

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on May 20th, 2024, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, May 20th, 2024, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Claudette Robinson
Michelle Tutt
Mahmuda Mouri, Secretary
Merle Boniecki, Vice Chair
Warren Smith, Chair

Also present:

David Crabtree – Assistant Planner
Amanda Mika – Assistant Planner
Melissa Maisano – Administrative Secretary
Laura Sullivan - Assistant City Attorney
Christie Laabs - Communications Department

1. CALL TO ORDER:
Chair Smith - Calls the meeting to order at 7:02 p.m.
2. PLEDGE OF ALLEGIANCE:
3. ROLL CALL:

MOTION:

A motion was made by Commissioner Tutt to excuse Assistant Secretary Chowdhury and Commissioner Ansar, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

4. APPROVAL OF THE AGENDA:

MOTION:

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

5A. APPROVAL OF MINUTES APRIL 22, 2024:

MOTION:

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

6. PUBLIC HEARING ITEMS:

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

- A. AMENDMENT TO APPENDIX A OF THE ZONING ORDINANCE, ARTICLE XXI-A, DIVISION 1-5 OF THE CODE OF ORDINANCES OF THE CITY OF WARREN, MICHIGAN; Proposed ordinance to repeal and replace Appendix A of the Zoning Ordinance, ARTICLE XXI-A – VILLAGE HISTORIC DISTRICT, DIVISION 1 – GENERALLY, Section 21A.01 – Background and purpose (c), (d), and (f), Section 21A.02 – District Boundaries (a) and (b), Section 21A.03 – Definitions, Section 21A.04 – Reserved; DIVISION 2 – MEMBERSHIP, POWERS, AND DUTIES, Section 21A.07 – Established; membership; terms; vacancies (b), Section 21A.08 – Powers and duties (h), (l), (m), (n), (q), (r), (s), and the addition of (t); DIVISION 3 – PERMIT APPLICATION, REVIEW, AND APPEAL, Section 21A.12 – Permit (a) (2); Section 21A.14 – Filing fee, Section 21A.16 – Commission action, and standards for review (a) (1) (i); DIVISION 4 – METHODS TO PRESERVE RESOURCES, Section 21A.25 – Plan for preservation of resource, Section 21A.26 – Prevention of demolition by neglect, Section 21A.27 – Demolition; Addition of DIVISION 6 – HISTORIC DISTRICT BOUNDARIES; The amended ordinance of Article XXI-A will bring it into conformity with state law so that the City of Warren may apply for a Certified Local Government (CLG) designation; PANAP220002. **Postponed from March 13, 2023.**

Ms. Laura Sullivan – My name is Laura Sullivan and I'm an Attorney with the Warren City Attorney's Office. I've been working on this for a while now, probably since 2022, just after the plans for the city were drafted. They identified some areas that could be deemed historic districts. So I got in touch with SHPO, which is the State Historic Preservation Office and spoke with Allan Higgins who gave us a lot of guidance and he reviewed our ordinance as it exists now and he had several findings that would allow us to apply for local certified government status. Local certified status is an application process where you receive status through the state through the federal government to receive certain funds to help preserve your natural resources.

Secretary Mouri – There is no correspondence.

Ms. Michelle Katopodes reads the recommendations of the Staff:

Chair Smith – Thank you, I'm going to turn it back over to Attorney Sullivan to get some more of her input on this ordinance.

Ms. Laura Sullivan – Thank you and thank you for considering this. As I said we had SHPO look at our ordinance to review it to see if we would qualify to obtain the CLG designation, which is important because you can get money to help your resources. He looked it over and made several suggestions. The way that ordinance is written it's written as though we only have one Historic District in our city, and we don't, we can have multiple areas. It's called the Village Historic District and we want it to be the Historic District Ordinance so that this ordinance can apply to many different areas within our city. So that's the basic impetus behind the amendment of this ordinance. It is hoped that if we do get this passed our next step would be to apply for certified local government status so we can start the funds coming into our city and use them for planning purposes.

PUBLIC HEARING:

Mr. Christopher Werner – Good evening, I live on La Rose in Warren, I am also a member of the Warren Historical Commission. First I'd like to applaud you in looking for CLG approval. I have three clarifications that I'd like to get over the ordinance that you have before you and one comment.

We currently have a historic home which the owner decided to get rid of all the trees on the property. There are classifications of normal maintenance and minor work that's done and it's considered a site with resources on it. Are those trees considered part of the historic integrity of the property and can that owner for instance be pursued for their blatant removal of all the 100 year old trees on the property? Do we have anything in the legislation that covers that portion of it?

