-469-5910.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Lori Harris – Hi, this is the amazing Lori Harris; I have some questions. I kind of find it a little bit disconcerting that this whole thing came to Planning and went to City Council and then all of a sudden there's a new part of this plan. I want to know if the residents were all noticed properly before this meeting. It's very nice that they talked to the three people that have residence there, but I believe there were more than three families involved when this came initially this summer. That's a very important question. And how will it affect the rest of what you've already approved. Right now you just have the parking spaces up there, there's no way to look at what that really means for the whole project. I find this a little bit sneaky as a resident. I don't think it makes a lot of sense to have done it this way. I would like you to verify that people were noticed and had the opportunity to come to this meeting. And I can't tell where the building is so in terms of the accessible spaces it looks like they would be going across a parking lot, so if you could verify that. Thank you.

MOTION:

Mary Clark CER-6819
October 16th, 2023

A motion was made by Vice Chair Boniecki to approve, supported by Assistant Secretary Chowdhury.

COMMISSIONERS PORTION:

Secretary Mouri – I know you mentioned you recently acquired the additional land, is that the land that you're getting the parking lot done right now?

Mr. Paul Reschke – That's correct.

Secretary Mouri – When did you purchase the land?

Mr. Paul Reschke – In July.

Secretary Mouri – And that was after we approved the original plan already?

Mr. Paul Reschke – I mean the whole site plan was in the process, there's nothing sneaking about it. This is zoned R-1-P it's properly zoned so I'm not sure what the question from Lori was?

Secretary Mouri – You mentioned in the beginning that you purchased the land afterward. For the 60 parking spaces that is being done, is that for employees along with customers?

Mr. Paul Reschke – Employees and customers, yes.

Secretary Mouri – Is that enough?

Mr. Paul Reschke – Yes.

Secretary Mouri – How many employees do you usually have in the building?

Ms. Liliya Skikun – We have about 10.

Secretary Mouri – Is it a Monday thru Friday operation?

Ms. Liliya Skikun – Yes, we work on Saturday's as well but it's only a half day and not all the employees are there.

Secretary Mouri – And all together you have around 10 employees?

Ms. Liliya Skikun – We have more but I’m not counting truck drivers, they are not there every day. They leave this parking lot for the drivers whenever they are on the road they can leave their cars on the separate side not where they park their trucks so we can have extra capacity.

Secretary Mouri – That’s all, thank you.

Mr. Paul Reschke – It keeps the car and truck trailer traffic separate and more secure, the cars could be there overnight even.

Chair Smith – I looked at the drawing, I think it’s a nice drawing I see where you put in the retention base and some berms to kind of give it a little border and decorative and also help with the water so you don’t have any type of flooding issues when you start to remove that kind of soil. It looks like it’s a well designed parking lot and I understand the need to get the passenger cars from where the trucks are at to give you more space. I appreciate your time and talking to the neighbors.

Mr. Paul Reschke – It just helps the overall project with the flow design spacing, we didn’t have to buy this lot but we did because it made sense to the overall project, it eases congestion. In the backend we also have a parcel that we purchased primarily for a buffer zone, it’s like 1 ½ acres. We will have a berm, we will have additional retention pond there so there are some expenses to this overall project, but we wanted to design something to respect the neighbors. They realized that this business was going to function in this area and we just wanted everyone on board so that we could live in harmony.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR RELIGIOUS FACILITY (LANDMARK CHURCH):
 Located on the northwest corner of Mound and Thirteen Mile Road; 5717 Thirteen Mile Road; Section 5; Paul Reschke/Spartan Real Estate (13 Mile & Mound, LLC/Nick Shango); PSP230020.

PETITIONERS PORTION:

Mr. Paul Reschke – We are trying to do some good things in the City of Warren and we appreciate your support in all the different projects we've been involved with.

This project is for the corner of Thirteen and Mound, Shango Enterprises Property where there's been a lot of work going on. In the corner it's an L shaped property in the very corner Team Up Academy and Landmark Church will be occupying 22,500 square feet. Adjacent to the west is a parking area and then to the south of the parking area is Joyful Totts, which is right in the three units on the corner there. A daycare facility, which will be part of the overall plan for Team Up Academy.

