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**CITY OF FRASER
PLANNING COMMISSION MEETING
WEDNESDAY, March 6, 2024 @ 7:00 P.M.
33000 GARFIELD, FRASER, MI 48026
AS APPROVED 2024-04-03**

A regular meeting of the City of Fraser Planning Commission was held Wednesday, March 6, 2024 at 7:00 p.m. in City Council Chambers, 33000 Garfield, Fraser, MI 48026.

1. CALL TO ORDER

Chair Czarnecki called the meeting to order at 7:00 p.m. Chair Czarnecki led the Pledge of Allegiance.

2. ROLL CALL

Present: Czarnecki, Farina, Keil, Warunek

Absent: Barr, Meyer

Others: City Planner Sayre, City Attorney Alyssa Ericson

Motion Warunek supported by Farina to excuse Commissioners Barr and Meyer from the Planning Commission meeting

AYES: Czarnecki, Farina, Keil, Warunek

NAYS: None

Motion Carried

3. APPROVAL OF AGENDA MARCH 6, 2024 PLANNING COMMISSION

Motion Keil supported by Warunek to approve the agenda as presented. AYES:

Czarnecki, Farina, Keil, Warunek

NAYS: None

Motion Carried

4. CHAIRPERSON'S OPENING REMARKS

Chair Czarnecki read her opening remarks into the record.

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5. APPROVAL OF MINUTES – FEBRUARY 7, 2024

Motion by Farina supported by Keil to approve the minutes of the February 7, 2024 meeting minutes of the City of Fraser Planning Commission with corrections from Chair Czarnecki Pg 1. Item 2. City Attorney present at the February 7, 2024 Planning Commission meeting corrected from Hayley Tomich to Alyssa Ericson. Pg 2. Item 7. Remove reference to a motion in relation to the sign ordinance, as no motion was made. Pg. 2. Item 7., Correction to the spelling of “Paul Cilluffo”. Pg. 3. Item 9. Correction to the spelling of “Paul Cilluffo”. Pg. 3. Item 11. Correction to the spelling of “St. Malachy Church”.

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

Motion Carried

6. NEW BUSINESS

a. Interview of Planning Commission Candidate Trevor Tuller

Candidate for the Fraser Planning Commission Trevor Tuller introduced himself, his residency and history in Fraser, and his qualifications.

Chair Czarnecki asked Mr. Tuller the interview questions for the Planning Commission vacancy including his residency and the location of his business, his voter registration status, and his desire and objectives to work on the Planning Commission, his awareness of current vacancies on the Zoning Board of Appeals, the roles and responsibilities of the Planning Commission, experience reading blueprints, attendance at previous meetings, and familiarity with the City’s Planning documents. Mr. Tuller responded to all questions.

Commissioner Farina asked about Mr. Tuller’s qualifications to serve on the Planning Commission. Mr. Tuller responded to this question.

Commissioner Warunek asked about Mr. Tuller’s willingness to complete training relating to Planning Commissions. Mr. Tuller responded that that he would be willing.

Commissioner Farina asked about how Mr. Tuller envisioned his business five or ten years down the line and if he has a business plan. Mr. Tuller responded that he has a business plan that he would like the business to become his main occupation.

Chair Czarnecki asked about Mr. Tuller’s interest in working on the Zoning Board of Appeals. Mr. Tuller responded that he would prefer to work on the Planning Commission.

Motion by Warunek supported by Keil to recommend to City Council the appointment of Mr. Trevor Tuller to the Planning Commission for a term ending December 31, 2026.

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

Motion Carried

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b. Public Hearing – Special Land Use 24-01 Fraser Hockeyland, Inc. and Fraser Hockeyland Property, LLC on behalf of Big Boy / 34400/34500 Utica Road

Attorney ~~Randy Hermiz~~ **Randi Hermiz** for Big Boy Hockeyland arena confirmed that they were willing to move forward with the discussion despite the Planning Commission having a quorum of four members.

Commissioner Farina asked how many members of the quorum needed to approve the special land use request. City Attorney Ericson stated that it needed to be a majority of the members present.