Also, in section 21-4 F2 there's a comment that says property owners within the proposed historic district as listed in the tax rolls of the local unit have approved establishment of the historic district pursuant to a written petition. But there isn't any mechanism in there that says that prior to establishing a new district that you will petition the property owners for their approval, it merely says you'll have a hearing. So I don't understand how the petition is fitting into the process. And the comment is, the \$5,000.00 dollar fine is, I believe, from 1976 and it's pretty much meaningless to folks that are ignoring the ordinance itself and property should be raised to something like \$25,000.00 for ignoring the process. Thank you.

Ms. Cindy Hogan – I'm on the Village Historic District Commission and I wanted to say thank you to Laura for all her hard work that she's put into this and I'm really looking forward to the changes that are going to be coming through with this and keeping our neighborhoods beautiful.

MOTION:

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

Ms. Laura Sullivan – Would you like me to address our residents' concerns?

Chair Smith – Yes you can do that.

Ms. Laura Sullivan – First of all a tree can be a resource in a historic district. If this was a historically designated tree then in order to make any changes to that tree you'd have to go through a process which would go through the historic district commission for approval. There would be some checks and balances put in place to protect these resources, so that's the first answer to your question.

The second one was, I'm not sure what it was, something about applying for CLG status, that hasn't been done yet. (Laura talking to Mr. Christopher Werner from the audience he's not by a microphone just talking from where he's sitting).

Once you get involved with SHPO then you're going to conduct a study, you'll set up a study commission which will identify what our resources are and what you want to do with those resources etc. Then there's a hearing that can't start until we actually get that status, does that answer your question?

Mr. Christopher Werner – No, my question is that at the tail end of that paragraph it makes reference to a petition, the last sentence says pursuant to a written petition. Is that petition something that the homeowners generate on their own or is that something that comes from this committee to the homeowners for their approval? It's the last sentence of F2.

Ms. Laura Sullivan – After the date of the public hearing the committee and the City Council have not more than one year to take the following actions. They prepare a final report with recommendations. If the recommendation is to establish a historic district the final report shall include a draft of the proposed ordinances. Number two, after receiving a final report that recommends the establishment of a historic district the City Council, at its discretion, may introduce and pass or reject an ordinance. If the City Council passes an ordinance establishing one or more historic districts the city shall file a copy of the ordinances including a legal description of the property or properties located within the historic districts with the Register of Deeds.

The City Council shall not pass an ordinance establishing a historic district less than 60 days after the majority of the property owners within the proposed historic district as listed in the tax rolls have approved the establishment.

Mr. Christopher Werner – It's the next sentence, keep going. The copy I have continues "as listed in the tax rolls of the local unit have approved the establishment of the historic district pursuant to a written petition". Is that an early revision that they gave.

Ms. Laura Sullivan – That's exactly what I just read F2.

Mr. Christopher Werner – Yea, so it's that petition I'm questioning, is that something that's going to be automatically generated for the public?

Ms. Laura Sullivan – If we get this ordinance passed that will be part of the process.

Mr. Christopher Werner – Okay, so it's not something they do it's something that they will participate in, thank you.

Ms. Laura Sullivan – You're welcome.

Chair Smith – I allowed you to clarify some of your questions because it is an involved ordinance. Once the petitioner comes up and speaks and we take it to the Board they don't get to come back up and converse with us again. But I wanted you to be able to answer some of the questions that may have pertained to what was going on.

Ms. Laura Sullivan – Thank you.

COMMISSIONERS PORTION:

Commissioner Robinson – I have to commend the Planning Department and the Legal Department for getting this done, I'm sure it took a lot of hours to get this completed. Since the Historic Preservation Committee meets quarterly would homeowners, if they have something to submit, would they have to go through the committee first and then as a result of that it gets submitted to the Legal Department in order to get some funding done for any historic projects?

Ms. Laura Sullivan – The way it works is the Commission considers all the different request that are made by the resident's and there is a provision in there for emergency situations, it was the Historic District Commission that wanted to put that in, I believe Joe Ultra wanted to put that in. So there is a provision for an emergency status but everything goes through the District Commission, it doesn't go through our office it's within the power of that Commission.

Commissioner Robinson – Even though they meet quarterly there is a provision if something needs to be done right away that they can get in touch with one of the Commissioners on the Historic Committee?

