

**PLANNING COMMISSION
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION
HELD ON MAY 24, 2022, AT 7:00 P.M.,
CITY HALL-CITY COUNCIL CHAMBERS**

PRESENT

Paul Doppke, Chairman
Kathy Hanson, Secretary
Lou Schelosky, Vice-Chairman
Robert Hison
Jeff Mazzenga
Patrick McKay
James Kalich
Brandon Johnson
Anthony Stonik

ALSO, PRESENT

Liz Koto, Planning
Shantelle Hubbard, Recording Secretary
Eric Shepherd, City Attorney

ABSENT

Ed Jones, Excused

CALL TO ORDER

Chairman Doppke called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said.

Secretary Hanson called the roll. Nine members were present.

A motion was made by Secretary Hanson, and seconded by Commissioner Hison, to excuse Commissioner Jones from tonight's meeting.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

MOTION: PASSED

CASE NO. PPC:220010

**REQUEST FOR APPROVAL OF THE 2022-2023 COMMUNITY
DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN AND
BUDGET.**

Memo

To: Planning Commission
Honorable Mayor Walby and City Council
From: Liz Koto
Date: May 18, 2022
Re: CDBG Program 2022-2023

Please review the attached spreadsheet for the 2022-2023 funding breakdown for the CDBG program. The final budget amount for St. Clair Shores is \$879,172, a \$12,639.00 decrease over the past year. All public service organizations that have requested funding are proposed to receive it.

Section 108 Payment

Proposed for 2022-2023: \$131,314.50

Available from prior years: \$0.00

The city received a Section 108 Loan for \$1.69 Million dollars for the renovation and expansion of the Senior Activity Center. The project has been completed. The city has closed on the loan, and a public offering was held in March 2019. An annual payment of approximately \$130,000 will occur yearly until 2024 at which time the payments decrease by a few thousand dollars each year until payments are completed in 2038.

Homeowner Rehabilitation Program

Proposed for 2022-2023: \$100,000.00

Available from prior years: \$32,583.70

After a few years' hiatus, the Homeowner Rehabilitation Program is back. Staff has made some changes to the program to make it more desirable for homeowners, and to assist the city in maintaining and improving its existing housing stock. The program now has two options. The first option is the traditional Homeowner Rehabilitation Program which offers no interest loans to qualifying homeowners to repair their homes to minimum building code standards. A lien is placed on the property so that when the owner sells the home, the loan is paid back to the city. The money that the city receives from the payoff of loans, as well as monthly payments on loans, is circulated back into the CDBG Program to be used for other Homeowner Rehabilitation projects and other qualifying activities.

The new option is to offer grants of up to \$15,000 per qualifying household for necessary improvements to the home. The grants will be geared more toward the elderly, but all household age and sizes will be considered. The grants will be used for the same types of repairs as the deferred lien program; however the cap on spending is \$15,000, and the repairs will be more limited in scope and focus on emergent needs.

Since this is the first year for the grant program, the budget has been set a little lower; however, if more money is needed during the course of the year, the city can use program income that has been earned by the payback of prior liens to further fund the program.

Over the past two decades the Homeowner Rehabilitation Program has repaired hundreds of homes and has received requests to repair foundations, re-roof homes, repair dangerous electrical situations, install new plumbing, replace windows, weatherize homes, repair porches, and repair or replace furnaces. The rehabilitation program is not limited to those items just listed, and other improvements may qualify for funding.

Senior Activity Center

Proposed for 2022-2023: \$85,000.00

Available from prior years: \$85,000.00 anticipated to be spent by June 30.

Since the city constructed the Senior Activity Center in the early 1980's, funding from the CDBG program has been used to reimburse the operations of the center. The center provides a multitude of activities for the community's 50 and over population such as exercise, crafts, meals, trips, entertainment, transportation, sports, and a place to relax and socialize. There are over 1,000 members of the Senior Center, and the Center serves a low to moderate income population of nearly 600 people in St. Clair Shores and our surrounding communities. The Center typically averages about \$85,000 a year in qualifying expenditures. The CDBG program reimburses the Senior Activity Center for the following expenditures; office supplies, phone bills, travel expenses related to Senior Activity Center, utilities, operating supplies, and repair and building maintenance.

Amelia Agnes Transitional Home for Women

Proposed for 2022-2023: \$20,000.00

Available from prior years: \$0.00

Amelia Agnes Transitional Home for Women is the only transitional facility for women in Macomb County, and they have been in operation for 15 years. Families can remain in this program for up to 24 months; however, the average stay is about 1 year. Each family is provided with a private suite and support services. These support services teach self-sufficiency and economic independence while providing counseling to assist in combating the problems that may have resulted in being homeless. The Home also provides 24-hour childcare and 24-hour transportation to assist mothers who may have accepted employment with non-traditional work hours. Many families also can pay off all debt and create a savings account prior to discharge. 100% of the families that have completed the program have secured permanent housing and employment.

