

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on October 20th, 2025, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 20th, 2025, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden Avenue, Warren, Michigan 48092.

Commissioner's Present:

Andrey Duzyj
Michael Holowaty
Syed Hoque
Sultana Chowdhury – Assistant Secretary
Mahmuda Mouri – Secretary
Warren Smith – Chair
Henry Newnan – Ex-Officio

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Assistant Planning Director
David Crabtree – Assistant Planner
Amanda Mika – Assistant Planner
Melissa Maisano – Senior Administrative Secretary
Mary Michaels – Assistant City Attorney
Don Carriere – 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 Vice Chair Boniecki and Commissioner Ansar, supported by Commissioner Holowaty. 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 agenda, supported by Assistant Secretary Chowdhury. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF MINUTES – OCTOBER 6TH, 2025:

MOTION:

A motion as made by Assistant Secretary Chowdhury to approve, supported by Commissioner Duzyj. 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 to the right of the stage and will have three (3) minutes to speak.

- A. ACTIVE MOBILITY PLAN (SECOND PUBLIC HEARING); The City of Warren, with assistance from The Greenway Collaborative, Inc., prepared a subplan to the 2021 Master Plan, pursuant to the Michigan Planning Enabling Act. The Greenway Collaborative, Inc. presented this plan to the Planning Commission on October 6, 2025. The purpose of this plan is to identify barriers, highlight opportunities, and recommend solutions that make walking, biking, and rolling safe and enjoyable for all residents of Warren. The draft plan can be accessed online at <https://walkbike.info/warren/> and on the Planning Department website at <https://www.cityofwarren.org/departments/planning-department/>. City of Warren (Norman Cox PLA, ASLA & Carolyn Prudhomme, PLA, ALSA, The Greenway Collaborative, Inc.); PANAP250001.

PETITIONERS PORTION:

Mr. Norman Cox – We have had it posted now since the very beginning of September on the City's website. At this point we received four comments from the public, they were all positive and we can give the specifics on the things they were mentioning. So far we have heard no negative comments from the public on the website. If there's any questions or follow up after you've had a chance to look at the report in more detail, I'm here to answer any questions.

Secretary Mouri reads a letter sent on 10-20-25.

Hi Ron and Michelle,

Ahead of tonight's Planning Commission Meeting, I wanted to give you a quick update on the online survey collecting public comments.

We received a total of four responses, and all were positive. I've attached a summary of the responses for your reference.

Carolyn Prudhomme, PLA, ASLA
 The Greenway Collaborative and WalkBike.Info
 102 Nickels Arcade, Ann Arbor, MI 48104
 734-668-8848

Are there any specific items that need to be addressed? Please reference the page number below:

- Creating walkable corners potentially on our vacant 10 & Mound corner that our community can walk to and sit on nice benches with greenery along with a small walk to only village or fresh market with few side parking if wanted. Taking a piece of Grosse Pointe Farms innovative community ideas and bringing them to Warren for our community is highly walked and we want to walk instead of drive to simple places that can be around the corner.
- Working with other communities (even those in Oakland and Wayne County) for transit improvements; how car washes affect sidewalks and pedestrian environments; planting more trees alongside pedestrian and bike infrastructure.

What is your top priority? Please tell us what item you would like to see funded and built first.

- Creating safer, family-friendly local routes.
- Maintenance of sidewalks and side streets. Side streets are in terrible shape.
- Top priority has to be transit. Warren needs to be prepared to incorporate and work with a regional transit agency and regional transit improvements. Sidewalks are incredibly important to connect people to transit stops.

Tell us anything else you feel is important:

- Keep our city clean and holding people accountable that choose not to.

Mary Clark CER-6819
 October 20th, 2025

- Designate bike routes. Walking paths.
- Installing sidewalks where there are none; holding businesses accountable for destroying the sidewalks in front of their buildings; public safety and law enforcement officers need to be enforcing speed limits and traffic signals.

And these were sent from some of the zip codes. 48088, 48089, 48091, 48092, 48093.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Ms. Amanda Stan – Good evening, my address is 32317 Knapp Avenue, Warren 48093. This is in reference to the Riverwalk that's part of the Active Mobility Plan. My husband and I have been residents of Warren for 20 years, we are here today with our six-year-old son as well. We live in the Trembleton Subdivision that's near 14 Mile and Van Dyke, where part of this Riverwalk would be.

We purchased this home to see the wonderful view of wildlife and the fall colors right outside our living room. Residents have paid a premium for this view and rural atmosphere in the heart of Warren. Residents on Knapp Avenue did not purchase their home to wake up to a parking lot, hear added vehicle noise, to see strangers daily, or to clean up after loitering individuals. Most of these residents are not in favor of this walking path.

Adding a walking path to a quiet subdivision may seem like a harmless or even beneficial idea but we feel that this would unintentionally open the door to increase the homelessness in the area. Currently there's not any reason for any individuals other than residents to be in our subdivision. We are already dealing with strangers drinking, littering, taking drugs, stealing, and even homeless people setting up tents in our area. Police records show that these people have tried numerous times to enter residents' homes throughout the subdivision, steal yard decorations, drive through the woods and dump trash.

Public walking paths, while designed for recreation often become gathering places for individuals who are not part of the community, making it harder to monitor who is frequenting the neighborhood. This will bring an increase to crime, drugs, and homeless in our area while decreasing the safety of our loved ones.

Adding this walking path will increase traffic. My son loves to ride his bike up and down our quiet dead-end street where there's no sidewalk and many neighbors also enjoy walking their dogs here. However, we've seen an uptick of vehicles speeding through our subdivision looking for an exit to 14 Mile. We don't want to bring any more traffic to our neighborhood with an open invitation putting our residents into danger.

These reasons not only undermine the safety of privacy that the residents of a quiet subdivision value but can also reduce property values and increase concerns about letting our children play outdoors. Rather than enhancing our neighborhood we feel that this walking path can disrupt our peace. Thank you.

Ms. Antoinette Freije – Good evening everyone, I live two doors down from Amanda and her family, I'm at 32357 Knapp Avenue. My confusion is, I applied for a zero deferred loan from the City of Warren, they turned around and told me I'm ineligible because I'm in a flood zone. So why would you go build in a flood zone, and if you tell me it's not a flood zone, then I'm going back to the City to find out why I can't get approved.

And as she stated, the view is beautiful, the deer are beautiful, we have turkey's, we have every little critter you can find. If you start playing with that, they are going to end up on 14 Mile and 15 Mile Road causing major accidents. Right now, they've got about 40 acres. If you tear down any of the trees or any of that natural, we are going to have the stench from the Water Treatment Plant that will kill us. It's already not so good, and years ago I thought the City gave credit to those living in that area, but based on my taxes today there is no credit.

The last time, I believe, you tried to do something about the smell, the buzz from whatever it was drove me crazy. I called the City, and I walked outside, and the gentleman on the phone said to me I can't hear you, there's too much noise. I said I've been listening to that on and off for a week, this is what I'm calling about, and within 10 minutes it was turned off, and I've not heard it since. I don't know if that was some kind of air cleaner or it was just a bad part in something, but they did turn it off and it hasn't come on since.

As a resident in that neighborhood for 38 years the whole reason we live there is because we feel we are in the country but yet we are still in the city. We don't have sidewalks right now on our end of the street, if they want someone to walk then maybe they should put sidewalks, we don't need across the street to be destroyed. We would appreciate your consideration in this matter. Thank you.

Ms. Tina Sittaro – I've lived on that street for 30 years, and this is where I choose to have my house for the rest of my life. The scene across the street is just absolutely amazing. We have very friendly deer that come up to our houses and eat our Hostas and stuff. That was my child's playground across the street, because our backyards are very small, by the way I live at 32229 Knapp, which is on the other side of Jenny, south of Jenny.

We've had a lot of problems over in the field, we've had homeless people set tents up, and we've had homeless people trying to break into neighbor's houses at 1:30 in the morning. The gentleman that did it did get arrested within the last year, I'm not sure if he's in jail or not, but he tried to break into my neighbors, who is an older gentleman, two doors down from us. We have a lot of older people on our street, in their late 70's and early 80's, and you guys want to have this park across the street with walking paths and build a parking lot in front of our houses. We bought the house to look across the street at the beautiful wildlife that we have.