Ms. Laura Sullivan – Yes there is. Emergency repairs for unsafe conditions, repairs to building structures or equipment that are unsanitary or deficient due to inactive means of egress facilities and adequate light etc. etc., will be situations in which they can hold an emergency meeting.

Commissioner Robinson – There's an avenue for them to do that in between those quarterly meetings then?

Ms. Laura Sullivan – Yes, and there wasn't something like that before in the other one.

Commissioner Robinson – Okay.

Secretary Mouri – Once we get this approved and once we get the funding started do we have any plans in place right now, like what are we going to tackle first?

Ms. Laura Sullivan – Once we get the ordinance passed then we take the application to the State Office, once they say we are good to go then we do a study. The good thing about this is that the City did some big planning a few years ago and so we have kind of identified little areas within the city that would be good places to designate as historic districts, maybe Michelle can speak to it.

Ms. Michelle Katopodes – In the recommendation those things that were outlined were all from the historic plan that was approved in July of 2022, so those were all the recommendations from that historic plan. They had already designated different potential areas that had significant historical characteristics based on that plan. So those could be potential other historic districts that we may want to look at in the future.

Ms. Laura Sullivan – Has the Planning Commission been given a copy of those plans?

Ms. Michelle Katopodes – I believe everyone has received the plan, it is on the website as well and anyone can view it online.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OPEN STORAGE OF STACKED STEEL PLATES: located on the Northwest corner of Audrey and East Nine Mile Road; 4965 East Nine Mile Road; Section 29; Derrick Kempainen/DJP Leasing, LLC (Caren M. Burdi/Earl, Earl & Rose, PLLC); PSP240005. **Postponed from March 25, 2024. The Planning Staff recommends that this item remain postponed to July 8, 2024.**

Chair Smith – We received an email from Ms. Burdi today and she's the one that recommended the date of July 8th, 2024. Michelle will come up and explain some of the reasons for the postponement.

Ms. Michelle Katopodes – It is recommended that the site plan for open storage of stacked steel plates be postponed until July 8, 2024, for the following reasons.

1. Per a field check of the site on May 8th, additional storage and tanks were observed. The site plan must include all storage proposed on the site.
2. Per the Building Division there's not been a permanent application for the installed tanks submitted. All tanks must be reviewed by the Building Division and Fire Department. Additionally, this property is adjacent to single family dwellings and the type of storage including tanks may be limited due to building and fire codes.
3. The petitioner shall contact the Planning Staff prior to the next meeting to discuss the use of the property and the storage needs for this site.

Chair Smith – Thank you Michelle. This is going to be postponed to July 8, 2024.

MOTION:

A motion was made by Vice Chair Boniecki to postpone until July 8, 2024, supported by Commissioner Tutt.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR BUILDING ADDITION, NEW ACCESSORY BUILDING, AND OPEN STORAGE OF VEHICLES; located on the west side of Groesbeck Highway in the area of Prospect Avenue and Toepfer Road; 21311 Groesbeck Highway and parcels north of Prospect Avenue (13-35-326-001 through 13-35-326-009, 13-35-327-001 through 13-35-327-018, 13-35-327-020 through 13-35-327-026, and the north 523.67 feet of parcel 13-35-352-015) along with parcels south of Prospect Avenue (13-35-331-001, 13-35-331-002, and 13-35-331-006); Section 35; Kalven Hermiz/Brays Investments LLC & Edom Properties LLC (Caren Burdi/Earl, Earl & Rose, PLLC); PSP240006. **Postponed from April 8, 2024. The Planning Staff recommends that this item remain postponed to July 8, 2024.**

Ms. Michelle Katopodes – It is recommended that the site plan for building addition, new accessory building, and open storage of vehicles be postponed until July 8, 2024 for the following reasons:

1. The plan is missing key information, such as utilities, a complete list of all parcels and addresses involved in the project, subdivision lot information, and a clearly defined property boundary with bearings and dimension.
2. The representative has indicated that she is currently going through the Circuit Court process to vacate public ways such as streets and alleys. This information shall be provided to the Planning Department and noted on the site plan. There are some records of existing vacations, but there are areas where no records were found. It is necessary to know what is in the process of being vacated, and the length of time that this may take.
3. Having accurate information on the plan, knowing the current and proposed vacations necessary to clean up the site, is all important and needs to be indicated on the plan.