So in the 5717 Thirteen Mile the Landmark Church will occupy that space, they are part of Team Up Academy they used to be located in Hazel Park along the service drive just south of Ten Mile it used to be a massive church, they could hold 2500 people when it was a Baptist Church. The church kept getting smaller and smaller as people moved out of Hazel Park with the demographic change. Landmark Church is a big part of Team Up Academy.

Team Up Academy is a non-profit. It's a 30 day bootcamp which provides skilled training for maybe underserved or even kids who decide not to go to college. It gives them an opportunity to learn skills to be prepared to go into an industrial or warehouse type setting. They'll get a certificate to drive a forklift, they'll learn some life skills, banking, hygiene.

We are in discussions with Manpower the nation's largest temporary placement service who deals with a lot of the tier one suppliers to be a partner with them. Essentially, we will train these people and introduce them to the environment they are going into, and it provides an opportunity for young people. We've even got the support of John James who is working with Congress to create an act to get basic apprentices training for Vets, he's on board with the program he sees a great fit. We've got a lot of support from the county and from the city we think it's going to be a great project and a great opportunity to make a difference in the lives of people. Our moto is to change lives so it gives these young people a chance to get into a position where they can draw a living wage and potentially support a family.

Part of the future curriculum of the program will be a step up skills. We work with them, and the church is a big part of mentoring them and vetting of these candidates and making sure that they are successful. If they are having any troubles, they come back to us and talk to us and we help them through.

This isn't a handout type program. The people who come into the program we provide the training to them they become hires of Team Up Academy during a probationary period of six months with wherever they are placed. Once they are placed onboard, we receive a fee for our services from whatever company we work with. So, it's important that we advance them to a point where they become a part of that company and contribute to it.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: No Comments.

FIRE: Approved.

AT&T: No Objections.

MCDR: No Objections.

MCPW: No Objections.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Robinson – I think this is a wonderful plan for our youth and we need more. This is just the beginning of more developments like this, so thank you so much.

Secretary Mouri – So this is a church facility that is going to be utilized for the youth?

Mr. Paul Reschke – It can be, yes, it's not a condition of anyone participating in the program. The Pastors have that experience and the background to provide some of the vetting. We want these kids to be successful, we want them to know what they are getting into to. This will be like a job when they come to it, they will punch a clock be there on time and go through a full day and once they get through

the program then we place them with different manufacturing or industrial companies who have a need.

Secretary Mouri – So they wouldn't have to belong to a group of religious background, it could be from any religious background?

Mr. Paul Reschke – That's correct, this is all about the kids and the people and a path to be successful. We have a Board of Directors who are all old guys who come from different business backgrounds who want to share and give back some of that.

Commissioner Robinson – This seems to be like on the format of Focus Hope, will the attendees get some type of (inaudible) while they are in training for various job skills?

Mr. Paul Reschke – Yes, they will.

Chair Smith – Is most of the training going to be done in the building itself or do you have enough facilities in the building to do the training?

Mr. Paul Reschke – Yes, that's the plan. This is in process right now, a lot of the curriculum has been developed now we have to build out the facility to accommodate. There is a loading dock on the backend of the property that used to be a part of an old supermarket so we will utilize that. We will provide certification in Hi-Lo training so some of the training will occur in the parking lot outside like unloading trailers, reloading them, but nothing will be stored outside everything will be in the building just some activities will occur outside.

Chair Smith – Thank you sir, Mr. Wuerth would you come up a minute, please. I know Mr. Shango has seasonal outdoor storage in that parking lot which is going to be roughly in front of where that church is at. How is that going to affect the parking of his church as people coming for the seasonal Christmas trees and plants?

Mr. Ron Wuerth – I don't think it's going to affect it at all. I think where the flowers and Christmas and Halloween type of products that are being sold at that tent, they are at least 200 to 300 feet away from the area that the people going to the religious facility would park in, so it's a considerable distance away.

Chair Smith – Thank you sir.

Assistant Secretary Chowdhury – What would be the hours of training or operations?

