

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on January 12th, 2026, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, January 12th, 2026, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioner's Present:

Delwar Ansar
Andrey Duzyj
Michael Holowaty
Syed Hoque
Mahmuda Mouri, Secretary
Merle Boniecki, Vice Chair
Warren Smith, Chair
Melody Magee, 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
Christie Laabs – Communications Department

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

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:
All members present.

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES – DECEMBER 15th, 2025:

MOTION:

A motion was made by Secretary Mouri to approve, supported by Commissioner Holowaty. 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. SITE PLAN FOR A GAS STATION WITH CONVENIENCE STORE; located on the northeast corner of Mound and Thirteen Mile Roads; 31104 Mound Road; Section 4; Michael Weigand/Gazebo Real Estate (Josh Bratton/Agree Convenience No. 1, LLC); PSP250050. **Postponed from December 15, 2025.**

PETITIONERS PORTION:

Mr. Josh Bratton – So we did have a presentation that was previously provided to the Planning Commission, my name is Josh Bratton, address is 32301 Woodward Avenue, Royal Oak. Happy New Year, thank you all for coming.

We are excited to show some enhancements for the project, and I think the Commission will be pleased. Before I go through the presentation, as you know, through the different projects we've been working on in Warren, Speedway has been invested in the Warren Community for over 50 years. We want to continue to invest in the community by revitalizing our brand, bringing this modern prototype and enhanced customer experience to the area. This will be a 9-million-dollar investment, which will be in addition to the 18-million-dollars we are investing through two other projects in the City of Warren this year.

I wanted to mention that while there are other gas stations on Mound Road there's no Speedway servicing the Mound corridor from 696 all the way to Hall Road, which is over 70,000 cars in one of the highest traffic corridors in the Metro Detroit area. Speedway has an exclusive unique product assortment and offers to provide the community with strong brand loyalty.

At last month's public hearing some property owners spoke out with some concerns about the project, the owner, Michael, and myself

have reached out to the opposing parties and also held a call with Lloyd Brown and his team who owns the property to the north to go over this presentation and to gain feedback and look for suggestions of how we can alleviate some of his concerns, including fencing, some additional landscape buffering, but no requests were made other than just the change of the use.

So, a couple of things to go over, we are going to quickly go over the site, the truck route plan, landscaping, some exterior and interior renderings. Our Traffic Engineer, Robert Matko, will speak to the results of the traffic impact study. Following that, our Attorney, Pat Lennon, will speak to the legal standards of the project.

First off, on the site plan you'll see that this is a 4,800 square foot standing speedway with six fuel dispensers. With property zoned M-2, as you know, it is a permitted use in the City ordinance of what we are proposing. All surrounding properties are zoned M-2 with the exception of the property to the west which is C-2 and P. The site plan meets all ordinances, requirements, and addresses all the Planning Staff's comments, no variances are required, we exceed parking requirements, we are maintaining right-in right-out access point on Mound Road, which is governed by Macomb Road Commission. Their only comment was to maintain a 30-foot width for the driveway, which we did. We are adding a right-in right-out on Thirteen Mile, the City asked that the traffic study be completed to confirm that there is no queuing along Thirteen Mile with this entrance. We will get into that in more detail, but we confirm that is not an issue.

You can see the truck route plan. So, the fuel truck and the trash truck will both enter the site on Mound Road and exit on Thirteen Mile and be able to turn there at the traffic signal.

If you look at the landscaping plan, a few things to point out, we are providing a full landscaping buffer to obstruct the property on the entirety of both fronting roads. We are actually increasing greenspace by 134%. We've added a feature on the intersection which is a shaded walkway bench garden area and we are increasing the tree count by 57%. There's also a total of nearly 200 shrubs on the property, this exceeds the City's Landscape Ordinance requirements, it's just a massive improvement to the landscaping of the project.

You can flip through these rather quickly, these are some exterior renderings we put together to give a better visual of what this

property will look like. There's the feature on the intersection; the next one is a quick video of the rendering. So, similar to the other two projects we are building in Warren this year, this is the brand new 2025 prototype. You can see there's contemporary modern finishes on the exterior including masonry, paneling with wooded finish and some steel paneling as well.

Next slide. So, the same prototype as some of the previous projects. There's a state-of-the-art food and beverage station. Large focus on fresh made foods and warm ready to pick up foods.

Next slide. Robert will speak to the results in more detail of the traffic study but, just one mention, we are maintaining level of service B. For reference, the Fourteen and Ryan project was approved at a level of service D. And again, the proposed design and access approved by the County Road Commission who governs the road. They did not require a traffic study but we completed one based on the recommendation of Planning Staff. Robert will come up now and speak to the results of the traffic study.

Mr. Robert Matko – Good evening, Robert Matko, CESO located at 13060 S. Highway US 27, and that is in Lansing, Michigan. I'd like to briefly walk us through some of the traffic on this project and just point out some specific key items. Specifically with this site and how it's laid out with relation to both Mound and Thirteen Mile Road. Essentially the site driveways operate as right-in right-outs due to the medians on both roadways. So again, we are dealing with right-in right-out driveways that, just to start, is a key for this type of site, we don't have any left turn movements from the site or into the site.

Moving along, another key point of the site, with this being a see store development, many of these stores that operate like this are basically not necessarily a traffic generator, but what they will do is pull traffic off the existing street system. So, in other words, they are very big on pass-by trips, they are not necessarily a destination. If you're traveling on Mound or you're traveling on Thirteen Mile Road, you might look down at your gas gage and say oh I'm running out of gas, I need to stop at a gas station, well there's a Speedway, I'll stop there. So again, it's a big pass-by trip generator, so primary trips only result in about 24% to 25% of the overall traffic of the site.