MOTION:

A motion was made by Commissioner Tutt to postpone until July 8, 2024, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

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

- D. REQUEST TO VACATE UTILITY EASEMENT: Vacate the existing north/south twenty (20) ft. wide utility easement located on Lots 20 & 21 of Denton Industrial Subdivision; located on the north side of Miller Drive; 7177 Miller Drive; Section 4; JV Capital LLC (Adam Stier); PEV240002.

PETITIONERS PORTION:

Mr. Bob Kirk – Good evening, Bob Kirk, I’ve been before you before. I’m a Municipal and Land Use Attorney, here with me today is Tom Kemp and also Rick Rank. They have a facility currently on Miller Drive but they are looking to expand, and to do that, the building to the west has to be taken down. Along that runs the utilities with many public utilities in it, so we have to come before you and ask for permission to not only vacate it but relocate it. It’s a big process and expensive but we are willing to do it. So we are asking for your recommendation today to go to City Council to allow us to vacate and move that easement. The next item on your agenda is your site plan, so we are asking for a recommendation for that approval. There are some conditions, and we have no problem with the conditions that the Planning Department has imposed.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site with regards to the easement vacation yielded the following comments from the Engineering Division:

1. Provide a complete and accurate written legal description of the parcel(s) including the parcel identification number(s) on the site plan.
2. The plan shall show and identify all existing underground utilities, sizes, and connections in the vicinity of the parcel including the 12" sanitary sewer in the easement being vacated.
3. Provide the legal description of the easement to be vacated, and the proposed easement.
4. Identify the size and material type of all proposed sanitary sewers and structures.

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: Our facilities are on the east side of Lot 21/west side of Lot 22, so we do not object to the north/south easement vacation on Lot 20. My main concern is that the traffic letter references a 12' wide easement, but the only N/S easement I see is actually 20' wide (10' on both Lots 20 and 21). If the easement in question is not the 20' easement, please let me know so I can double check things.

COMCAST: Comcast has existing aerial facilities in conflict of the easement that is looking to be vacated. This appears to be a forced relocation of the utility pole and overhead wires. The plans mention to coordinate with DTE.

DTE: There is existing DTE equipment in the area(s). DTE Electric Company would like to retain the rights to the easement area impacting 7177 and 7243 Miller, Section 4. The customer can contact DTE for a resolution and/or possible vacation, if needed. If you have any questions, please do not hesitate to contact me at 586-783-1978.

MCPW: Please be advised that this letter is for comment in relation to right-of-way and county drain easements only. This office would have no objection to the request of the vacation of utility easement as there is not a county drain or easement on subject property. 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

Mary Clark CER-6819
May 20th, 2024

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.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Robinson – Do you feel that you would be able to complete the public utility easement vacation. You have three entities here, you have AT&T, Comcast and DTE. Then you also have to go through the Circuit Court, do you feel that this would be timely to have all this done in a two year period?

Mr. Bob Kirk – Yes, we can do that. Actually the utility comments those utilities aren't in this easement it's on another part of the property. We will work with engineering to make sure that's all clarified but those aren't even in that easement. Once we get that moved we can then take the action probably through an agreement or Circuit Court to get that Platt revised, there's no real effect on anyone.

Commissioner Robinson – So it's not a lengthy process here?

Mr. Bob Kirk – No, it won't be a problem.

Chair Smith – Do you understand everything on the recommendations?

Mr. Bob Kirk – Yes, we understand them all.

Chair Smith – And you agree with everything?

Mr. Bob Kirk – Yes, we have no problems.

Chair Smith – Good luck with your project I know we are not done yet.

ROLL CALL:

The motion carried as follows:

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

E. SITE PLAN FOR BUILDING ADDITION: Locate on the north side of Miller Drive, approximately 624 ft. west of Van Dyke Avenue; 7177 & 7243 Miller Drive; Section 4; Adam Stier/JV Capital LLC (Thomas R. Kemp/Kemp Building & Development Co.); PSP240009.

PETITIONERS PORTION:

Mr. Bob Kirk – The petitioner is operating on Miller Drive as we said, he has 46,000 square feet and needs more space to operate. He’s going to add 72,000 square feet to the west and that’s going to require the building to be taken down and that’s why we are relocating. There’s a whole new site layout, the Planning Department has recommended some changes to parking. We are willing to go along with the recommendations that are required so we can expand our building.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site with regards to the building addition yielded the following comments from the Engineering Division.