We don't want cars in the parking lot all hours of the night, which we have now. They park on the side street in the winter, go to the sledding hill, trash the sledding hill with beer bottles, bonfires, and this and that, which is not allowed out there. There is no trespassing signs and they don't listen to that; they just go across the street at three o'clock in the morning, they are all in the middle of our street screaming and hollering. They've all been on the hill, and they did what they had to do, and now they are drunk or whatever they are.

My feeling of this is I don't feel it's a good thing. We don't need strangers in our neighborhood; we've been there, we've done that, we got the homeless out of the neighborhood, they are still living underneath the bridge at 13 Mile and Van Dyke. I don't know if you guys have been out looking around at different things, but there's quite a few homeless people that live under the bridge there. We finally got them out of our field. There was a family last year, a mother, a father, 4 children, youngest being 2 years old, and a grandpa setting up tents in the field because they got kicked out of their hotel.

We don't need the riff-raff in our neighborhood. We have a nice quiet neighborhood we all look out for each other, like I said, we have a lot of older people that live there. Our neighborhood is like family, and for you guys to bring in a park with strangers coming in there, the older people are going to fear for their life.

I don't know what else to say, I personally don't feel like it's a good idea. I don't want to be coming home at night and there's people sitting in this parking lot across the street from our house scaring the hell out of me because I don't know who they are. We know every car that comes up and down that street because we've lived there so long. That's all I had to say. Thank you.

Commissioner Duzyj – I've got some questions on this and I'm not ready to make a motion on it as of yet. Can I ask Mr. Cox a couple of questions?

Chair Smith – If you make a motion then we can have discussion, if the motion has to change we can change it.

Commissioner Duzyj – Fair enough, no problem.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Duzyj – You had four people respond positively to all this and we just had four people that are not really happy about this entire development you want to do. What do you have to say about this?

Mr. Norman Cox – I believe the residents are referring to the illustration that shows on page 41, which says proposed nature trail and sledding hill near Bates Park. That is an illustration that actually preceded this plan, that had been developed by the City, so we had incorporated that into the plan because that was something that had already been kind of a proposal so we included it in there. The things we have heard, as far as public input, along the Red Run and other nature areas, we heard a lot of people say they want to have access to more nature areas, access to trails that aren't necessarily paved, kind of more woodchip and natural surface trail in access to the Red Run. I think we note there that easements would be required for a lot of the areas and that is kind of a long-term vision. The illustration that is on 41 is actually dealing with the public land and improvements to that. So that is how that illustration got into the plan.

Commissioner Duzyj – My original thought on all this was going to be to fix up Nine Mile Road, to fix up Van Dyke and slow the traffic down, is this really a necessary thing to do in Bates Park?

Mr. Norman Cox – We took this as something that was already proposed, it seemed to fit the public input desire to have those types of facilities to be incorporated into the plan. I understand the concerns of those folks that live along Knapp Road and the issues that they brought up here as far as that and the path. As far as the specifics of that plan, it's not something that I could speak to in particular, because, again, it was an existing plan that had been put together that we had incorporated into this.

Commissioner Duzyj – I think the Active Mobility Plan is a decent idea but once it goes off into the parks, I've been in that area, it's nice, I have a problem with the extent of it, and I'd really like to see you get together with the neighborhood and the community there and show them exactly what, when, where, why and how. I think that would be very important and would go a long way making this a feasible alternative to whatever was planned out there before.

I'm having a problem trying to support this because I've been up and down through there 100's of times and it is nice. I like what we've done with a couple of places along Red Run but to take this park and destroy it, basically, because that's what's going to happen, is not my idea of good planning. I'm having a hard time trying to support that, based on just that, that's one.

Question two, have you gotten in touch with the businesses along the thoroughfare that you're looking to switch from five lanes to two or three and so on, have you talked to the business community about how they feel about all this?

Mr. Norman Cox – As we noted at the presentation a few weeks ago, this is a City-wide look at the plan, and the public engagement was more City-wide. When something like the proposed improvements along Van Dyke or Nine Mile are going to be integrated into some future construction that would be the time to meet with all of the landowners, business owners, along those particular corridors to get their feedback on the details. This is not every little detail on Nine Mile and Van Dyke, this is an outline of the conceptual idea of how this could look and the types of connections we are looking at.

So again, a kind of high-level Master Plan, City level, and recognize that any future thing, whether it be on a half mile road or Nine Mile or Van Dyke, will be a whole other level of public engagement with those businesses to work out the fine details.

Commissioner Duzyj – Thank you very much.

Commissioner Holowaty – Is there any way you can make any sort of modifications around Bates Park to cut down some of the traffic?

Mr. Norman Cox – This plan is not into doing the very detailed plans of a park, that's beyond the scope of this particular project. We incorporate the illustration because there's something existing. I think the ways we can modify this is, we can make a recommendation that this is conceptual, could remove the specifics, and talk about things that the community would like to see there without getting into the specifics of where the parking lot is located and the pathways. It's not something that we have vetted ourselves to look at, it was more of an illustration of, conceptually, what we had heard was being looked at and we incorporate the plan that way.

It's at your discretion if you want to move the plan forward with recommendations of that particular map being removed, because those specifics of that plan, that again was just incorporated as a concept, seem to be the main issue of where the parking lot are and the pathways are. We didn't vet these in any detail and I can't critique them one way or the other without looking at the details of that park.

Commissioner Holowaty – I yield the floor, Chair.

Commissioner Hoque – We know that this is the draft plan so what is the next step to finalize the plan?

Mr. Norman Cox – I'll defer to Michelle and Ron with the specifics. This will be a recommendation from the Planning Commission to go forward to City Council; I'll let the experts talk.

Ms. Michelle Katopodes – That's what I was going to say, the next step would be going to City Council for their adoption, and then in the future, once adopted, we can look if there was opportunities for grants or for any sort of project for trails or maybe different road construction projects, this could be something that could be implemented in the future.

All of these are concepts based on the many public meetings, online surveys, and discussions for years about trails along the Red Run, that has been a discussion point for a long time and that information was provided by a former City Engineer to include into the plan.

These are just ideas and looking for opportunities to improve mobility and recreation throughout the City. So that's really the purpose of it, to look for opportunities of vacant land, and how can it be used to improve active mobility, in a nature setting, to be potentially a trail that we don't have now.

Something in a more natural setting, so it's looking for opportunities in different ways whether walking or biking throughout the City. Part of the Master Plan included this as an action plan to look at these opportunities, so that's what this plan is doing.

Commissioner Hoque – Thank you.

Commissioner Duzyj – So this is not set in stone on doing anything with that park yet?

Ms. Michelle Katopodes – No, it's an opportunity, potentially. At the moment, there's the park and there's a lot of land that's there, there's opportunities, but nothing is happening for certain, this is just a plan.

Commissioner Duzyj – Okay, this is a concept.

Ms. Michelle Katopodes – These are ideas looking at how we can improve trails, biking, corridors, adding bike lanes, reconfigurations of roads, it's looking at different ways to make it better for residents in different parts of the City.

Commissioner Duzyj – If the maker of the motion can amend his motion to leave Bates Park the way it is for now. By the sound of it this is all a concept, this is not set in stone, they are not going to come in and clearcut everything and put in a parking lot. If the maker of the motion can agree to take Bates Park out of it then I can support it, thank you Mr. Chair.

Commissioner Holowaty – Mr. Chair, I think I was the maker of the motion. I agree with Commissioner Duzyj that it is just conceptual, to remove Bates Park, for the developer to work with the residents.

Commissioner Hoque – I support it.

Chair Smith – That was a motion by Commissioner Holowaty to make an amendment to the motion, supported by Commissioner Hoque, to remove Bates Park from the plan for now. I want to make one comment. This is a conceptual plan, and with any plan, things change, and therefore, because they located Bates Park for some reason, so if people wanted to go there, and they knew it was a walking or bike path to go to that park, they could do that, they don't have to, but they could do that. So, when you want to eliminate it out of the equation, that's like taking another park out because they have problems. We are trying to show people that there's more than one park to go to and there's more than one way to get to it.