Wigs 4 Kids

Proposed for 2022-2023: \$1,000.00

Available from prior years: \$3,900.00

Wigs 4 Kids is a non-profit St. Clair Shores-based organization that provides children with wigs who may be undergoing cancer treatment or be afflicted with a disorder that

causes hair loss such as alopecia or trichotillomania. The headquarters of Wigs 4 Kids is on Harper Avenue between 12- and 13-Mile roads, and they serve children and families from all over the area. The cost to purchase a children's wig can easily exceed \$1,000 and all wigs are given to children free of charge. <http://www.wigs4kids.org/>

Interfaith Volunteer Caregivers

Proposed for 2022-2023: \$1,000.00

Available from prior years: \$0.00

The Interfaith Volunteer Caregivers Program aids older and disabled neighbors who need a little extra help. Many frail and physically challenged adults struggle daily to maintain their independence. Interfaith Volunteer Caregivers often make it possible for them to remain in their own homes. Interfaith Volunteer Caregivers does not provide home health care. They are a group of volunteers who help their neighbors. The Interfaith Volunteer Care program will try to find a helping hand for anyone regardless of religious preference. All older and disabled adults who need assistance to remain at home are eligible for help, however priority is given to those with the greatest need. All services are offered without charge, although donations are greatly appreciated and help reach out to more people in need.

Macomb Community Action Grass and Snow Program

Proposed for 2022-2023 \$18,000.00

Available from prior years: \$2,100.00 anticipated to be spent by June 30

Formerly Chore Services, the Grass and Snow program will assist the elderly and physically challenged adult population with grass cutting and snow removal. Providing these services to the aging and physically challenged population within St. Clair Shores helps to maintain the neighborhood while helping the elderly maintain their independence and remain in their home. There is, on average, over 40 residents assisted by the Grass and Snow Program. <http://mca.macombgov.org/MCA-Seniors-Chore>

Turning Point

Proposed for 2022-2023: \$1,000.00

Available from prior years: \$7,000.00

Turning Point is considered an emergency shelter for families and individuals who are fleeing violent situations in their home. Beyond providing emergency shelter, the organization provides extensive programs for children, advocacy, counseling services, health care assistance, forensic nurse examinations, and support and education programs. The agency also fields calls for support and services primarily from women and children who have left their homes due to a violent situation.

<http://www.turningpointmacomb.org/>

Care House

Proposed for 2022-2023: \$11,900.00

Available from prior years: \$1,500.00 anticipated to be spent by June 30

Care House is a child-friendly, family-centered facility that coordinates the complex investigation, prosecution, and treatment services to victims of child sexual and physical abuse. The major component of this program is the single investigative interview. All the

professionals involved in a case gather at Care House to witness the forensic interview. This eliminates the need for the child to repeat his or her story and relive the trauma of the abuse over and over again. Care House's single interview promotes collaboration and communication among a group of professionals who previously had limited opportunities for interaction. This team approach expedites the investigation of the child abuse cases, making the process more effective for everyone involved. Care House offers support, information and educational programs to child victims and their families to promote the healing process and break the cycle of abuse in future generations. The base cost of assisting a child is over \$600.00. www.mccarehouse.org

MCREST

Proposed for 2022-2023: \$4,000.00

Available from prior years: \$4,875.00 anticipated to be spent by June 30

MCREST provides temporary shelter for the homeless in Macomb County. Participating churches agree to open their facilities to the homeless for a period of one week per year and provide a safe, clean environment with meals, showers, transportation, and laundry. The funding that the city provides goes directly toward reimbursing MCREST for the services they provide to the homeless who were housed in a participating church in St. Clair Shores. MCREST has a maximum of 60 beds to set up in a church during any given week. Approximately 350 shelter nights are reimbursed by the city each year. www.mcrest.org

Hockey Enablement Fund

Proposed for 2022-2023: \$5,000.00

Available from Prior Years: \$17,500.00

The St. Clair Shores Hockey Association Player Enablement fund assists families with the cost of ice time when they cannot afford it. Ice rink rental time, depending on the day and time costs between \$140.00 and \$190.00 per hour, and the teams use between 3 and 4.5 hours of ice time a week. Divide the time amongst the 12-18 players over the course of a season, and the membership price easily reaches into the thousands of dollars. The Association provides equipment to those players that cannot afford it through a used-equipment program. The Hockey Association proposes to advertise the availability of the scholarship, accept applications, and determine the eligibility of the potential members. Funds will be disbursed dependent upon the number of applicants.