Mr. Paul Reschke – Typically it would be an 8 to 5, some people coming earlier at 7 o'clock, the latest they would be out is 6 o'clock. On the weekends the church will have a service, they may have a Wednesday evening service too but that's about the extent of the church service. Right now it's not a huge congregation, it's probably 50 people. We feel there's a need in the area.

Assistant Secretary Chowdhury – Okay, thank you.

ROLL CALL:

The motion carried as follows:

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

- E. SITE PLAN FOR EXPANSION OF ATHLETIC FACILITIES FOR REGINA HIGH SCHOOL: Located on the south side of Masonic Blvd., and approximately 652 ft. east of Schoenherr Road; 13900 Masonic Blvd., Section 1; Mary Treder Lang/Regina High School (John Dell'Isola/Nowak & Fraus).

PETITIONERS PORTION:

Mr. John Dell'Isola – Good evening, I'm with Nowak & Fraus, 48680 Van Dyke, Shelby Twp. This project was a long time in the making the school moved to the City of Warren in 2007 and now is looking to make a further investment in the property. The current facilities are limited in the back of the property at present, but they are interested in developing some tennis courts, track and field for the track events also development of soccer, lacrosse and field hockey fields. They plan to use those for the students and their athletic programs they also plan to host some other events with a focus on women and sports and the youth of the local community. We are asking for approval of this and will be happy to answer any questions you might have.

Secretary Mouri reads the following correspondence:

Mary Clark CER-6819
October 16th, 2023

TAXES: Current.

AT&T: AT&T does not object to the proposed project. Please note we do have active facilities on the property and in the vicinity, but we do not expect our facilities to be in conflict. Please advise the petitioner to contact the wire center engineer, Daren Heckman, if any conflicts or issues arise. He can be reached at 586-382-9918 or dh7851@att.com.

DTE: DTE electric company has reviewed the site plan for an expansion of athletic facilities for Regina High School. DTE electric company has no objection to the site plan for expansion of athletic facilities for Regina High School impacting 13900 Masonic Blvd., Warren, Section 1, per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Secretary Mouri to approve, supported by Vice Chair Boniecki.

COMMISSIONERS PORTION:

Chair Smith – I went by there today and looked at everything, I saw where the existing batting cage was going to stay and you're going to eliminate the one baseball field for the track to come down through there. There's a lot of events in there seems like a lot of things in that area. Is Regina an all girls school?

Mr. John Dell'Isola – It is, yes.

Chair Smith – Do you understand the recommendations?

Mr. John Dell'Isola – We do.

Chair Smith – I noticed on the top of the drawing where it's showing parking spaces next to the building and it comes down, how far are those coming down? I know there's parking spaces there now and I saw where they had decorated the pavement with artwork, so I was trying to figure how far those parking spaces were coming down before you got to the track?

Mr. John Dell'Isola – The spaces nearest the building will remain as is, once the track comes in we turn things 90 degrees so we are going to have a long row of parking in the east and west direction

where as now there’s several rows of north and south. Maybe it’s a little bit harder to get your bearings out there. The spaces nearest the building will remain as is and then we’ll have the drive lane, two banks of parking and another drive lane and then the southern bank.

Chair Smith – Do you understand why they are asking for the variance on a 10 foot fence?

Mr. John Dell’Isola – Yes, we understand that a 10 foot fence is not a normal request, it is one that the tennis courts require so we understand.

Chair Smith – I can understand because if I hit the tennis ball it’s going to go over the fence, so it has to be tall enough where I can’t knock it over the fence. Thank you, sir.

Mr. Ron Wuerth – Excuse me, I just have one comment it’s something that I should have done and that was reassess the performance bond I think it’s too excessive for what it would apply to, which is primarily to the landscaping that they’ve got a lot of. However, in my opinion I would cut that amount in half from \$120,000.00 dollars to \$60,000.00 dollars, I think that’s a lot better assessment.

MOTION:

A motion was made by Secretary Mouri to lower the performance bond to \$60,000.00 dollars, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

None at this time.

8. OLD BUSINESS:

SITE PLAN APPROVAL FOR NEW APARTMENT BUILDING ADDITION TO REGENCY CLUB APARTMENTS: Located on the

northwest corner of Hayes and Frazho Roads; 26160 Regency Club Drive; Section 24; Michael Tobin; TG Warren, Inc. **Approved on November 28th, 2016.**

AND

MINOR AMENDMENT TO THE APPROVED SITE PLAN FOR NEW APARTMENT BUILDING ADDITION TO REGENCY CLUB

APARTMENTS: Located on the northwest corner of Hayes and Frazho Roads; 26160 Regency Club Drive; Section 24; Micheal Tobin (James Barnwell). The Minor Amendment is to expand building #20 from 10 units to 16 units and provide access to individual garages for each unit in buildings #20 and #21. **Approved on November 19th, 2018. Petitioner is requesting to modify the Planning Commission's standard condition for the trash enclosures for both site plans. The request is to allow the placement of vinyl fencing and wood railroad ties around the trash enclosures in place of the required six (6) ft. high brick embossed poured concrete walls with a 45 degree angled cap and screening gates. Postponed from September 25th, 2023.**

PETITIONERS PORTION:

Mr. Ben Tobin – Good evening Commissioners, my name is Ben Tobin I'm actually standing in on behalf of Michael Tobin from TG Warren. If you've ever been to the Regency Club Apartments or the new Townhomes that were constructed recently which is what the site plan approvals were for originally you'll see that they are new, looking good, occupied, and doing great things in the city.

As far as the dumpster enclosures go the Townhomes or these two site plan approvals that are located on the agenda here tonight that were previously approved were for additional buildings adjacent to an existing apartment property. On that apartment property there are existing dumpster enclosures that are built the way that we would like to build on the new parcel so there's uniformity all the way around. That is what we are seeking here this evening is simply just to keep things uniformed within the property so as you're going through it's just cohesive.

MOTION:

A motion was made by Vice Chair Boniecki to recognize as a minor amendment, supported by Secretary Mouri.

ROLL CALL:

Mary Clark CER-6819
October 16th, 2023

The motion carried as follows:

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

Mr. Ron Wuerth – First, before I begin with what I believe is a more correct response to their request. They do not have any document, I didn't write anything up in this case so he will respond to what I have to say right now, I didn't give him a chance over the weekend with a report.

If you look in your backup information, you'll see number 1, a trash enclosure area this yellow one and it seems rather large as you can take a look at it. I looked at, I also looked at the second one that's the next page they both are enclosed with these wood timbers. They've got concrete base, the concrete base is fine, the wood timbers typically that's supposed to be a poured concrete wall that surrounds it, this is the change that they would like to have. I can agree with the wood timbers except for the following changes. Wood timbers would have to be built so that they are 6 feet in height, just like the walls that we require. Secondly, within the enclosure it's typical and in this case because we have the wooden walls, we'd prefer some bollards like post that are about 4 feet tall filled with concrete so at least two of these bollards or maybe three of these bollards in the rear and two on each side. So that when a company goes in and picks up empties and then puts it back in there, they slide it back in that's typical of how they do it and maybe slide it until they nudge up against those bollards and not the walls of the area.

Then finally when you look at the very first one here you have to take a look at the concrete and right along the front of the base of this waste container, you'll see a line it's a seem that's where we'll need a screened gate. That's a requirement from what we usually put there, we don't care to have people seeing the trash, so a screened gate would be required from one side to the next, so it's like two gates that open up. I can say the same exact thing for number two, that seems to be a little smaller as you can see the tall container, we want that 6 foot high height and also gates in front of that to enclose it and keep it out of sight. So those requirements would be for the first two and I can put this in writing, and I will.

Now we get to the last one here that happens to be placed right on a corner. In the letter Mr. Tobin spoke of the other trash enclosure areas that they were allowed to put up vinyl fencing. I can see that vinyl fencing could be done here, but this particular site the first thing I saw from a safety point of view is that the trash enclosure is very close to the edge. One shows it closer to the edge of the concrete drive and another one shows it placed back and almost off the concrete pad that's there. So the first thing you think about is sight distance, I'm talking about people coming in and out of where their dwellings are where they drive to park and go into the garages and then come out. They need to have good sight distance and that is they are pulling up to the corner they need to be able to see far enough. If you look at this thing it would be to their left and be able to see a vehicle that's coming from that direction from the camera angle here, so that needs to be corrected.