Also, I'd like to point out, at Mound and Thirteen, and in discussions also with the Road Commission, there were prior improvements that were done at that intersection within the last few years with the signal upgrades that were done. When we analyze the intersection

we did find that the intersection does operate at a B level of service which is like a letter grade in school. I think the main reason for that again is many of those left turns are removed from the intersection and they occur either further north or east, west or south of the intersection.

I guess the big item of the study and probably one of the reasons the City wanted us to look at a traffic impact study is specifically the queue on the east leg of the intersection, as it would queue to the east, there were concerns whether that site drive would be blocked. Now, the site driveway on Mound Road is north of the intersection so there is really no queue length that would case any concerns with site driveway on Mound Road. So again, that leaves us to the site driveway on Thirteen Mile Road.

We did do traffic counts out there, and you might hear during public opposition when the count was done, the count was actually done on Tuesday and into Wednesday on November 4th of this past year. You might hear, and again we are being proactive on this, you might hear tonight that GM wasn't in service and what not. We went a step further and looked at this; being proactive, we actually were able to find a recent count this is on MDOT's site as well. And it was taken on Thirteen Mile Road, it was taken, I believe, December 14th, of 2024, so less than a year from when our traffic count was done and actually the traffic in the westbound direction on the east leg of Thirteen Mile Road was about 30 to 40 total vehicles less than the count that was done. So, we feel our study is accurate in that respect.

We even took it one step further to show that the queue would not be an issue and we took the volumes on Thirteen Mile Road, in the westbound direction, and we increased it by 25%. So not only was our count higher than the count that was done less than a year ago, we went ahead and took the count and upped it by 25% just to make sure there were no concerns, like you missed this amount of traffic or you missed that amount of traffic. So, we ran that through our analysis and looked at the queue lengths and the queue lengths resulted in less than an additional 10 feet of storage space. So, we are still about 130 feet vehicle queueing back towards the site driveway and the site driveway is about 210 feet back from the stop bar to the site driveway.

We do feel this site will operate, specifically the Thirteen Mile Road site driveway, will operate and function properly as well. I believe we do have a video showing the synchro analysis and the queue

lengths. If you hit the space bar it might show the video. This just shows, so we may not have a video, but that video clearly shows that the 95% queue length, which is the more substantial queue length, it's basically the maximum queue length in that direction, would be substantially less than the distance of where the site driveway is. So, if you pay attention to that east leg, you can see some of the vehicles, we have this running actually at 4 times the speed, so this isn't actually the speed of the traffic, we expedited the speed of the video. It never really queues up even close to where the site driveway is.

We did look at the worst-case scenario and it was the weekday p.m. peak hour. The a.m. peak hour does have some heavy volumes on Mound Road, specifically southbound, but the p.m. peak hour really resulted in the worse level of service and worse traffic conditions. So, we really tried to focus on that in terms of coming up with this additional video here to show you tonight.

With that, maybe we'll go to the first slide and then turn it back over and be able to answer any questions that you may have for me or my team this evening. Thank you for your time.

Mr. Pat Lennon – Good evening, my name is Pat Lennon, I'm an Attorney with the Honigman Firm, I represent the applicant tonight with respect to their application for site plan approval. First, I'd like to address a little housekeeping, we just want to make sure that the record is complete and, with respect to that, it should include a letter from our firm to the Planning Commission dated January 7th, 2026, the site plan application, the site plan itself, the landscape, the photometric plan, the survey, the floor plan, building elevation, and traffic impact study, and also the presentation that was presented tonight. Just making sure that's all there, and if anyone doesn't have any of those things, please let me know and we will bring them to you.

I believe several of you know me, although it's been a while since I've been here. I certainly have a long history with Ron and Mary over the years, and I think I may have mentioned to Mary, in all of my years as a lawyer doing this over 30 years, I can't remember ever appearing to represent an applicant with respect to a site plan approval request, and why is that. The answer is simple, site plan approval applications, with respect to permitted uses, are considered by right or by legal right, what that means, is in our view, from a legal perspective, is they can't be denied unless there's competent and material evidence that the site plan doesn't comply with the

ordinance. As a result, lawyers aren't usually needed for these types of inquiries because the Planning Department will typically look at something and advise the Planning Commission or the City Council, whatever the case might be, that the requirements are satisfied and that's usually the end of the analysis.

In this case, the record, as I've described, shows that the site plan not only satisfies it exceeds the ordinance requirements. So let me explain how. First, it's not disputed that the proposed use is a permitted use. The City Council's decision to make this a permitted use was an exercise of its legislative authority. This is essentially the process where the City decides what uses can be established on properties. In this case, the City Council has broad discretion when making legislative determinations with respect to how our property can be used, as they've done here.

I mention this to emphasize the point in this case, the decision has been made that a gas station can go on this site. It can be regulated, there can be conditions, there can be things like that, we know certain project opponents simply don't want it, but that decision, in our view, has already been made by your City Council when this property received its zoning.

Next the Planning Commission is responsible for confirming whether or not the requirements applicable to the site plan approval have been satisfied. This is considered an exercise of the City's administrative authority and it's a binary analysis. If the requirements are satisfied, the Planning Commission is legally obligated to approve the site plan. As I mentioned before, and I'm sure your lawyer will tell you, this is not to say the Planning Commission does not have some discretion to provide comments and to impose conditions, but those comments and conditions can't render the property useless for the permitted use, it can't be so strong as to eliminate the permitted use. That's our view of the legal requirement.

In this administrative role, it was confirmed in the well-known case of Hessee Realty v. Ann Arbor, 61 Mich App 319 which was decided way back in 1975. Hessee held that once the applicant shows that it meets the site plan approval standards of the ordinance the approval must be granted. In Hessee, the City's review departments recommended approval, just as they have here, but the City's decision-making body denied it. Well, in that case, the City failed to provide competent material evidence as to why the site plan did not comply and, as a result, the City's decision was overturned.

