



CITY MANAGER

Elaine Leven

CITY CLERK

Cynthia Greenia

City of Fraser

CENTENNIAL COMMUNITY

MAYOR

Michael Carnegie

MAYOR PRO-TEM

Patrice M. Schornak

COUNCIL

Amy Baranski

Kathy Blanke

Suzanne Kalka

Patrick O'Dell

Dana Sutherland

Fraser Planning Commission Agenda

City Council Chambers

33000 Garfield, Fraser, MI 48026

Wednesday, March 1, 2023 @ 7:00 p.m.

1. Call Meeting to Order/Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Chairperson's Opening Remarks
5. Approval of Minutes – February 1, 2023
6. New Business
 - a. Public Notices:
 1. Proposed Zoning Text Amendment
The proposed zoning text amendment will be to Article XIV, Section 14.00 and Section 14.02 of Zoning Ordinance #279 to authorize the City Council to appoint two (2) alternate members to serve on the Zoning Board of Appeals in the absence of a regular member
 - b. Site Plan and Other Review
 1. Discussion of Proposed Zoning Text Amendment
7. Unfinished Business:
 - a. Hockeyland Status Discussion
8. Public Communication on Non-Agenda Items
9. Zoning Board of Appeals Member Liaison Report
10. Commissioners' Comments and Items of Interest/Concern
11. Adjournment
POSTED: February 22, 2023

**DRAFT PLANNING COMMISSION MINUTES
CITY OF FRASER
33000 GARFIELD, FRASER, MI 48026
February 1, 2023
7:00 P.M.**

A regular meeting of the City of Fraser Planning Commission Meeting was held on Wednesday, February 1 at 7:00 P.M. The meeting was held in City Council Chambers, 33000 Garfield Road, Fraser, MI 48026.

1. CALL MEETING TO ORDER

Chairman Czarnecki called the meeting to order at 7:01 P.M.
Chairman Czarnecki led the Pledge of Allegiance.

2. ROLL CALL

PRESENT:

Barr
Czarnecki
Farina
Meyer
Perry
Keil
Warunek

ABSENT:

None

OTHERS: Planner Andrew Littman, Attorney Alyssa Ericson, Planner Alicia Warren

3. APPROVAL OF AGENDA – REGULAR MEETING February 1, 2023

Motion by Warunek, seconded by Keil to approve with amendments of adding dash item 6b 1. site plan name, SP 22-08, and item 6c. Annual Planning “Report” instead of “Program”.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek

NAYS: None

Motion Carried.

4. CHAIRPERSON’S OPENING REMARKS

Chairperson CZARNECKI read the formal statement relative to the powers of the Planning Commission and the facts and conditions for granting site plan approval.

5. APPROVAL OF MINUTES – REGULAR MEETING JANUARY 4, 2023

Motion by Farina, seconded by Keil to approve the January 4, 2023 meeting minutes as corrected.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

6. NEW BUSINESS

- A. Public Hearings:** None
- B. Site Plan and Other Reviews:**

- i. SP22-08 31475 UTICA ROAD, DEVON STORAGE**

Project Architect: Joe Latosis, Designhaus, representative for Devon Storage.

Planner Littman presented the site plan review and background for 31475 Utica Road, Devon Storage.

Applicant representative would like to request a variance for the setback from the Zoning Board of Appeals. Regarding the loading areas will be added to a revised plan. Regarding the fire access, 20-24 feet automatic gates with knox box, would be sufficient for fire trucks.

Commissioner Meyer made a comment on the parking spaces off Utica, it is actually 3 spaces and site plan marked 4 spaces.

Commissioner Warunek requested that measurements between buildings be added to the site plan.

Chair Czarnecki requested the front of the building (façade seen from Utica), be bricked and landscaping be added.

Commissioner Farina made asked the applicant if there was enough space for fire truck maneuvering, which the applicant representative stated truck maneuvering should have no issue throughout the site.

Chair Czarnecki asked how many interior units they will have, applicant representative answered 554 units.

Requesting from zoning board of appeals: Setbacks and building distance.

Revised plans to include:

1. Architectural changes
2. Additional landscaping
3. Designation of loading/unloading spaces
4. Complete the performance standards in the Industrial District
5. Work with Fire and Engineer (maneuverability and storm water)

Motion by Farina, seconded by Warunek to table SP 22-08 31475 Utica Road, Devon Storage for them to receive a variance at the Zoning Board of Appeals and submit revised plan.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

C. 2022 Fraser Annual Planning Report

Planner Littman presented the 2022 Fraser Annual Planning Report.

Commissioner Farina would like Hockeyland status be added for every month.