As we go through these different things, there's going to be changes, there's nothing set in stone. If people don't know where this park is, there they aren't going to visit. I understand the residents' concerns about the homeless, drugs, drinking, that can be anywhere and those are concerns that need to be addressed, but as far as the Mobility Plan, as far as walking and trying to provide places for people to be able to bike and walk, I don't think we have to put that much emphasis on it at this particular time because it's a conceptual plan and plans have a tendency to change.

Ms. Michelle Katopodes – Can I ask a question? If, on this image, we remove the trails but left the greenspace that's near Bates Park, with the images saying this is a concept, but remove the actual trails for now, because there's nothing at this moment proposed, it's just showing that there's an opportunity of this vacant land near Bates Park. We could show that area, that there is this greenspace that's existing near Bates Park. See the image at the bottom, it shows trails, that could be removed and just show the green space near Bates Park; however, you want it to show, just show the Riverwalk potential, it's up to you.

Chair Smith – Any comments from the maker of the motion?

Commissioner Holowaty – I have no comments.

Chair Smith – Second, any comments on it?

Commissioner Hoque – It's still a conceptual plan?

Chair Smith – It's still a conceptual plan, yes.

Commissioner Hoque – It's still a concept, leave the park out of the plan, will people be benefited, or no? The issues for homeless people and the other things should be taken care of by other departments. I think, keep it as is, it will be a betterment for the whole entire community, so many people will benefit.

The other issues brought today; they should be taken care of by the other departments. The homeless issue is not just in this area, they are issues almost everywhere, so we cannot stop the improvement, or we cannot stop the plan that people are expecting. I'd like to say keep the plan as is, it's better for our community.

Chair Smith – So let me try to get this together, we want to make an amendment to remove Bates Park from the map, but then had a comment that maybe just possibly just remove the trail going around Bates Park and leave it green. Then you made the comment leave it as is.

Ms. Michelle Katopodes – Or, Chair, we could say conceptual path too; it can be stated on there.

Commissioner Duzyj – I think that listing it as conceptual is a good step in the right direction, first of all. Second of all, I like the idea of the green space and putting that out and pushing the green space versus anything else there. But I understand it's conceptual and nothing is going to really occur in that area for a while. What kind of time frame are you looking at, are you considering a time frame?

Ms. Michelle Katopodes – We don't know yet, unless funding becomes available, so we really don't know at this time. First, it's approval and then we see what comes up in the future.

Commissioner Duzyj – That's what I wanted to know. This is not going to be in the next couple of weeks or so. I don't know if it's going to be in this decade, but that's another story that we will battle out the next time this comes through. Thank you, Mr. Chair.

Chair Smith – I'm going to try and get this straight, and if I'm wrong, let me know. We are going to look at Bates Park and just possibly keep the green space, maybe reroute the trails differently. Like I said, this is a conceptual plan, no plan is set in stone. There's going to be changes, we had more comments that came up tonight and I'm sure we'll have more comments that come later. It's not something that's going to happen tomorrow, so therefore, we've got time to make changes on it, it's a general overall plan of what we'd like to see for the City of Warren where people can go and do things.

Saying that, we originally had a motion to approve by Commissioner Holowaty supported by Commissioner Hoque, but I don't know if we need to amend it to remove Bates Park. It is a park in the City, and even though they have their problems, it's still a park in the City, and it should be recognized. Are we in agreement on that?

Councilman Henry Newnan – Mr. Chair, if I may speak?

Chair Smith – Go ahead.

Councilman Henry Newnan – I just came from the ADA Transition Plan, a public comment period, and this Active Mobility Plan works with the ADA and there's a public safety problem for pedestrians and bicyclists getting in accidents, sometimes getting hurt sometimes getting killed. You don't want to stop having public safety measures taken in any of the parks.

Also, part of the ADA Plan requires making access available for people with disabilities. So you want to have (inaudible) sometimes, maybe not this one, but in general. In order to achieve the transition to disability access, you need to have people to be able to get to the facilities, and you want to have them do it safely, and this helps to achieve that. It seems like it would be contrary to the purposes of the Planning Commission to deny it to any of the parks, just saying. You're the Planning Commission, you do what you're going to do, thank you for letting me speak, I appreciate it.

Chair Smith – First we need to correct the amendment on removing the park from the plan, are we going to keep that amendment or take it out?

Mr. Ron Wuerth – Mr. Chair, I'd just like to add a few comments. It is a plan, and you've mentioned it several times, it is a concept plan, everyone. The plan can be changed in any way, shape, or form. This is an example of how things can be used. That plan right there, that was something that Mr. Cox took a look at, that plan was put together through the conceptual thought process by a young man, David Wirth, he was an Engineer for the City, he doesn't work for us anymore, but that matters not. He thought this was one of the most wonderful places, a real jewel for the City that we have.

Now, whether one is going to put that whole ring there, or through the middle, or up and down, there's hills back there, I remember him talking about people doing sledding back there, it's access, that's what it is. Is there going to be that much access? We don't know. He walked through there, there are paths back there that aren't on here. The point I'm trying to make is that it's an example; and those issues that came up about homeless, well that's where you complain to the Mayor's Office and Public Service, and they'll send the proper people out to check on that. Nobody cares to have strange people wondering around, no doubt about that, I wouldn't, so you call the police in that particular issue.

To get back to the plan itself, if you look page to page to page through this plan you're going to see a lot of ideas and thoughts. We've been going through this for about a year and a half, it seems, maybe more, it's detailed in thought only, everything is in detail.

Take a look at the Van Dyke Corridor Plan, there's that plan and this plan overlays that plan, it actually adds information about safety, crosswalks, and other things that weren't necessarily in the first plan. It's what you do with a plan like this particular one, and its City-wide.

If it were just a bicycle plan where they just nailed down the half mile roads and felt okay, we'll get an east/west and a north/south particular route, that's another story. Mr. Cox was part of the Iron Bell Trail Plan that has gone through the city, MDOT had tried to put that bike path on Van Dyke from Eight Mile to Stephens, and then it turns and goes through Center Line, that was the start of the change of how you get things done.

Take a look at the plan again and you'll see what potentially it could be, a boulevard strip, four lanes, another strip, protection for the bicycles that go north and south. I'm just giving you an example, whether it really goes that far, I don't know; but I can tell you from what I've seen throughout the State of Michigan and probably many uses similar throughout the country, this is one of the best plans I've seen, frankly. So, to start going at it piecemeal, I don't think is a good idea, it's my opinion, I think you can take any plan and look at it and say I don't like this and I don't like that, well that's what the plan's all about, you've got that choice. This gives you the ideas, you guys now can be the critics. After the plan is there, and you want to say we want to fix up another road, or go into that park and decide what you want to do there, might be one walking path that goes through, it goes where the sledding area is.

I hope I've clarified this a little bit, because you have choices, it's suggestions that people can go off of. I like nothing better than looking at people's ideas, sometimes they are great and I go with it, other things I might change, but you have the opportunity to change it. So, I'll leave you with that thought.

Chair Smith – Thank you, Mr. Wuerth. To the maker of the motion, to remove the amendment, have to say if they are going to undo that motion on the table?

Commissioner Holowaty – Mr. Chair, since I was the maker of the motion, upon hearing all that we just heard, I will remove that part of Bates Park since it's conceptual, and keep the plan as is with possible changes down the road.

Chair Smith – Okay.

Commissioner Hoque – Yes, I support that.

Chair Smith – So now we're back to the original motion to approve, leave the plan as is because it's a conceptual plan.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty..... Yes
 Commissioner Hoque..... Yes
 Commissioner Duzyj..... Yes
 Assistant Secretary Chowdhury..... Yes
 Secretary Mouri..... Yes
 Chair Smith..... Yes

To approve and to receive and file, changes can be made later.

- B. REQUEST FOR STANDARD REZONING; located on the northeast corner of Dequindre Road and John B Avenue, approximately 685.2 ft. north of Eight Mile Road; from the present zoning classifications of “C-1”, Local Business District, “R-1-P”, One-Family Residential and Parking District, and “P”, Parking District to “C-3”, Wholesale and Intensive Business District; 20900 & 20898 Dequindre Road; Section 31; Nabil Kesto/Noel Property, LLC (Samuel Surnow/Dequindre Plaza LLC); PR250002.