MCWARM

Proposed 2022-2023: \$5,000.00

Available from prior years: \$1,500.00 by June 30

MCWARM helps families and individuals who are in need of assistance due to homelessness, loss of job, or other special needs. They open their doors at St. Margaret of Scotland on Monday, Wednesday, and Friday each week from fall through spring to provide shelter, warmth, a hot meal, clothing, showers, haircuts, laundry, and other assistance. There are approximately 75-100 people per day who use the service. The costs associated with the program including food, clothing, and bus tickets. No one is paid who works for MCWARM.

Motor City Mitten Mission

Proposed 2022-2023: \$1,000.00

Available from prior years: \$0.00

The Motor City Mitten Mission is a Michigan 501c3 Non-Profit Organization dedicated to helping the homeless, the needy, the sick, and those striving for a better way of life while educating, partnering, and collaborating with a number of other organizations, schools, churches, clubs, and businesses. As homelessness continues to be a chronic issue for so many Americans, resources to help these people are seriously lacking. Some assistance that the Motor City Mitten Mission provides are meals, clothing, blankets, personal care products, mats and pillows as well as help facilitate services by other local organizations that can provide additional services such as housing, household items and furnishings, health & fitness wellness, mental health services, medical and dental services, legal assistance, financial assistance, education, job training and placement, etc.

Administration

Proposed for 2022-2023: \$180,000.00

Available from prior years: \$0.00 by June 30

This activity is used to reimburse the wages and fringes of the Community Development staff and the Senior Activity Center Staff that work either part or full time within the CDBG program. This activity can also be used to purchase items that are used solely for CDBG-related activities. In addition to funding the salaries of the CDBG employees, a small portion of this funding will also be used for conferences and workshops that are related to the CDBG program, purchase and/or replacement of small electronic equipment on an as needed basis, as well as other small costs directly related to the administration of the CDBG program. Additionally, the city's Continuum of Care Coordinator, the Macomb Homeless Coalition, and the Fair Housing Center of Metro Detroit are also paid out of this fund. See below for further descriptions of these organizations. Finally, licensing, certifications, and conferences that are related to the job descriptions of CDBG employees are also reimbursed through this activity.

Streets and Infrastructure Replacement

Proposed for 2022-2023: \$500,000.00

Available from prior years: \$0.00

The streets and infrastructure activity covers the removal and replacement of residential streets approved by HUD, based on the most recent available Census numbers. Once the budget has been approved, staff and the engineering consultant will work to determine which street can be paved with this budget and bid the work out accordingly.

Additional Programs Supported through CDBG:

Macomb Homeless Coalition

Proposed for 2022-2023: \$20,000.00

Available from prior years: \$0.00 anticipated by June 30

As the Lead Agency and HARA for Macomb County Continuum of Care, our member agencies and staff provide the following services for our neighbors in need; Emergency Shelter, Transitional Housing, Specialized Housing Programs, Youth Services, Homeless Prevention Program, Emergency Support Services, Family Support Services, and Supportive Case Management. The Macomb Homeless Coalition is also the Continuum of Care for St. Clair Shores, a necessary requirement to receive CDBG funding.

Fair Housing Center of Metro Detroit

Proposed for 2022-2023: \$4,000.00

Available from prior years: \$4,000.00 anticipated to be spent by June 30

The mission of the Fair Housing Center of Southeast & Mid Michigan (FHC) is to end discrimination in housing and public accommodations and to promote accessible, integrated communities. FHC is dedicated to investigating complaints of illegal housing discrimination based on federal, state, and local fair housing laws, as well as resolving reasonable accommodation and modification requests for people with disabilities. Protected classes include race, color, religion, national origin, sex, disability, familial status (the presence of children), marital status, age, sexual orientation, gender identity, and gender expression. The Fair Housing Center provides investigative services, testing, advice, advocacy, conciliation, attorney referral, and community education in Clinton, Eaton, Hillsdale, Ingham, Jackson, Lenawee, Livingston, Monroe, Shiawassee, and Washtenaw Counties. All of their services are free.

Ms. Koto stated that each year we get funds for low to moderate income households. The funds are used towards activities such as funding the Senior Center and the Homeowner Rehabilitation program. She explained that she is excited to announce that the Homeowner Rehab program will be back this year after a few years hiatus. This year, they will be offering both grants and loans. The grants will be for up to \$15,000 each, will be geared toward seniors, and will be used for more emergency repairs such as new furnaces, hot water heaters, or roofs. The loan program will also be available for anyone who has more extensive work that needs to be done.

The city also uses around \$85,000 a year to fund the Senior Center. The money goes towards utilities, maintenance, and upkeep. There is also the Section 108 payment that is made twice a year to repay the loan that was taken out for the renovations and addition to the Senior Center a few years ago.

Mrs. Koto also explained that the Administration budget covers the wages and fringes of the employees that work on CDBG related projects.

Mrs. Koto explained that the last of the regularly-funded activities is the street repair program. The city is able to repave any street that falls within a qualifying census tract. The street will be chosen sometime later this year.

Mrs. Koto explained that the remainder of the funding was divided up amongst the non-profit agencies that ask for money each year. She explained that nearly every year they receive more funding requests that the budget can cover. Typically, she distributes the funds evenly across the non-profits based on a percentage of the total requested. However, due to an influx of funding to many of the organizations that are homeless service providers, some of the organizations have not spent our money over the course of the past two years. They are required to spend the COVID relief money first, so our funds have been sitting around unspent. This has created a problem for the CDBG program, because one of the regulations is to make sure that the funds we receive are spent in a timely manner. The city is left with balances that are nearly two years old, and some tough decisions had to be made.

Turning Point, MCREST, and MCWARM are all homeless service providers. They each have a balance from prior years, and it's possible the balance won't be spent by the end of the fiscal year. Staff is recommending a reduced allocation to these providers to ensure that prior year balances and the current allocations are all spent by the end of the next fiscal year.

Amelia Agnes Transitional Center is also a homeless service provider but it seems they have spent any COVID funds they were allocated. They have asked for \$22,500 this year, and they have dutifully spent their money very well and in a timely fashion in the past. Staff has recommended a slight reduction in their allocation this year.

Maggie's Wigs 4 Kids and the SCS Hockey Association have balances that span over two years of funding. Secretary Hanson indicated that she spoke with Maggie Varney, and Maggie thought she didn't have any money left. Commissioner McKay indicated he will get the paperwork in as soon as possible for the Hockey Reimbursement. Mrs. Koto explained that even if these organizations turn in their paperwork this week, they could still be subjected to a reduced allocation if the Planning Commission and City Council agree.

Mrs. Koto also explained that if the Commission was interested in increasing any organization's budget, then they would have to take that money from another organization on this list.

Commissioner Hison questioned how the Planning Commission would be able to approve a change to the funding based on an if/then scenario? If an organization is given the opportunity to submit their paperwork in just a day or two, how would the board know? Mrs. Koto explained that if the Commission requests changes to the budget amounts based on whether some of these organizations turn in their paperwork in a few days, then the Commission would find out the changes to the allocation when the budget is reviewing by City Council.

Mrs. Koto went on to explain that many of these organizations operate on a shoestring budget, and they don't have great record keeping, financial professionals, or a lot of time to dedicate to the paperwork needed to get CDBG funding. That's the reason why we give out small budgets to new organizations like Motor City Mitten Mission and Interfaith Volunteer Caregivers. We want to make sure they have the understanding and capacity to provide the information HUD needs to justify the money they get.

Commissioner Hison reiterated that in past years the board has recommended a percentage of each requests' total but he understands the need to veer from that logic this year. He indicated that staff cannot depend on some of these organizations to turn in paperwork in the next few days if they haven't been able to do it for nearly two years.

Commissioner McKay stated that the Hockey Association changed treasurers and that they have spent all of the money.

Chairman Doppke asked about the Homeowner Rehab grants and whether they are those forgiven or need to be repaid. Mrs. Koto stated there will be two programs, one for grants up to \$15,000 where they will not be required to pay it back at all. The grant may be amortized over a period of years to ensure the person stays in their house, but in the end, they would not be required to pay it back. The other program is the traditional loan program for expenses over \$15,000. This is a loan program, and a lien is placed against the house. Once the house is sold, proceeds from the sale of the house pay the city back. Staff is free to determine which program works best for a resident. It's possible that the entire program will be made up of \$15,000 grants or all loans or any combination in between.

Secretary Hanson indicated that MCREST has recently opened a house for the homeless. Chairman Doppke indicated that the house does not accommodate all of the homeless that MCREST services, and they still need churches and hotel rooms to house the remaining individuals and families.

Secretary Hanson stated that if the Commission were to increase the Wigs 4 Kids budget tonight, then they'd have to figure out where the money will be taken from. Commissioner Stonik asked if the organizations know how much money staff had suggested to fund? Mrs. Koto said no, the organizations are not notified of how much money they're going to receive until the final approval from City Council is given. Mrs. Koto also explained that if the Commission recommends, staff can re-allocate the funds so that everyone receives a percentage of the total they requested.

Commissioner Stonik stated that she made the decision on what she knows. There are two organizations that are new this year. They ended up with 1,000 each. If some of them have a balance she scaled back because she does not want to hold a third year's funding.

A discussion took place regarding who could get more funding and who could get less.