Commissioner Warunek would like administration to check on the status of the Sidewalk Program with Engineer.

Chair Czarnecki would like administration to get details regarding Michigan Economic Development Corporation and the Redevelopment Ready Communities. Also, the addition of the establishment of a Downtown Development Authority.

Motion by Perry, seconded by Farina to forward the 2022 Fraser Annual Planning Report to City Council with the revisions from the Planning Commission.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

D. Set Public Hearing Date for Zoning Ordinance Amendment

Attorney Alyssa Ericson held the discussion on the Zoning Ordinance text Amendment. Procedurally, it is recommended to rescind the previous approved motion and a new motion be made to recommend approval to City Council.

Motion by Warunek, seconded by Farina to rescind the action from January 4th meeting Zoning Ordinance Text Amendment to recommend approval to council.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

Motion by Farina, seconded by Warunek to hold a public hearing on March 1st, 2023, for the Zoning Ordinance Text Amendment.

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

7. UNFINISHED BUSINESS None

8. PUBLIC COMMUNICATIONS ON NON-AGENDA ITEMS

No public comment.

9. ZONING BOARD OF APPEALS MEMBER LIAISON REPORT

Commissioner Farina gave a brief update on the January 5, 2023 Zoning Board of Appeals meeting.

10. COMMISSIONER'S COMMENTS AND ITEMS OF INTEREST/CONCERNS

Commissioner Warunek offered condolences to Zoning Board of Appeals Member Chimenti's wife's passing.

Chair Czarnecki asked about 33180 Groesbeck Certificate of Occupation and if operation is permitted.

Planning Commission website be updated with members names and positions, Commissioner Meyer is not on website. Email out a clean copy of the meeting schedule to board members, and meeting minutes to be added to the website for Zoning Board of Appeals and Planning Commission.

11. AJDOURNMENT

Motion by Farina, seconded by Keil to adjourn at 8:12pm

AYES: Barr, Czarnecki, Farina, Meyer, Perry, Keil, Warunek
NAYS: None Motion Carried.

Respectfully Submitted
Cindi Greenia, Clerk
City of Fraser



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To: Planning Commission

Date; February 15, 2023

From: City Clerk Greenia

Re: Zoning Text Amendment

Attached please find the public notice that appeared in "The Macomb Daily" on February 10, 2023 regarding the proposed text amendment to the Zoning Ordinance.

The proposed amendment is also attached.

As required by State law, prior to making any changes to the Zoning Ordinance, whether it be to the Zoning Map or to the Text, Planning Commission must hold a public hearing.

Once the public hearing has been held, the Planning Commission will then make a recommendation to the City Council regarding adoption of the amendment.

**ATTENTION
CITY OF FRASER RESIDENTS
PUBLIC HEARING NOTICE
ZONING ORDINANCE TEXT AMENDMENT
MARCH 1, 2023**

The City of Fraser Planning Commission will hold a public hearing on Wednesday, March 1, 2023 to hear comments on a proposed amendment to the Zoning Ordinance. The public hearing will be held at 7:00 p.m. in City Council Chambers, 33000 Garfield, Fraser, MI 48026.

The proposed zoning amendment text change will be to Article XIV, Section 14.00 and Section 14.02 of Zoning Ordinance #279 to authorize the City Council to appoint two (2) alternate members to serve on the Zoning Board of Appeals in the absence of a regular member.

Anyone wishing to comment that cannot be present may send their concerns in writing to Cindi Greenia, Clerk City of Fraser, 33000 Garfield, Fraser, MI 48026 or contact her at (586) 293-3100 ext. 106 or cgreenia@micityoffraser. Comments must reach the City before 4:00 p.m. on March 1, 2023.

Publish: February 10, 2023

**Cindi Greenia, Clerk
City of Fraser**

CITY OF FRASER
MACOMB COUNTY, MICHIGAN

ORDINANCE NO. 279-_____

**AN ORDINANCE TO AMEND SECTION 14.00 OF THE CITY OF
FRASER ZONING ORDINANCE, CODIFIED AS SECTION 32-221 OF
THE CITY CODE, TO AUTHORIZE THE APPOINTMENT OF
ALTERNATE MEMBERS TO THE ZONING BOARD OF APPEALS**

THE CITY OF FRASER ORDAINS:

Section 1. Section 14.00 of the City of Fraser Zoning Ordinance, codified as Section 32-221 of the City Code of Ordinances, shall be replaced to read as follows:

Sec. 32-221. - Establishment of board.

(a) The zoning board of appeals shall consist of seven (7) members, each to be appointed for a term of three (3) years. Appointments of the first members shall be for terms of one (1), two (2), and three (3) years, respectively, so as nearly as possible to provide for the appointment of an equal number of members each year. After the initial appointments, each member shall hold office for the full three-year term.

