

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on June 16, 2025, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, June 16, 2025, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioner's Present:

Delwar Ansar
Andrey Duzyj
Michael Holowaty
Syed Hoque
Sultana Chowdhury, Assistant Secretary
Merle Boniecki, Vice Chair
Warren Smith, Chair

Also present:

Ron Wuerth – Planning Director
David Crabtree – Assistant Planner
Amanda Mika – Assistant Planner
Mary Michaels – Assistant City Attorney
Christie Laabs – Communication Department

1. CALL TO ORDER:
Chair Smith - Calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

MOTION:

A motion was made by Commissioner Duzyj to excuse Secretary Mouri, supported by Commissioner Ansar. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES – JUNE 2ND, 2025:MOTION:

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

Commissioner Duzyj – Mr. Chairman, if I may, I was just told that we need a recess due to audio issues.

MOTION:

A motion was made by Commissioner Duzyj to recess, supported by Assistant Secretary Chowdhury.

At 7:04 p.m., proceedings in recess

At 7:06 p.m., proceedings continued

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 to the right of the stage and will have three (3) minutes to speak.

Chair Smith – What I was beginning to say before we had to recess was this was postponed due to a traffic study that they required; therefore, I'd like to have an orderly meeting, a respectful meeting and if we can only address the items that pertain to where we left off with the traffic study. Of course, if there is something else new that you need to add that will be fine. When you come up, you'll state your name and address for the record, and you'll have three minutes to speak.

- A. SITE PLAN FOR NEW SHEETZ GAS STATION AND CONVENIENCE STORE WITH OUTDOOR SEATING; located on the northeast corner of Twelve Mile Road and Dequindre Road; 2003 Twelve Mile Road; Section 7; James M. Dworman/Central Twelve LLC (Derick Riba/MC Development Holdings, LLC); PSP250019. **Postponed from May 12, 2025.**

PETITIONERS PORTION:

Mr. David Brucklemeyer – Good evening, David Brucklemeyer with Sheetz, 39300 W. Twelve Mile Road, Farmington Hills, Michigan. I appreciate you having us back here tonight to discuss this project on the northeast corner of Twelve Mile and Dequindre. Really the last outstanding thing we have is traffic, we had a few discussions about that. Just a reminder, on Dequindre Road, we are closing off multiple access points and going to just one now and that's reflected in the traffic study. The traffic study shows no negative impacts on the surrounding area, so I would answer any questions you have but essentially the traffic study supports what we are asking for which is one cut on Twelve Mile and one on Dequindre Road. I'll be happy to answer any other questions.

Assistant Secretary Chowdhury reads the following correspondence:

TAXES: Current.

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

1. All storm water discharge must go through the pretreatment structure.
2. Show and clearly identify the underground storage system per the storm water narrative.
3. Outdoor sitting and storage shall require variances.
4. Any construction within Dequindre Road R.O.W. shall require a permit from Macomb County Department of Roads.
5. Storm water discharge into the Walker Relief Drain shall require a permit from Macomb County Department of Public Works.
6. Soil erosion and sedimentation control permit or waiver shall be required from Macomb County Department of Public Works.
7. Drive approaches shall meet current City of Warren standard specifications.

POLICE: WPD does not foresee any issues with the site plan.

COMCAST: In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at cccutilityrequests@teamsigma.com.

DTE: DTE Electric Company has received and reviewed the site plan for the new Sheetz Gas Station and convenience store with outdoor seating. DTE Electric Company has no objection to the above request impacting 2003 Twelve Mile Road; Section 7; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

MCDR: Macomb County Department of Roads (MCDR) has received and reviewed the enclosed preliminary plan for the above referenced site. MCDR has the following objection to proposed development at above mentioned site.

1. MCDR will not allow two entrances from Dequindre Road. Therefore, remove existing approach that is close to other approaches being removed.

If you have any questions, please feel free to contact me at the phone number above (586-463-8671). **NOTE: The revised site plan indicates that they are proposing one (1) driveway to Dequindre Road and one (1) driveway to Twelve Mile Road.**

Assistant Secretary Chowdhury – We have received an email on June 15th from Shady Abdelhamid.

Hello everyone,

More and more big out of state gas chains like Sheetz, Wawa, Maverik, and others are flooding into Michigan. Some are billion-dollar companies. Sheetz alone is worth over 13 billion and they're opening gas stations right across the street from small locally owned businesses. Why? Because they don't want fair competition, they want to push small businesses out.

These companies target areas with existing gas stations, not places that actually need them. Use deep pockets to sell gas at a below cost for 90 days on average, then make money after the grand opening. Don't invest in our communities. Do you think the Sheetz owner knows where his 800 stores even are?

But Michigan's gas companies or owners are hiring local workers, spending money in Michigan, paying local taxes, and supporting nearby schools, services and stores.

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Let's be clear, this isn't about stopping competition, it's about keeping it fair. We already have low gas like Sam's Club, Costco, BJ's, and Kroger. All of them sell gas under cost just to pull you into their stores.

Now, with Sheetz building gas stations every 1-2 miles. Michigan's small gas station owners are being pushed out fast. Kum and Go, they opened 7 locations and been sold to Mavrik, it was all over the news. Circle K opened but they have one store in each city and some cities didn't allow Circle K because of all these out of state gas stations, they have truck stops designs, not a neighborhood friendly gas station.

Please, we need another new model of business, not another gas station, they are about to open one at Twelve and Mound, it is very close to Twelve and Dequindre and for sure they are about to open 2 or more like that in the City of Warren.

Please do the best for the community, not the gas companies. We all know they are billionaires, rich get richer.

Thanks.

Assistant Secretary Chowdhury – I have another letter from Andrew Sedra, from June 16th.

Dear Members of the Planning Commission,

I am writing to express my strong opposition to the proposed development of a Sheetz Gas Station at the intersection of Twelve Mile and Dequindre Road. I believe this project is not in the best interest of our community and poses serious risks to public safety, neighborhood integrity, and the well-being of local businesses.

Traffic and safety risks: The area around Twelve Mile and Dequindre is already a high traffic corridor, with congestion during peak hours and limited turning space. Adding a high-volume, 24-hour gas station will significantly increase traffic flow, especially with trucks delivering fuel and customers entering and exiting the site from both roads. This will worsen an already problematic intersection, increasing the likelihood of accidents and making it more dangerous for both drivers and pedestrians.

Mary Clark CER-6819
June 16th, 2025

Proximity to homes and neighborhoods: This location is surrounded by established residential areas, including single-family homes just north and west of the intersection. The proposed gas station would bring constant vehicle noise, bright lighting throughout the night, and a steady flow of traffic, all of which would disrupt the peace and privacy of nearby residents. Property values could also decline due to the undesirable proximity to a gas station and its associated disturbances.

Concern for local school safety: There are several schools in close proximity, including Warren Mott High School and Ukrainian Catholic School, both located within a short distance of the proposed site. Many students walk to and from school in this area and adding commercial traffic including fuel tankers introduces new and unnecessary hazards near school crossing zones and residential sidewalks.

Harm to local businesses: This project would give a competitive advantage to an out of state corporation at the expense of local, Michigan based gas stations and convenience stores that already serve the community. These local businesses use Michigan vendors, hire local workers and reinvest profits into our state economy, practices that chains like Sheetz are unlikely to prioritize. Approving this development would threaten small business sustainability in Warren.

For all of these reasons, public safety, residential impact, school proximity, and economic fairness I respectfully urge the Planning Commission to reject the Sheetz proposal at Twelve Mile and Dequindre. Our community deserves thoughtful, balanced development that strengthens local assets, not burdens them.

Thank you for your time and consideration. I trust that you will listen to the voices of local residents and prioritize the best interests of our neighborhoods.

Sincerely,
Andrew Sedra

Mr. Ron Wuerth reads the recommendation of the Staff:

Mr. Ron Wuerth – We did look at the traffic study and I'll just read what we said in part of the findings:

Additionally, the Traffic Impact Study was conducted by Cincar Consulting Group LLC. The executive summary was provided to the Planning Commission, as the complete document is over 2,000 pages. The traffic study was completed based on the first site plan submission, which was proposed to have two (2) driveways to Dequindre Road and one (1) driveway to Twelve Mile Road.

According to the data all intersections in the traffic forecast will continue to operate at LOS D or better. However, there are movements during peak a.m. and p.m. hours in the Dequindre Road and Twelve Mile Road intersection and within a one-mile radius that currently and are proposed to continue to operate at LOS E or LOS F.

The analysis determined that the traffic generated by the proposed development does not negatively impact the operations of the surrounding roadway traffic network, and no mitigation measures are proposed.

So that's all I have.

PUBLIC HEARING:

Mr. Samuel Ayad – I know we have explained in detail all of our concerns regarding Sheetz new location at the previous meetings. So, anything I would say today would be repeated, however I'm here today to mainly discuss two takeaways from previous meetings, especially the most recent one when you approved the Speedway at Fourteen and Ryan is almost the same topic.

With due respect I recall one of the Commissioners mentioning that the traffic study stated the accident rate is three accidents per month, and his personal opinion was cool about it. The question here is how serious are you taking this rate and you really don't care about three accidents per month, what number of accidents would you be worried about. Can you imagine someone from your household, God forbid, was involved in these accidents, would you have the same opinion about the three accidents per month, I don't think so. As you notice, we were all surprised last time by his comment and consideration.

Another Commissioner gave a comment on those defending the traffic study by saying we know the traffic study was not great, we know 696 was closed. Are we really finding excuses for Sheetz that we are normalizing the traffic study. Honestly, let me tell you in previous meetings everyone came to the hall today disappointed and sure you would approve this location despite what the traffic study says. Warren Consolidated School Director was begging you last time not to approve this location for kids safety, along with the Ukrainian Principal and the other residents. We did not see that you took this into consideration at all last time.

With that being said, I'm glad that these meetings are recorded so the media can access it at anytime along the years after Warren is converted to the city of gas stations. I don't think that me or us being here will be beneficial at all or change your decision. I will excuse myself and leave the hall right now, I will just ask you to put Warren people and the kids in front of your eyes before you give a decision. Thank you so much.

Mr. Sharkey Haddad – Sharkey Haddad, with the Chaldean American Chamber of Commerce. I will give you 21 reasons for Warren Planning Commission to vote no to Sheetz at Twelve Mile and Dequindre. Your own Master Plan says we have too many gas stations in the City of Warren, no more.

1. Sheetz will increase traffic and accidents placing citizens safety at risk.
2. More Sheetz, more traffic, more accidents and more injures.
3. Sheetz is strongly opposed by Warren Schools Superintendent John Bernia through the letter that he submitted to you.
4. Sheetz mini truck stop may require two petroleum truck deliveries each day.
5. Sheetz 24/7 mini truck stop will increase noise and light pollution.
6. Sheets VP admitted to Congress that Sheetz 24/7 model attracts more crime in January of 2024.
7. Three North Carolina Sheetz deploy K-9 dogs as security against crime.
8. Sheetz settles a lawsuit by 700 assistant managers for 1.8 million dollars in 2019.
9. Sheetz settles a lawsuit for underground fuel violations in four states in 2004.
10. Sheetz hit with discrimination in hiring lawsuit by Federal Government, 2024.

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11. Sheetz unsuccessfully fought Maryland's law to prevent predatory pricing.
12. Predatory pricing is when one retailer or gas station undercuts competitors to drive them out of business and then raises its prices.
13. Sheetz and all gas stations will reduce nearby home's appreciation rate by half.
14. Sheetz gas stations suck profits out of Michigan and send them to Pennsylvania.
15. Higher concentration of gas stations in one area increases the risk of cancer.
16. The City of Warren has 80 plus gas stations, where is the need for more?
17. This will be the 3rd Sheetz approved location by Warren Planning Commission. Good job looking after your citizens' concerns.
18. Why is Warren City Council not adopting ordinances similar to their surrounding communities to limit new gas stations in their community according to the citizen's request.
19. Sheetz forces older gas stations to go out of business with contaminated land.
20. Avoid gas station cemeteries in the City of Warren, say no to new 24/7 gas stations.
21. What happened to buy local keep it in Michigan or support local businesses.

Mr. Kamal Assaad – Good evening, I work at 1849 E. Eleven Mile Road. First, I would like to express my frustration because why do we have these public hearings if residents' concerns have no impact on your decisions. Sheetz could just present their case to the City Planner then follow the Planner's recommendations without the need of anyone's input or our voices. I personally believe that public hearings are meant to give residents and local business owners a chance to voice their concerns about the proposed development of plans.

Second, I don't see any extra or new services and products that a new gas station could offer in this location. There are like 25 or more restaurants, fast foods, and bars around the same intersection. For liquor, there are two liquor stores on Dequindre Road, plus there is also the big supermarkets, Target and Kroger. For gas, there are 11 gas stations cornering Twelve Mile and Dequindre, I can list them for you if you want. Coffee, there are four stores in the same intersection Starbucks, Tim Hortons, Dunkin Donuts, and 7-Eleven, besides the 11 gas stations that are there.

Third, the last time we were here discussing this issue an environmental concern was brought up and the Commission directed the question to the Sheetz representative and emphasized their confidence that Sheetz will follow the State's regulation for the tanks. All the gas stations in the area are doing the same. What would happen to the underground tanks of the gas stations that are going to go out of business because of the opening of a new Sheetz. Have you thought about this if they are driven out of business, what's the value of this gas station, it's going to be a ghost city.

In the end I fail to see any benefit of having yet another gas station at this intersection and I urge you not to approve the Sheetz proposal but think about other opportunities that would better serve residents in this area. Thank you.

Ms. Sylvia Sammoe – Sylvia Sammoe, 30990 Dequindre. Sympathy is feeling sorry for someone, but empathy is truly understanding and putting yourself in their shoes to know what they are going through. So, I ask you to put yourselves in our shoes. In the short term a Sheetz might seem like a convenient modern gas station with competitive prices, but long term it will deeply harm our community. Small businesses around it will struggle to compete leading to closures. When a business shuts down it's not just the store front that's lost, it's someone's livelihood, their homes, their futures. Many of us are already barely getting by in this economy.

Beyond the economic impact, Sheetz brings increased traffic, noise, pollution, and the risk of more crime. This isn't just about a new building or tax revenues, it's about the long-term wellbeing of real people who live and work here, because believe me once they put in all their locations they are (inaudible) and they don't care about us. So please consider what's truly at stake, it's not just our businesses, it's literally our entire lives. Thank you.

MOTION:

A motion was made by Commissioner Duzyj to approve, supported by Commissioner Hoque.