Chairman Doppke explained that there's a lot that goes into requesting reimbursement for services. He has worked with MCWARM for two years now to help them improve their financial accounting, and it is a lot of work. There are also a lot of expenditures that do not qualify for reimbursement. To request paperwork from some of these organization over a manner of a few days will be difficult for them to provide.

Chairman Doppke also explained that these organizations help one another.

Commissioner Johnson asked if we can take money from the prior year's funds. Mrs. Koto explained that they cannot. They must use the funds that are in the column labeled 2022/2023 Budget because of the formula that HUD uses to cap how much money is spent on public service organizations.

Commissioner Hison stated because we are a recommending body, this item will go to council. No matter what we recommend, they can make a decision to change. So they could look at the funds that they have not used. Three of public service organizations are getting almost everything that they have asked for and three of them are not. Do we take it from the people that are getting the most which we would?

Secretary Hanson stated that Mrs. Kot states that the public service organizations always have until June 30th to spend their money. She has mentioned this every year. If they show their proof before Ms. Koto leaves on Friday then we can show this to council on June 6th. If they haven't done their paperwork assuming that is what it is and if they get it in. The council can determine that we can give more to one organization than another.

Ms. Koto stated that the problem that we have is that there is more than one organization that has not spent its money. This based on the hard numbers reported to HUD. She mentioned the memo that accompanied the budget spreadsheet, and noted which organizations have a balance. Some of them have a balance simply because the quarter hasn't ended, and they bill quarterly. Others have a balance because they haven't spent any money at all over a year.

Another discussion took place regarding turning paperwork in prior to the June 6th City Council meeting. Commissioners also discussed the difficulty in notifying some organizations and not others of their need to spend their money.

Commissioner Kalich brought up the fact that we give a small amount to new charities so we can make sure they're capable of handling the paperwork demand.

Chairman Doppke wondered if we could notify everyone who has an outstanding balance, and if they didn't submit their reimbursement request by Friday, then they don't get funded at all. Mrs. Koto reiterated that some of the organizations only bill annually or quarterly, and it's not the end of the fiscal year or quarter. Those groups would be penalized.

Mrs. Koto went on to reiterate that only 15% of total grant, or \$153,000 minus \$85,000 for the Senior Center, can be used for these organizations.

Commissioner Hison stated that staff has already analyzed it and we need to make a recommendation based on those facts. Nothing should change even if an email is sent to every organization with a balance.

Ms. Koto stated that she should have noted this at the very beginning of the discussion. HUD does not allow the annual budget to be discussed or approved until they release the official allocation for the year. The official budget was released one week ago. She has been preparing the proper paperwork and writing the report ever since. She is trying to get this approved prior to her maternity leave. If the reports are not submitted prior to August 15, then they will lose the funding for the year. This was really the only way to ensure the city receives all of its funding. She apologized for not stating that sooner.

A motion was made by Commissioner Hison and supported by Commissioner Stonik, to approve the CDBG funding as originally submitted to the Planning Commission as recommended by staff.

A ROLL CALL WAS TAKEN:

AYES: HISON, STONIK, SCHELOSKY, JOHNSON, MAZZENGA, KALICH, MCKAY

NAYS: HANSON, DOPPKE

ABSENT: JONES

MOTION: PASSED

Planning Case PPC220013: REQUEST FOR VACATION OF PUBLIC STREET – request to vacate a portion of Nine Mile adjacent to 23001 Nine Mile Road, retaining all public and private easements, by Macomb County Public Works Office.

The request is reviewed as follows:

* * * * *

The petitioner is requesting the vacation of a portion of Nine Mile Road east of Jefferson Avenue as a part of the 8.5 Mile Relief Drain Drainage Project.

* * * * *

Planning Commission Chairman – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC220013. Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

* * * * *

The request is reviewed as follows:

Legal Description

That portion of Nine Mile Road in Private Claim 599 and 623, Town 1 North, Range 13 East, City of St. Clair Shores, Macomb County, Michigan Described as:

Beginning at the northwest corner of Lot 27, Fair Harbor Subdivision of part of private claim 599, as recorded in Liber 5 of Plats, Page 40, Macomb County, Records: Thence along the north line of Lots 27 through 46 of said Fair Harbor Subdivision, South 70'00'00 East 710.21 feet; Then North 19'56'18" East 51.76 feet to the north Right-Of-Way line of 9 Mile Road; Thence along said North line, North 70'03'40" West 710.16 feet; Thence South 20'00'00" West 51.00 feet to the point of beginning. Contains 35,490 square feet, more or less.