(b) The zoning board of appeals shall perform its duties and exercise its powers as provided by law so that the objectives of this chapter shall be observed, public safety secured, and substantial justice done.

(c) The City Council may also appoint as many as two (2) alternate members to serve on the Zoning Board of Appeals for the same terms as regular members, with the initial term for each coinciding with the terms of the members who have more than two years remaining. The alternate members shall be called on a rotating basis to sit as regular members of the Board in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. Once an alternate has been called to serve in a particular case, he or she shall continue to participate in that case until a decision has been rendered. The Zoning Board of Appeals may establish additional regulations governing the role and call of alternate members in its rules of procedure.

Section 2. Section 14.02 of the City of Fraser Zoning Ordinance, codified as Section 32-223 of the City Code of Ordinances, shall be replaced to read as follows:

Sec. 32-223. - Meetings and records.

Meetings of the zoning board of appeals shall be held at the call of the chairperson and at such other times as the board may determine. Meetings may be called at the request of five

(5) members of the board. The board shall keep minutes of its proceedings showing the vote of each member upon every question decided by it, or if any member is absent or fails to vote, indication of such fact. A statement of the facts found by the board shall be included in the minutes in each case heard or considered by it. The reasons for approval or denial for any request shall appear in the minutes. In every instance, a statement of the facts upon which such recommendations are based shall appear in the minutes. The minutes of the board shall be filed with, and maintained by, the office of the city clerk.

Section 3. All other provisions of the Fraser Zoning Ordinance not specifically amended by this Ordinance shall remain in full force and effect.

Section 4. This ordinance shall become effective seven (7) days after publication of a notice of adoption.

This ordinance was introduced at a _____ meeting of the City Council of the City of Fraser on the _____ day of _____, 2023, and was duly adopted at a _____ meeting of the City Council of the City of Fraser on the _____ day of _____, 2023.

MICHAEL CARNAGIE, Mayor

CYNTHIA GREENIA, City Clerk

CERTIFICATION

I, Cynthia Greenia, City Clerk for the City of Fraser, County of Macomb, State of Michigan, certify that this is a true copy of an Ordinance adopted by the Council of the City of Fraser at its _____ meeting on Thursday, _____, 2023.

CYNTHIA GREENIA, CITY CLERK

PUBLICATION DATE:

Monday, _____, 2023

Macomb Daily

CITY OF FRASER

ORDINANCE NO. 279-____

NOTICE OF ADOPTION OF ORDINANCE

The City of Fraser has adopted an ordinance to amend Article XIV, Section 14.00 and Section 14.02 of Zoning Ordinance No. 279 to authorize the City Council to appoint two (2) alternate members to serve on the Zoning Board of Appeals in the absence of a regular member. This amendment shall be effective seven (7) days after publication of this Notice of Adoption. A copy of the Ordinance can be inspected or obtained from the City Clerk's office in City Hall, 33000 Garfield Road, Fraser, Michigan 48026, during normal business hours.

From: Clark Andrews <candrews@orlaw.com>

Sent: Friday, February 17, 2023 12:47 PM

To: (awarren@mcka.com) <awarren@mcka.com>; Andrew Littman (alittman@mcka.com) <alittman@mcka.com>; (purbiel@mcka.com) <purbiel@mcka.com>

Cc: Donald DeNault <ddenault@orlaw.com>; Hayley Tomich <htomich@orlaw.com>; Cindi Greenia <cgreenia@micityoffraser.com>

Subject: Fraser March Planning Commission Meeting

I called Randi Hermiz, attorney for Big Boy, to get an update on the status of the execution of the Shared Parking Agreements for the Hockeyland outlot. Randi said that Bud Kowalski was the person getting those signed, and that Bud had let him know that when Bud got the documents back, some were not properly signed and notarized to be in recordable form, so he had to go out and get them re-signed. Randi did not know the status of Mr. Kowalski's efforts to get them re-signed.

I advised him that the Planning Commission was not very happy that this has not yet been completed, and that this topic was the sole agenda item on the March meeting. He said he would try to reach Mr. Kowalski and try to get an answer from him by the time of our 10:00 a.m. call on Monday.

Info: regarding meeting notice: I would recommend that the City give notice of the agenda for the March meeting to both Randi Hermiz as attorney *and* also to the petitioner of record as the Commission will be discussing this item, and it is appropriate that the attorney and the petitioner be aware of those discussions and/or deliberations and of their right to participate. I am copying Cindi Greenia on this email so she will be aware of the notice issue, as I am not sure who in the City Administration (the City Clerk or McKenna) handles the mailing of notices for the Planning Commission meetings.