COMMISSIONERS PORTION:

Commissioner Duzyj – I wasn't here for the last meeting on this Twelve and Dequindre development. The folks that come up to the microphone have some very good points, I agree with some of them, but some of them I don't agree. The sticking point for me on all of this is that corner. We are telling Sheetz to extend the sidewalk along Dequindre and Twelve Mile Road that's not their property. I don't know how you can hold those people responsible for putting sidewalks on their neighbor's property, so if somebody could explain that to me, I'd really appreciate it. Thank you, Mr. Chair.

Commissioner Holowaty – How many gas deliveries on an average do you get at Sheetz gas station per week?

Mr. David Brucklemeyer – I don't know if I can accurately answer that. It all depends on how busy we are, some weeks are much busier than others, I would say one to two a day. Sometimes if we get really busy maybe three.

Commissioner Holowaty – That would be the big tanker trucks?

Mr. David Brucklemeyer – Yes, that would be the fuel delivery truck.

Commissioner Hoque – So you eliminated one driveway from the Dequindre site, correct?

Mr. David Brucklemeyer – That is correct, yes.

Commissioner Hoque – Are you sharing the driveway with the car dealer?

Mr. David Brucklemeyer – We are working with the car dealer right now to figure out a plan for the future for that site. We are working with that corner parcel, and we are trying to open some discussions up. We are going to finalize that; that's something that staff addressed in their report. I would also like to note that we are closing down several driveways on Dequindre Road and going down to one.

Assistant Secretary Chowdhury – So you are working with the auto dealer shop, have you been talking to them in reference to that?

Mr. David Brucklemeyer – We have been communicating with them, yes.

Assistant Secretary Chowdhury – So how far are you into the communication?

Mr. David Brucklemeyer – Until we have final plan approval here, we weren't going to finalize discussions, we have sat down with them.

Assistant Secretary Chowdhury – So do you have a plan if they don't agree with you?

Mr. David Brucklemeyer – That's something we are going to have to work out, we have the ability to do that.

Commissioner Hoque – We have heard a lot of good information from the parties here today, but our biggest concern is the corner car dealer because they are blocking the view for the traffic that's why more accidents are happening. So, we are asking the City officials to take a look at it and how we can resolve this issue.

Mr. David Brucklemeyer – A couple things I'd like to confirm from the Planner's report. We are required to give them access of some kind. So, he will have access, no matter what, if we can't come to a resolution to purchase that property. Right now, we are attempting to purchase that property and we've been under discussion. Depending on what happens here, whether we are able to purchase it or not, we do have to give him access to his property.

Commissioner Ansar – If they don't agree what's plan B?

Mr. David Brucklemeyer – We can give him a cross-access easement, we can work with the road commissions to give him a cut onto either Twelve Mile or Dequindre, one way or the other we need to give him access.

Mr. David Brucklemeyer – If I may, through the Chair?

Chair Smith – Yes.

Mr. David Brucklemeyer – I know you had a question about the sidewalk, we do have right-of-way there on Twelve Mile to build a sidewalk, so we do have the space to build that.

Commissioner Duzyj – Can you do it all the way to Dequindre to Twelve Mile?

Mr. David Brucklemeyer – Yes, if you look, there's already right-of-way taken and there's cars parked on it, but there is right-of-way there to construct that sidewalk.

Commissioner Duzyj – That's what I mean, the cars are almost up to the curb in some spots and that's what I think Commissioner Hoque is talking about. The site lines are totally shot and anybody trying to walk, whether it's kids, and I don't think kids from school walk through there too much, but anybody walking, you can't get through because there's no sidewalk there. So, whatever you can do to mitigate this, I think would be ideal.

Mr. David Brucklemeyer – Ideally, we are able to purchase this property and again we are working with that property owner to attempt that.

Commissioner Duzyj – Fair enough, thank you.

Commissioner Ansar – I just want to say a few things. I think in our last Planning Commission meeting I mentioned the same thing and I just want to repeat it again, Sharky mentioned in his speak why isn't City Council bringing an amendment to limit gas stations. Not as a Commissioner, as a resident of the City, I personally agree with that, we should have a limit on how many gas stations. The Commission and the Planning Department have no authority to do this or limit it only the City Council can do it. The City Council can amend the ordinance and limit how many gas stations there should be here in the City. So, I personally think if you have this concern (inaudible) for future, the City Council is the authority to make the amendment and bring a new ordinance to limit gas stations. Thank you so much.

Chair Smith – Good evening, sir. When I look at the landscape drawing it shows trees blocking them off where there wouldn't be any internal access. So I know that landscape plan would have to be redone.

I understand what a lot of the residents are asking but I also understand what our job is.

I happened to be in Ohio last weekend and I stopped by a Sheetz. While I was there, I went in and looked over the inside and looked at some of the products and I was impressed. I talked to some of the employees there and asked them what they thought about it and how they felt. They said they had been working there for years and were happy. One of the things they said was they could switch to different stores which they liked being able to do that. The other thing is the boss is not breathing down their neck, so they are able to do their job.

One thing I noticed they had there that I've never seen at any gas station, they had a display with dog bones and things for dogs if you're traveling with your pet, which impressed me.

Also, on their menu board they specifically had a category for healthy foods and healthy meals. You can pick out the meal you want, and it will tell you what the calories are. So it does have a lot of advantages. Until people can actually see what it's looking like it makes it hard to accept, I see they started to work on the one on Van Dyke.

I even asked the employees about the schools; I brought up the concern about schools being close to Sheetz. He said we have a high school right there and the kids love it; they come in there all the time. He said the only way they can buy things that they are not supposed to buy is to card them to make sure they are old enough. I asked about security outside, and he said they had no issues with that. They did have three Sheetz within a 5-mile radius, I'm not sure, but that might be so they can go to the different stores, alternate so you're not working at the same place all the time. Both the employees I talked to were very pleased working for Sheetz. So, with that said, that was a motion by Commissioner Duzyj supported by Commissioner Hoque.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Commissioner Hoque.....	Yes
Commissioner Ansar.....	Yes
Commissioner Holowaty.....	Yes
Vice Chair Boniecki.....	Yes
Assistant Secretary Chowdhury.....	Yes
Chair Smith.....	Yes

- B. SUBDIVISION LOT SPLIT REQUEST; located on the south side of Couwlier Avenue, approximately 1,402.97 feet east of Schoenherr Road; one (1) parcel (Lot 48) to be split into two (2) parcels; Section 36; 14036 Couwlier Avenue; Scott Skelton/Skelton Properties, LLC; PSL250001.

Chair Smith – Is this the one that wanted a Zoom call that’s not here? The petitioner could not show up for this item, so he wanted to postpone it until July 14, 2025.

MOTION:

A motion was made by Commissioner Duzyj to postpone until July 14, 2025, supported by Assistant Secretary Chowdhury.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Chowdhury.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes
Commissioner Ansar.....	Yes

- C. SITE PLAN FOR VEHICLE REPAIR AND SERVICE FACILITY WITH OUTDOOR STORAGE OF VEHICLES; located on the southeast corner of Eleven Mile Road and Dwyer Street; 6200 Eleven Mile Road; Section 21; BRG-DIS Trust/Trustee Bruce Griffith (James Cummins/The Cummins Group); PSP240032.

PETITIONERS PORTION:

Mr. James Cummins – Good evening, my name is James Cummins, I’m the Architect for Mr. Griffith on this project. We are requesting site plan approval for vehicle repair facility at 6200 Eleven Mile Road, located on parcel 1. All the lots along Eleven Mile Road have been combined into a single parcel and all the lots south of the alley are not part of this site plan approval.