There's a drawing that you have in front of you, I did this quickly, but the drawing shows an additional probably 10 foot x 10 foot pad that's going to extend further back, that's where this is going to set. The front of it will be where the back part of the trash dumpster is now that will give anybody coming up to the corner and trying to cross in front of it plenty of sight distance so there won't be any accidents. So it would have to be a 10 foot x 10 foot concrete pad according to our specifications and the walls around it could be white vinyl fencing. But again, the bollards will need to be placed within next to the fencing so that when they slide that back in there it's not going to hit the fence. I didn't go take a look at the ones that exist out there but they all should have the bollards inside the fencing so that they don't get damaged by the truck when they are putting it back in. Then there would be a screened gate on front of that. So this is all new to the petitioner if he wants to comment on that most certainly.

Mr. Ben Tobin – Sure, I'm just kind of curious, this has been postponed several times my staff didn't have a chance to review it.

Mr. Ron Wuerth – It's never been postponed this is the first time it's come here.

Mr. Ben Tobin – This was tabled from the last meeting, it's literally written in here September 25, 2023, I'm just asking. Commissioners, as you saw the railroad ties are in existence this is how we've done it previously. The pictures that you saw this evening are incomplete. There's vinyl fencing that is supposed to go

up top that is completely hid those dumpsters and those enclosures, there's also additional gates.

Mr. Ron Wuerth – Do you know the reason for the postponement, you asked for it.

Mr. Ben Tobin – Yea we asked for the postponement, yea I understand that.

Mr. Ron Wuerth – So are you making an issue of this. There was a Jewish Holiday, so we postponed it for Mr. Tobin. Mr. Tobin is a respectful individual, I've know him for over 20 years.

Mr. Ben Tobin – I'm also a Mr. Tobin, I'm not trying to be disrespectful, I'm asking.

Mr. Ron Wuerth – You're Mr. Tobin too?

Mr. Ben Tobin – I am, yes. I was asking because I wanted to know why you guys hadn't reviewed that's all. I wasn't trying to be disrespectful, and I apologize if it came off that way.

Mr. Ron Wuerth – I'm not going to make any excuses why we didn't review it then, but he wasn't ready to begin with.

Mr. Ben Tobin – No, I know he wasn't ready last week because of the Jewish holiday. I was only asking why you had not reviewed or had comments on it from reviewing it when it was supposed to be weeks ago, that was the only question.

As I stated the railroad ties that were there previously or that you saw up here those were incomplete there is still vinyl fencing that has to go all the way around and the additional gate that staff has mentioned needs to be there to have it fully enclosed, we understand that. We are trying to make it cohesive.

The bollards have never been mentioned before as far as I know, did you mention them to Michael, he didn't mention it to me that's why I'm asking. I have no issues with the bollards if you would like them to be there to keep it from hitting the railroad ties as the dumpster is put back down so it does not push the ties over especially when they are not like this photo and there's no retention behind them, there's no ground stopping for moving. No issue at all, if he has no issue, I

have no issue. I'm here asking for it to be approved so it's cohesive throughout the entire property, that is it.

Chair Smith – Okay sir, let me see if we can get this straight here, we are going to go ahead with what you've got with the ties are we still going to raise them up to 6 feet, are you putting the vinyl siding around them?

Mr. Ben Tobin – You had a conversation with Michael when he came into your office I assume back then.

Mr. Ron Wuerth – Yes we did.

Mr. Ben Tobin – Could you memorialize that for the record, I apologize he did not prepare me and I never saw anything.

Mr. Ron Wuerth – And I apologize for that.

Chair Smith – Mr. Wuerth, would you like to postpone this so you guys could get together on this and we can bring it back at the next meeting?

Mr. Ron Wuerth – Out of respect for Mr. Tobin I would ask for a postponement, is that alright?

Mr. Ben Tobin – That's fine.

Mr. Ron Wuerth – I don't know when you guys are going to get to continue with that?

Mr. Ben Tobin – It's not stopping them from living there so to me it's not an emergency.

Mr. Ron Wuerth – No, it's a modification of what's out there and that's all we were trying to do, but I can have a better report for you and a better report for the Planning Commission.