I will let everyone know if I hear back from him today or over the weekend before our call Monday.

O'REILLY RANCILIO P.C.
ATTORNEYS AT LAW

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Sterling Heights, MI 48313
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Monthly Planning & Zoning Report

for March 2023

McKenna provides day-to-day assistance to the City, applicants, and the public regarding zoning, planning and economic development matters.

PLANNING, ZONING, DESIGN & ECONOMIC DEVELOPMENT ACTIVITY

As part of our services to the City, McKenna reviews Planning Commission applications and provides recommendations on long range planning, land use, zoning, and design. The following is a summary of active developments; yellow highlighting indicates new updates for the month.

PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
#SP21-08 <i>Hockeyland Outlot</i> 34400 Utica	Site plan approval with conditions granted on August 4, 2021.	Site plan approval extended for 12 months, August 2, 2023, subject to site plan amendment approval. Approved to apply for foundation permits. Revised site plan approved at September PC meeting. CofO contingent on satisfaction of all PC conditions of approval. Lot split application approved in October 2022. Approved to move forward with the process without finalized parking agreement. Still awaiting parking agreement. Construction underway.
#SP22-01 / SLU22-01 34360 Utica <i>Shooter's</i>	Special Land Use and Site Plan application to install an outdoor patio at 33460 Utica (Shooter's).	Patio construction begun without permit and contrary to approved site plan – stop work order issues. Pending fulfillment of site plan approval conditions.
#SP22-03 33180 Groesbeck	Site plan application to renovate the façade and improve the site of the 33180 Groesbeck Retail Center	Variance for non-site obscuring, ornamental four-foot fence forward of the front building line approved at November ZBA meeting. Pending revised site plan submission and City receipt of cross-access agreements.
#SP22-04 <i>Fairway Parking</i>	Site plan application to build a new 31,000 SF industrial building on 15 Mile for potential tenant Fairway Packing.	Approved at October PC meeting. Building permit application applied for.
SP 22-08 31475 Utica Road	Site plan application to convert existing building into climate-controlled storage	Site plan was tabled at the February 2023 PC meeting for applicant to receive variances from ZBA for



PROJECT # / ADDRESS	SCOPE	STATUS / NEXT STEPS
<i>Devon Storage</i>	space with 9 smaller drive-up storage spaces.	setbacks of buildings and loading/unloading space requirements. Once variances are granted, applicant to come back to PC with revised plans.
<i>ZBA22-01</i> <i>Like Nu Carpet Cleaning</i>	Variance request at 34155 Kelly Road to place a ground sign closer to the road centerline than allowed, and to place an additional (wall) sign on the building. Two variances were granted on March 3, 2022.	Sign permit process initiated by applicant, awaiting revised drawings for compliance with Ordinance and variance granted.
<i>ZBA22-04</i> <i>33180 Groesbeck</i>	Variance request to erect a structure meeting the definition of a fence between the front building line and the property line.	Variance granted at the November ZBA meeting, pending PC approval of the fence design
<i>ZBA22-05</i> <i>16841 E 14 Mile Road</i> <i>Smokey Joe's</i>	Variance request to erect two additional wall signs and keep existing 59.5 square foot wall sign.	Variance request was postponed giving the applicant the opportunity to revise plans and come back to the March 2, 2023 ZBA meeting.

LOOKING FORWARD

- The administration would like to initiate conversations regarding engaging the MEDC Redevelopment Ready Communities program as a means to increase economic development activity in the city.
- Administration and Code Enforcement has had conversations regarding Grand Azteca food truck. A temporary permit was applied for and granted for 6 months, expiration 7/16/2023. Administration would like to initiate conversation about a possible Food Truck ordinance.
- The administration would like to investigate the Sidewalk Program with city Engineer and Building Official.

CONTACT US

Should you have any questions on the above projects or would like additional information, please contact your City of Fraser team at:

- Andrew Littman (alittman@mcka.com)
- Alicia Warren (awarren@mcka.com)

ATTENTION CITY OF FRASER RESIDENTS

Please be advised that the **City of Fraser Planning Commission** has approved the following dates for their regularly scheduled meetings for calendar year 2023:

January 4, 2023	February 1, 2023	March 1, 2023
April 5, 2023	May 3, 2023	June 7, 2023
July 17, 2023	August 2, 2023	September 6, 2023
October 4, 2023	November 1, 2023	December 6, 2023

All meetings will be held at City Hall, 33000 Garfield, Fraser, MI 48026 and begin at 7:00 p.m.

Published: 1/17/2023

**Cindi Greenia, Clerk
City of Fraser**