Beyond that, the obligation to approve confirming site plans has been codified. In section 5015 of the Michigan Zoning Enabling Act this requirement is specifically addressed, and it states, a site plan "shall be approved if it contains the information required by the Zoning Ordinance and in compliance with the conditions imposed under the Zoning Ordinance other statutorily authorized and properly adopted local unit of government planning documents, other applicable ordinances in State and Federal statutes". So, what does this all mean? In our view, this means what I think we've been saying from the very beginning. The site plan has been carefully designed to satisfy all the requirements of the ordinance. We aren't asking for any variances, we aren't asking for any waivers or relief, the Planning Department has agreed with us that it satisfies those requirements, and it has recommended approval. So, in our view, this particular application should be approved and is legally entitled to approval.

I want to say there's even more here, because what you've seen just presented is a very thorough incredible traffic study. It demonstrates that the primary concern that was raised by this Planning Commission in our meeting in December, we think has been more than addressed. This property clearly does not pose a negative traffic impact in this particular area, at least not in our view. We also don't see how this will negatively impact any adjacent properties, not that's necessarily a requirement because we more than meet the setbacks, more than meet the landscaping requirements, we've done lighting plans, etc. The boxes have been checked, and we believe that this property should be granted approval.

Finally, we know that there have been some requests to review studies, and that there may be requests for more time so that more people can review studies, we've heard this raised by projects opponents. We want to point out that we disagree with that position, the City is responsible for determining whether a site plan satisfies the ordinance and it is the body that is entitled to the information. There is not and there has never been a requirement that application information be provided to project opponents. The notion that the applicant should send its studies and analysis to project opponents ignores the fact that first these are expensive and proprietary studies and documents, so we don't necessarily want them forwarded around after they are given to them.

Second, some of them may contain confidential information, and third, it's expensive and burdensome. So, we don't think that should

be an obligation of the applicant or that it should slow down the process. This is particularly true when all they have to do is go down to the City and look at it, and we advised them that they could do that, and I believe the City advised them that they can do that.

Finally, one last legal point, and this is a separate legal argument, but it may or may not become applicable here. As you consider this application you need to also consider the fact that you're applying your standards, not only to this, but you need to apply them fairly and equally among other similar uses. So, the extent that you've looked at other similar uses or the same use in your City over the past recent history, those criteria should be applied fairly and uniformly and in the same manner. I know you know that, but I feel like I should just add that since I'm up here.

At the end of the day, and I'll wrap up and you can ask me or any of us any further questions, we continue to be open to your comments. As you heard, we reached out to the neighbor who is against the project and said is there something we can do along the boundaries, and there wasn't any real desire to discuss any of those things, but that doesn't mean we still aren't open to it. You all know the landowner, he's a good guy and wants to work with people, and so do we. With that spirit in mind, we look forward to continuing this conversation with you and we hope you approve our application tonight.

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. Macomb County Department of Roads approval and permit are required for work in the Mound Road right-of-way.
2. On Mound Road right-of-way, Macomb County Department of Roads allows the maximum 30 feet back-of-curb to back-of-curb width for the proposed drive approach at the property line. Similarly, the City of Warren allows the maximum 30 feet back-of-curb to back-of-curb width on 13 Mile Road right-of-way.
3. All the existing & proposed utilities within the vicinity of the project limits along with the material, size should be shown.

COMCAST: In response to your utility request for the above project, please refer to the attached map for the location of Comcast

CATV/FIBER facilities. Aerial cables are highlighted in orange for fiber and yellow for coax cable. Underground is highlighted in blue for fiber and green for coax cable. If we can be of further assistance, please feel free to contact us by email at ccutilityrequests@teamsigma.com.

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

1. MCDR allows only 30 feet (back of curb (BC) to back of curb) wide entrance approach in MCDR's road right-of-way (ROW). Verify and revise the Mound Road entrance.

If you have any questions, please feel free to contact me at 586-463-8671.

Mr. Ron Wuerth reads the recommendations of the Staff:

Chair Smith – Public hearing open for audience participation.
(Audience portion)

Public Hearing portion closed.

MOTION:

A motion was made by Secretary Mouri to postpone until the full traffic study is ready and new resolution limiting gas stations.

Ms. Mary Michaels – A motion to postpone is not debatable and I'd like to add the item on the agenda later would not apply retroactively to active applications, it would apply prospectively and City Council has the ultimate say.

MOTION:

A motion was made by Secretary Mouri to postpone due to not having the full traffic study, supported by Duzyj.

Mr. Josh Bratton – The traffic study is complete, and it actually addresses all the things that were identified in the first call. The Traffic Engineer can speak to that, maybe that will affect the motion being made it's a very thorough and complete study.

COMMISSIONERS PORTION:

Commissioner Duzyj – In all my years on Planning, I don't think I've ever heard GM calling in wanting more information or otherwise, that's one, and that's why I supported the motion. Two, the width of

these driveways, the prints have them at 40 feet and you're saying that Macomb County Department of Roads wants 30 feet on the driveways in and out of it, which one is it?

Mr. Joshua Bratton – Macomb County is looking for 30 feet, we revised the plans to reflect 30 feet.

Commissioner Duzyj – 30 feet makes it even worse. How do you plan to get the trucks to supply gasoline in and out of this facility?

Mr. Joshua Bratton – In the presentation there was a truck route plan. They would enter the site on Mound Road and exit on Thirteen. This was part of the materials that were reviewed and approved by the County Road Commission, so it meets their standards. I will say that in terms of the fueling trucks specifically, those are exclusively done in the lowest traffic hours of any day.

