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**CITY OF FRASER PLANNING COMMISSION MINUTES
CITY COUNCIL CHAMBERS
33000 GARFIELD, FRASER, MI 48026
WEDNESDAY, JUNE 7, 2023 @ 7:00 P.M.**

1. CALL MEETING TO ORDER

The meeting was called to order at 7:00 p.m. by Chair Czarnecki

Chair Czarnecki led the pledge of Allegiance.

2. ROLL CALL:

Present: BARR, CZARNECKI, FARINA, KEIL, MEYER, WARUNEK
The following members were absent: PERRY

Motion by Farina supported by Warunek to excuse Commissioner Perry from the meeting.

AYES: Barr, Czarnecki, Farina, Keil, Meyer, Warunek
NAYS: None

Motion Carried

Others Present: City Attorney Andrews, City Planner Littman, City Planner Warren, City Clerk Greenia

3. APPROVAL OF AGENDA

Motion by Keil supported by Meyer to approve the agenda of the June 7, 2023 City of Fraser Planning Commission Meeting as presented.

AYES: Barr, Czarnecki, Farina, Keil, Meyer, Warunek
NAYS: None

Motion Carried

4. CHAIR'S OPENING REMARKS

Chair Czarnecki read her opening remarks into the record.

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5. APPROVAL OF MINUTES – APRIL 5, 2023

Chair Czarnecki noted she had contacted the City Clerk prior to the meeting and there were a few revisions to the minutes. The Clerk had provided all Planning Commission Members with the revised DRAFT minutes at the dais this evening.

Chair Czarnecki shared the major revisions to the draft minutes is on page 4, to add a third condition to the motion to postpone Site Plan 22-03, 33180 Groesbeck Retail Center “Reconfigure parking as relates to handicap spaces”. She indicated other revisions were insignificant typographical errors.

Motion by Farina supported by Keil to approve the minutes of the April 5, 2023 meeting of the City of Fraser Planning Commission as amended.

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

NAYS: None

Motion Carried

6. NEW BUSINESS

a. Public Notices: None

b. Site Plan and Other Review

1. Site Plan Review 23-01 33060 Groesbeck

City Planner Andrew Littman went over his review of this Site Plan Application with Planning Commission. During the review he indicated that while the existing building and lot did not meet the current zoning ordinance they were both legally non-conforming.

He then referred to the plan only showing five (5) parking spaces. In 2015 this property was granted a variance to allow five (5) spaces for this site.

As required by Ordinance the exterior is shown to be of cultured stone, spandrel glass windows and a fiberglass insulation system.

Mr. Littman’s only concern in regards to this Site Plan was the landscaping. There has been no landscaping plan provided and it is required by Ordinance.

His recommendation was to approve the site plan subject to the applicant resubmitting a site plan which shows the required landscaping requirements.

Planning Commission discussed if the required landscaping would interfere with the line of site for safe traffic – and if the applicant might have to go to the Zoning Board of Appeals for a variance.

Commissioner Warunek stated this plan had actually been approved at one time by the Commission. Mr. Andrews informed the Board members what improvements would be allowed on a legal non-conforming building.

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The applicant Mr. Fiori was present to address the Commission. He presented a history on the purchase of the property and his many discussions with the city administration on proposed site improvements. He indicated that he was not sure if the plan before the Board this evening is what he wants to accomplish and that he just wanted to address the issues from the Board to get answers on what the City wants him to do.

Attorney Andrews explained to Mr. Fiori the role of the Planning Commission is to review applications to assure all Zoning Ordinance requirements are met.

After a lengthy discussion, it was determined the best approach for Mr. Fiori is to meet with the Building Director and the City Planner to determine if any proposed site improvements would be handled through the administration or acted upon by the Planning Commission. The applicant and/or the City Planner will advise the Board on the outcome of this meeting.

If it ended up that the plan only needed to be reviewed by the Building Department, the applicant would submit a letter to the Planning Department stating so and this Site Plan review could be acted on at the next meeting if Commission agreed to postpone it this evening.

Motion by Farina supported by Warunek to postpone action on Site Plan 2023-01, 30600 Groesbeck, until the July 2023 meeting of the City of Fraser Planning Commission to give the applicant time to meet with the City Planner and Building Department to review what his intentions were for the site and what types of reviews would be required.

AYES: Barr, Czarnecki, Farina, Keil, Meyer, Warunek
NAYS: None

Motion Carried

7. UNFINISHED BUSINESS

a. Site Plan 22-03 33180 Groesbeck, Retail Center

Planner Littman gave his review of the application for Site Plan 22-03 33180 Groesbeck, Retail Center. This had already been before the Planning Commission and since that time the applicant had addressed the concerns that were reviewed by the Planning Commission as follows:

The applicant was to show the correct size of the dumpster and make changes to the parking configuration and the number of spaces; and to retain and record cross access and shared parking agreements.

The revised site plan indicates the dumpster is 8 yards which satisfies one of the concerns, and reconfigured the parking spaces as requested by the Planning Commission.

Attorney Andrews informed the Board that he had discussions with the applicant's attorney regarding the shared parking and cross access agreements and shared diligent efforts were made to obtain the agreements. He said the difficulty in getting signed agreements is

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because property ownership is under a land contract agreement. Mr. Andrews presented some possible options to the Commission in regards to these agreements. One of them was for the Commission to be satisfied that the applicant had enough parking and this was not really an issue.

Chair Czarnecki asked if the requirement for a cross access parking agreement was in the Zoning Ordinance. Mr. Andrews stated it was really a judgement call by the planner in his review.