Mr. Ben Tobin – I appreciate that.

MOTION:

A motion was made by Vice Chair Boniecki to postpone until November 6th, 2023, supported by Secretary Mouri.

ROLL CALL:

The motion carried as follows:

Mary Clark CER-6819
October 16th, 2023

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

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

Voting of proposed amendment to Planning Commission Rules of Procedure; The proposed amendment eliminates the requirement in Section III, paragraph 4, which gives each petitioner the right to be heard by a nine-member board.

Ms. Mary Michaels – It also would make some other housekeeping corrections to the rules of procedure. A concurring vote of 5 members would be needed under the same circumstances as in the bylaws. So right now you would need a vote of five members for any action the rules would be made consistent with the bylaws so only under certain circumstances you need 5 votes. Consider this work in progress like is said before because there's still some concerns with the bylaws and this as well. For example five votes for a resolution of a Planning Commission I think sometime in the near future we need to actually get rid of that or define it, because anything could be a resolution.

Also, I'm recommending that the body eliminates that one provision that gives the Chair the discretion to table a matter if there's not a full member board. Only because right now, without standards, it's arbitrary I'm not sure Mr. Chair if you want that to remain or not. It's good in concept if there's not a full board to give somebody an opportunity to come back, but right now there are no standards. So there's no way to apply it to all of the petitioners.

Chair Smith – So you want to eliminate that?

Ms. Mary Michaels – That's my recommendation right now but again I urge a committee so that we review these rules and the bylaws.

Chair Smith – I just have a question, it was my understanding that the only thing we were really voting on tonight was to eliminate the

need for a nine member board and that was it. I see there's a lot of other things included in here that you said need revisions and stuff like that. Can we just vote tonight on eliminating having a nine member board?

Ms. Mary Michaels – Absolutely, yes.

Chair Smith – I thought voting tonight was just voting on that one particular part of the item.

Ms. Mary Michaels – Right, that item plus the proposals were introduced at the last meeting, but that's fine if you want to narrow the scope to that one provision feel free.

Chair Smith – I think I would like to do that for the simple reason I won't have to repeat myself every time the meeting starts to suspend the rules.

Ms. Mary Michaels – That's a part of it, so you can vote on just that or vote on the entire.

Chair Smith – Being the other stuff needs work still why don't we just vote on that.

Ms. Mary Michaels – Absolutely.

Mr. Ron Wuerth – I do agree with what the Chair is requesting, and these other issues certainly need to be looked at. So we can continue that as you said Ms. Michaels. First of all, the rules of procedure have been undergoing a complete overhaul and the bottom line with it is that we were working to separate the bylaws and any issues that had to do with the bylaws from the rules of procedure. Rules of procedure being such that pertain to what we do in the Planning Department as rules of procedure as opposed to them also applying to how the Planning Commission operates within confines of the bylaws, so that's what we've been working on. Bottom line I'd like to continue on with the discussion with these other issues and having meetings to talk about it.

Chair Smith – So we need a motion to just vote on the suspension of the nine member rule, to eliminate requiring us to suspend the rule every time we have a meeting because we don't have a nine member board.

Commissioner Robinson – So what you’re saying is you don’t have to recite that is that correct?

Chair Smith – It eliminates having to suspend the rule every time we have a meeting. And that’s just part of what this whole amendment is about, but the amendment needs work.

Commissioner Robinson – Would the general public know if you’re not going to recite it, that doesn’t matter?

Chair Smith – I don’t really think so now that we’ve said it at our meeting and it’s been recorded, the purpose of it is so we don’t have to say it every single time.

Commissioner Robinson – So in other words it doesn’t have to be conveyed to the general public?

Chair Smith – Right, if they say you don’t have a full board well it doesn’t matter because we’ve got enough members with concurring votes to pass or deny an item.

Commissioner Robinson – I think this is an efficient way to get things moving.

Chair Smith – Being the rest of it still needs a little work at least this part will be settled.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

11. CITIZEN PARTICIPATION:

Ms. Lori Harris – I am disappointed that you didn’t ask if those neighbors had been noticed for that new site plan for Nine and

Warner. I think clearly this was questionable behavior on their part to have purchased that land in July and I think July was the first time they might have come to the Planning Commission. So they ahead of time and it doesn't make any sense why they wouldn't want to develop it all at the same time, it just doesn't feel right. I wish you would have at least asked more questions instead of just approving it.