PETITIONERS PORTION:

Mr. Brandon Kastaw – Good evening, Brandon Kastaw, Attorney for Nabil Kesto and Noel Propety, LLC, 901 Wilshire Drive, Suite 390, Troy, Michigan, 48084. With me, to my right is Nabil Kesto, he is the applicant and a proposed purchaser under our purchase agreement. To my left is Mr. Jeffrey Graham, he works for Kem-Tec, he’s the Architect for the property. Seated behind me is Sam Surnow, he’s the owner of the property and the seller per the purchase agreement. And to the right of Mr. Kesto is Rob Krochmal, he’s a representative of Dequindre Plaza LLC.

As I mentioned, Nabil Kesto, Noel Property is the purchaser under our purchase agreement, he leases the space directly east of this property where he operates his business-to-business cash and carry wholesale operation there. He sells only to other businesses, convenience stores, gas stations, grocery stores, he sells snacks, beverages, phone accessories, and any typical convenient store.

Currently he is looking to expand and grow his operation, which is why he took interest in this property. Currently there’s three different zoning classifications for this property; in order for him to operate his business on the property, it would require him to obtain a C-3 Zoning Classification for the wholesale component of his business.

So, we are here today, collectively and collaboratively, as a group seeking approval for the rezoning so this deal can consummate. We are here to answer any questions that the Board may have.

Secretary Mouri – There are no correspondence.

Mr. Ron Wuerth reads the recommendations of the Staff:

Chair Smith – We heard the recommendation, what the Planning Department is recommending is that we postpone this to allow you to go back and do a rezoning with conditions, because there's a lot of conditions that you're requesting that need to be in the rezoning.

Mr. Brandon Kastaw – If I may, I did send an email with an updated letter of intent to Melissa Maisano, I'm not sure if that's been shared with you guys, but I have a handful of copies with me here today that I'm able to share with you, that remove the voluntary conditions that were stated in the original letter of intent.

Chair Smith – Still I think we need to have all conditions for the rezoning listed. By changing the letter of intent, I still think we need to have all the conditions stated in the conditions for rezoning.

Mr. Rob Krochmal – Rob Krochmal, with The Surnow Company and Dequindre Plaza, 20900 Dequindre Road, Warren, Michigan. Thank you, Planning Commissioners, for allowing us to present. I've been with The Surnow organization, who's owned it for 40 or 50 years, I've been with the organization for 18 years doing the acquisitions, dispositions, and leasing of our various properties.

Throughout my time working with our existing property that we own, we've been approached by many buyers for this property. Many we did not feel would be supported by the City based on the uses that they are looking to bring to this site. When we were fortunate enough to be introduced to Nabil for his business, which operates behind us, we were very encouraged by the fact that there would be an owner occupant that would be coming into this site, care for the site, improve, and look for various uses over time to do the right redevelopment in this area and take that risk knowing that his business is also going to operate there and hire people for his business.

We felt like we wanted to come together as a team to present this because we do feel, after this many years, this is the right buyer for the site that's going to care for it the way that the residents and the City would be proud of and operate a great business there.

We appreciate Ron's thorough analysis of our application, and looking at the pros and cons of everything. We were encouraged by the fact that the C-3 zoning is something, that in the Master Plan, is something that would be a good future land use for this property. That was a big reason why we felt like it made sense for us to come in front of you to seek the standard rezoning for it, because it did support the Master Plan that the City has put together.

We do know that there's maybe some uses in the C-3 that maybe the City is not looking for on this property, but we do feel with Nabil coming in, with his business, it would be the right steward to this property.

Also, in number 6 of the recommendations, looking for rezoning the property and then coming back later with site plan approvals would allow for those improvements that you're looking for at the site and that would really need to be done at a later time during site plan approval verses a rezoning, which is what we need in order to have this transaction happen. It's really the next step in this property, and seeing the improvement in this area is making sure it can be rezoned from three zoning classifications to the C-3 zoning which allows Nabil to operate his business, and then come to you at a later date with the site plan approval and the Building Department process to do what he needs to do. I appreciate allowing us to come forward and I'd be happy to answer any questions you may have.

Chair Smith – My concern is there's certain things in a conditional rezoning, we are not saying we don't want the rezoning, we are just saying you need to do a rezoning with conditions. List exactly what the conditions are so we know exactly what you're going to have in the rezoning. When you do just a standard rezoning you can still change it, the building can change it, but you need the rezoning with conditions that states exactly what you're going to have in the rezoning. If Mr. Wuert wants to come up and make a comment other than what I'm saying I'd appreciate him coming up, but if not, those are my thoughts on it. That's the reason we were saying if you do a postponement then you've got time to work on the conditional rezoning to be able to put the recommendations for the conditions in the rezoning.

Mr. Brandon Kastaw – I guess what we are looking for, and we are not opposed to working with the City with regards to the conditions. The person is going to ultimately go in there and make improvements, this building is in pretty bad shape, he has someone that's willing to go in there and make improvements. He's not the owner currently, he's the contract purchaser, and we are under certain time constraints, so I guess we are looking for the most judicially economic and fastest way to get this approved.

I'm not sure of what the Board is able to do today, if it's a requirement that we postpone this and submit a conditional rezoning. If we can impose conditions by way of motion of the Board, I don't know if that's a possibility, but we are willing to entertain that as well. For the sake of keeping this deal alive, for the sake of time and just seeing how we can work together to make this project go forward. I yield the floor to Mr. Wuerth.

Mr. Ron Wuerth – I had two conversations with these gentlemen last week, one was about the issue, it's hard to juggle everything here to work it out. The idea that I had was actually trying to approve this standard condition, but I don't think legally it works. I didn't get a chance to talk to the City Attorney, but the thought was, in particular, is to be able to have them in a private agreement say that they would buy the property and they would never sell it to people who want to put certain uses on that property. Get that notarized and approved, I guess that would probably be a part of what City Council would do, but we are so close to calling it a conditional rezoning that it didn't sound right. What I thought about afterward and today was the use that we have a problem with. The uses that were mentioned in the recommendation is what we feel we have a problem with. As I told these gentlemen, this owner gets a standard rezoning and six months later something happens, he needs to sell, and somebody comes in with a lot of money and turns it into one extremely large used car lot because they can.

As far as marijuana and other uses, it's whatever you want, but when we talk about redevelopment, what we are talking about is trying to breathe some fresh air, and, my opinion, and I know there are a lot of people who have used car lot businesses, but it's not my idea of redevelopment, it's as simple as that.

I thought possibly that if they postponed it, and I didn't write it in the recommendation, is that they go to the Zoning Board of Appeals for a use variance, if they get a use variance it only applies to them and nobody else. I've seen it written that way by ZBA, if it sticks that way, then that cuts out the uses that we are not happy with. If they get it, they don't need to come for a rezoning, but they can come for site plan approval later when they are ready. That's my thought, but I'm not so sure I'm right on that either. I want to do something with this, but it's difficult with that type of rezone.

Chair Smith – Thank you sir, Ms. Attorney, would you like to talk on this?

Ms. Mary Michaels – I think both ideas presented by Mr. Wuerth would work, the variance is one path. The other path is the rezoning with conditions, could be raised at anytime in the procedures. So, if this body were to recommend a rezoning with conditions, we could work out the logistics before it hits the Planning Commission. We've done that in the past, and legally that comports with the law, as long as there's a public hearing on the recommendation.

Mr. Ron Wuerth – Let me just add to this, if we go with rezoning with conditions our experience is it takes more time than I think they have, that's the problem. If they had more time I don't think they'd (inaudible).

Ms. Mary Michaels – Mr. Wuerth, if the recommendation is made tonight on the rezoning with conditions do you think getting together all the paperwork and documentation is what would be the time-consuming part of it, before it goes to Council.

Mr. Ron Wuerth – That would be the concern. I don't know how rapidly they and the City can work together to get the document done and move forward to City Council, because they have to offer things and we agree. We kind of go back and forth unless we give them a general idea like what has been done here in this recommendation, it's a guidebook to what we want and what our concerns are. So, if it could be done quickly maybe that would work, but I don't know what exactly their timeline is at this point.

Ms. Mary Michaels – That would at least avoid it being postponed and coming back to the Planning Commission. If that's the plan going forward, then we would advance from Planning Commission to City Council and get together whatever needs to be done before City Council.

Chair Smith – So you're saying that if we make a motion to rezone with conditions then they would take it from there to put those conditions into the rezoning?