Further discussion was had. Mr. Andrews stated that the Commission could approve the site plan as is noting that they were deleting their condition of cross access and cross parking agreements. Chair Czarnecki then noted that in essence all other requirements of the site plan had been met.

Chair Czarnecki then had a few questions for the applicant. She asked if the rear of the building was going to be painted as it appeared to need it. Mr. Hannah, applicant stated that he was going to be painting the areas that are in need a shade of grey to compliment the façade.

Chair Czarnecki mentioned the wrought iron fence that was erected prior to site plan approval, but noted that it was a very nice improvement.

Motion by Kiel supported by Farina to approve Site Plan #22-03, 33180 Groesbeck, Retail Center as presented on June 7, 2023 with the eliminated of the requirement for cross access and shared parking agreements.

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

NAYS: None

Motion Carried

b. Site Plan 22-8 31745 Utica Road, Devon Storage

Planner Littman gave his review of the Site Plan. The Planning Commission had previously seen this application and sent it to the Zoning Board of Appeals for some variance requests. Ultimately the applicant removed some of the buildings and reconfigured the site plan so that there was only one side yard setback variance requested and granted for the site plan. It now appears the applicant has satisfied all other requirements of Site Plan approval.

The only issue that needed to be addressed was that the Zoning Ordinance requires that in Industrial Districts the exterior of all buildings hereafter erected shall be constructed of aesthetically pleasing brick and/or stone building materials. Mr. Littman then stated that they felt a good compromise to this requirement was to ask the applicant to use brick and/or stone on the exterior of the building that faced Utica Road. The applicant did address this and presented his updated plan with the new façade to the Commission meeting. Mr. Littman noted that since all of the requirements had been met he was recommending site plan approval.

Commissioner Farina wanted to share that the ZBA sent this site plan to the Department of Public Safety for their review and the applicant has adhered with all of their recommendations.

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Joe Latozas, DESIGNHAUS, 3300 Auburn Road, Auburn Hills, MI was present on behalf of the applicant. He reviewed revisions to the site plan that were made during the review process of seeking variances through the Zoning Board of Appeals. They removed all outside storage of recreational vehicles; they reduced the total number of additional buildings and all the buildings adjacent to the existing building are now additions to that building. There are now multiple loading areas at each building, we do agree to make all facades facing Utica Road of aesthetically pleasing brick and/or stone. They did add to the landscaping in front of the existing ones.

Mr. Latozas noted that there would be no dumpster at this site because it is not practical to have large dumpsters at storage facilities. They would have a rolling cart for trash for the office. Planning Commission asked him that the dumpster enclosure detail be removed from the site plan.

Commissioner Warunek asked why the handicap spot was not by the office. He felt it should be closer to the office. Mr. Latozas stated he had no problem adding a handicap spot by the office. Commissioner Warunek also had a question about a distance noted on the Site Plan. Mr. Latozas cleared this up for them.

Chair Czarniecki asked if all portable storage had been eliminated. The applicant stated that they had. Commissioner Farina noted that Public Safety did approve the maneuverability for their vehicles at this site.

Motion by Warunek supported by Farina to approve Site Plan 22-08 31475 Utica Road, Devon Storage, as submitted on June 7, 2023 with the modification shown with the façade on Utica Road, with an additional handicap spot added near the office building and removal of the dumpster designation on the site plan.

AYES: Barr, Czarniecki, Farina, Keil, Meyer, Warunek

NAYS: None

Motion Carried

8. PUBLIC COMMUNICATION ON NON-AGENDA ITEMS

There was no public comment at this time.

9. ZONING BOARD OF APPEALS MEMBER LIAISON REPORT

Commissioner Farina noted there was no business at the regular meeting date but Meijer had asked for a Special Meeting on June 20, 2023 regarding some signage issues.

Devon Storage and Smokey Joes were on their last agenda. Smokey Joe's was not granted a variance for a larger sign but approval was had of the size of the sign they currently had which was larger than the Zoning Ordinance approved.

A new member of the Zoning Board of Appeals was recommended for approval by City Council at their meeting tomorrow night.

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

Commissioner Farina asked about the excavation on Utica Road. Ms. Warren updated Commission on this.

Commissioner Farina asked about the parking issue at Hockeyland.

Attorney Andrews reviewed the current status. He had contacted many people involved with this Hockeyland Project and basically let them all know that there would be NO certificate of occupancy of any type would be granted for this project/building until the signed and recorded shared parking agreements were signed and submitted to the City and Planning Commission. Chair Czarnecki thanked Mr. Andrews for his follow through on this matter.

Commissioner Warunek indicated his concern with a bio system filter that Planning Commission approved when we were dealing with the sinkhole on 15 mile. It was supposed to be changed regularly as needed and the smell is awful. He wondered if we should ask AEW to check on this.

Commissioner Barr noted today was her birthday.

All members wished her a Happy Birthday!

Mr. Andrews said he would check if the ZBA is the appropriate Board in which an applicant can seek a variance should proposed landscaping not meet Zoning Ordinance requirements.

Commissioner Farina noted the Attorney was working on an updated Sign Ordinance. He was expecting an outline very soon. Attorney Andrews noted that this was a drastic change to the current sign ordinance based on a Supreme Court Ruling that basically changed all local sign ordinance. Commissioner Farina asked if Mr. DeNault might come in July since he was working on that Ordinance update.

11. ADJOURNMENT

Motion by Farina supported by Barr to adjourn the meeting at 9:02 p.m.

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

NAYS: None

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser