

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on October 26th, 2015th, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 26th, 2015, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair
John Kupiec, Vice Chair
Charles J. Pryor
Syed Rob
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson
Edna Karpinski

Also present:

Ronald Wuerth - Planning Director
Judy Hanna – Senior Administrative Secretary
Michelle Katopodes – Planner I
Caitlin Murphy - Assistant City Attorney
Christine Laabs - Communications Department

1. CALL TO ORDER
Chair Howard called the meeting to order at 7:06 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Chair Howard – We do need a motion to excuse Secretary McClanahan. He did send correspondence that he would not be present on this evening.

MOTION:

A motion was made by Assistant Secretary Smith, supported by Commissioner Rob. A voice vote was taken and the motion carried unanimously.

Chair Howard – I also did receive correspondence from our Ex-Officio, Ms. Kelly Colegio would be in the meeting of the whole this

evening with Council, so she did ask for her presence to be excused on this evening as well.

4. APPROVAL OF THE AGENDA

MOTION:

A motion was made by Commissioner Vinson to approve, supported by Commissioner Rob. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF THE MINUTES – October 5th, 2015

MOTION:

A motion was made by Commissioner Robinson to approve, supported by Commissioner Pryor. A voice vote was taken and the motion carried unanimously.

6. PUBLIC HEARING ITEMS:

- A. AMENDMENT TO ORDINANCE NO.30: APPENDIX A, ZONING:
 Article 11, Definitions for Medical Marijuana Growing Facility and other related definitions; Article IV, Section 4.01 minor changes for readability and a revision regarding a misdemeanor to operate a business that violates an applicable law; Article V, Section 5.01 restricting patients to legally use, cultivate and/or process marijuana for their personal use in residential or commercial zones; Article XVII, Section 17.02 restricting Medical Marijuana Growing Facility to locational criteria from certain uses, limitations by all applicable laws, patient hours, and indoor operation. Further the facilities are subject to inspections, maintenance of records, caregiver cards, and transfers. **TABLED.**

MOTION:

A motion was made by Commissioner Vinson to remove from table, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

Mr. Ron Wuerth reads the recommendation of the Staff:

Ms. Caitlin Murphy – The Attorney’s Office did review and add a few sections. In the Residential Section 501M we added a section explicitly that limits the patient use to residential not in commercial zones. Then we explicitly exclude the Downtown Center from any patient use even if there are residential sections in that area.

In the Industrial Section 17.02AA we added requirements for the owner occupier or tenant including a licensing requirement. That they are a registered patient or caregiver under the State Statute and also a certificate of compliance for each tenant. We also added a cost recovery provision, basically if there were any problems such as explosions and that kind of thing as a City we would be able to collect from the responsible person. Which would be either the owner, occupant tenant or the owner of the property.

Then one revision to the proposed ordinance, in section 5.01 {M} {7} we are going to amend it from one to two people.

Chair Howard – Thank you so much Attorney Murphy. We do have in our audience the Chief Zoning Inspector Lynne Martin regarding the amendments in this ordinance.

Ms. Lynne Martin – This is a very important piece of legislation to amend our ordinance to come into alignment with the State giving the City some opportunity to regulate medical marijuana. I have been getting at least three calls a day on when we're going to be allowed to have it in the City. Whether we like it or not it's here to stay and the City does need to be proactive in getting this ordinance in place so that enforcement can go out and do their job. So I'm hoping that tonight you do it favorably and pass it so that my department can enforce what the City wants to do with this.

Chair Howard – We are going to turn it over to the Commission for further action.

Mr. Joseph Hunt – Excuse me Madame Chair is this a public hearing item?

Chair Howard – No sir, we've had two public hearings on this item.

Mr. Joseph Hunt – But you've altered the zoning ordinance after the public hearing and as a member of the public I was under the impression that this is a public hearing item and I came here specifically to speak about the changes since the last public hearing. It's published under the open meetings act as a public hearing and I thought I could come here and make comments to go on record.

Chair Howard – Mr. Hunt what I will do at this point is I will look to the Commission and also to our City Attorney to determine if we can amend the rules, but we have had two public hearings on this. I'll get the opinion from the City Attorney at this time.

Mr. Joseph Hunt – You have changed the ordinance since the public hearing and I would like to comment.

Ms. Caitlin Murphy – We've had two public hearings and there's also an opportunity to have a public hearing when it goes to City Council and there are often changes between when it leaves here and goes to City Council so there are changes throughout the process. There will be another opportunity to speak at City Council, this is just a recommendation.

Chair Howard – Is there a Commissioner who would like to suspend the rules or should be proceed further. Seeing not I will take a motion, Commissioner Robinson would you like to have a motion on the floor?

Commissioner Robinson – Well I had a question.