Planner Lauren Sayre presented the review on the special land use request to modify the conditions of the original special land use approval to utilize a drive thru. Planner Sayre outlined the changes to the conditions of the special land use approval. City Attorney Ericson noted the special land use conditions that had been added since 2021. Planner Sayre outlined the review standards of the project. Planner Sayre noted public comment about a nearby fast food restaurant being developed and traffic concerns. Planner Sayre recommended approval for the special land use approval.

Commissioner Farina asked the City Attorney to clarify the number of members that needed to be present for a special land use approval. City Attorney Ericson stated that a use variance needed five members, but for this approval only a majority of those present needed to approve.

Chair Czarnecki asked about how shared parking would exist if the shared parking agreement expires. City Attorney Ericson clarified that the shared parking agreement exists in perpetuity. Chair Czarnecki asked the applicant about the availability of bike racks. Mr. Jim Bulter of PEA Group, representing the applicant, said that a bike rack is reflected in the site plan.

Commissioner Farina asked about pedestrian safety concerns and if that applicant plans to put any signage to slow down traffic. **Mr. Hermiz Hermiz** said they would check to see if there was existing signage directing speeds and traffic, but would be willing to add signage if there is not any existing signage.

Chair Czarnecki opened the public hearing at 7:44 PM.

Steven Kustra, General ~~Council~~ **Counsel** for Motor City Rockers Hockey Team which is a tenant of Fraser Hockeyland, had concerns removing conditions for the drive thru would increase parking and congestion issues that are not being addressed.

Karla Haglund of Live Life Credit Union which shares a fence with Fraser Hockeyland noted that they receive overflow parking from their events and that the credit union's property has been damaged by cars trying to bypass traffic.

William Transit stated that the business is needed for the City of Fraser and a drive thru should not hold up the project.

Commissioner Farina asked if the City is not being notified of extreme events. Mr. Kustra answered that there is no coordination or notification to the City of games with an attendance greater than 1,500.

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Commissioner Keil asked if the Police Department is supposed to take care of parking and safety at extreme events. ~~Mr. Hermez~~ **Hermiz** said that the Police Department is paid to monitor extreme events and that there is written notice provided to the City. Planner Sayre noted that code enforcement would respond if extreme events were occurring without notification.

Commissioner Farina asked if the City Manager has to issue another temporary certificate of occupancy needs to be issued if the special land use is approved this evening. City Attorney Ericson said that this does not need to occur.

Public hearing closed at 7:51 PM.

~~Motion by Warunek supported by Keil to approve SLU 24-01 conditioned on the five additional conditions, removal of one condition, and modification of two conditions outlined in the Planner's report.~~

Motion by Warunek supported by Keil that the Planning Commission finds all 8 Special Land Use Standards have been met and to approve SLU 24-01 to modify the conditions of the Special Land Use approval of February 3, 2021 SLU 20-001 for a fast food restaurant in the CG – Commercial General Zoning District, subject to the following conditions:

- 1. The applicant must provide a 60-day advance notice of significant events (which include Extreme Events) and a plan to handle parking, traffic and safe pedestrian circulation. A plan for Extreme Events must be submitted by the Applicant to the City's Development Review Team at least 60 days in advance of the proposed Extreme event to be reviewed administratively by the City.**
- 2. The applicant agrees to comply with the Plan for Extreme Events and all additional requirements imposed by the Development Review Team relating to the proposed parking management strategy for large-scale special events.**
- 3. The applicant agrees to employ adequate City Public Safety personnel at the Applicant's sole expense to handle traffic congestion and circulation problems and facilitate orderly parking at Extreme Events and other events where traffic congestion and the need for overflow parking is anticipated in accordance with the past practice reimbursement process.**
- 4. The applicant must adhere to the North Parking Lot improvement plan as submitted.**
- 5. Agreements for easements for cross access, shared parking, and utilities for the existing Hockeyland parcel (including the North Parking Lot) and the Fraser Hockeyland cant lot), are required. These agreements for easements must be reviewed and approved by the City, executed, and recorded with the Macomb County Register of Deeds.**
- 6. Applicant must give the City 60 days advance notice prior to the expiration or termination of any Shared Parking Agreements.**
- 7. All agreements and site plans must be reviewed and approved by all applicable government departments and agencies, by the City Attorney, and City Engineers.**