Ms. Mary Michaels – Correct, we would develop the agreement that comports with the decision tonight, put together the agreement take it to City Council for final approval. That would be a rezoning with conditions agreement.

Chair Smith – What are your thoughts on that?

Mr. Brandon Kastaw – I think that would be great. Again, going over what Mr. Wuerth put in his recommendation, I think he was pretty clear as to which uses in the C-3 that the City is not fond of. Going over that with both the seller and the purchaser, they are both okay with those concessions. So, if you do a motion today that approves with the condition that there's a formal agreement entered into with the City before City Council that excludes, at minimum, those items that are referenced in number three of the recommendations, we'd be happy to go forward with that in that direction.

Chair Smith – We have a public hearing here, but I don't know if we need to do a public hearing because they still have work to do on this--

Commissioner Duzyj – Mr. Chair, could I ask the City Attorney a question or two?

Chair Smith – Go ahead.

Commissioner Duzyj – If we approve this conditional rezoning and it goes in front of City Council and, let's say, City Council does not approve it, the cleanest way of doing this is this should go to ZBA. Zoning Board of Appeals action, the only way you can change it is in Circuit Court. Now, the question that I have now in this conditional rezoning, will that stand up in court? We can make it C-3 but if somebody does something other than what they've agreed to because they have to get out of it, is the legal ramification of what we do here with a conditional rezoning stand?

Ms. Mary Michaels – Are you saying will that have integrity?

Commissioner Duzyj – Yes.

Ms. Mary Michaels – This body only recommends, City Council approves. I do recommend this be opened to the public for comments on the rezoning itself.

Commissioner Duzyj – Thank you, Mr. Chair.

Mr. Ron Wuerth – I'd like to see it with rezoning with conditions. The one thing is that they create the conditions, they need to come back to you guys at another meeting so that you can at least see what the conditions are, not approve a rezoning right here unless it's everything that's been said in the recommendation. Mary, you know unless somebody says everything that's said here will go into the agreement, then we can approve it. So I don't know if a postponement for two weeks and bring it back and get it done in two weeks is possible.

Ms. Mary Micheals – If that suits everybody's comfort level, we will get it done within two weeks.

Chair Smith – Do you think you can come up with the rezoning with conditions within 2 weeks?

Mr. Brandon Kastaw – Yes for sure, I mean we are here on Lions, Monday night football, we are serious about this. We can definitely get that accomplished.

Chair Smith – So we'll postpone it to our next meeting, which is in two weeks, that gives you time to come back with rezoning with conditions. So, our next meeting is November 3rd, so if you can do all this by then and come back to us with rezoning with conditions we'll go from there.

Mr. Jordan Sherman – Real quick question on the timeline there, we are committed to working with the City Attorney and the Staff to get this agreement. We've worked with various people across the City and have done a lot of work with City Councils and City Attorneys, so you have our promise and commitment to get this done as soon as possible. We are okay, as part of this agreement, agreeing that nothing in number three will be part of this rezoning. We know that's best for the City and within the Master Plan and it's not in the intention of the petitioner or the seller or the buyer for that matter to do anything on number three. I guess the question I have is, for our timing for what we have to do to consummate this deal, if we come back in two weeks for the Planning Commission, how quickly can we get back in front of City Council, and what does the new timeline look like just to make sure we are still on path with what we need to do to get this done before the end of the year.

Chair Smith – I understand your dilemma; the thing is, we need to have something in writing. We've talked about it; it's recorded but we need it in writing. It might have been something that should have been looked at a little earlier in time-wise instead of waiting until this meeting. In my opinion, the best we can do is bring it back at the next meeting if it goes through there it goes right to City Council and you can go from there.

Mr. Jordan Sherman – So you think if we are successful in working together on this and getting approved on November 3rd, we can probably get in front of City Council at a later date in November potentially?

Chair Smith – Possibly, I don't know what City Council's schedule is, you'd have to be put on their agenda.

Mr. Brandon Kastaw – Last question is, so we are going to submit a brand-new application, is that what we are being told to do today for a conditional rezoning or are we just amending and then submitting the legal agreement?

Ms. Mary Michaels – I'll defer to Planning on the new application. All we need to deal with, the legal end of it, is a voluntary offer of conditions and we'll work on the agreement very quickly.

Mr. Brandon Kastaw – And we will work with you in advance of the meeting?

Ms. Mary Michaels – Correct, I'll confer with Mr. Wuerth and maybe that will be the substance of it.

Mr. Brandon Kastaw – Thank you, just one last thing I wanted to add. First of all, thank you everyone for working with us on this and it's our opinion that Nabil is the best for this long-term. He's a young entrepreneur that's growing his business, it's going to be a great thing for the site and for the long-term health and development of the City. We look forward to working everybody and appreciate you guys working with us on this as well.

Chair Smith – Thank you, sir. Every plan, every law has a loophole, and we want to make sure we've got all of our i's dotted and t's crossed, and unless it's on paper it doesn't mean anything. Thank you, sir. So, we are going to make a motion to postpone this until November 3rd.

MOTION:

A motion was made by Commissioner Duzyj to postpone until November 3rd, 2025, and that the petitioner is going to come back with everything that we've talked about, supported by Assistant Secretary Chowdhury.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Assistant Secretary Chowdhury.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

- C. SITE PLAN FOR OPEN STORAGE FOR DISPOSAL TIRES AND RIMS; located on the southeast corner of Nine Mile Road and Heussner Avenue, approximately 848 ft. east of Groesbeck Highway; 13406 East Nine Mile Road; Section 35; Andryan Abdel Massih/J and A Collision (Milad Yousif/A to Z Tire Shop); PSP250042.

PETITIONERS PORTION:

Mr. Milad Yousif – Good evening, I have a new and used tire shop, I want to make disposal outside. I've been there for six years, I put the disposed tires in storage outside with no problem, so someone told me you have to put them inside the plant, (inaudible) next to my building. The disposal guy comes sometimes every week, sometimes it takes three or four weeks. The tires we change for the disposal, sometimes I change 10, 20, 30 tires a day, I don't have room inside, it's only 2,000 square feet, so I'm trying to put them outside and that's it.

Secretary Mouri reads the following correspondence:

TAXES: Current.

AT&T: AT&T does not object to this storage proposal.

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 open storage for disposal tires and rims. DTE Electric Company has no objection to the site plan for open storage for disposal tires and rims; impacting 13406 East Nine Mile Road; Section 35; 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 a no objection letter is required, please forward your request to Wesley.Jonik@macombgov.org.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Holowaty – You heard all the recommendations; do you have any problems with any of these recommendations?

Mr. Milad Yousif – I have two questions, the cement, I cannot remove nothing because I'm not the owner of the business, I don't want to spend nothing on it, I pay month by month to the owner. I don't want to spend anything because he may say this month or next month get your stuff and go. If it was my building I would spend the money. (inaudible) the grass is like a drive exit right there, one is entering and one is exiting.

The second question is the garbage can, I can keep it inside, I don't have a problem with that, I don't have garbage only personal, I can take it home.

Commissioner Holowaty – Where they want the concrete, can you get with the owner and talk to him?

Mr. Milad Yousif – He's not going to do it, trust me. For example, I have two (inaudible) one of the springs is broke or the door is not working, and I keep telling him I'm a renter. He says okay you have to fix that, or you have to pay for it. When the AC wasn't working, he said you pay for it. The roof leaks when it's raining, he said you have to fix it, I don't want to spend any money on that building trust me. If you guys don't give me approval, I don't care about it, I'll take my tires and maybe I'll close my business and go home.

Commissioner Duzyj – Number one, the repair shop is a minor auto repair he doesn't do engines, transmission, his main focus is tires, I went to visit there. Two, the back door I don't see as a problem. Getting rid of the driveway on Heussner, why are we getting rid of the driveway?

Mr. Ron Wuerth – Driveways at the corners like that is like having gas stations at corners like that, we don't want to have driveways near the corners, it's all safety. It's completely about safety, we don't want cars coming in from that direction and then somehow parking in the front.

Commissioner Duzyj – There's not much room parking in the front and the alley is drivable, I went through there. The trash enclosure, he said he's going to keep it inside, so that's not a problem. The lighting, I don't see that as being a problem at all, he's got one light in the back and that's pointed straight down. Is there anything else we can do with the driveway on Heussner other than closing it down and putting a curb there?