Chair Howard – You'll be able to address the questions as soon as we have a motion to actually hear this item.

MOTION:

A motion was made by Assistant Secretary Smith to approve, supported by Commissioner Pryor.

COMMISSIONERS PORTION:

Commissioner Robinson – This was supposed to be submitted to the Zoning Committee to have the relocation done for consideration for industrial so maybe I'm in a quandary as to where it stands at this point. Didn't it go to Zoning to be located in industrial areas?

Ms. Caitlin Murphy – I believe the last time we were here it was tabled because we had a vote four to three and we need at least five Commissioners to vote for it in order to send it onto City Council. I'm not sure what you're referencing with the industrial district?

Commissioner Robinson – I was under the assumption that these facilities were was supposed to be rezoned to industrial.

Ms. Caitlin Murphy – Well the ordinance would basically limit these facilities to industrial that's what the ordinance says. But as far as procedurally here we are recommending a yes or no to City Council as a Planning Commission on this ordinance.

Vice Chair Kupiec – I'm going to make an opinion and my opinion will not influence my vote. I am personally against the growing of marijuana in residential areas for all the obvious reasons. The

potential break-ins, home invasion, traffic of vehicles and pedestrians along with explosions, smell, and things like that.

I don't think that residences of our city should have to be exposed to this. I think since the Federal Government, State Government and Local Governments are supporting this regardless of the voter's choice that the item of marijuana should be regulated like alcohol. It should be regulated through the FDA, it should be taxed accordingly by the Federal, City, and State and for those people with medicinal purposes it should be administered through the FDA with a prescription. By no means will this influence my vote tonight, but if my peers elect to do so they can ask me to recuse myself, that is my opinion.

Commissioner Rob – I also concur with Vice Chair Kupiec, there are a lot of residents that want to know what's going on can you elaborate just a little bit on the recommendations and clarify it.

Chair Howard – We've had this proposal before us twice before this board the unique thing was that our vote did not carry to forward it to City Council. There was some amendments and some changes that were brought before this august body and we've had meetings with the City Attorney, the Planning Department and also Zoning with that being said this proposal is being back before this Board for a reconsideration of our vote to move forward to City Council. At that same time any amendments or any changes would be able to be voiced at City Council, their meeting is scheduled to be November.

By no means is this to stifle any vote or any voice of any residents. Just legislatively we've heard it twice, we need to have a vote so it can move forward. So by far please forgive us if anyone has come out on this evening to speak on this item. We are not trying to suppress your voice in any way, shape, or form we are just trying to move this forward or to deny this particular piece of amendment. I will also have the City Attorney speak to bring any additional clarity.

Ms. Caitlin Murphy – As I've said before we have had two public hearings as the Chair also mentioned and that there will be another opportunity at City Council for a public hearing on this ordinance.

Assistant Secretary Smith – One thing I would like to say about it is that we have a lot of these facilities operating already in the City of Warren. We don't have any guidelines or any structure anything that says this is how you're supposed to operate. To me that's the importance of this ordinance is to have a structure guidelines that

people need to follow so you don't have them whatever they want in the city.

Chair Howard – That was a motion by Assistant Secretary Smith, supported by Commissioner Pryor roll call please.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes
Assistant Secretary Smith.....	Yes

- B. SITE PLAN FOR BUILDING ADDITION AND PARKING LOT EXPANSION TO EXISTING NURSING HOME: East side of Ryan Road, approximately 157 ft. South of Chicago Road; 31830 Ryan Road; Section 5; St. Anthony's Nursing Home (Brian Jilbert). **TABLED.**

MOTION:

A motion was made by Commissioner Pryor to remove from table, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried unanimously.

PETITIONERS PORTION:

Mr. Brian Jilbert – I'm representing Ciena Health Care.

Mr. John Gaber – I'm Counsel for Ciena Health Care.

Mr. Brian Jilbert – What we are doing today is follow the recommendation as presented by Mr. Wuerth regarding this property. We've gone through an extensive approach when we purchased the newly acquired 40 foot wide parcel to the south. We've met with the community a couple of times we've talked with them, pretty in depth, in figuring out what we needed to do. We've come to the understanding with them that the plan that we are presenting here is in agreement with what they would like to see there as well.

A couple of key items to note that we've done, we've eliminated parking along the east property line so that we can extend the

existing landscape buffer that we have today along that property line and all the way across the back. On the north east corner we have a small section that we are removing the chain link fence and installing arborvitaes 10 foot tall to address the parking lot to the adjacent home. We've relocated the dumpsters on the property in, concurrent with, the discussions and we've addressed the existing site lighting on the building shining off onto the adjacent property owners.