The site consists of .79 acres; it has an existing building, 7,615 square feet, and 16 parking spaces are required, and we've provided 25 parking spaces. Our outside storage is allowed at 3,806 square feet, and we are requesting 3,600 square feet, considerably less than what is allowed on this site. The existing fencing around the perimeter of the property will be fitted with green slats in the chain link. If you have any other questions regarding this I'm here to answer them all.

Assistant Secretary Chowdhury reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site indicates no difficulty in development. Preliminary review of this site indicates that Planning Commission approval should be contingent upon the petitioner's compliance with the following conditions.

1. All improvements in the City of Warren's right-of-way are subject to the approval of the City of Warren's Engineering Division.
2. A system of internal drainage must be provided.
3. The drive approach meet the City's minimum standard width.
4. Show all easements located within the site.
5. Show all existing and proposed utilities.

FIRE: Pertaining to PSP240032 the Warren Fire Department doesn't see any issues with the plans.

AT&T: If the alley is planned to be converted to an easement, meaning all of AT&T's UG and aerial facilities can remain, then the overall plan for the repair and storage site, does not seem to be an issue and we are agreeable to the proposal. I can't swear to it, but if the overall plan is for an outright vacation of the alley, I believe it would be very costly. AT&T would not approve any outright vacation until our facilities had been relocated. I just don't want the petitioner to have false hope of this proceeding well or quickly, if the intention is for an outright vacation.

COMCAST: In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at ccutilityrequests@teamsigma.com.

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MDOT: This project does not touch MDOT ROW, no concerns for us.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Stacey Masch – Good evening, Stacey Masch, 6228 Potomac, I live right in the neighborhood of this property in question. I have some pictures to pass up that you can take a look at.

Some of you are familiar with the history of this petitioner and the property in question and some of you may not be. I do have some pictures going around of some of what has gone on in this property over the years. So last time this petitioner was before this Commission was in 2018, at that time you voted unanimously to deny their request and that was for a very good reason. At that time the petitioner was attempting to get a stamp of approval on all of the variances and illegal land use that has been going on for years. The property in question has never had an approved site plan nor a C of C and has existed perpetually in a state of noncompliance since its inception, since day one.

Since 2018 the City and the 37th District Court have enforced the code to great extent and even jailed the petitioner due to his noncompliance. Things have improved, however there are still real issues that the neighborhood faces daily that I look at and deal with with my kids and my family. We have signed petitions from the rest of the neighborhood as well to basically have you look out for our well-being.

In regard to this property an approved site plan is a step in the right direction. However, this plan must be scrutinized heavily before any approval is given. I have no doubt that you take your job seriously and you look at everything with great care that comes across your desk, however, I have to stress the levity of this particular situation.

You have to understand that this petitioner has a long history of damaging and destroying our neighborhood. We need to make sure that any site plan approval protects our neighborhood and is not only within code, with no variances, but is looking out for exactly what the intended use is. The thing is that there's no secret or surprise or mystery to the petitioner's intent because he's been living out the actuality of that intent illegally for years, actually decades.

Mary Clark CER-6819
June 16th, 2025

So, vacating the alley is going to be the intent because, some of the pictures that you'll see, he wants to encroach upon the neighborhood and encroach upon that property that used to have homes on it that he tore down and trees on it that were tore down to park more junk.

Like I said, this is a step in the right direction, the changes to the plan, but you heard the Planning Director come up and give a litany of exceptions and conditions that need to be met before approval. I don't see how you can approve something today with all of those conditions that are out there and hanging.

Number one concern would be a wall, it cannot just be a fence, it needs to be a brick embossed poured cement wall shielding our neighborhood from the debris that we've looked at for years. There can't be any junk, the open storage has to be explicitly taken care of and the problem is there's no oversight for the conditions. He's been approved for things in the past with conditions and then there's no oversight to make sure they are met.

It's been years of us trying and then finally that's what the City's been doing, convicting and jailing him for the noncompliance. I don't want that to happen to again, we want to make sure that the berm, the greenbelts, are the proper size. For years he's been pouring gravel over the drainage ditches, the sewer drains, the properties, and in the alleyway, so engineers have to go there and make sure this is handled appropriately. Some of the pictures that you see are residential properties abutting this that have been flooded out due to the gravel buildup of his land and has ruined houses.

We need to look into the fact does he even have a license to operate. Last time we checked on that he did not have insurance to run it, he failed fire permits, building permits, and zoning permits. Can this even be this close to residents. Two hundred feet to three hundred feet is the limit with autobody and paint shops to residents. Again, this was years ago, denied from another petitioner and somehow, he came in, he's too close to residents to begin with for a bump and paint shop. The alley needs to remain clean and current. Thank you very much, understand there's a long history here and I just want to make sure our neighborhood is protected. Thank you.

Ms. Cassandra Verstraete – Hi, 6114 Potomac. I'm not sure how we can put 18 years into 3 minutes, Stacey did a pretty good job. I guess my main concern is if somebody is not following a court order what's going to make them follow this layout? The judge's order says to comply failed, what is going to make this any different. As far as a chain link fence, for 18 years I have looked at junk cars on top of junk cars, that's all he does, he's a junk man. It cannot be a chain link fence, that's unacceptable, it must be a wall. There is not one person even on his side in this auditorium that would look at that without being here to fight against it.

Who is going to make him follow this because he's not following the judge's orders, you guys know that right? Eighteen years and we finally got somewhere, so if it's approved, I can guarantee we will be right back fighting when he makes it into a junkyard again, because we have the power to do that, we've got the people to fight with us finally, after 18 years. I'm not going to sit and watch my property value go down because somebody can't follow the rules. Thank you.

Mr. James Cummins – Mr. Chairman, can I have a moment to respond to those comments?

Chair Smith – Sure, go ahead, Mr. Cummins.

Mr. James Cummins – The judge's order was to obtain a site plan approval; we are here tonight to comply with the judge's order. We have been working on this for probably 9 months to get to this point on these drawings. I believe you have pictures that show the condition of the property, I took pictures on Thursday myself, there's nothing on that property at all. I don't know when those pictures were taken but I can tell you that there's nothing on that property today, or as of Thursday, last week.

Chair Smith – Thank you, sir.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Duzyj – This is a good site plan. I've been passed there and it is cleaned up quite a bit. Something I have a real problem with is, that public alley is 20 feet, is there any way we can shield this from the neighbors on Potomac at the north side of the alley, because that alley has got to be able to go through?

Mr. James Cummins – Yes, the alley either has to be vacated with regards to the surface and the easement left in place for all the utilities or the gates have to come down from that alley at which point the fence that would be there would be screened. You'd have to put a fence along that property line from Dwyer to the building corner. Then you would have a gate from the alley into the property and that would be screened just like the Eleven Mile Road and Dwyer Street fences would be screened.

Commissioner Duzyj – There's nothing on here that shows where there would be a gate into the alley, and I'm not that sure that I like that gate to the alley. The gates at either end of the alley have got to go that's a given. The difference between a chain link fence with slates in and a concrete wall is considerable. What can we do to placate the neighbors on Potomac?

Mr. James Cummins – Well the property directly behind it is owned by the petitioner. The properties directly behind him are a cellular tower zoned M-2, and directly to the east of that is the owner's home, that he owns, and the three lots that say parcel 2 are also owned by the petitioner and there is a screened fence around that property right now, or had a screen fence up there at one time. The properties beyond that don't look into his property everything from that point on sees the building and the properties to the east. All that property behind him is zoned M-2.