Mr. Ron Wuerth – We provided our suggestion, I don't know what else you could do there, it's like I said, its people walking through there and we don't want cars coming through it. That's the owner's responsibility to get this done.

Chair Smith – If you're going to have any discussion you need to come close to the mic, it's being recorded.

Mr. Ron Wuerth – I don't have a response to the owner who doesn't want to do anything.

Mr. Milad Yousif – If it's something cheap like \$100, \$200, or \$300 I would pay from my pocket with no problem, but when they tell me I have to take the cement and put grass there. Then the gravel in the alley is not mine, and there's grass also right there. (Inaudible) I can't spend anything on that building because it's not mine, if it was mine, I'd have no choice I'd have to pay for it. I asked him if he wanted to sell it, he said no I'm not going to sell it.

Commissioner Hoque – I think we can table this until next meeting so you can meet with the Planning Department. You have to meet a standard or we cannot approve it.

Mr. Milad Yousif – You mean the owner of the building?

Commissioner Hoque – Yes you can talk to the owner and talk to the Planning Department to see what you can do.

Ms. Michelle Katopodes – We would like to not table anything out to the 11-3-25 meeting, we could look at the November 17th meeting, there would me more time to have a meeting and if there are changes and if that doesn't work, we are looking at December.

Chair Smith – What I've noticed looking at the past history that this item has come before us before 2017 and it's been tabled, tabled, tabled because the owner never showed up. The problems he's having with the owner to where the owner doesn't want to do anything and I understand his position because he's just renting the space. So therefore, he's between a rock and a hard place, do you think postponing it until November 17th, to get the owner here, would work?

Ms. Michelle Katopodes – Do you think the owner will come?

Mr. Milad Yousif – Even if he comes, he's not going to do nothing. It's like storage for him because he's got a collision shop, so he's not going to pay nothing because he wants to put his cars inside like a storage and then I'm going to be out. When I talk to him he says they don't need me, I don't have to come and he's always busy. He's got a collision at Nine and a half and Dequindre, he goes home maybe 8 or 9 o'clock, he's always busy. I can try, but he's not going to spend nothing trust me.

If you don't want to give me approval, I'll go home with no problem. I will lose a lot of customers because I don't have space inside, my shop is only 2,000 square feet, so when I take 150 every week or two weeks and put them outside, plus the rims, so I have recycling for the aluminum ones, I put them in the storage. I've been there 6 years like that, and now they tell me they need the outside plan. I paid \$2,000 out of my pocket for the blueprint, I paid the (inaudible) at the City of Warren \$1,000 because it's under 5,000 square feet, it's all from my pocket. So, it's up to you, I don't have to explain nothing. Thank you.

Chair Smith – I understand his dilemma and it's kind of a hardship for him, I understand how we don't want a driveway near a corner like that. Can the vehicles in the front go around the side and come out the alley?

Mr. Milad Yousif – Yes, they can do that.

Chair Smith – So can we put a barricade up there, where the driveway is at, to force them to go out the alley?

Mr. Milad Yousif – The (inaudible) both sides, they have two doors on the front and two on the back, and there's two cars, I park them right there; they are my personal cars. Before I had the office next to my building, he closed all the shops, the cars going from Nine and Schoenherr going to Groesbeck they see nothing on my shop. I put my van right there and put a sign saying used tires, new tires. Before I put a flag and the City came and said this is not allowed so I put it inside that was like three years ago.

One more thing I put up was four rims and four tires on the trailer and they keep telling me you cannot put nothing outside. The alley, there's two bays, if I open it, I can pull the cars in and out, but how will I do the storage if I put the cars there. I have to keep the doors both closed.

Chair Smith – You've got a tree on the side and you got grass on the side, so you wouldn't even be able to bring the driveway back. Ms. Katopodes, what about him taking it to Zoning and see what Zoning recommends.

Ms. Michelle Katopodes – Well, we have variances listed here for the gravel. We recommended he seek a variance, the public alley in this area is gravel as well, so that's why we asked if he could go for that instead of the hard surfacing.

Chair Smith – So he has to go to Zoning anyways.

Ms. Michelle Katopodes – He does.

Chair Smith – So if he goes to Zoning and brings up the situation about the driveway in the front maybe they can give him some recommendations.

Ms. Michelle Katopodes – That's more of a Planning Commission recommendation, it's not necessarily a variance; it's something we look at, like gas stations, where we eliminate the driveways that close to the intersection. This is all concrete in this corner we were trying to improve that front setback with some grass, make some separation between the sidewalk and the concrete that's on the property, to kind of improve that, that's really what we were looking at here. It would be a variance; it was like a site planning recommendation. These are the things that we saw, looking at these plans, trying to improve it, but it is up to your discretion if there are items you would want to waive or forgo for now, that's up to you. These are just things we noticed in our review that could be an improvement to the site. This project was brought to us from Zoning because they identified storage on the property that needed site plan approval, so that's how it ended up in the Planning Department.

Chair Smith – The driveway that comes off of Nine Mile, can you use the same driveway to back onto Nine Mile? Like if you turned around and had a separate driveway to the right where you could come out and make a U turn and come out, could you do that?

Mr. Milad Yousif – Yes, both of them, you mean the entering in the front of my shop, yes.

Chair Smith – That way if you close the driveway on the side street you can come in there and you can go back out on Nine Mile.

Mr. Milad Yousif – Yes, they are. So, when the cars enter, right there are two bays, he can make a turn to the right, there's a stop sign, and then make a right or left.

Chair Smith – No, not coming out on the side street, I'm talking about coming out from the face of your building to go back onto Nine Mile, so you're not going through the side street?

Mr. Milad Yousif – I don't know which one that is.

Ms. Michelle Katopodes – Correct me if I'm wrong, when your customers come in and you work on the tires, they go in and then they back out, right? They don't go through your building.

Mr. Milad Yousif – No.

Ms. Michelle Katopodes – They just back out, there's no doors on the other side like overhead doors?

Mr. Milad Yousif – No, it's closed.

Ms. Michelle Katopodes – So they drive in, they work on the tires, and then they back out, so they are not driving through to the alley, so that's how it functions right now. They'll back out onto Nine Mile, or they use the driveway to Heussner and they go out, but they are not going through the building even right now.

Chair Smith – No, I didn't mean going through the building, that might be the only option at this point and time because the owner doesn't want to do anything and we are saying the driveway needs to be closed, so it just means, what he may have to do, because he's not the owner, is they pull in, they work on them, they back out, and they go back out onto Nine Mile, and you close that driveway off. Instead of having the driveway on the side, you close the driveway off, so when they pull back in they have to back out and go onto Nine Mile.

Ms. Michelle Katopodes – How do they mostly get out right now when they are done, do they usually go back onto Nine Mile?

Mr. Milad Yousif – No, there is one exit right there, and then there's another exit when they are entering. This is all entering, there is no shoulder, it's only on the corner where the stop sign is.

Commissioner Duzyj – Quick question, what if he put parking blocks along Heussner, would that work?

Ms. Michelle Katopodes – I'd be concerned about a tripping hazard.

Commissioner Duzyj – I understand that, I'm trying to come up with a method that he could shut off Heussner without having to put curbing and everything else in.

Mr. Ron Wuerth – No, you're not going to do that, because when the winter comes the plows will tear it out, if I understand this correctly. It's got to be open, no barriers like, the only barrier is something that's placed if the drive stays where it's at, it's not the best thing to have there.

Commissioner Duzyj – Was this a gas station at one point and time? I'd like to see him doing something to keep that business here in Warren.

Mr. Ron Wuerth – To answer your question, in the 1940's it was a gas station. This is what is required by the City, that's our work, that's what we provided. I don't know how you can not do some of it.

Commissioner Duzyj – Do you want to postpone this until the 17th? Can we send a letter to the owner of the property?

Mr. Ron Wuerth – Of course, yes.

Commissioner Duzyj – Him going up and arguing with the guy is one thing, but coming from the City, it might be a little bit different. Could we send the owner a letter with recommendations on it.

Ms. Michelle Katopodes – The owner and the petitioner, everyone would have received the recommendation who is listed on the project, we send it to everybody.

Commissioner Duzyj – Fair enough.