Commissioner Duzyj – I would hope so, yes.

Mr. Joshua Bratton – In the hours of 1 a.m. to 5 a.m. is typically what they target to actually fill.

Commissioner Duzyj – That's a plus, but I still have a problem with the 30-foot width, I think it ought to be more because I don't know how you will take a truck that big and pull it in there. Two, where are the tanks at?

Mr. Joshua Bratton – If you look to the image on the right, that hashed area in the southern portion of the property those are the tanks.

Commissioner Duzyj – And you're going to have three tanks, or four tanks?

Mr. Joshua Bratton – There's two, I believe.

Commissioner Duzyj – One for regular gas and one for premium, so you're not going to have diesel here?

Mr. Joshua Bratton – The petroleum tank has two containers inside of it for the premium, I believe, and then there's a separate tank for diesel.

Commissioner Duzyj – Personally, I don't know how you get a truck to make that turn going in and out of it and then coming out of it onto

Thirteen Mile Road, it's in the middle of that slow down lane going into northbound Mound.

I've been through that corner hundreds of times and every time I get near it, it worries me because it's a turn and then you have the slow down lane on the right side. I understand what you want to do and how you want to do it, but it just doesn't work for me from what I see. I agree with the traffic study to see what GM comes up with. Based on the fact that they don't know how all this is going to go, but, first of all, I'm very dubious about any traffic studies at this point and time because 696 is closed down. After everything is said and done, I've never seen backups on north, south, or east, or west the way I'm seeing them now, even before 696 was put in. Hopefully that will alleviate itself soon. I think this is a nice development, but I don't like the location of it. If we can do something with GM's approval, with the people that live around that areas approval I think we can move forward with this.

Mr. Wiegand, I love your place the food was always excellent, the service was perfect it really breaks my heart to see you have to close. We are running out of halls DeCarlo's on Ten Mile closed, you're going to close, that leaves the Ukrainian Center and Bellagio, if I'm not mistaken, and the one on Thirteen Mile Road. I'd like to get more information on it, and I've been doing enough running around looking at this to justify this, let's see what the traffic study comes up with in the future, thank you.

Mr. Joshua Bratton – When you say the traffic study in the future, are you referencing a separate traffic study then what we provided?

Commissioner Duzyj – I'm referencing what GM wants to do.

Mr. Joshua Bratton – From what I understood in the call from GM, GM was requesting that we provide a traffic study.

Commissioner Duzyj – And that's fine, if GM says go for it, then we might have a different discussion.

Mr. Pat Lennon – Just to add, the traffic study is complete and the Engineer will now speak to what it includes, which I believe is everything GM was saying it should include. Certainly, you're not saying GM should review a traffic study for this, this is a City obligation to review.

Mr. Robert Matko – As far as the traffic impact study, we completed it. We understand there was some concerns over a Tuesday count that also spilled over to Wednesday, that's why we took it a step further and we did get counts that were from almost a year ago, so 696 wasn't closed at that time. We did look at more than one avenue and we even went above and beyond and increased volumes on Thirteen Mile Road on the east leg by 25% even though our count was higher than the count that was done about 10 months ago.

We feel that the traffic impact study we did according to the Institute of Transportation Engineers Trip Generation Manual 11th Edition. All the latest traffic requirements were MDOT prequalified for traffic impact studies, a registered Professional Engineer in the State of Michigan and also Professional Traffic Operations Engineer. So, this isn't the first traffic study I've done. As I indicated earlier what makes this site work better in terms of traffic is that you have and are limited to right-in and right-outs, so we don't have a left turn movement into this development.

If I could also talk about the truck turn movement, so those truck turns, and the fueling station truck, those are actually modeled and used with auto-turn, which is an actual truck turning template of the exact fuel truck that will be using that. As you heard from Josh, those deliveries are made well in off-peak hours, so you don't have those kinds of issues. So, we understand your concern over the width of the driveway, but it clearly does work, the Road Commission has agreed with the truck turn, so I'm not sure what delaying is going to do in that respect.

Also delaying in terms of GM, when they indicate a traffic impact study, when one has already been done, I think one of the biggest concerns is what that queue length would do extending back to the east and doesn't extend beyond the site driveway and it clearly is about 80 feet short of the site driveway. So, we feel that the traffic impact study before you is accurate, it shows exactly what the queue length is going to do. We also compared it with a prior count that was done not only on Thirteen Mile but also on Mound Road and we do feel that the information is correct. So again, thank you for your time.

Chair Smith – Thank you sir.

Vice Chair Boniecki – I just have two questions; how many times do the tankers refill that station?

Mr. Joshua Bratton – I don't know the answer to that; unfortunately, my Engineer is not here, I do know it's multiple times a week.

Vice Chair Boniecki – What are the hours that they normally deliver?

Mr. Joshua Bratton – They normally deliver between 1:00 and 5:00 a.m. for the fueling truck and that's the same with any large deliveries for the merchandise. Any deliveries that are done during peak hours are limited to very small vans or very small trucks.

Vice Chair Boniecki – Thank you.

Ms. Mary Micheals – The motion on the floor is to postpone, if there is discussion it should be limited to reasons for or against postponement, please.

Chair Smith – What we need to do is take a vote on the motion to postpone.

Ms. Mary Michaels – Yes, if anybody has comments they can comment on the postponement for or against. A postponement will allow for some debate, a table will not.

Chair Smith – That was a motion by Secretary Mouri to postpone, supported by Commissioner Duzyj.