1. Parcel(s) combination shall be required.
2. Provide a complete and accurate written legal description of the combined parcel including the parcel identification number on the site plan.
3. The plan shall show and identify all existing and proposed underground utilities, sizes, and connections in the vicinity of the project.
4. Site shall comply with the current City of Warren Storm Ordinance. Detention and pretreatment shall be required including a bio-swale and storm narrative.

5. Soil erosion and sedimentation control permits shall be required from the Macomb County Department of Public Works.

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

AT&T: 5-8-24 – Currently AT&T objects to the building addition proposal. Our records indicate we have facilities serving both 7177 and 7243 Miller in the area of the new building. This objection is only temporary while the petitioner works with my Engineer, Courtney Dunford, to protect and possibly relocate any impacted facilities. I have cc'd Courtney on this message, but she can be reached directly at 586-842-7758.

AT&T: 5-13-24 – Courtney still hasn't been able to set a meeting with the petitioner about the building addition. The site plan, on the border of Lots 21 and 22, at Miller Road, only references coordination with DTE. This should be revised to reference they need to also coordinate with AT&T.

COMCAST: We have aerial facilities and either underground or along the building at 7177 Miller Drive. The facilities in question were addressed as in conflict in reference to a utility easement vacate request at 7177 Miller Drive. While the facilities are in conflict, the site plans for the building addition do not indicate the need to relocate the poles/overhead wires. Therefore, if the utility easement vacate conflicts are going to be corrected prior to the start of the building addition project, we would have no conflicts with the building project.

DTE: DTE Electric Company has reviewed the site plan for building addition. There is existing DTE equipment in the area(s). DTE Electric Company would like to retain the rights to the easement area impacting 7177 and 7243 Miller, Section 4; per the site plan provided. The customer can contact DTE for a resolution and/or possible vacation, if needed. If you have any questions, please do not hesitate to contact me at 586-783-1978.

MCPW: Please be advised that this letter is for comment in relation to right of way and County Drain Easements only. This office would have no objection to the building addition request. There is not a county drain or easement on subject property. Prior to a site plan approval, any proposed project that is under the jurisdiction of this office shall apply the Macomb County Public Works Office Design

Mary Clark CER-6819
May 20th, 2024

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.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Secretary Mouri – I know on the 13th of May were you able to connect with AT&T after this time?

Mr. Bob Kirk – I'm not sure, our Engineer may have.

Mr. Rick Rank – Yes, I did meet with Courtney on the 13th and she said that they would just need to open a project to remove some equipment, but I wanted to wait until after this meeting to schedule that so everything is as planned with that.

Secretary Mouri – Thank you.

Chair Smith – I went by and looked at the site. It's a very clean site, the only question I had was back in the back where you have your dumpsters I saw where you had unirrigated grass and in the front you had irrigated grass. I was just wondering what the difference is between the two, I guess the one in the back just doesn't get watered. Other than that everything looks good. Do you know what I was trying to say about the grass?

Mr. Rick Rank – Are you talking the islands back there?

Chair Smith – In the back where the two dumpsters are going to go, the strip in the back it said unirrigated grass on the drawing. In the front where you've got the grass it's irrigated which means you'd have to provide water.

Mr. Rick Rank – No, I had not noticed that.

Chair Smith – When I read that I didn't know if it was a different type of grass where it didn't need to be watered or if it was naturally going to be watered.

Mr. Rick Rank – I just think there was not a plan to put a sprinkler line back there.

Chair Smith – It was just something little that I picked up on I didn't think it was that big of a deal. Do you have any questions with the questions or problems with the recommendations?

Mr. Rick Rank – I think we understand everything and we are excited to keep this moving forward.

Chair Smith – You're making it a larger project now, what's going to be happening there where you need the extra room?

Mr. Rick Rank – We are growing fast in these recent years. We've already done several projects within our existing building to really maximize our space, the warehouse space. We are a valve distributor and we have really used the space that we have to the limit, we've squeezed every inch out of it. As we continue to grow we can already see that we do need more space so we are trying to get out in front of it and that's really the driving factor for this project.

Chair Smith – Okay, thank you. I noticed in the back on the right side behind the Jomar Building there was a stack of what looked like brand new pallets, is that for inside the new building once you get everything reorganized?

Mr. Rick Rank – No that's just extra pallets, we ship a lot of pallets every day and sometimes they don't all fit in the locations that we have designated within the building, so sometimes there are extra pallets out there.

Chair Smith – I don't believe there's any outdoor storage on this, that's why I was wondering if those pallets should be inside the building.

Mr. Rick Rank – With the expansion, yes, all the pallets would be inside the building.

Chair Smith – Thank you sir.

ROLL CALL:

The motion carried as follows:

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

F. SITE PLAN FOR OUTDOOR STORAGE OF TRUCKS AND TRAILERS: Located on the southeast corner of Otis Avenue and Dequindre Road; 22626 Dequindre Road; Section 31; Donald Kincheloe (Firas Elia) PSP240010.

PETITIONERS PORTION:

Mr. Firas Elia – I’m the owner of Best Buy Tires. I’ve been at that location since 2013. I’m here today for the site plan for the storage of 6 trucks and 4 trailers for U-Haul.

Secretary Mouri reads the following correspondence:

TAXES: Current.

AT&T: Does not object to this proposal. We do have facilities along the south property line, but they should not be affected.

COMCAST: We have no conflicts with the proposal, but we do have aerial facilities in the area.

DTE: No objections to this site plan, if you have any questions, please do not hesitate to contact me at 586-783-1978.

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

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

Chair Smith – We did receive another comment that came in later today it says.

To whom it may concern:

I wanted to express my support for the proposed zoning request at 22626 Dequindre. In my experience with Mr. Firas Eila, he has shown to be a great neighbor. He goes out of his way to help myself and others in the neighborhood. He also continues to maintain a neat and orderly property and business. I hope the Planning Commission grants his request.

Thank you,
Randall Rodd

Ms. Michelle Katopodes reads the recommendation of the staff:

MOTION:

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

COMMISSIONERS PORTION:

Chair Smith – I was by the site to look at it and I noticed in the back you had a couple no parking signs where the gravel is at, do you understand that has to be changed to grass?

Mr. Firas Elia – Yes.

Chair Smith – I noticed you had a fence in front of the trees in the back corner, I don't know what the purpose of that was other than to just kind of separate it from the rest of the lot.

Mr. Firas Elia – That used to be there from before.

Chair Smith – The guardrails up front painted a nice bright yellow and they look nice, but according to our recommendation you're going to have to remove those.

Mr. Firas Elia – Okay.

Chair Smith – Did you understand all of the recommendations?

Mr. Firas Elia – Yes, just one recommendation I'm making a request if it could be removed item L, the trash dumpster. I don't go through garbage a lot, all I have is paper and I do shred it every day and I have a recycling company picking it up and pick up all the boxes if we have any. So all week I come out with 15 gallon garbage bags

so kindly if I could remove that. When I applied last time with my old project I talked to the city, and they agreed not to have a dumpster in there. I'd rather put the money on the grass and the removal of the gravel instead of building a wall for the dumpster.

Chair Smith – If he does not generate enough garbage to require a dumpster and he handles it inside the building can we remove the requirement for the dumpster?

Ms. Michelle Katopodes – Yes, we can have a note added to the site plan indicating that it's located inside of the building. We actually did have a note in the finding that the past site plan did have a note on the plan but this time they didn't, so we just added the standard trash enclosure note. So yes, we can note it on the plan that it will be stored inside.

Chair Smith – So as long as you can handle the garbage inside and remove it and you don't have any outside storage with garbage then we will allow you to do that. If it comes to the point where you start generating more trash you may have to put a dumpster in.

Mr. Firas Elia – Sure. One more thing, as far as the bond I do have a \$600.00 dollar bond with the city could they transfer that to this project if that's okay.

Chair Smith – I did notice the previous bond, but this is an additional bond to that.

Mr. Firas Elia – I called Friday and they said for me to mention it to transfer it to this project.

Chair Smith – I talked to Ron about it this morning at our meeting, I was questioning if that would be added. That was for things that had to be completed in the past which weren't quite done so they were holding that bond for that. This bond here is for the new grass so I thought it would be additional to the bond and Ron was saying it was two separate bonds.

Ms. Michelle Katopodes – I wasn't aware of either the phone call or the conversation this morning, typically we would ask for a bond for the particular project. What we could do is, when he submits the bond for this one, release the old one if the project is completed then we can take a look into it, it is for the same site. If it was \$600.00 in the past and we are asking for \$500.00 now it was a site plan that

wasn't completed in the past and we are asking for some additional improvements with the grass.

Chair Smith – The \$600.00 dollars was for past improvements that weren't completed and like I say this is for the new one. I would say that both bonds would be in effect, that's something you have to work out with the Planning Department.