Chair Smith – If we postponed it until the 17th and suggest that the owner be here and if he doesn't show up he'll have to deal with the consequences at that point and time.

Commissioner Duzyj – There could be rather severe consequences at that point and time, do you want a motion saying that?

Chair Smith – I’d like to recommend that we postpone this until November 17th and get the owner involved more, send him a letter requesting he be here to answer our questions. I understand this gentleman is having a hardship, he’s got a good business, he’s having a hardship, and there’s no reason for it. The owner needs to be here to address our questions. We will postpone it until November 17th and send the letter saying he must be here. I looked through the past things, and he never showed up for things, so we will request that he be here.

Commissioner Duzy – I would make a motion, per our discussion, to postpone this until November 17th, send a letter to the owner insisting he show up to the meeting on the 17th to go over some of this.

Chair Smith – There was a motion already, by Commissioner Holowaty and Commissioner Hoque would have to second it.

Commissioner Holowaty – I will make the motion to postpone until November 17th.

Chair Smith – That was a motion by Commissioner Holowaty, supported by Commissioner Hoque.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Commissioner Duzyj.....	Yes
Assistant Secretary Chowdhury.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

- D. SITE PLAN FOR A NEW CONCRETE PARKING LOT. THE PROJECT INCLUDES THE REMOVAL OF THE EXISTING TRUCK WELL & ASPHALT PAVEMENT; located on the north side of Commerce Avenue, approximately 231.45 ft. west of Gibson Drive; 11801 Commerce Avenue; Section 26; John W. Couch/11801 Commerce LLC (John Couch/Jordan Tool Corporation); PSP250043.

PETITIONERS PORTION:

Mr. Jeff Rizzo – Good evening, my name is Jeff Rizzo, Fenn Associates, we do land surveying and civil engineering. My address is 14933 Commercial Drive, Shelby Twp. I was expecting John Couch to be here, since he’s not here, I’ll handle this presentation.

This project is a storm sewer replacement project because of potential issues that have been out there as far as drainage goes. So, the whole intent was to remove and replace the storm drain system and basically put in a brand-new concrete parking lot. In doing that, one of the things that they are also going to do, or would like to do, is to remove the depressed truck well from the building because they don't need to use it anymore. They are also doing some other improvements by relocating the trash enclosure and a few dumpsters that they are going to organize next to the trash enclosure.

I would have to say that this is the most cut and dry project you'll see tonight. I'm here to answer any questions. It's a tool and die shop where they manufacture parts for automobiles and aircrafts, I don't know too much about the day-to-day operations, but I'll answer any questions you may have about the site plan.

Secretary Mouri reads the following correspondence:

TAXES: Current.

ENGINEERING: Preliminary review of this site indicates no difficulty in development.

COMCAST: In response to your request, Comcast has facilities nearby but no conflict with the proposed plan. 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 a new concrete parking lot. The project includes the removal of the existing truck well and asphalt pavement. DTE Electric Company has no objection to the site plan for a new concrete parking lot. The project includes the removal of the existing truck well and asphalt pavement; impacting 11801 Commerce Avenue; Section 26; per the site plan provided. For safety, please remain mindful of the existing overhead electric facilities located in the area where the replacement of the concrete is to take place. If you have any questions, please do not hesitate to contact me at 586-783-1978.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Hoque – I have a question for the petitioner; you mentioned that you were going to remove the truck well from the property?

Mr. Jeff Rizzo – Yes.

Commissioner Hoque – Are you going to change the businesses nature?

Mr. Jeff Rizzo – The business will still be the same, as far as I know, just that they currently don't use the truck well and they would be better off without that for their operations.

Commissioner Hoque – I was there, but the gate was closed, and I was not able to see the rear side of the building. Thank you.

Chair Smith – That was a motion by Commissioner Duzyj, supported by Assistant Secretary Chowdhury, roll call.

ROLL CALL:

The motion carried as follows:

Commissioner Duzyj.....	Yes
Assistant Secretary Chowdhury.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

- E. SITE PLAN FOR THE OPEN STORAGE OF TOWED VEHICLES FOR TOWING COMPANY; located on the northeast corner of Groesbeck Highway and Toepfer Road; 21730 Groesbeck Highway; Section 35; Nicholas Bachand/Groesbeck Macomb Properties, Inc. (Nicholas Bachand/Official Towing, Inc.); PSP250044.

Chair Smith – Good evening, sir, sorry for the delay.

PETITIONERS PORTION:

Mr. Nicholas Bachand – The Lions are winning so we are doing well. For the record my name is Nicholas Bachand, I represent the property owner and the current tenant, which is Official Towing. Official Towing is one of your current police towing companies for the City of Warren, where we tow abandoned vehicles, impounded vehicles, crashed vehicles, and we place them in this towing facility.

It has been a towing facility for probably at least 30 years. Why am I here? Every couple of years, the building inspectors come out and look at our property to see what's going on with the property. The building inspector noticed that barbed wire on one side had been added, I think about four years ago, because the other three sides of the towing facility already had barbed wire. Somebody, one of my clients, put up barbed wire because they had people trying to break in to retrieve the cars, so they put that up. We didn't realize that it needed a variance, and it was a no-no.

Then we added a gate to the back of our property, to better access the storage capability of the property, that turned the building department to actually look at the history of this property and found that a site plan hadn't been issued to this property since 1965, that would be 60 years ago. The site plan that was set in 1965 was much different than what the present day is, so they suggested that we submit a new site plan. So, I went to the architects and the surveyors, because I didn't even have a property survey for this property, and the paperwork and we've submitted it.

Basically, we have submitted this site plan as basically what is, as is, with the property. We are not asking to do anything different with the building, we are not asking to do anything different with the current fencing, or anything with the property; we'd like to make the property better for the City of Warren. We are a business that's operating, we have been operating, and the property is interesting based on the size and the shape of the parcel, and we appreciate being able to do work in the City of Warren. We understand having a tow lot can be interesting, I represent a lot of different tow lots, but at the same time there's certain reasons why you have certain things on tow lots to continue. This lot actually functions very well. I'll allow the Planning Department to give their recommendations, but I'd ask to be able to go through them after they are given so that you can further have an understanding of what's going on on this property and see if we can come up with a resolution to move forward. Thank you.

Secretary Mouri reads the following correspondence:

TAXES: Current.

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

1. All parking spaces need to be a hard surface such as concrete/HMA.
2. Gravel parking, if allowed, shall require variance.

3. It appears that the area on Toepfer Road close to Groesbeck Highway is being used for ingress/egress. This should be eliminated unless it has approval from the City.
4. Note and show mutual access agreement/easement with adjacent site to the north, if any, on plan.

AT&T: AT&T does not object to the storage plan proposal.

COMCAST: In response to your utility request for the above project, Comcast has facilities in conflict, 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.

MDOT: The property is on a MDOT road, and a permit is required.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Holowaty – After hearing all the recommendations by our Planning Department, do you have any questions or any problems with any of them?

Mr. Nicholas Bachand – Yes, I have a couple of things I'd like to clarify and I think we can work together with the Planning Department. Number one, I think that 1A I will be able to work out with the Planning Department regarding the zoning on the map.

The front of the property, currently, is a combination of gravel, concrete and hard surface, per se, that is consistently redone almost every year when we bring in concrete, asphalt millings, or different gravel substances to hold. The reason we've had the front done that way is we are constantly having tow trucks that come in and out of that front area to load and unload vehicles. These tow trucks are not on Toepfer, and they are not on Groesbeck, we try to keep them in front of the property.

When you're dealing with tow trucks, they are backing in, going out, backing in, and going out, so having as much room as possible and having it not delineated as to what spaces has actually worked in our favor, in making sure that this site works well for the constant traffic that you have when you can have a time where four tow trucks that show up at once or might have one show up.

Additionally, if you look back at 1965 when they did this site plan, I don't think they called for any parking because there's actually an old parking district that's actually along Toepfer in this area. I was discussing this with the Planning Director before this; it's an interesting scenario of how this lot had taken place. They were wondering why it's always gravel along Toepfer and it's not something that we were necessarily doing that's actually been a parking district since 2009. When they do have an auction at that location that is actually used for people to park at. Normally people don't really park for a long period of time at this location, so I'm kind of hesitant on marking and having four different spots for what's going on when there's a parking district right next door currently, even though that's still gravel also.

I am aware that I'm going to have to go to the Zoning Board of Appeals for the different variances, I wanted to see what this Board and the Planning Department had to say about the site plan. Basically, all I did was submit what we currently have in the site plan in trying to make it work.

We've been in business, we have been maintaining the building, I'd love to put some trees up front, I think it would be good to have some landscaping right up front, put a couple trees and a little bit of a greenbelt. However, I don't know if the greenbelt that the Planning Department has stated, going all the way to the entrance way on Groesbeck, will work with how people currently get into the lot, so that concerns me a little bit in regard to that.

The trash dumpster, I understand if we keep the dumpster inside the storage area, where we do keep them, we won't need a trash enclosure, I thank the Planning Department for that. We always keep our trash inside and there's never anything outside.

The biggest concern I have is how we look at the entrance way using Toepfer and this parking area that was designated there. We have used it to where there's an entrance way that has been going off the property onto Toepfer. It helps when people are picking up cars that they can go one way and the other way.

How you define where that entrance way is, there is a curb that goes, but then there's no curbing the rest of Toepfer. And I don't know how far out from my property, because technically this isn't our right-of-way that's there, it's actually a separate parcel that's indicated on the zoning map. So, my concern is how this parking area and the use of being able to get to Toepfer.

Bottom line is, we want to work with the City; we work with the City every day, we work with the Police Department every day, we want to make sure that this location is secure, so that when the cars have to be impounded, that no one is getting into them. Our main goal was to satisfy the Building Department, and they said why don't we do a new site plan, so that's why we are here. I understand that everything would be great to have brand-new pavement, and brand-new curbing, and everything, but I would ask that the Board give us some leniency in regard to that. I don't know if that answers your question or not.

Commissioner Holowaty – Yes, it does. I yield the floor.

Chair Smith – Good evening, sir. The comment on our recommendation about the low hanging wires, I went by and looked at those they look like they are old telephone wires. They look like they go through a box on the pole and go to a box on the building, those are just telephone wires, so I don't think there's any safety issues as far as electrical things going on with that.

Mr. Nicholas Bachand – No, I don't believe they are electric, the electric comes from the side, off Toepfer.

Chair Smith – I noticed there was a gate on the Toepfer side, but when I pulled my truck there and looked over the fence, there's cars all along that gate, so I don't know how you get any inner access to Toepfer Road from that gate with all the cars that were in there.

Mr. Nicholas Bachand – The gate rolls. The idea was not to have a gate that opens or goes this way, it rolls and opens so that you're able to maximize the amount of storage that's able to be done. When you're a police tower you never know how many cars are actually going to stay on your lot. Sometimes they remove immediately, sometimes they stay a year. So, you have to balance this to be able to shift cars around, so if we don't have to move 10 cars out to get to a car it's better to have two different places to get at the cars and that's what we have found with this lot.

Chair Smith – Very good, sir. Thank you.

ROLL CALL:

The motion carried as follows:

Commissioner Holowaty.....	Yes
Assistant Secretary Chowdhury.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Hoque.....	Yes
Secretary Mouri.....	Yes
Chair Smith.....	Yes

7. CORRESPONDENCE:

- A. SITE PLAN FOR RELIGIOUS FACILITY (LANDMARK CHURCH); located on the northwest corner of Mound and Thirteen Mile Roads; 5717 Thirteen Mile Road; Section 5; Paul Reschke/Spartan Real Estate (13 Mile & Mound, LLC/Nick Shango); PSP230020. **Approved on October 16, 2023. Conditions never completed. Expired on October 16, 2025.**

MOTION:

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

- B. SITE PLAN FOR OPEN STORAGE OF FENCING MATERIALS; located on the east side of Ryan Road, approximately 1,044.5 ft. south of Nine Mile Road; 22586 Ryan Road; Section 32; Mark Royer/National Construction Rentals (James Mooneyham/3901 E. 10th Avenue LLC); PSP250041. **Email from the Petitioner containing scheduling details for the meeting the Planning Commission requested that the Petitioner have with the neighboring residents.**

COMMISSIONERS PORTION:

Chair Smith – We got a letter from them and they set up a meeting with the residents on October 29th, at the library across from Fitzgerald High School from 6:00 pm to 7:30 pm. Then they will bring the item back to us on November 17th.

MOTION:

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

8. OLD BUSINESS:

None at this time.

9. BOND RELEASE:
None at this time.
10. NEW BUSINESS:
None at this time.
11. CITIZEN PARTICIPATION:
None at this time.
12. PLANNING COMMISSION BUSINESS:

A) Planning Directors Report:

Mr. Ron Wuerth – This is just the different things I've done in the last few weeks. First of all, two weeks ago was our last meeting with the Active Mobility Plan, the presentation at that time, and, of course, there was a public hearing this time, and we voted on that.

On October 8th, there was a meeting with the Acting City Attorney and the BTRC Zoning District having to do with General Motors, we are actually getting close to putting that together and adding a new zone to our Zoning Ordinance, so it's coming along.

On the 14th, we had a conversation with Mr. Bommarito about the Van Dyke Corridor Study. I believe on the 27th there will be a meeting of the whole, and there will be a committee meeting of the whole to discuss the study. It's been postponed by City Council for over a year; we are trying to see if we can get some movement on why it's still just sitting there, we were discussing how to approach that meeting with the City Council Members.

On the 15th, our staff had a discussion talking about the budget for next year, which was kind of interesting. We have a lot of ideas that we will run past you guys and see how that works out.

On the 17th, we looked at the existing used car lot on the corner of Twelve Mile and Dequindre and had a discussion with the owner of that. He's adamant he wants to come forward, no matter what, with the site plan on that corner. He's actually lost half of the area to sell vehicles, so there was a discussion about it and in the end I told him to bring forth the site plan so that we could look at it to see how many variances are going to affect him. I don't think that this plan is going to go anywhere due to the fact that there's so many variances. Other than that, just working on the findings, if you have any questions.

Commissioner Holowaty – I know we have been discussing having a meeting with the ZBA, have they ever come forward yet in response to that letter?

Mr. Ron Wuerth – To my knowledge we have not received any communication from the Zoning Board of Appeals.

Commissioner Holowaty – Okay, thank you, sir.

Commissioner Hoque – You said you had a meeting with the Twelve and Dequindre used owner, right?

Mr. Ron Wuerth – Yes.

Commissioner Hoque – So they are going to submit a new plan?

Mr. Ron Wuerth – They'll need a new plan; their site is half the size that it is.

Commissioner Hoque – Because of the sidewalk issues?

Mr. Ron Wuerth – Well, there's the right-of-way issue that has changed also; it changed the size of the site, and the new gas station that's going to go in behind it is an issue also. Where the property line runs through the site, splitting it in half, and also basically split the building in half. I've never seen that happen before, but it has happened. The building will be cut in half and then they are going to add some more to the front of it so there will be enough room for an office and probably a restroom in there, it's very small. They will have a driveway to Dequindre and that's it. On that area along Twelve Mile, a new sidewalk will be put in, and the area between the sidewalk and the street curb, which is now used for parking vehicles, will be turned into grass, landscaping, and probably some trees. We haven't talked specifically about those items yet, that's why I indicated to the owner he needs to provide us with a real site plan now, it seems like we've talked to him about 8 times.

Commissioner Hoque – According to the new plan, the cars he's displaying between the sidewalk and street it will be eliminated, right?

Mr. Ron Wuerth – They can't do that, that is not permitted in a right-of-way, no.

Commissioner Hoque – Thank you.

Commissioner Duzyj – Has there been any discussion about making a right turn lane into northbound Dequindre from westbound Twelve Mile Road with him?

Mr. Ron Wuerth – No, I've talked about it, I mentioned it to the Macomb County Roads, nothing yet. You've got a huge power pole that's right on the corner that probably would have to be moved and it's not cheap to move those power poles with all the wires.

Commissioner Duzyj – Thank you.

B) Planning Commission Discussion and Concerns:

None at this time.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

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

The meeting was adjourned at 9:46 p.m.

Warren Smith, Chair

Mahmuda Mouri, Secretary

Meeting recorded and transcribed by:
Mary Clark - CER-6819

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Mary Clark CER-6819
October 20th, 2025