Number two, when Mr. Wuerth came to the City Council Meeting last week this is how he introduced himself, I'm Ron Wuerth I'm representing the Planning Commission. That doesn't tell me that he's really his boss you're his boss and like I've been saying you're not a rubber stamp. Even though I don't understand everything about planning I do understand that you do have the ability to ask good questions and listen to the people in the community who are coming to talk to you about what's going on. Just because the Planning Department has approved something doesn't mean that you have to.

Number three, I would like to apologize to Mr. Tobin for Mr. Wuerth's behavior at the microphone I found that to be very rude to be challenging him that he was trying to cause a problem. I think it's a very reasonable question to say we postponed coming here that was three weeks ago because there was Columbus Day last week or Indigenous Day, so we postponed for three weeks and is there a reason that you haven't looked and had comments for this and you would have to do it on the cuff, standing at the microphone.

That was unacceptable for you to talk to him that way he did nothing but ask a very simple question. I'm embarrassed by that. And a reminder of why I hollered out last week is some of the questions that you ask make me think you're not thinking clearly, are you mumbling again, it makes me think you're not thinking clearly about what is going on. I told you this last time I didn't want you making a decision about Barber Street based on whether or not you thought they could have speed bumps because they are not being used in the City of Warren and that would be a terrible way to make a decision. So I thank you again for your service to the city and good luck, thank you.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Mary Clark CER-6819
October 16th, 2023

Mr. Ron Wuerth – I'll talk about some of the things that we were involved with primarily having to work around having four days off to attend a conference from the Michigan Association of Planning and there was a day off for Columbus Day, and other things going on in the Planning Department that unless you're there you have no idea what we are trying to do for this city. The conference itself in Traverse City was an amazing conference. We had Michelle and David there and Jim Cummins from the Building Division, he was there for a different community. There's so much to learn at those conferences and to take in. Secretary Mouri you were there, and I know you looked a little tired after awhile because that's what these sessions do to people when you have five or six of them in one day and try to bring that into reality. Then there are the mobile which people go to but the whole scenario there was wonderful so we were preparing for that so we didn't have a lot of time to prepare for other things.

Now with Mr. Tobin's issue it didn't get done I apologize to him for that and it will get done that's why it was postponed. There will be proper language, proper letters and more than likely I will meet with Mr. Tobin and Michael Tobin who I've known for about 25 years and we will take care of that issue. It's just a matter of I don't know if it was a misunderstanding. Honestly, it's hard to keep up as this group here understands. We are down 3 positions, if we had those three positions, we the Planners would have more time to do planning work than doing administrative work and that's where we are at right now.

Two of those positions should be approved, I'd say, in two to three weeks so we should have an Administrative Secretary to take care of all the administrative issues and then we'll have another Assistant Planner to help us with some of the other lesser planning issues, Michelle and I handle the other things as you see that come before you. We had many many meetings through that time period all that had to do with bringing this Planning Commission Meeting together, issues on Barber Street, Regina High School and the other ones. Including all the other questions that we get on a daily basis and sometimes they are difficult too. So with that that's my report if you have any questions I'm here to answer them.

B) Planning Commission Discussion and Concerns:

Secretary Mouri – So the item that we voted on for suspending the nine members I know you mentioned continuing that conversation, so are we setting up a committee like you said?

Ms. Mary Micheals – I'll confer with Mr. Wuerth, there were meetings in the past that I think with the workload maybe it hasn't been a priority so I'll work with him and hopefully we can get a committee going. There was somebody designated on staff to help with that item to move it along, that member is no longer part of the staff. So hopefully when it gets fully staffed, we will revisit it and get it moving.

Secretary Mouri – Thank you.

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

14. ADJOURNMENT:

MOTION:

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

The meeting was adjourned at 8:29 p.m.

Warren Smith, Chair

Mahmuda Mouri, Secretary

Meeting recorded and transcribed by
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Mary Clark CER-6819
October 16th, 2023