

**PLANNING COMMISSION
A MEETING OF THE ST. CLAIR SHORES PLANNING COMMISSION
HELD ON TUESDAY, MARCH 9, 2021 AT 7:00 P.M.,
VIA TELECONFERENCE**

PRESENT

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

ALSO, PRESENT

Shantelle Hubbard, Recording Secretary
Liz Koto, Planning

ABSENT

James Kalich Excused

CALL TO ORDER

(Zoom meeting)

Chairman Doppke called the meeting to order at 7:03 p.m.

Secretary Hanson called roll. Nine members were present.

**CASE NO. PPC210003: REQUEST FOR SITE PLAN APPROVAL – 27626 Harper, request
for site plan approval for expanded permanent outdoor
seating, represented by Dave Hardin of Butter Run Saloon**

The request is reviewed as follows:

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The applicant is requesting Site Plan Approval to permanently expand the outdoor seating area. The existing permanent outdoor seating area is 949 square feet. The existing temporary seating area is an additional 1,530 square feet. The petitioner is requesting to convert all of the temporary outdoor seating into permanent seasonal outdoor seating. The expanded permanent outdoor seating area is proposed to block the Harper Avenue drive approach and eliminate 4 parking spaces within the existing parking lot. The site plan proposes to re-stripe the existing parking lot resulting in a net loss of 1 parking space overall. A letter from Lakeview Public Schools indicates the approval for the use of their parking lot as additional parking as needed.

The petitioner indicates that the existing split rail fencing that surrounds the temporary seating area will be removed. The site plan indicates the use of snow fence to enclose the area; however, the petitioner has verbally confirmed that 42-inch-tall wooden picket fencing that is painted to create a “beach feel” is being proposed. The existing planters will continue to be

used as blocks along the Harper Avenue Drive approach. The petitioner proposes to keep the existing drive approach on Harper, and he does not propose the installation of bollards in that area. The existing wooden picnic tables and umbrellas will remain as well as the sand in the seating area.

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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 PPC210003. 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.

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The request is reviewed as follows:

1) Zoning- The zoning of the parcel is B-3, and it falls within the Harper Avenue Overlay Zone. Permanent outdoor seating areas are allowed 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 applicant is requesting Site Plan Approval to permanently expand the outdoor seating area. The existing permanent outdoor seating area is 949 square feet. The existing temporary seating area is an additional 1,530 square feet. The petitioner is requesting to convert all of the temporary outdoor seating into permanent seasonal outdoor seating. The expanded permanent outdoor seating area is proposed to block the Harper Avenue drive approach and eliminate 4 parking spaces within the existing parking lot. The site plan proposes to re-stripe the existing parking lot resulting in a net loss of 1 parking space overall. A letter from Lakeview Public Schools indicates the approval for the use of their parking lot as additional parking as needed.

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

5) Privacy (Section 35.82, 5, d) – A variance was obtained in 2017 to allow the existing chain link fence that abuts residential property to remain.

6) Emergency Vehicle Access (Section 35.82, 5, e) – Emergency vehicle access will only be available from 11 Mile Road.

7) Ingress and Egress (Section 35.82, 5, f) – Ingress and egress to the site will change. The site plan proposes to permanently block the Harper Avenue intersection allowing access to the site only from 11 Mile road.

8) Pedestrian Circulation (Section 35.82, 5, g) – Pedestrian circulation will not change.

9) Vehicular and Pedestrian Circulation Layout (Section 35.82, 5, h) –The circulation layout is adequate for this review.

***10) Drainage** (Section 35.82, 5, i) – No changes are indicated on the site plan.
Any potholes shall be repaired and the parking lot shall be restriped.

11) Exterior Lighting (Section 35.82, 5, j) – The petitioner has indicated there will be no new lighting.

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 variance for a 30 inch brick kneewall was obtained in 2017.

14) Exterior Building Treatment (Section 35.82, 5, m) – No changes are proposed.

15) Waste Storage (Section 35.82, 5, n) –The existing dumpster enclosure is adequate.

16) Mechanical Equipment (Section 35.82, 5, o) –No mechanical equipment has been proposed.

17) Parking (Section 35.73, 12, a) – There will be a net loss of one parking space with the expansion of the seating area. In addition to the loss of one space, 28 more parking spaces will be required. A letter from Lakeview Public Schools is allowing the petitioner to use the parking lot at Wheat School, which is across Harper Avenue and within 300 feet of the business.

18) Setbacks (Section 35.66) – The outdoor seating area is proposed to end at the south and west property lines. The setback for outdoor seating areas is 60 feet from the centerline of Harper Avenue on the west side of the property, and 0 feet on the south side of the property. The proposed seating area meets the setback requirements.

19) Building Height (Section 35.66) –N/A

20) Transformer Pad –No new transformers are proposed.

21) Screening Wall – See 5

22) Signs – No changes are proposed.

23) Loading (Section 35.75) – Loading and Unloading will occur within the drive aisle of the parking lot.

24) Other –

ITEMS OF CONCERN 10

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

David Hardin, 27626 Harper, explained that he wants to extend the current patio. The liquor control commission has already approved the patio. The entrance off Harper will remain blocked off and they want to put a fence around the new seating area. Lakeview Public Schools has offered their parking lot for him to use.

Secretary Hanson stated that the potholes need to be repaired and the parking lot needs to be re-striped. Mr. Hardin stated that the potholes have been fixed and the drainage has been fixed. He restripes the parking lot every spring.

Commissioner Hison stated that he is all in for the outdoor seating. He asked Hardin about the parking agreement with Lakeview Schools and it does not state the timeframe of the agreement. Mr. Hardin stated that it is indefinitely. Commissioner Hison asked if this an agreement with the superintendent and school board. Mr. Hardin stated that the person who signed the letter had to get permission from the superintendent to draw up the agreement.

Commissioner Hison stated that it is a little difficult to understand. If, for some reason, the school system decides to remove this approval then Butter Run will be short 28 parking spaces. If this is an outdoor seating, he would lose the seating. Mr. Hardin stated that they had the outdoor seating last summer and they had no issues. Mr. Hardin explained that they were allowed to have extra outdoor seating for COVID and they had no issues with the parking and the customers. Commissioner Hison stated the parking is across Harper at the Wheat School. People tend to want to park closer so some of them will park on Cedar St. which is a residential street which could lead into problems. People will also park at Great Lakes Battery. Mr. Hardin stated that there should be an agreement on file with the city from Great Lakes Battery stating that he could use their parking lot.

Commissioner Hison stated that his concern is people will tend to cross or run across Harper without going across at the light. And with them running across the street after drinking could run into problems. There are 25,000 to 30,000 cars a day that travel on Harper. He is concerned about the parking and the safety of the customers.

Commissioner Hison asked Ms. Koto if the zoning board has to approve this as well. Ms. Koto stated that the zoning board does not have to approve this case because there is a written parking agreement. Commissioner Hison stated that the document that we have doesn't state a time frame that is sufficient.

Mr. Shepherd stated that he reviewed the letter, and at any time the school can remove the agreement. He doesn't believe that the time frame is the issue. The only issue is that it's not from the superintendent, it is from the director. Mr. Hardin stated that the school board would not let him use this letter without approval.

Chairman Doppke stated that Shawn would not write the letter without the approval from the superintendent. Nothing is happening without the superintendent knowing. Commissioner Hison stated that when we talk about legal documents, we need something that would protect Shawn. Maybe a note that the superintendent can concur with this. Mr. Shepherd stated that we can vote with the stipulation that he gets a letter from the superintendent approving the agreement.

Mr. Shepherd stated that his office will draft up a letter for the superintendent.

A motion was made by Commissioner Hison and supported by Secretary Hanson, to approve the request for site plan approval for an expanded outdoor seating area at 27626 Harper with item of concern #10 - Any potholes shall be repaired and the parking lot shall be restriped and with the stipulation that we receive a letter from the Lakeview Public School Superintendent approving the agreement.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

CASE NO. PPC: 210004 – COMMUNITY DEVELOPMENT BLOCK GRANT - CDBG

Maggie's Wigs for Kids of Michigan – Maggie Varney and Jennifer introduced themselves. They provide wigs and support for children who are suffering from hair loss. There was a child from St. Clair Shores that they served last year, but that child made enough money and they did not need to use the funds which they still have. They are requesting \$2,000, which is the same as last year. Even when the doors are not open during the pandemic, they still service the children and their families when needed.

Secretary Hanson asked if the families are charged for the wig or all the other support services they provide. Maggie Varney stated the charge for a wig that goes on a child's head is \$800. The normal cost for a wig is \$2,500 to \$5,000.00. And because they received 28,000 hair donations last year from 63 countries around the world, they have all the hair that they need so they don't have to buy the hair they just have to make them into wigs, which is why they only charge us \$800. The other \$200.00 is for support services and that is per family per year. Which this includes all family therapy, individual therapy, classes, individual events, social activities, and welcome bags. The family is not charged for any of these goods or services. She stated that with ZOOM she can have the nurse measure the child's head and she can get the wig ready so that when they leave the hospital, they have their wig. Sometimes they can have therapy right from their hospital bed.

Turning Point – Tracy Hayden said she works with Turning Point and is a longtime resident of St. Clair Shores. She is the coordinator of the forensic advocacy and the forensic nurse examiner program. They are requesting \$1,500 in CDBG funds for provisions and shelter services. Turning Point is in their 40th year of operation. A few years ago, they opened a counseling office right in St. Clair Shores on Harper to be able directly impact our community and survivors.

In 2020, Turning Point provided 939 bed nights to 19 adults survivors and 13 children survivors from the city. Within the shelter program they provide safe shelter, basic needs, everything from clothing, diapers, formula, toiletries, and any personal needs that survivors need when they have to flee for their safety. Meals are provided. Staff provides crisis intervention, safety planning and case management, and child support services. They take families out on activities including the zoo and they have a children's camp all summer for children to get out while the adults are working on their goals and regain that safety and support so they can get out on their own. Some other areas that we service for St. Clair Shores includes 37 individuals receiving help

through their PPO office and filing assistance, 27 people are receiving counseling and advocacy services, 4 people received legal advocacy assistance, 7 St. Clair Shores survivors received forensic nurse exam post a sexual assault, and 7 survivors received crisis intervention through their first response advocacy team. In total, 68 survivors that they are aware of called for support on the 24/7 hotline.

Through COVID they have not stopped offering the comprehensive programs and services that they have. They continued in different ways and they have not stopped any of these services. All of their services are free for those that need them. They have prevention education teams that normally go into Junior High and High Schools to teach healthy relationships and boundaries. This is all being done on ZOOM. If awarded the \$1,500 it would provide 50 nights in shelter for our residents.

Secretary Hanson asked why lower this year. Why not ask the same amount that you asked for last year which was \$4,000? She said that they have less people because of the COVID.

Chairman Doppke stated that they are servicing a lot of people. His recommendation is to ask for more. Once the funds are allocated, they cannot come back and request more. They can always give it back. She would like to request \$4,000.

Madeline Bialecki stated that she has been working in non-profits for over 30 years and Turning Point is one of the best organized programs that she has seen in her life. The services that they provide are incredible.

Gilda's Club – Madeline Bialecki explained that this year was a challenge for them. They almost instantly moved all of the programs on ZOOM, and they have never stopped providing any of their services. They have more people coming to them because of people who historically couldn't come because of their treatments and their immune systems compromised now can participate through Zoom. They are offering more. In the past, they had line up a doctors to come in-person to speak about some aspects with cancer. Now they can turn on their computer at six o'clock at night. They are normally offer 40 programs like support groups, wellness activities, education, speaking activities, and that has increased. They were servicing 350 to 400 people a week who turned into their zoom programs. People state to her that because they are isolated, Gilda's is their life line. Because of the pandemic, people had to go to their doctors' appointments alone, so it was very isolating. They are requesting \$7,000.

Ms. Koto stated that Fair Housing Center is one of those couple of organizations along with Macomb Homeless Coalition that we are required to fund. It does not come out of the public service pot, it comes out of the administration pot.

Fair Housing Center – Steve Tomkowiak stated that they are looking \$4,000 in CDBG funds. \$1,800 for fair housing complaint intake, investigation and resolutions. \$1,450 for Fair Housing testing. \$750 for education outreach. They service low income upwards from 80% to 85% are really low income. The services are free of charge for everyone. They give free advice on Fair Housing. They are also increasing their advertisement by using billboards and brochures. They offer quite of bit of training for housing providers. If someone does not get fair housing training it is because they are not asking for it.

Macomb Homeless Coalition – Jacquelyn Theriot-Merchant is asking \$20,000 for the Macomb Homeless Coalition. This will cover 11% of COC Coordination and Planning budget for the upcoming year. The budget for this year is \$188,403 but they are requesting \$20,000 from the Planning Commission Meeting of March 9, 2021

City of St. Clair Shores. They have received information and serviced over 67 residents in the City of St. Clair Shores throughout their continuing care homeless service providers. In the calendar year 2019 they serviced over 1,272 people in the Macomb area, 67 of which were residents of St. Clair Shores. Their building was closed due to COVID, but they continued to service the clients by mail, drop off, and by Zoom. They set up their home offices to continue their services.

They received \$4,763,000 from the State of Michigan for the Eviction Diversion program funding. They were able to spend over \$5 million in seven months. They also received over \$2,000,000 emergency COVID funding. They did their activities outside instead of inside. They included their PPE with their program. Being the lead agency, they are always looking for affordable housing. In 2018 Macomb Coalition formed a partnership with Rotor Cooper company, an affordable housing developer. This year they were awarded low-income house tax credit through the State of Michigan to build an affordable development on 150 N. Gratiot in Mt. Clemens. It is called Edison Crossing.

Macomb County Child Advocacy Center, Inc. / DBA Care House – Dorie Vasquez Nolan, executive director of Care house explained their main office is located in Mt. Clemens. They have a satellite office in Warren. Care House is the only agency in Macomb County that provides the comprehensive intervention advocacy and treatment response for child victims of sexual abuse, physical abuse or children that witness a violent act as well as their non-offending family members. Their goal is to minimize the trauma for child victims of abuse and to support the child victim and family through the investigation and prosecution phases that provides the support to begin the healing process. They collaborate with all law enforcement jurisdictions in Macomb County as well as the FBI, Homeland Security and Immigrations and Customs Enforcement or ICE, Children Protective Services, Macomb County Prosecutors office and medical and mental health professionals. Care House works with all non-offending family members as well as the child victim as a whole to promote healing. After forensic interviews, Care House provides follow up services intervening to promote healing and helping families to cope with all of the emotions that come with the disclosure of abuse. Their follow-up services include crisis counseling, child safety assessment, parent and child support group, and trauma focused therapy sessions. Families are never charged. Over 88 cents of every dollar that comes to Care House is specifically devoted to servicing children and families in our community. Since 1996 they conducted 8,600 child forensic service interviews and 479 of those children were residents of St. Clair Shores. Since 2019, they conducted 757 forensic service interviews with 46 of them residing in St. Clair Shores. Last year they conducted 664 forensic service interviews with 40 of them residing in St. Clair Shores. Last year they were grateful for the \$12,000 which helps them support 20 families. They are asking for \$12,000 this year to help with 20 families.

Perfecting Community Development Corporation / Amelia Agnes Home for Women & Children – VeroCia Daffin stated that they are requesting the amount of \$12,500 this year. Their request will support up to 8 clients for 100 days at the rate of \$12.50 per day for a total of \$10,000. The remaining \$2,500 for personal protective equipment to be repaid for the Covid pandemic. The increase in the amount is because they could not do some of their fundraisers due to the pandemic. These funds will help continue the sanitization and cleaning.

Liz Koto stated that it was about \$7,500 that was given to them last year.

St. Clair Shores Hockey – Patrick McKay said they requested \$10,000 which is the same as the last three years. This goes to the player enablement fund to assist with keeping kids in hockey. With whatever the financial difficulties are they try to help keep children on the same team with their friends. Every year they support a group of kids.

Chairman Doppke stated that it is usually around 25 - 30 kids that do not pay 100% of the Association fees. They pay 50% or less. All of those families meet the threshold for financial assistance. Several years ago, the hockey association was audited by HUD, and they commented that this is the best use of government money in a long time. They try to keep these children out of trouble and into hockey. The need continues.

Secretary Hanson stated that it is marvelous how many kids that they reach out to. The best child organization in the City of St. Clair Shores.

Chairman Doppke stated that in other places if you go to Fraser or Troy their ice cost is \$300 an hour or more. City of St. Clair Shores charges \$190 per hour. There are a lot of great things that go on here.

Secretary Hanson asked if the hockey and figure skaters are the same organization. Chairman Doppke indicated that they are two different organization.

Ms. Koto stated that MCREST is asking for \$6,500 which is right in line with what they ask for every year.

Additionally, the Chore Program is asking for \$20,000. They reinstated the grass and snow program. They made some modifications to it. They realize how important this is for the Macomb County residents.

St. Margaret of Scotland did not turn in an application.

There were 3 other organizations that were new that reached out to her initially, but she did not receive the requests from them.

Secretary Hanson stated that St. Margaret has not used their funds yet. If someone were to help them, they have to the end of June to use the funds. Because of COVID if they don't use it by the end of June, she will not take it away from them. If they can use it before the end of the calendar year, she is fine with that. Some of the organizations that they heard tonight did not serve many people because at the beginning of the pandemic everything slowed down. Some of those organizations will probably have a carryover too but eventually it will be spent.

Ms. Koto stated that if any of the organizations do not use their funds it will be reprogrammed in for the following year.

Chairman Doppke stated that they don't get the money until they prove that they spent the money. Ms. Koto stated that many of the shelter programs will only request reimbursement at the end of the year. She doesn't get a lot of the reimbursement requests until the beginning of July.

Commissioner Hison asked how much money did we allocate to St. Margaret's for last year? Ms. Koto stated that she believes that it was \$4,000. He said that he can speak to Father D'Hondt to see if he is aware that they haven't utilized the funds yet. They do a great deal for

many of the people for various programs. He will at least ask him if they don't need it that is fine.

APPROVAL OF MINUTES FROM THE FEBRUARY 9, 2021 PLANNING COMMISSION MEETING

A motion was made by Secretary Hanson and supported by Commissioner Hison, to approve the Planning Commission Meeting Minutes of February 9, 2021, as amended.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE

ABSENT: NONE

MOTION: PASSED

REPRESENTATIVE'S REPORT OF CITY COUNCIL MEETINGS

Secretary Hanson stated that there weren't any planning cases at the last council meeting. At the 2/16 council meeting Baffin was brought up and they went into great detail over the mural. Councilperson Rusie motioned and Councilperson Caron seconded and they were approved. The representative from XO Sports Bar did not show up. The city was having email issues and did not get the agenda for the council meeting. Ms. Koto represented them. Councilperson Rubello motioned, Councilperson Frederick second, and they were approved. In regards to the Zoom meetings being televised, it is on hold for right now.

CITY PLANNER LIZ KOTO'S STAFF REPORT

There will be another meeting in two weeks on Zoom, and it will be our last meeting on Zoom. If everything goes as planned, we will go back to face-to-face meetings in the beginning of April.

In two weeks, we will have the discussion of the block grant allocation and Kroger wants to put in a gas station at their new Nine Mile store. In the future, we may see a rezoning request and an expansion of the parking lot at the Beaumont Urgent Care north of 10 Mile and Little Mack. We are going to see Macomb County Public Works office has huge easements through Welsh Park so they need to put in some equipment at Welsh Park. They are proposing brick accessory structures. These should be before the board sometime in April.

Chairman Doppke asked about the plan's development north of Memorial Park on Jefferson. She has not seen any plans yet but they are being developed.

AUDIENCE PARTICIPATION: None

ADJOURNMENT

A motion was made by Secretary Hanson and supported by Commissioner Jones, to adjourn the Planning Commission Meeting at 8:25 p.m.

A ROLL CALL WAS TAKEN:

AYES: ALL

NAYS: NONE
ABSENT: NONE
MOTION: PASSED

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