Background

The petitioner indicates the need to vacate the portion of 9 Mile road for continued work on the 8.5 Mile Relief Drain Drainage Project. The MCPWO is proposing to construct a 600 cubic foot per second firm capacity pump station adjacent to the Chapaton Pump Station as well as a 28 million gallon Retention Treatment Basin at 23001 Nine Mile. This project has the potential to save thousands of basements from flooding by increasing the capacity of the pumps and drain. But, construction of the pump station entirely on District property is not feasible so the vacation of the road is being proposed to facilitate construction. The existing boat launch will be preserved and enhanced as part of this project.

State statute requires that when a public thoroughfare is vacated half of it is deeded to each adjacent landowner. MCPWO has come to an agreement with the owner of the south property to deed the entirety of the vacated land over to MCPWO after the vacation has been approved.

There is no reason for the city to maintain ownership of the land.

Staff recommends the vacation of the street, with all private and public easements maintained.

ITEMS OF CONCERN –

Staff recommends approval of this proposal based on attention to the items listed above.

Ms. Koto stated that no one from the County showed up tonight to present the vacation request, so she would try to answer any questions the board has. Mrs. Koto explained that the area in question to be vacated is east of the intersection of Jefferson and Nine Mile. The requested road vacation does not begin right at the intersection. The vacation request begins farther east towards the water. The MCPWO is requesting this road be vacated so they can upgrade their drainage system as part of the 8 1/2 Mile Relief drain project. They are proposing to add pumps to the Chapoton station, but there isn't enough room on the Chapoton site for the pumps to reside. They need more room. MCPWO has already approached the property owner to the south of Nine Mile, and he has agreed to sell/deed the south side of Nine Mile over once the vacation is completed.

Hison asked if any of these are city lots. Ms. Koto stated that she believes that they are held by Mr. Pappas.

Mayor Kip Walby entered the meeting as a member of the audience.

Commissioner Hison questioned the mayor as to whether the County had all the paperwork from MDEQ, EGLE, and Army Corps to complete the pump upgrades. The mayor indicated that the County had the proper approvals, though he didn't think that approvals were needed from every one of these organizations. The mayor went on to explain that the pumps are needed. They will stop basements from flooding during rain storms. He also explained what percentage of the total cost will need to be covered by the city, Eastpointe, and the County. He also explained that ARPA funds are covering the cost of a lot of these infrastructure improvements.

Commissioner Hison questioned whether the boat ramp will still be there after the project is completed. The Mayor and Community Services Director Denise Pike confirmed that the boat ramp will still be there after the project construction is complete; however, the boat ramp may be temporarily out of service during construction.

Commissioner Hison question whether they plan to improve the road as it is in poor condition. Denise stated they will improve the road and the northern edge of the parking lot so they will allow access to the boat ramp.

A motion was made by Vice-Chairman Schelosky and supported by Commissioner Jones, to approve the request to vacate a portion of Nine Mile adjacent to 23001 Nine Mile Road, retaining all public and private easements, by Macomb County Public Works Office.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: JONES

MOTION: PASSED

CASE NO. PPC:220014

REQUEST FOR SITE PLAN APPROVAL for a new medical office building on a vacant site at 22980 Nine Mile Road, represented by Charbula Production LLC

The request is reviewed as follows:

The proposed use is single story medical office building for use by a vascular surgeon practice. The building exterior is brick with metal panels, tinted glass and EIFS bump outs. The building is set back from E. 9 Mile and is wrapped with parking. An accessory building for storage is proposed at the rear of the parking lot. A drop off and pick up lane has been proposed along the front of the building to assist patients. New curb cuts are proposed along Nine Mile road that are one-way in and one-way out. The building is proposed to be over 7,000 square feet in size, and the accessory structure is proposed to be 930 square feet. A transformer has been proposed at the south west corner of the building near a dumpster enclosure. The building is proposed to be constructed of a curtain wall system along with brick, metal awnings, and some EIFS. Elevations of the accessory structure were not provided.

Planning Commission Chairman – Please read this statement into the record prior to reviewing the site plan to the petitioner.

The Planning Commission and City Council understand that your presence here tonight constitutes that you are a legal representative of the petitioner for Planning Case PPC 220014

Each statement of intent, promise and/or pledge, made by you, the petitioner or agent, either orally or in writing, if permitted by Ordinance, shall be binding upon the petitioner and shall be a condition of said special land use and site plan approval.

* * * * *

The request is reviewed as follows:

1) Zoning- The zoning of the parcel is O-1 Office. A medical office is an allowable use within the district.

2) Adequacy of Information (Section 35.82, 5, a) –The information provided is adequate for this review.