Ms. Michelle Katopodes – What we could do is take the bond for this new project review the old file and if the other file was complete, we could potentially release the older bond. We've done that for other projects.

Chair Smith – Thanks Ms. Katopodes. So you can talk to them and work it out with them.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

Letter from Planning Director Ron Wuerth, to the Greenspace/Conservation Plan Steering Committee providing the preliminary membership contact list and stating that meeting dates, times, and locations will be provided at a later date.

Chair Smith – Michelle do we want to do any discussion on this?

Ms. Michelle Katopodes – I don't believe there's really any discussion, this is just an item to receive and file. There will be future meetings where we will invite the members of the Planning Commission who will sit on the Steering Committee, there was just one preliminary meeting so far to establish some of the items that we will be looking at.

MOTION:

A motion was made by Commissioner Tutt to receive and file, seconded by Vice Chair Boniecki. A voice vote was taken and the motion carried unanimously.

8. OLD BUSINESS:

MINOR AMENDMENT FOR A FAÇADE UPGRADE AND THE ADDITION OF A GREENBELT AND A DUMPSTER ENCLOSURE FOR ADOLESCENT COUNSELING AND SUPPORT FACILITY:

Located on the southeast corner of Common Road and Lorraine Avenue; 29900 Lorraine Avenue; Section 10; Asaad Yousif/29900 Lorraine LLC; PMA240002.

MOTION:

A motion was made by Vice Chair Boniecki to recognize it as a minor amendment, supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

PETITIONERS PORTION:

Ms. Jamie Garmo – Good evening, my name is Jamie Garmo on behalf of the applicant, 29900 Lorraine. We recently were granted a specific use variance on this property for an adolescent health therapy center. Wherein there will be life skill development, art therapy, a theatre room, a library and things of that nature for adolescent pupils who suffer from mild behavioral health issues. I have my Architect along side me, Adrienne Davies, to answer any questions with regard to the greenbelt or technicalities on the site plan.

Secretary Mouri reads the following correspondence:

TAXES: Current.

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: AT&T does not object to this request. We do have facilities crossing the property and attaching to the building. Should any conflicts arise, please advise the petitioner to contact Joe Sikorski, js3649@att.com, 586-764-8261 to discuss options.

COMCAST: Has no conflicts with this proposal but we do have facilities in the area.

DTE: No objection.

Ms. Michelle Katopodes reads the recommendation of the Staff:

The Planning Director actually had public notices mailed out for this particular item, mostly because it went to ZBA first and just wanted to allow the neighbors to follow the process. It will be up to the Planning Commission whether or not they want to make an exception to allow the public to speak. That did take place, so I just wanted to make you aware of that.

MOTION:

A motion was made by Vice Chair Boniecki to suspend the rules and allow public comment on this item, supported by Secretary Mouri.

PUBLIC HEARING:

Ms. Pamela Sjo – I'm at 11111 Meadowbrook Drive, my property abuts the 20 foot greenbelt, I'm on the eastern edge next to the Cromie School parking lot.

I've been in conversation with the owners, Dylan is here representing that building, 29900 Lorraine, and my concern has been the distance of the Norway Spruces that they are going to plant to the fence line, which is the property line. There are two rows of trees and then three rows of arborvitae which are along the parking lot. My concern is the distance between the property line and fence and the first row of trees, they had it at three feet but you know Norway Spruces are pretty good size tree. So I was requesting it to be planted like 7 or 8 feet instead of 3 feet, you can visually see that it's too close. They agree and we've been in conversation and I talked to Planning and Michelle and I think we've come to some resolution.

Mr. Dylan Yousif – I'm the Developer and I'm the one in communication with the neighbors. She is correct that it would probably be better if it was 6 or 7 feet from the fence. We did 5 but we want to appease the neighbors they are important to us, as the Developer on the property that's fine with us.

Ms. Pamela Sjo – It doesn't have to be the whole length, there are four neighbors that abut that greenspace, but whatever they want to do on the rest of them that's up to them, we are only talking five trees here. Thank you very much for your attention on this.

MOTION:

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

COMMISSIONERS PORTION:

Secretary Mouri – I know Michelle mentioned 5 to 7 feet is okay, does the petitioner agree?

Ms. Jamie Garmo – Yes, thank you, we are happy to agree. We've maintained a great relationship with the neighbors throughout this development, so any which way that we can ease any anxieties about the changes to the neighborhood we are happy to do so as long as it's in conformance with the ordinance and the Planning Department is okay with it, and they seem to be fine with those changes.