ROLL CALL:

The motion carried as follows:

Secretary Mouri.....	Yes
Commissioner Duzyj.....	Yes
Commissioner Ansar.....	Yes
Commissioner Holowaty.....	Yes
Commissioner Hoque.....	Yes
Vice Chair Boniecki.....	No
Chair Smith.....	No

Chair Smith – I would like to make a comment on this, everybody worries about the traffic study, the traffic design for this project is a great design. I reviewed the traffic study; I also visited the area during certain times. Even coming here tonight, I was coming up Mound and people were cutting in and out, cutting cars off, jumping in and out of traffic, it's the not traffic, it's the people driving. Until people become more respectful with other people on the roads,

you're going to have a problem no matter where you are, as far as traffic goes. I think this is a good design and I think that they did a very good job with the study, and I think it's in a good location. General Motors has got a gate coming off of Mound going north and a gate on Thirteen Mile where they come out, if people need gas they don't have to go around the block to get gas. The main concern is the traffic study, and I think they did an excellent job on the traffic study, it's not the traffic, it's the people. People are disrespectful to each other, everybody wants to be first, they run up to the light, they stop quick and that's where all the accidents come in.

This came before us in December and it just came before us today, they had plenty of time to get all their information together, a little over two weeks. It doesn't take that much time to gather information, so that's my comments on the situation. The vote was five to two to postpone it, so at this time it's going to be postponed to the next meeting.

Vice Chair Boniecki – I'd like to make a comment on why I also voted against postponing it. I've been in Warren for a lot of years and I've gone down Twelve Mile and Thirteen and GM has three lights just for their property on Twelve Mile and years ago they used to use them, now a lot of people only work one or two days a week at GM so I'm a little surprised at the call. The volume of traffic coming out of the plant is not everyday like it used to be. Thank you.

Mr. Ron Wuerth – What is it that you want the petitioner to do?

Chair Smith – I really don't know of anything else they can possibly do.

Mr. Ron Wuerth – Other than the discussion seems to have been a new traffic study, or more information added to the existing traffic study, or are they supposed to pay attention to some other aspect of the site. I'd like to know just so the petitioner knows what to do next for the next meeting.

Chair Smith – I understand, I don't know what more we can ask the petitioner to do because I feel that they've done a good job. Postponing it to the next meeting I don't think is going to solve any other issues, it does meet the use and the requirements of the ordinances. As a committee, and I know a lot of people don't like it, but as a committee, if it meets the ordinances, we have to approve it. If not, they can take us to court and sue us, it's another long drawn-out thing, but that's not what we are here about. We are here to look

at the situation logically and try to make a good decision on what needs to be done.

Mr. Ron Wuerth – Mr. Chair, I still don't think this Commission is finished. You postponed it. What is the reason or the reasons? You must provide that to the petitioner. So, if the Commissioners could please let the petitioner know what they must do to satisfy the Planning Commission.

Chair Smith – Commissioner Duzyj could you please state what you want the petitioner to do.

Commissioner Duzyj – First of all, I'd like to get driveway widths finished up and what they are going to be 30, 40, 50 or what. I understand we will go back and forth with the Macomb County Road Commission to get that done. Macomb County Road Commission doesn't control Thirteen Mile, so are you leaving that at 40 or what are you doing?

Mr. Robert Matko – What was shown on the plan, I believe, is 30, I can consult the Engineer. We originally had 40 as you know on Mound Road, the change was made to 30 based on the comments.

Commissioner Duzyj – Did you actually talk to them about possibly 50?

Mr. Robert Matko – We did not, but we assumed they wanted it lower.

Commissioner Duzyj – Fair enough. There are no sidewalks, I don't know if there's sidewalks further down the road, Mr. Weigand would know better than anybody else.

Mr. Robert Matko – We intend to have sidewalks, and I believe there are some existing, all the way around the property that exist.

Mr. Pat Lennon – It feels like the Planning Commission is grasping for reasons to justify this decision to table this to another meeting or postpone. The traffic study is complete, the plan is complete it meets the ordinance, this is hard to follow to say the least.

Commissioner Duzyj – Fair enough.

Secretary Mouri – I'd like to give the reason for my postponement motion. First doing the traffic study on election day and not getting

the accurate results. If the Maddin Hauser attorneys are also looking into these details, I'm interested in seeing what type of information they come up with to review that. If they are going to be able to provide a little more info I'm interested in looking at that information. Considering we are already thinking, and I know this is something the attorney mentioned, we don't want this many gas stations in the City of Warren. Even though it meets every single requirement I do want to see what type of impact it's going to have to the community. We also have to consider the residents that live there, with the amount of accidents and everything that happens on Mound Road. If we do the traffic study on a day when it's usually less traffic I think we are not getting the whole picture, so I'm interested in seeing other opinions.

Mr. Robert Matko – I'll just remind the Planning Commission, the traffic study wasn't even technically required we were asked to do it and did.

Chair Smith – Excuse me sir, let me get the comments from the other Commissioners then we'll get back with you. Commissioner Ansar what was your reason for postponement?

Commissioner Ansar – First of all I want to thank Speedway for investing in Warren. At the same time, on Mound Road, I believe, this is going to be the third Speedway, there's one at Ten Mile and Mound, at Twelve Mound we approved one it's under construction, and now this one.

Also, I believe there's seven or eight gas stations on Mound Road from Fourteen Mile. (inaudible) in the last two meetings, as a Commissioner I think that we have too many gas stations. So, when my colleague motioned for a postponement I was like okay, give them a chance to talk to people otherwise I would say no.

We really appreciate that you're choosing Warren and investing in Warren, it's good for the City and it's going to help the City, but location-wise, it's not. If you pick another location, of course we appreciate investment in Warren, but location-wise I personally think Mound, people drive 50 or 60. There's 20,000 people at GM coming out on this road. We have to look at everything, the safety and other things we look at before making a decision. I think postponing it we will have another chance to review it before we make our decision. Thank you.