***3) Site Design Characteristics** (Section 35.82, 5, b) – The proposed use is single story medical office building for use by a vascular surgeon practice. The building exterior is brick with metal panels, tinted glass and EIFS bump outs. The building is set back from E. 9 Mile and is wrapped with parking. An accessory building for storage is proposed at the rear of the parking lot. A drop off and pick up lane has been proposed along the front of the building to assist patients. New curb cuts are proposed along Nine Mile road that are one-way in and one-way out. The building is proposed to be over 7,000 square feet in size, and the accessory structure is proposed to be 930 square feet. A transformer has been proposed at the south west corner of the building near a dumpster enclosure. The building is proposed to be constructed of a curtain wall system along with brick, metal awnings, and some EIFS. Elevations of the accessory structure were not provided.

Elevations and exterior finishes of the accessory structure are required. The accessory structure cannot exceed 768 square feet in size, 14 feet in height total, and 8 foot walls. The accessory structure cannot have a flat roof. The accessory structure is required to be a minimum of 2.5 feet from the side and rear lots lines. Staff recommends revising the size, location, and possibly design of the accessory structure to meet the ordinance requirements. Exterior elevations of the proposed accessory structure are required.

4) Preservation of Natural Areas (Section 35.82, 5, c) – There are no natural areas to preserve.

***5) Privacy** (Section 35.82, 5, d) – The site is located within a commercial district and has road frontage on the front. The rear of the property abuts RA Single Family Residential. A concrete screen wall has been indicated on the plans.

A brick embossed 6 foot tall poured-in-place or panel concrete screen wall is required along the entire south property line including behind the dumpsters and behind the accessory structure. The current proposed location of the screen wall is north of the property line. The wall shall be moved south to the property line.

6) Emergency Vehicle Access (Section 35.82, 5, e) – Emergency Vehicle Access is proposed through the curb cuts along Nine Mile Road.

7) Ingress and Egress (Section 35.82, 5, f) – Vehicular access is from the parking lot to the front of the building along E. 9 Mile. Pedestrian access will be from the front of the building also along E. 9 Mile Road.

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrians will access the building from E. 9 Mile Road.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) – Vehicles will access the property from E. Nine Mile Road.

10) Drainage (Section 35.82, 5, i) – Parking lot plans have been provided. They indicate the parking lot will be constructed of asphalt with concrete curb and gutter. Drainage has also been proposed on the plan. An underground detention basin is proposed.

***11) Exterior Lighting** (Section 35.82, 5, j) – A lighting plan was provided and indicates a range of footcandles, the largest of which is 2.1. The parking lot lights are proposed to be 18 feet in height. A maximum of 20 feet is allowed.

Footcandles must be 0.0 at the property line.

12) Public Services (Section 35.82, 5, k) – Public services will not be affected by the proposed use.

***13) Landscaping, Fences, and Walls** (Section 35.82, 5, l) – A 6' concrete wall will be required, and is proposed, to separate the office use from the residential use. Landscaping is proposed along the front and side lot lines.

Landscaping shall be provided with underground irrigation as well as annual color.

14) Exterior Building Treatment (Section 35.82, 5, m) – The exterior building treatment on the facade is a mix of brick, a tinted glass curtainwall, and an EIFS decorative bump out. The remaining elevations have similar building materials in varying proportions. A canopy is designed over the building entrance.

***15) Waste Storage** (Section 35.82, 5, n) – The waste storage is in the rear of the parking lot and is proposed to be screened by colored infused concrete block with gates made of metal panels.

Concrete block is not an approved finish material. The enclosure must be constructed of the same brick-embossed concrete screenwall that is proposed along the south side of the property.

***16) Mechanical Equipment** (Section 35.82, 5, o) – The location of the mechanical equipment is not delineated on the plan.

All mechanical equipment, whether placed at grade or on the roof of the structure, must be screened from view on all visible sides.

***17) Parking** (Section 35.73, 12, a) – The applicant denotes 57 parking spaces on the plan. The ordinance requires one for each 120 square feet of gross floor area (7135 square feet/120) or 59.

The applicant will need to increase parking by two spaces.

18) Setbacks (Section 35.66) –

SETBACK	PROPOSED	REQUIRED
FRONT	119'	60
REAR	47' 7"	20
EAST	50' 6"	10
WEST	50' 6"	10

19) Building Height (Section 35.66) – The height to the top of the wall is 22'. The ordinance allows for a one-story building with a flat roof to be a maximum of 30'.

20) Transformer Pad –A transformer has been proposed in the southwest corner of the site. The transformer is proposed to be screened with landscaping.

21) Screening Wall – See number 5.

22) Signs – Signage will be considered under a separate review.

23) Loading (Section 35.75) – Loading/unloading will occur at the rear of the building following the one-way traffic pattern.

24) Other –

ITEMS OF CONCERN – 3 5 11 13 15 16 17

Staff recommends approval of this proposal based on attention to the items listed above.