Commissioner Duzyj – And if we really wanted to get into it the existing house is probably a non-conforming use, but that's another story for another day and another discussion. Right now, we are going from the south side of the alley north to Eleven Mile Road. Is there any way that the petitioner can put a wall there, but anything short of a wall, 6 foot is the height of the fence. What I see as a problem is that the storage is right up against that fence or right up against that line.

Mr. James Cummins – Parallel, yes that's correct.

Commissioner Duzyj – I think he's done a good job cleaning the place up but I want to see that public alley be public, and at the very least put up a fence with slats in it to shield it. We can only go to 6 feet, I'd love to go to 8, but 6 feet is the max, is there any way you would consider putting a wall there?

Mr. James Cummins – If it were my property, I would say no, because I'm not shielding it from anybody that can truly see it. This site plan approval is not for any of those lots that are south of that, everything from that alley, going to the south, is not part of the site plan approval. So, all of the properties that are there are M-1 properties and not visible to the other side of Potomac at all. When those properties were unscreened there may have been problems there, maybe problems on those residential properties. We've come a long way with the Courts, Planning, Building, with all the different departments, and to comply with the judge's order for a site plan approval and until we get the site plan approval we really can't do anything out there. He won't let him even occupy his own property right now.

Commissioner Duzyj – I don't want to see anybody go belly up, but I don't want to see the neighbors losing their minds because they've had enough of this. Are we going to put a fence on the north side of the alley with slats?

Mr. James Cummins – Yes that could be done.

Commissioner Duzyj – I'd like to see that done at a bare minimum, I don't know what a wall that long would run, but at the very least a fence along the north side of the alley with slats in it to shield all that from Potomac.

Mr. James Cummins – There's very little traffic on that alley, if any.

Commissioner Duzyj – I understand, but it still is a public alley, and as a public alley we reserve the right, as the public, to be able to travel that alley. If there's anything on either end of it, get rid of that, but I'd like to see, at a minimum, a fence along the northside of that alley.

Mr. James Cummins – Okay.

Commissioner Hoque – There's a for sale sign posted there, what is behind the for sale sign?

Commissioner Duzyj – There's a for sale sign on the corner of Dwyer and Eleven Mile Road.

Mr. James Cummins – It was for sale at one time, but I don't know that agreement to sell is still in place. As far as I know, it's not, and it's not sellable anyway in the condition that it is in right now.

Commissioner Hoque – You mentioned open storage of passenger vehicles, what kind of vehicles?

Mr. James Cummins – It's for vehicles that are being worked on in the facility, it's not for junk, storage of junk is not allowed there.

Commissioner Hoque – And the biggest concern from the neighborhood was the whole lot was full of junk cars, if the plan is approved you guys will bring the junk out again?

Mr. James Cummins – No, it was a collision shop at one time and the cars that were being worked on were in that area. I think that they probably have got too many cars at one time and the Planning Department has a formula that limit how much storage you can have. I can tell you that the Zoning Department limits how much storage you can have based on the size of the building. The Zoning Department visits this site regularly so I'm sure it's not going to get out of control again because they are watching this site carefully.

Commissioner Hogue – We want to make sure that they are not bringing any junk cars and not to make problems for the neighbors.

Mr. James Cummins – Correct.

Commissioner Ansar – Question about the for sale sign, I don't think we got a clear answer, who put this for sale sign on the corner of the property?

Mr. James Cummins – Tabby Real Estate put that sign there initially, on behalf of the owner, because he couldn't do anything with the property at all. So, then we proceeded with this plan, so he will not sell it, it's better for him to put the property back in working order. It's better for the City to get screening, to get the trees, and to do the landscaping.

Commissioner Ansar – You changed your mind that you're not going to sell this anymore or are you still thinking about selling the property?

Mr. James Cummins – I don't believe that he is intending to sell the property right now. In the past he tried to sell it and he could not sell it, it was not saleable.

Commissioner Ansar – So now you're trying to get this plan approved and then proceed with the business without selling it, (inaudible)

Mr. James Cummins – I did not understand that.

Assistant Secretary Chowdhury – Commissioner Ansar can I say something. So, you're saying that the for sale sign was there, so have you had any communication with the real estate agent that you're not selling it, when did you start the process. It seems like there's a lack of communication somewhere. If the for sale sign was there, there should have been some open communication with the real estate agent that put the sign there, I'm missing it.

Mr. James Cummins – I'm sure there was communication.

Assistant Secretary Chowdhury – When did he decide not to sell the property.

Mr. Bruce Griffith – We've had the property for sale, we were unsuccessful at selling it because of the problems that we have with the City.

Assistant Secretary Chowdhury – When did you have that?

Mr. Bruce Griffith – That has probably been for sale for the last year and a half, I decided not to sell that, probably 4 months ago. It's my life, I've done that forever.

Assistant Secretary Chowdhury – Did you not think it was best to consult with the agent that you were working with to let them know, it's kind of confusing.

Mr. Bruce Griffith – I did consult with the agent, that I was not ready to sell it or wanting to sell it, so they removed the sign from the structure, but the sign is on the corner. They were supposed to remove it, but they have not. Like I said, I'm working to get the facility back to proper working conditions and get everyone in agreement and then if I decide to sell it, because I would like to retire, it would be great.

Assistant Secretary Chowdhury – If you decide to sell it, is that why the sign is still there?

Mr. Bruce Griffith – No, the sign is still there because they have not come and removed it.

Assistant Secretary Chowdhury – I think there's some miscommunication with the real estate so you might want to work on that to correct it.

Mr. Bruce Griffith – Yes, we can do that.

Commissioner Ansar – If we approve this site plan are you still going to sell it or are you not going to sell it?

Mr. Bruce Griffith – I would like to continue the business that I've had there, I've been there for 34 years. I just ended up in a debacle with what's going on and if I can get back to my everyday life and my business, I would be content and do what I do. I had an accident in 2015 and broke my neck and that's where this whole thing sort of got derailed and it has been rough on everybody, but I'm trying to get it back in working condition. And why the yard became a junk yard was because I was the City of Warren Police Impound and we couldn't get the junk out of the yard because you couldn't get the proper paperwork from the City.

Commissioner Ansar – You heard the concerns that the residents had, are you taking all those concerns into consideration?

Mr. Bruce Griffith – Yes, I'm taking the citizens into consideration about what was going on there.

Commissioner Ansar – Thank you.

Commissioner Duzyj – I'd like to amend the motion to include a fence with slats or a wall on the north side of the alley from Dwyer to the building. And to get rid of the gates at either side of the public alley.

Commissioner Holowaty – I second that motion.

MOTION:

A motion was made by Commissioner Duzyj to amend the motion to include a fence with slats or a wall on the north side of the alley from Dwyer to the building and to get rid of the gates on either side of the public alley, supported by Commissioner Holowaty.

Chair Smith – Let's take a roll call on that and then we will go back to the original vote.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Ansar.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Chowdhury.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

To amend the motion included in the current application

Chair Smith – Good evening, sir. When you came before us quite a few years ago and we denied it, it was a mess. It seems like it's cleaned up now. I guess one of the concerns I have is why it took so long. You said you broke your neck and that enabled you not to be able to finish a lot of things. Being it was more like a junk yard and this is supposed to be an auto repair, am I correct on that?

Mr. Bruce Griffith – Yes, sir.