Commissioner Hoque – Thank you so much to Speedway gas company for deciding to open another location. Thirteen Mile and Mound is a very (inaudible) area and when people come from 696 and the speed limit is 50 but we see 60 miles. Even though you meet all the requirements, we still have to think about the public safety, and we have to listen to the people living in the City. So, I believe, at this time we need further discussion, and I support postponing this item.

Commissioner Holowaty – Is it possible to change my vote after this discussion?

Ms. Mary Michaels – There could be a motion to reconsider the postponement, and you voted on the favorable side, so yes.

Commissioner Holowaty – My thought for the postponement is to allow one more time for the petitioner to get with the neighbors and try to work it out one more time. Give GM one last opportunity to respond, then they can't say they haven't had a chance.

Chair Smith – The thing about postponing this is, I hear everything everybody is saying about what they want the petitioner to do, but it's not anything that they haven't already done. So, to try to get them to do more but you can't tell them what more you want them to do, isn't going to make a difference.

Commissioner Duzyj – I think giving the petitioner a chance to get with Waltonen and with GM and if GM says go for it because they are getting a lot more people into GM at this point and time. So, I have no idea how that's going to affect the traffic study that they've got. Give them a chance to talk some more about it, then that would be a good solution to all this. Thank you.

Commissioner Ansar – My colleague Mouri mentioned that the traffic study you did was on November 4th, election day, so she's requesting, and I'm supporting Mouri's proposal, that can they do it on a regular day. Also, colleague Duzyj mentioned if you can set up a meeting with GM that would be good so we can make a strong decision. I'm requesting if you can do the traffic study again, on a regular day instead of a holiday or off day, so we can get correct information so we can make a decision.

Mr. Robert Matko – I think it's important to note in the presentation I addressed that, we have an MDOT count taken from December 14, of 2024 less than 10 months from when our count was done. It's

actually slightly lower, especially on Thirteen Mile Road, and that's why, to be ultra conservative, which the study already is, we even increased our traffic count which already is higher by 25%, and the queue still did not back up beyond the Thirteen Mile Road site driveway. So, you're asking us to go back and also have discussions with GM now, I don't know if you've tried to contact GM, they are not easy to get ahold of and trying to have a meeting with them, I'm not sure what that's going to do.

I'll stick to the traffic, but specifically the delay in trying to organize a meeting like that, but going back to the traffic count, yes, the traffic count was obtained also from MDOT. MDOT conducts the traffic counts just like we do, where they use mile vision just like we do, they are video camera collected, they are extremely accurate. You can see the MDOT site, the count location, and the count data from MDOT, so we again feel that the study, as submitted, is accurate. Thank you.

Chair Smith – We need to give them a date, but the thing about it, we haven't told them, other than we want them to talk to GM, what more you want them to do. I guess that's what we are trying to figure out, what more do you want them to do that's going to make a difference?

Commissioner Duzyj – Talk to GM about it and talk to Macomb Road Commission, at a minimum, those two.

Mr. Ron Wuerth – I'm trying to weigh everything that's been said, thanks for your thoughts, I appreciate it. You talked about a new traffic study; I don't know if anybody has really said it, but if they do need to do another study, are they going to be able to do it by the 26th, the next meeting? That's only a couple of weeks or will they need another month to February 9th, 2026. It depends on what you're after here, and if you want another study and you don't think the original study is that dependable, you need to make sure it's clear what you want. I'm in the middle of all this, but the fact of the matter is, you do need to be clear to the petitioner on what you want. Thank you.

Chair Smith – So what I'm gathering from the other Commissioners is that they would like for you to talk with GM about the traffic study and see what GM says because they have a lot of entrances on Mound and Thirteen Mile. Like one of the other Commissioners said, if their workforce is down, they are not going to have all that traffic anyway. I guess the bottom line is they would like comment

from GM, the lady was on Zoom, and she really didn't want the project there. I don't know if GM can recommend something to deal with the traffic study, will the next meeting be enough time?

Mr. Robert Matko – I think we are scratching our heads, because we have a very thorough traffic study that's been completed. It's been acknowledged across the board that we meet the ordinance. The notion that we would be postponed to have discussions with anyone, I don't know that I've heard that before unless it's something that a petitioner requests. We are respectful of your decision, and we'll consider it and go from there, I think that's the best I can say at this point.

Chair Smith – Would the next meeting be a good time or the following meeting?

Mr. Robert Matko – Why don't we proceed with the next meeting; we may be in touch with the Planning Department regarding a potential change to that. We need to decide internally what our next steps will be and what amount of time we might need for those. I suppose, for now, putting us on for the next meeting would be preferred and we may request a further postponement after we have the chance to consider all of the discussion tonight and these decisions. Thank you.

Chair Smith – We will postpone this until January 26th.

B. SITE PLAN FOR A SOLAR ARRAY SYSTEM FOR THE ELECTRICAL INDUSTRY TRAINING CENTER; located on the corner of Eleven Mile and David Givens Roads; 2277 Eleven Mile Road (Parcel Numbers 13-18-376-002, -376-003, and -352-003); Section 18; Joe Scott/Motor City Electric Co. (Robert Lincoln/Motor City Electric Co.); PSP250051.

PETITIONERS PORTION:

Mr. Robert Lincoln – We are submitting for installation of a 416-panel solar array on the Detroit Electrical Industry Training Center, it's on the southwest side in the open lot there, located at 2277 Eleven Mile Road. The array is configured in three rows represented in ES101 the Electrical Site Plan. The array is ground mounted and will cover approximately 20,000 square feet in area. It will be surrounded by a six-foot chain-link fence with an entry, and we will comply with the Fire Department's gate of entry. The array and fence are positioned well within the allowable setbacks according to the ordinances. We are not asking for any additional lighting as part of the ordinances

because this is just a ground mounted solar array, there is no impact to the sewer or the runoff. That is pretty much what we are applying for.