The petitioner, Iden Kalabat, introduced himself and stated his address at 31333 Southfield Road, Suite 250, Beverly Hills. The petitioner stated there is a vacant property at 22980 Nine Mile Rd. They want to develop this into another medical office building. The building is proposed at 7500 sq. ft. for a vascular surgeon.

Commissioner Hison asked about the accessory structure. Will it be for storage or will it be a garage? The petitioner stated it will be a four-door garage that is used both for storage of lawn and maintenance equipment as well as the doctor's vehicle will be parked there daily. There are two parking spaces available within the garage. The petitioner apologized that the garage plans were not submitted with the rest of the building plans.

Commissioner Hison asked the hours of operation, and the petitioner stated they would be Monday-Friday from around 8-6 pm. Sometimes they'll have patients later in the day.

Commissioner Hison asked about the underground stormwater system. The petitioner explained how it works. Mrs. Koto explained that this type of information is not normally submitted for site plan approvals, it is reserved for the building permit submittal. These stormwater retention and detention systems are all required these days for new construction.

Commissioner Hison noted the dumpster enclosure is made of block. Block is not a permitted finish material, and the enclosure should match the building. The petitioner stated that the dumpster enclosure will be constructed of structural brick, which is a block-like material made to look like brick. Mrs. Koto explained that the city does allow structural brick, and he should submit a cut sheet of the material prior to attendance at the City Council meeting to ensure that it is approved.

Commissioner Hison also asked about a generator. The petitioner stated that they will be having a generator because if they are in the middle of a procedure and the power goes out, they must finish what they are doing. The generate will be on the roof, and it will be screened either with the proposed parapet wall or proper screening material.

The petitioner also explained that they are moving their operations from the 12 Mile and Harper location.

Commissioner Kalich asked about the garage. The petitioner stated that it will be brick veneer and will match the building. They may end up changing the elevations before they go to city council. The petitioner acknowledged that the character of the accessory building does not match the main building. Ms. Koto stated the Commission would probably be ok if they revised the accessory structure to make it match more of the main building as long as the revisions are keeping with the primary building.

Mrs. Koto also brought up the fact that the proposed concrete wall is not located on the property line. The petitioner explained that there are fences back there, and the other two walls adjacent to the parcel aren't on the property line either, so he was trying to make up the difference by angling them. Additionally, there is a utility pole on the property line that might interfere with pouring a wall.

Ms. Koto stated that the ordinance requires it on the property line. There have been requests such as this in the past, and the ZBA has not granted the variance. They made Kroger buy a bit of the backyard of every neighbor at their new 9 Mile store because they put the wall in the wrong place. The petitioner was not aware about the ordinance with the wall being on the property line.

A motion was made by Commissioner Stonik and supported by Secretary Hanson, to approve the request for site plan approval for a new medical office building on a vacant site at 22980 Nine Mile Road, represented by Charbula Production LLC., with the items of concern elevations and exterior finishes of the accessory structure are required, the accessory structure cannot exceed 768 square feet in size, 14 feet in height total, 8 foot walls, have a flat roof, and the accessory structure is required to be a minimum of 2.5 feet from the side and rear lots lines unless variances from the ZBA are obtained, staff recommends revising the size, location, and possibly design of the accessory structure to meet the ordinance requirements; concrete block is not an approved finish material; a cut sheet of the structural brick is required for the dumpster enclosure; a brick embossed 6 foot tall poured-in-place or panel concrete screen wall is required along the entire south property line including behind the dumpsters and behind the accessory structure, the current proposed location of the screen wall is north of the property line, the wall shall be moved south to the property line or a variance obtained from the ZBA; all footcandles must be 0.0 at the property line; landscaping shall be provided with underground irrigation as well as annual color; and all mechanical equipment, whether placed at grade or on the roof of the structure, must be screened from view on all visible sides.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: JONES

MOTION: PASSED

APPROVAL OF MINUTES FROM THE APRIL 26, 2022 PLANNING COMMISSION MEETING.

A motion was made Commissioner Hison and supported by Commissioner McKay, to approve the Planning Commission Meeting Minutes of April 26, 2022 Planning Commission Meeting.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: JONES

MOTION: PASSED

REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS

Shorepointe asked to extend their time for another year and it was granted..

CITY PLANNER LIZ KOTO'S STAFF REPORT

She received a set of plans for the vacant lot at Jefferson and Ridgeway. They want to do a four-story condo building.

AUDIENCE PARTICIPATION: None

ADJOURNMENT

A motion was made by Secretary Hanson, and supported by Commissioner Mazzenga, to adjourn the Planning Commission Meeting at 8:00 p.m.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: JONES

MOTION: PASSED

[THE PRECEDING MINUTES ARE A SYNOPSIS OF A PLANNING COMMISSION MEETING AND DO NOT REPRESENT A VERBATIM RECORD.]