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8. The applicant achieves 100% fire protection and safety approval from the City of Fraser Fire Marshall.
9. Retail operations may only be conducted between 6am and 11pm.
10. The applicant agrees to completely resurface, restripe, and re-asphalt the entire Hockeyland parking lot (i.e., the entirety of parking lots in proposed Parcels A, B and C, including the north lot) and the parking lot must provide adequate stormwater management.
11. The applicant obtains written approvals from all applicable City departments and agencies prior to construction.
12. All review fees shall be reimbursed to the City by the applicant for any costs incurred by the City Attorney.
13. No Certificates of Occupancy are to be issued prior to the executed and recorded cross-access, shared, parking and utilities agreements.

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

Motion Carried

7. UNFINISHED BUSINESS

a. Sign Ordinance Discussion

Planner Lauren Sayre presented the sign ordinance changes and updates from the February Planning Commission meeting. The sign ordinance discussion schedule was outlined for the upcoming months.

Previous discussion on Nonconformity and Modification, Real Estate Development signage sections, and Residential Subdivision Identification signs was mentioned. Planner Sayre stated she followed up with the Building Department manager about previous questions regarding enforcement and concerns with feather signage.

Discussion was had on concerns with enforcement and code enforcement staffing and how these concerns should be addressed in the sign ordinance.

Planner Sayre outlined the draft section on Temporary Signs. Commissioner

Warunek asked about timeframe for having real estate signs outside of single family homes and if they can stay up as long as the home is for sale without a permit, and if real estate signs should be explicitly outlined in the temporary sign section. Planner Sayre said that this could be specified. City Attorney Ericson said that real estate signs could potentially be defined in the definitions section. Commissioners expressed wanting to know about registration fees for temporary signs that do not have to have a permit. Planner Sayre stated that information on what peer communities are doing could be brought to the next meeting.

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Commissioner Farina asked what the Administrative Review Board was. Planner Sayre said that the Administrative Review Board could be defined as the Building Manager, a Building Official, and the City Planner.

Discussion was had on what a cold air balloon consisted of and if regulating these could affect residential areas being able to put up inflatable holiday displays. Planner Sayre said she would follow up on these questions.

Chair Czarnecki opened the floor for any comments. There were no further comments.

8. PUBLIC COMMUNICATIONS ON NON-AGENDA ITEMS

Chair Czarnecki opened the floor for any comments. There were no further comments.

9. MONTHLY REPORT FEBRUARY 2024

Planner Lauren Sayre corrected the written extension date for the Hockeyland Project from March 16th to March 18th.

Planner Sayre said that the Sheetz project will return to the agenda in May. City Attorney Ericson said that the applicant has been in communication with her office to draft the conditional rezoning agreement. Chair Czarnecki asked if any revisions could be made during the City Council meeting. City Attorney Ericson said that she had not been a part of these meetings but could get more information from someone in her office.

City Attorney Ericson had commentary on previous meetings' discussion on the Planning Commission and public hearings for City Council.

10. ZONING BOARD OF APPEALS MEMBER LIAISON REPORT

Commissioner Farina reviewed that at the Zoning Board of Appeals meeting in January was cancelled and the next meeting will be on March 7, 2024.

Chair Czarnecki opened the floor for any comments. There were no further comments.

11. COMMISSIONERS' COMMENTS AND ITEMS OF INTEREST/CONCERN

Commissioner Farina made a comment regarding the popularity of St. Malachy Fish Fry on Fridays between 4pm and 6:30pm.

Chair Czarnecki reminded the commissioners that Monday March 11th is when the joint training will be held with the Zoning Board of Appeals and asked Planner Sayre and City Attorney Ericson who would be chairing this meeting. City Attorney Ericson said that herself and Planner Sayre would be running the meeting and would check with City staff to see if it could be recorded.

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12. ADJOURNMENT

Motion by Warunek supported by Farina to adjourn the meeting at 9:20 p.m.

AYES: Czarnecki, Farina, Keil, Warunek

NAYS: None

Motion Carried

Respectfully Submitted:

Cindi Greenia, Clerk
City of Fraser