Secretary Mouri reads the following correspondence:

TAXES: Current.

BUILDING: The Building Department has no objections.

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

POLICE: The Warren Police Department does not foresee any problems with the Solar Array Systems.

AT&T: AT&T does not object to the proposed Solar Array System, but we do not have facilities in the vicinity of this work. If MissDig indicates a conflict, please ask the petitioner to contact me.

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.
ccutilityrequests@teamsigma.com.

DTE: No objection. If you have any questions, please do not hesitate to contact me at 586-783-1978.

MDOT: The site is on a MDOT ROW. Any work (driveway modification, sidewalk work, watermain tap, sanitary tap, drainage, etc.) on MDOT ROW or changes to the drainage system that may impact MDOT's system will require a permit.

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Holowaty – Do you have any problems with the recommendations that the Planning Department has put forward this evening?

Mr. Robert Lincoln – No, we submitted a new site survey, I think there was some confusion as to what was on the site survey verses the site plan, a lot of the site survey already has this information on it and we will make the necessary changes to the site plan.

Mr. Jordan Segal – And with regard to the lot combination, that application is already complete, we are only waiting for the revised legal description from our Engineer, that will be submitted in the next couple of days.

Commissioner Holowaty – I seen other places where they put solar panels on the buildings itself, is the building strong enough to do that and use some of that land for maybe a park area.

Mr. Robert Lincoln – There was originally a plan to do just that, there are mechanical issues with putting it on the roof of the building, this is the only place on the site, as I understand it.

Commissioner Holowaty – I know they could be heavy, but I've seen other places where they put solar panels on the roofs of their buildings because greenspace is sometimes hard to come by.

Mr. Robert Lincoln – Unfortunately, in this particular case, that's not an option.

Commissioner Holowaty – Okay, thank you.

Chair Smith – The only question and problem that I had was the drawing that I received; it didn't show a lot of detail. I know architects try to cut back sometimes on what they want to show; the concepts of the array, I approve that, but there wasn't enough information on the drawing itself to make a technical and good decision. I understand what you're doing and, when I spoke to the Planning Department, they said that you had a survey drawing that you did which had a little more information on it. Plus, it's in the recommendation to upgrade that anyway.

Mr. Robert Lincoln – And that site survey was included as part of our submission.

Chair Smith – This is a training school so will you be training students to work on these?

Mr. Robert Lincoln – That's part of the benefit of putting the solar array in this location, where better to put it. It will be used as a training ground for incoming journeymen to learn proper installation of solar array.

Chair Smith – One thing I noticed about the solar panels, which I didn't realize was a lot of times, when you're driving out 94 you see them out that way. I noticed at certain times of the day they change directions; I thought that once they were in that position they stayed in that position, but they don't, there's a way you can control them to where they can gather more sun, is that correct?

Mr. Robert Lincoln – This design does not have that; this is a fixed mounted solar array system. There are some out there on the market that do that. The impact, as far as return, is minimal, you get a fair amount with just southern facing solar, this is a fixed ground mounted system.

Chair Smith – Thank you.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE:

None at this time.

8. OLD BUSINESS:

None at this time.

9. BOND RELEASE:

None at this time.

10. NEW BUSINESS:

Discussion regarding a resolution for a reasonable moratorium of up to eight (8) months to halt the development of new gasoline stations and car wash facilities due to the relative increase of such facilities in

the City of Warren. New zoning regulations may be needed to address this issue.

Mr. Ron Wuerth – This is communication from myself to the Commission, and this is after watching what's happened in about the last two or three years regarding gasoline stations, and we are also talking about new car washes. I'll read the communication so that everyone can hear it.

The Planning Staff has observed an increase of these facilities and feels that the right balance of use is not being obtained in the City of Warren. It is clear that the Planning Staff desires to add another layer of review that would require special land use procedure, additional design, locational criteria and potential of requiring a specific traffic study that weighs the proposed addition of traffic and traffic movements from the facilities and updating the parking criteria for both types of uses prior to the final approval or denial from the Warren City Council. The time period requested would allow the Warren Planning Department, Attorney's Office, and other concerned departments or persons a reasonable amount of time to review, suggest and design amendments to the zoning ordinance that would slow the request for such facilities and measure their need in the City. So, if you have any questions, please contact me. This is our request at this time.

Chair Smith – I need a motion to vote on a proposal for a reasonable resolution for a moratorium for eight months on car washes, gas stations, etc.

MOTION:

A motion was made by Secretary Mouri to accept the resolution, supported by Commissioner Ansar.

Commissioner Duzyj – We are covering the car washes and the gasoline stations, should we put used car lots on there also?

Mr. Ron Wuerth – Absolutely not, and I say absolutely not because if you look at the requirements for used car lots, they're some of the strictest requirements in southeast Michigan.

Commissioner Duzyj – So we got that covered.

Mr. Ron Wuerth – It's covered.

Commissioner Duzyj – Thank you.

Ms. Mary Michaels – I just want to make it clear to the Commission, this is a recommendation to City Council, City Council has the sole authority to vote and the ultimate say. Thank you.

Commissioner Ansar – I want to thank Mr. Wuerth, the last couple of meetings I've been saying let's do something to stop this, so thank you for recommending to the City Council this. Also, I have a request, can we add public storage to this?

Mr. Ron Wuerth – Public Storage?

Commissioner Ansar – Yes.

Mr. Ron Wuerth – Or regular storage?

Commissioner Ansar – Yes.