Chair Smith – Of the vehicles you take in, how long do you feel they will be on the site, or how often will they be moved off the site so they are not on the site?

Mr. Bruce Griffith – As far as the vehicles that we will be repairing, the repair time?

Chair Smith – Yes.

Mr. Bruce Griffith – Sometimes two months.

Chair Smith – So roughly every 2 months you're getting more vehicles in and vehicles going out.

Mr. Bruce Griffith – It usually takes about \$1,000 per working week depending on the value of the repair and then the acquiring of the parts and labor to process it, so about 2 months depending on the volume of the damage.

Chair Smith – So therefore, if any other ones come in over your storage amount, you won't accept them, right?

Mr. Bruce Griffith – Well I'm hoping to work smarter not harder.

Chair Smith – You mentioned something about possibly selling the property, but it didn't work. You own the property to the south of that, right?

Mr. Bruce Griffith – Yes.

Chair Smith – So if you sold that property would the property to the south be included in that also?

Mr. Bruce Griffith – Yes.

Chair Smith – So it would be the whole block basically.

Mr. Bruce Griffith – Yes.

Chair Smith – Did you understand what we amended just a minute ago on the fence?

Mr. Bruce Griffith – Yes.

Chair Smith – And you agree with that?

Mr. Bruce Griffith – Yes.

Chair Smith – A few years ago when we looked at it, it was like a junk yard.

Mr. Bruce Griffith – I understand that. Like I said, I had some severe injuries take place and sometimes the world falls on you.

Chair Smith – I think if you go by the plan and you put the trees, the slats in the fence, and remove the gates in the public alley on both sides, it will be good. You’ve got to stick to it and do it.

Commissioner Holowaty – I know you only have so many spaces to store cars, so when you get to that limit will you turn down the business?

Mr. Bruce Griffith – Yes, just like a doctor, we take appointments.

Chair Smith – Thank you sir. That was a motion by Assistant Secretary Chowdhury, supported by Commissioner Hoque.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Chowdhury.....	Yes
Commissioner Hoque.....	Yes
Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

7. CORRESPONDENCE:

Correspondence that the City of Detroit is proposing an amendment to the Detroit Master Plan of Policies. In accordance with the provisions of the Michigan Planning Enabling Act (Public Act 33 of 2008), this also serves as notice of the intent to amend the Detroit Master Plan of Policies.

MOTION:

A motion was made by Commissioner Holowaty to receive and file, supported by Commissioner Ansar.

ROLL CALL:

The motion carried as follows:

- Commissioner Holowaty..... Yes
- Commissioner Ansar..... Yes
- Commissioner Duzyj..... Yes
- Commissioner Hoque..... Yes
- Assistant Secretary Chowdhury..... Yes
- Vice Chair Boniecki..... Yes
- Chair Smith..... Yes

8. OLD BUSINESS:

- A. MINOR AMENDMENT FOR OUTDOOR PATIO AT COFFEE HOUSE WITH DRIVE-THRU; located on the south side of Fourteen Mile Road, approximately 306.15 feet west of Ryan Road; 3900 Fourteen Mile Road; Section 6; Abdulla Alysofi/Alysofi Properties 2, LLC; PMA250006. The Minor Amendment is for the addition of an outdoor patio to the front of the coffee house.

PETITIONERS PORTION:

Mr. Lance Seba – Good evening, Lance Seba with Mocha House, and I have Abdulla Alysofi, the owner, with me. We are a full-service premium coffee shop along with premium deserts as well. We currently serve the City of Dearborn, and we have an active location as well in the City of Ann Arbor. We have another location going in Rochester and hopefully in the beautiful City of Warren.

Assistant Secretary Chowdhury reads the following correspondence:

TAXES: Current.

FIRE: In reference to the project at 3900 14 Mile Road, PMA250006, minor amendment for outdoor patio at a coffee house. The WFD doesn't see any issues with this amendment.

POLICE: WPD does not foresee any issues with the amended outdoor patio site plan.

AT&T: AT&T has no object to the proposal. We do have facilities on the property, but we do not expect them to be affected.

COMCAST: In response to your utility request for the above project, please refer to the attached map for the location of Comcast CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at cccutilityrequests@teamsigma.com.

DTE: DTE Electric Company has received and reviewed the minor amendment for outdoor patio at coffee house with drive-thru (Mocha House). DTE Electric Company has no objection to the above request, impacting 3900 Fourteen Mile Road; Section 6; per the site plan provided. If you have any questions, please do not hesitate to contact me at 586-783-1978.

MCPWO: The Macomb County Public Works Office (MCPWO) has reviewed the site plan for the project referenced above and has determined the proposed site disturbance is less than one-acre and will not require a stormwater review from this office. If required, please reach out to me at Wesley.Jonik@macombgov.org or 586-469-5961 for a No-Objection letter from this office.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

A motion was made by Commissioner Holowaty to recognize as a minor amendment, supported by Assistant Secretary Chowdhury.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Assistant Secretary Chowdhury.....	Yes
Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Hoque.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

COMMISSIONERS PORTION:

Commissioner Holowaty – As you see there’s quite a few recommendations by our Planning Department; do you have any problems with any of them.

Mr. Lance Seba – We went over the recommendations; we are in talks with Speedway to come up with a comparable agreement between that cross-access that just came up this past week. Other than that, I believe we can satisfy all the recommendations and go from there.

Commissioner Holowaty – I was worried about Speedway/7-Eleven, you said you're going to be a coffee shop, correct?

Mr. Lance Seba – A better tasting one.

Commissioner Holowaty – We can hope, at the same time, I'm fully aware that Speedway/7-Eleven will also be selling coffee, hopefully yours is better than theirs.

Mr. Lance Seba – My only other concern is, being that there's a current drive-thru there, is this going to require us to go to the Zoning Board of Appeals?

Chair Smith – Commissioner Holowaty first made the motion and you, Assistant Secretary Chowdhury, you seconded it for the minor amendment are you going to second it for the motion itself.

Assistant Secretary Chowdhury – Yes.

Chair Smith – I went by and looked at the building and I had some concerns; I know on the mezzanine level, in the front, you have glass all around the front?

Mr. Lance Seba – Yes.

Chair Smith – Then I noticed on the drawing, on the back of the building, it has glass along the back, but on your drawing you have it brick all the way around there except for the drive-thru window. So, are you eliminating the glass on the back of the building?

Mr. Lance Seba – We were hoping to keep the glass, just to bring in some sunlight, so when you're inside utilizing the mezzanine, it's more vibrant to get natural light in there. I was not aware that our drawings indicated the brick, so we would have to readdress that along with these other concerns on the recommendations.

Chair Smith – I saw the windows on the front, but on the back, it was brick, your drawing showed brick, but it was glass. I thought the glass would be better, like you said. It looks like it’s going to be a nice coffee shop, people are buying more craft coffee instead of just regular coffee.

Commissioner Ansar – I just want to say thank you, I have went to the Dearborn one, I like Mocha Coffee, it’s next to my house you’re going to see me there every day.

Mr. Lance Seba – I’m glad you enjoyed it; we thank you for your service.

Chair Smith – That was a motion by Commissioner Holowaty to approve, supported by Assistant Secretary Chowdhury.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Assistant Secretary Chowdhury.....	Yes
Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Hoque.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

B. SITE PLAN FOR OUTDOOR STORAGE; located on the east side of Groesbeck Highway, approximately 907.89 feet north of Frazho Road; 26220 Groesbeck Highway; Section 24; PGL Building (Imad Potres); PSP220014. **Approved on June 13, 2022. First extension request approved to June 13, 2025. Petitioner is requesting a second one-year extension to June 13, 2026.**

PETITIONERS PORTION:

Mr. Zaid Hanna – Good evening, I am the owner of PGL Building.

Chair Smith – You’re asking for a 2nd one-year extension to June 13, 2026, can you give us a little information on why you need the extension?

Mr. Zaid Hanna – Just a little bit of financial distress this past year, and some other financial difficulties as well.

MOTION:

A motion was made by Commissioner Ansar to approve the extension to June 13, 2026, supported by Commissioner Hoque.

ROLL CALL:

The motion carried as follows:

Commissioner Ansar.....	Yes
Commissioner Hoque.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Holowaty.....	Yes
Assistant Secretary Chowdhury.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

- C. SITE PLAN FOR OUTDOOR STORAGE; located on the northwest corner of Schoenherr Road and Saint Andrews Avenue; Section 35; 21975 Schoenherr Road; Alen Aboush (Janas Holdings); PSP210019. **Approved on July 12, 2021. First extension request approved to July 12, 2024. Second extension request approved to July 12, 2025. Petitioner is requesting a third one-year extension to July 12, 2026.**

PETITIONERS PORTION:

Mr. Aeven Aboush – Good evening, L&M Collision, 21975 Schoenherr Road. We applied for another extension, the last time I was in a meeting with Mr. David and Mr. Wuerth they asked me for a couple changes on the site plan, and we are working on it.

Chair Smith – So you’re making some changes on the site plan and that’s the reason you need the extension?

Mr. Aeven Aboush – Yes.

Chair Smith – This is actually the 3rd one-year extension, we don’t usually do that many extensions, are you sure you will be able to get everything done in the next year?

Mr. Aeven Aboush – I will be done with it this year, 100%.

Commissioner Ansar – We usually do 2nd extension, you are requesting a 3rd extension, this will be the last one, are you sure you can finish it this year?

Mr. Aeven Aboush – We will finish it, it’s almost done.

MOTION:

A motion was made by Assistant Secretary Chowdhury for a 3rd one-year extension to July 12, 2026, supported by Commissioner Holowaty.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Chowdhury.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Ansar.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Hoque.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

- D. MINOR AMENDMENT TO SITE PLAN FOR A PLANNED UNIT DEVELOPMENT, ITEM E, FOURPLEX COMPONENT; located on the southwest corner of Thirteen Mile and Mound Roads; 13-08-226-002 & 13-08-204-011; Section 8; Gaetano (Guy) T. Rizzo/Columbia Homes Heritage LLC; PPUDMA250001. The Minor Amendment to the Heritage Village Planned Unit Development for triplex condominium buildings has been changed to fourplex condominium buildings. The original site plan from 2005 for this development was for fourplex condominiums. **Approved by the Planning Commission on May 12, 2025. The petitioner is requesting that the estimated cost of the project be reduced from \$1.8 million to \$600,000, resulting in a reduced bond in the amount of \$18,000.**

PETITIONERS PORTION:

Mr. Guy Rizzo – Good evening, when we filled out the application we made an error, we included the residential construction into the site plan improvements, the bond is actually for the site plan improvement which works out to be \$600,000. We had an additional \$1.2 million, which is actually for the building of the condos. So, we are asking the Planning Commission to adjust the error that we made and get the bond reduced for the \$600,000.

MOTION:

A motion was made by Commissioner Duzyj to approve, supported by Commissioner Ansar.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Commissioner Ansar.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Assistant Secretary Chowdhury.....	Yes
Vice Chair Boniecki.....	Yes
Chair Smith.....	Yes

- E. SITE PLAN FOR DRIVE-UP ATM; located on the south side of Fourteen Mile Road, approximately 366.15 feet west of Ryan Road; 3600 Fourteen Mile Road; Section 6; Michael Boggio. **Approved on June 18, 2001. This site is a former Bank of America/Standard Federal. A new development (Coffee Shop with outdoor patio and drive-thru) is applying for site plan approval for this site. Close-out the file.**

MOTION:

A motion was made by Commissioner Duzyj to close-out the file, supported by Commissioner Holowaty. A voice vote was taken and the motion carried unanimously.

9. BOND RELEASE:

SITE PLAN FOR DRIVE-UP ATM; located on the south side of Fourteen Mile Road, approximately 366.15 feet west of Ryan Road; 3600 Fourteen Mile Road; Section 6; Michael Boggio. **Approved on June 18, 2001. This site is a former Bank of America/Standard Federal. A new development (Coffee Shop with outdoor patio and drive-thru) is applying for site plan approval for this site. Release the original \$1,000 cash bond.**

MOTION:

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

10. NEW BUSINESS:
None at this time.

11. CITIZEN PARTICIPATION:

Chair Smith – We have someone on Zoom that wants to speak on citizen participation.

Mr. Scott Skelton – Good evening, I'm actually the representative for item 6B. I wanted to state for the public record that I was online, it's not that I wasn't able to show up, there was a misunderstanding with myself and Ms. Melissa Maisano in terms of whether or not a Zoom participation would be acceptable. I just wanted to clarify that I was on and was intending to present my item, I guess call it a misunderstanding that resulted in not being able to do so.

I wanted to clarify one question, and I know we can't cover the item, but just wanted to clarify. There was a recommendation by the Planning Board to conditionally approve it, if I'm able to address the concerns that were raised there prior to the next meeting on July 14th, will that be able to expedite the overall process assuming everything gets approved?

Ms. Mary Michaels – The Commission is not supposed to respond to audience.

Chair Smith – Is that it, sir? We are not supposed to respond to the audience during citizen participation. We do have your comments on record, and I think you were saying something about the July 14th meeting, so at that time you can address it.

Mr. Scott Skelton – Okay, and again for the public record, I make the request that it is clear to petitioners in the future that Zoom is not acceptable. It was communicated to me in a way that it was acceptable, otherwise I would have made arrangements to be there in person. Obviously I want to move this forward.

On public record, we'd like to request that it's crystal clear to all petitioners that either themselves or a representative are absolutely required to be there in person, because that was not made clear to me and unfortunately it created the scenario that I'm in. Thank you.

Ms. Stacey Masch – Thank you for your questioning on the previous matter, we needed the wall, I maybe wasn't clear enough. I know that you voted, but I just wanted to go on record saying that our standards need to be higher. I know what your job is and your role is to approve site plans and get things in motion, but our neighbors, citizens, and the people that pay taxes and live in these neighborhoods should be prioritized over people that are doing illegal activity already and trying to get stamps of approval.

We have evidence of them pouring used oil and chemicals over the existing fence to the property to the south of them. Then you have questions and you're talking to Cummins whose job is to get the petitioners' request approved and he doesn't know what he's talking about. He's saying that the petitioner owns all the property south of the alley, he does not, we have residents that live there. Directly to the south of the property in question they pour oil and chemicals. We had the EPA come out. This is a thing where we need a wall, he acted like because he's not talking about property south of the alley that we can't see them. I promise you I can see them; I don't even need to be on my porch or my deck, I can see them from ground level. It's because he's torn down houses and torn down all the trees and there's direct sightlines to this.

Him clearing the junk which was court ordered off the property is great, I conceded, hey it's been improved, but it's not good enough you guys. Him clearing illegal junk off the property that's been there for years isn't the only problem. There's illegal use going on, there's existing non-conformity, there's existing problems and we needed the wall at a minimum. Him saying a fence or a wall, he'll never do a wall. He doesn't do things he is court ordered to do, let alone do this or that. So I feel like a little bit of disservice was done. I appreciate the discussion and your efforts, maybe I should have done the job of reaching out ahead of time so you were well informed. It should have been tabled giving us more of a chance, where is the greenbelt, where's the obscuring walls or obscuring trees, where is anything to protect us. We are just trusting what they say and there's a whole back door game going on with the whole for sale thing, I know you snuffed it out but not well enough. There needed to be a little more checks and balances, I appreciate you guys, obviously we as a neighborhood have more work to do unfortunately. Thank you.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Mr. Ron Wuerth – This is just a few things that I've been active with and the staff has been active with for the last couple weeks.

On the 2nd of June, we worked with this address of 24005 Hoover, I believe it's also on Stephens. They want to put in a small gas station, I think I talked about smaller gas stations with less pumps, that type of thought process is starting to enter into things because of the cost of gasoline. In his case it's gasoline, but the competition between another gas station kiddy-corner to him, his main selling point was liquor and the guy on the other corner also decided to do the same thing. So, he's lost a lot of people who would normally come to him for that and other things. Gasoline seems to be a draw these days, three pumps or four pumps, I don't want to go any smaller, I may not want even those, it just depends on how it would work on the site, and it has to have great flow.

On the 4th, we had a meeting with the Meijer Reps, EV Reps, and General Motors Reps, all on one Zoom meeting, to discuss a site that they want to put canopies up, and put EV ports right behind the gas station. They already have things over there, this would be a little bit larger, not that much. They put up a canopy for about 8 ports there. We just want to be very careful about that, that needs site plan approval, and we explained all that to them.

On the 5th, there was a Climate Action Plan proposal, Commissioner Holowaty is doing better than I am when he's coming up with thoughts and ideas with the final four companies that want to be our consultants.

On the 9th, it's the usual department heads meeting that the Mayor has before City Council meetings, I usually attend those. We had a meeting with some people who represented that one we postponed, the Kaltz lot split, this was a Broker, Mike Davidson, who had some thoughts about how to make it easier. It was a difficult discussion but I'm not going to go into that.

On the 10th, at Fourteen Mile and Hollingsworth, there's a car wash right there, Tony Gallo, a former Planning Commissioner, who actually built that, it's been sold a couple times. Now they want to tear it down and turn it into a provisioning center, marijuana. It's a very small site and we are a little bit concerned about how active it becomes. They have a driveway to Hollingsworth, a driveway to Fourteen so there was quite a bit of discussion that had to do with that.

We used to have Shirley Taylor here as an Assistant, Office Assistant, and she has moved on to the Building Division, she's an Admin Clerk now, so that left a gap, so we need another person. We performed three interviews last Thursday and Friday, and we do have a new person who has accepted a position. We had to do that fast because Susan needs more help, and David needs help. So that's the end of what I've been doing. Any questions about that or anything else?

Commissioner Holowaty – Did you say Hoover and Stephens they are looking to put in a gas station?

Mr. Ron Wuerth – I think it's Hoover and Stephens.

Commissioner Holowaty – That's right by my neighborhood, I know there's a gas station at one corner and on the other corner there's a factory, and then on the opposite side there is that party store.

Mr. Ron Wuerth – It's a little party store, very small location.

Commissioner Holowaty – And that's where they want to put the gas station.

Mr. Ron Wuerth – They are thinking about that, we went into design mode on that. We will see.

B) Zoning Board of Appeals Online Certificate Course. The ZBA Online Certificate Course is a self-paced online training designed for members of the local government Zoning Board of Appeals (ZBA), local government staff who work alongside the ZBA, and local government managers and attorneys.

Mr. Ron Wuerth – It is the Zoning Board of Appeals Online Certificate Course; I look at these things every so often to find out what MSU Extension is doing. They are the ones who provided the Citizen Planner Courses and the certification, well guess what, Zoning Board of Appeals has an online certification course. I'm going to read just a little bit of the overview.

The ZBA Online Certificate Course is a self-paced online training designed for members of the local government Zoning Board of Appeals (ZBA), local government staff who work alongside the ZBA, and local government managers and attorneys. It also includes Planning Commissions, by the way.

The last part, the ZBA Online Certificate Course teaches the latest concepts of ZBA roles and responsibilities effective decision making and protecting due process. The curriculum is based on the award-winning Citizen Planner Program and features ZBA specific content engaging activities, case studies, and the latest Michigan Case Law Course Completion includes an MSU Extension Certificate.

So, I wanted to bring that to your attention, the Planning Staff, that is the Planners, we are all going to take that course and be upgraded. If any Planning Commissioners are interested in doing such a thing, then please let me know and you can start on a new certificate. That's all I have to say about that.

Commissioner Ansar – Do we have to pay for it or is it free?

Mr. Ron Wuerth – The same as Citizen Planner, the City will pay for it. You pay upfront, then we reimburse you.

C) Syed Hoque completed the MSU Extension Citizen Planner Online Course. All current Planning Commissioners have received their Citizen Planner Certificates.

Commissioner Duzyj – I'd like to commend Commissioner Hoque on passing the Citizen Planner Course.

Commissioner Ansar – Congratulations.

Chair Smith – Congratulations Commissioner Hoque.

D) Planning Commission Discussion and Concerns:

Commissioner Ansar – I see in almost every meeting a lot of people come in about their concerns and they say no more gas stations, can we recommend to our City Council to limit gas stations or something like this.

Ms. Mary Michaels – The question is, whether we can limit the number of gas stations?

Commissioner Ansar – Yes.

Ms. Mary Michaels – Our office researched that; we couldn't find any legal authority to do that other than geographical buffers. We could maybe limit the number of gas stations by geographical distances like we do with marijuana plants and other special land uses. We cannot place a limit on the number of gas stations, there could be an overlay zone or the geographical buffers.

Commissioner Ansar – Why can we not?

Ms. Mary Michaels – Our office researched that; because it's a permitted use. You can't tell any developer that they cannot come to this City and not develop. If they meet the Zoning Ordinance, they could develop.

Commissioner Ansar – If we amend our Ordinance, we can recommend it to City Council.

Ms. Mary Michaels – Yes, absolutely, that's the way to amend the Zoning Ordinance, if you wanted to limit the infiltration.

Commissioner Ansar – Yes, I was thinking we could recommend something to City Council, they can approve it or they can deny it. I think we should work on something like this. The last probably 2 or 3 months they keep coming to the Planning Commission and saying we don't want no more gas stations (inaudible). There's already 80, the Planning Department, they cannot deny a petitioner because the Ordinance allows anybody to apply for that. We have to see the small business concerns; they are going to struggle. So, I think we should recommend something to the City Council, so they can study and come up with something for the betterment of the City.

Ms. Mary Michaels – If there’s a recommendation, maybe at the next meeting, put it on the agenda and have a vote to make a recommendation to City Council. Maybe we could formulate some perimeters in the meantime.

Commissioner Ansar – Okay.

Chair Smith – Are you going to work on that for us?

Ms. Mary Michaels – Yes.

Chair Smith – Alright, thank you. I’d like to thank the officer for attending our meeting this evening, and I’d like to thank Attorney Michaels for joining us this evening and answering any questions we needed answered.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

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

The meeting was adjourned at 9:28 p.m.

Warren Smith, Chair

Sultana Chowdhury, Assistant Secretary

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