Commissioner Tutt – What's the final answer is it 5 feet, 6 feet, or 7 feet?

Ms. Michelle Katopodes – We can indicate on the plan to plant them between 5 and 7 feet from that property line

Commissioner Tutt – So the plan would read between 5 and 7 feet?

Ms. Michelle Katopodes – Yes, in that particular area that's fine and they will update the site plan to show it.

Chair Smith – I was by and looked at the project I liked the idea of the new façade you're putting up. I see some of the renovations that are going on I think it's going to turn out very nice.

Ms. Jamie Garmo – Thank you. We are very excited to beautify it, it's a really nice building. In general the integrity of the building is very strong so this is going to be purely aesthetic and still match the character of the neighborhood, so we are very excited.

Chair Smith – Thank you and good luck with your project.

ROLL CALL:

The motion carried as follows:

Commissioner Robinson..... Yes
 Vice Chair Boneicki..... Yes
 Commissioner Tutt..... Yes
 Secretary Mouri..... Yes
 Chair Smith..... Yes

9. BOND RELEASE:

- A. SITE PLAN FOR OPEN STORAGE OF LANDSCAPING MATERIALS: Located on the west side of Blackstone Avenue, approximately 596 ft. south of Stephens Road; 23831 Blackstone; Section 26; James Malkiewicz (Jack Durbin); PSP180074. **Approved on June 3, 2019. Cash bond posted in the amount of \$750. Completed; release the bond.**

MOTION:

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

- B. SITE PLAN FOR VIETNAMESE SOCIAL CLUB: Located on the northwest corner of Thirteen Mile and Mound Roads; 5649 and 5651 Thirteen Mile Road; Section 5; Matt Shango/13 Mile Road Mound LLC (Donna Ngo/Vietnamese Club); PSP230039. **Approved on January 8, 2024. Cash bond posted in the amount of \$300. Completed; release the bond.**

MOTION:

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

10. NEW BUSINESS:

None at this time.

11. CITIZEN PARTICIPATION:

None at this time.

12. PLANNING COMMISSION BUSINESS:

A) Planning Director's Report:

Michigan Association of Planning 2024 Spring Resilience Summit; Managing Water Coast to Coast; May 8, 2024.

Ms. Michelle Katopodes – Good evening, just a brief report today. On May 6th we had our first meeting with Norm Cox, he's from the Greenway Collaborative. He's the consultant that we are working with for the non-motorized plan or what it will probably be known to be called is the Active Transportation Plan. Just like with the other project the greenspace eventually will have a steering committee list and have meetings going forward with the Planning Commissioner member who would serve on that one. That's another project that we are just starting and kicking off.

On May 8th the Planning Director and I attended the Michigan Association of Planning Spring Institute Conference. The conference this year was called the Spring Resilience Summit, and the agenda was provided in the packet so the Planning Commission is able to view the different sessions and what they were about.

On May 14th the City Council approved the fiscal year of 2024/2025 budget there were some amendments to the approval including the request to increase the Planning Commission Meeting allowance from \$75.00 dollars per meeting to \$130.00 dollars per meeting, the Council did not approve the Planning Commission increase, all the other budget items were approved for the Planning Commission and Department.

On June 1st, as a reminder, we will be having the Planning Commissioners Tool Kit and Site Plan Review onsite workshop we will send an email reminder leading up to that. The training is a half day running from 9:00 am to 1:00 pm. That ends the report, if you have any questions let me know.

B) Planning Commission Discussion and Concerns:

Chair Smith – I'm glad we were able to have our members make the Commission dinner on May 6th and I think everyone had a good time, we appreciate everything you guys do. We do have a Master Plan Meeting scheduled for Thursday morning for those on the Master Plan Committee and like Michelle said in June we have the training.

Mary Clark CER-6819
May 20th, 2024

Secretary Mouri – Commissioner Tutt is going to be leaving us soon so I just wanted to say thank you and I really enjoyed working with you. We both started together at the same time it was amazing to know you and we've become good friends and I hope to stay that way. Thank you for everything that you have done.

Chair Smith – When is the last time we will get to see your beautiful face?

Commissioner Tutt – I'm still a resident through June, so through June I will still do my duties I won't be at the training though.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

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

The meeting was adjourned at 8:34 p.m.

Warren Smith, Chair

Mahmuda Mouri, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

E-mail: maryclark130@gmail.com

Mary Clark CER-6819
May 20th, 2024