Mr. Ron Wuerth – We get a lot of requests for that, it's a common thing, the only thing about storage is maybe there's some things we can refine on that, but to put it in with this these are somewhat related uses and I don't see why to put it on at this time, so let's wait a little bit, I don't want to confuse the issue. I want to keep the focus on these two uses and see what we can come up with. The open storage issue, we are an industrial-type area here, lots of industry, lots of places where people want open storage and there should be some new definition. We are in the process of revising our Zoning Ordinance as a whole and we can address that, perhaps during this time period, with that. We can have further discussions, if you have particular ideas of your own about how to regulate these storage areas and all that on a site then let us know.

Commissioner Ansar – Okay, thank you. Also, one of our Council members is here, thank you for coming here. Council will basically decide what they want to do, I'm requesting Council to take this issue seriously. I'm seeing it all over social media, the residents of the City are really unhappy they are complaining about the gas stations, and I personally think that gas stations are too much.

ROLL CALL:

The motion carried as follows:

Secretary Mouri..... Yes
Commissioner Ansar..... Yes
Commissioner Duzyj..... Yes

Commissioner Holowaty..... Yes
Commissioner Hoque..... Yes
Vice Chair Boniecki..... No

I think it's a little bit of a slippery slope, I don't think the traffic study was done on this particular case today and (inaudible) need more somebody else called. I think we are a free enterprise we really shouldn't be dictating who can bring what to our City, it's a fuel station, we are the Motor City, and have the cars. If the reason is just because we don't want it, I don't think that's a good enough reason, and if the traffic study shows it's really not a problem I don't think we should be denying them.

Chair Smith..... Yes

11. CITIZEN PARTICIPATION:

Chair Smith opens up audience participation.

Citizen participation was closed.

12. PLANNING COMMISSION BUSINESS:

A) Planning Directors Report:

Mr. Ron Wuerth – This report starts on the 15th of December, a lot of that time I was on vacation along with most of the staff. So, the last meeting that I attended, it was Roose Elementary School, that school is located north of Ten Mile and quite a bit east of Ryan. It's an older elementary school, it's in Center Line School District, and they've closed it. They had a meeting with some developers who want to turn it into a senior citizen living housing area, very interesting, and we think it's a wonderful idea as opposed to other types of uses that have a tendency to move into facilities like that. Center Line wanted to go with some people who do this type of work, as opposed to another type of educational group, I attended that on the 17th of December.

On the 6th of January I had a meeting with some people who came through for a rezoning on the south side of Frazho, east of Schoenherr, and it's next to a trucking outfit. They requested a rezoning and was recommended as a denial and ultimately denied by City Council. They are back and now they want to do a conditional rezone. There was some discussion about the conditions and that type of thing, they are serious about this and will be coming forward sometime this year.

Next there's a plumbing outfit called Bison Plumbing that's on the east side of Ryan Road just north of Eleven Mile or the service drive, on the east side, I think it used to be a greenhouse. It's a large property and they are looking to perhaps do a use variance so that they can operate it as a C-3 zone, wholesale and intensive type of thing, we'll see what happens with a use variance or they may end up with an attempt for rezoning.

I attended a meeting with Macomb County Engineering and others, actually Oakland County was involved with this. They want to revitalize Dequindre Road and that would be from Fourteen to Eleven, resurfacing and fixing the curbing anything you can think of to fix. One of the major things that we kind of think is of use, and it matches up with our Active Mobility Plan that we've gone through, is the sidewalk along the east side of the street, from Fourteen Mile to Eleven. They want to widen it from four or five feet to ten feet, ten feet in width, a multi-use for walkers, runners, bicyclists, and other types of active mobility up and down that entire stretch.

And finally, we had a couple discussions and meetings with a gentleman named John Wright, and Michelle has met with him many times. We are talking about an overlay district residential it would be south of Ten Mile area, Van Dyke, in that area where the residential needs a change and the change would be multi-dwellings up to four units. So, two, three or four depending upon the property, the district would be a complete revision, softening the requirements that are currently there. You would end up with an overlay district if it's pertaining to that type of use, but the underlying district would remain for other uses. You'll hear quite a bit about this and it's coming up there, might even be a little bit of discussion at the meeting that you're going to have with the Zoning Board of Appeals. Those were a few things that came across the desk in the last two weeks.

Commissioner Holowaty – You mentioned the meeting with the ZBA, has a date, time, and place been set?

Mr. Ron Wuerth – I think we've mentioned to the Planning Commission it's on the 22nd and it's at the Community Center. We'll give you the information, it's a little up in the air in what room, that's with City Council on their decision, so we'll get you that information very soon.

Commissioner Duzyj – You said Ten and Van Dyke, isn't that Center Line?

Mr. Ron Wuerth – I was using that as a location, maybe a better location is Stephens and Van Dyke, south from there to Eight Mile in either direction from Van Dyke maybe a half mile or more.

Commissioner Duzyj – Thank you.

B) Discussion regarding the appointment of a new Commission Assistant Secretary.

Chair Smith – Do we have anybody that would like to volunteer for that?

Commissioner Ansar – Can we nominate?

Chair Smith – Yes.

Commissioner Ansar – I want to nominate Commissioner Duzyj for Assistant Secretary, please take it.

Chair Smith – Let's take a vote for Commissioner Duzyj as Assistant Secretary, do we need a vote?

Ms. Mary Michaels – No you appoint him.

Chair Smith – Okay, I appointed him.

MOTION:

A voice vote was taken on the appointment of Commissioner Duzyj to Assistant Secretary, and the motion carried unanimously.

C) Planning Commission Discussion and Concerns:

Chair Smith – I brought this up to the Director this morning, they are going to work on getting a certificate for Commissioner Chowdhury, we always do that when a person leaves the Commission and they are working on it.

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

14. **ADJOURNMENT:**

MOTION:

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

The meeting was adjourned at 9:11 p.m.

Warren Smith, Chair

Mahmuda Mouri, Secretary

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