Again in doing that we've address a lot of items with them, we've talked at length with them. It would appear that on the recommendation there's a few items that need to be addressed by Zoning one of which we will be seeking a variance related to the greenbelt along the northeast property line. We will be installing a screen wall on the south property line and we will be adjusting the parking spaces and drive's widths to accommodate the 20 foot parking spot. The other items on the recommendation are either in process or have been completed as we speak and will be reflected on the approved drawing set submitted with the new plans being requested.

Mr. John Garber – I have a question with recommendation number three on the first page it says a shared driveway exist at the north property line with the shopping center. The recommendation is asking for some type of a cross access easement agreement between the shared driveway between St. Anthony's and the strip center to the north. We would question that and ask your indulgence Madame Chair and Planning Commission because of the fact that if you look at our driveway it's hard to see the property to the north but our driveway is isolated to our site. There is no crossover between our driveway and the property to the north there is like a three foot wide landscape grass scrub weed kind of barrier between the two properties so there is no cross access between our driveway as you see there at the north part of our site and the property to the north either in front west or in back east of that building. The only commonality between those driveways is you can see on Ryan Road you see the curb cuts. Because they are right next to each other you have kind of a really big curb cut that encompasses both driveways to both properties and that's the only common area. And that area is not even on private property that's part of the road right away that's off site. So I would ask please for your indulgence to scratch condition number three of the recommendations because I don't think it really applies in this situation for those particular reason.

Otherwise, the conditions, I think we've either satisfied them as Brian mentioned or we will be satisfying them with regarding to minor site

plan modifications or as he mentioned with regard to that one property line on the north side we have to petition the ZBA for a variance. Because what we can do there we either need a 20 foot landscape buffer or we need a wall there they ordinance permits either one. When we met with the neighbor sitting behind us we made representation to them that we would plant a row of arborvitaes there and then have a seven foot greenbelt in lieu of the wall, so to fulfill that representation we need to go to the ZBA to request a variance. Otherwise we appreciate the recommendation, we appreciate all the hard work the Planning Staff has put into this project and we are here to answer any questions that you may have.

Assistant Secretary Smith reads the correspondence as follows:

TAXES: No Delinquent Taxes.

FIRE: The following provisions will be required:

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 ft. of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 ft.
3. Provide Fire Department lock box (Knox Box) as required by city ordinance.

ENGINEERING: Preliminary review of this site yielded the following comments:

1. This development must comply with the City of Warren Storm Water Management Plan.
2. The site plan shall indicate all existing and proposed utilities.
3. Parcel 13-05-301-009 is owned by a different owner than 13-05-301-023.
4. Both parcels shall be clearly shown as separate parcels as they have not been combined at this time.
5. All parking lot areas shall have a hard surface pavement and the perimeter shall have concrete curb and gutter.
6. The site plan shall bear an original seal and signature from the licensed professional responsible for the work.

ZONING: Preliminary review yielded the following comments:

1. The site plan submitted would no longer meet the conditions of the variance granted on August 25, 2004 to waive the greenbelt or six (6) foot wall for approximately two hundred twenty (220) feet along the south property line. A wall or greenbelt would be required along the south property line.
2. A greenbelt or six (6) foot wall will be required for approximately one hundred forty five (145) feet along the north property line and

then approximately two hundred forty seven (247) feet along the east property line.

3. A variance would be required to allow parking spaces less than twenty (20) feet as identified on the site plan. However, the site plan can be reconfigured to comply with Section 4.32 of the Zoning Ordinance.

Mr. Ron Wuerth reads the recommendation of the Staff:

****I don't make mention of the variance that the Petitioner just spoke of but they are being responsible and they will go for that variance as I understand****

PUBLIC HEARING:

Mr. Arnold Simkus – I'm one of the co-chairs of the homeowners in that area that have been affected by this expansion of the parking lot and the addition to St. Anthony's. I want to just give a shout out thank you for everybody's cooperation. We've had obviously disagreements at the very beginning even members of the Planning Commission went out to the site they understood what our concerns were and everything has been met with I think a great deal of harmony and cooperation. So I want to thank all the parties involved. We think that the process went extremely well and we are looking forward to having another great neighbor join us in their expansion so I just thank you.

MOTION:

A motion was made by Commissioner Vinson to approve, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:

Commissioner Rob – Can you please address the issue of three that the petitioner is asking about the shared driveway that he needs to go to get a variance.

Mr. Ron Wuerth – Well it's common that we request this type of document when two driveways come together at the entrance part and that's what we have here, they don't use the same driveway but they do use the same entrance. So when cases like this come up then we ask for this type of document.

Commissioner Rob – I just want to thank the petitioners for working this out with the residences I know it's been tabled several times but I'm glad it has been worked out.

Mr. John Gaber – Madame Chair could we please respond to some of the comments that were just made?

Chair Howard – Most definitely go ahead sir.

Mr. John Gaber – To be honest with you and maybe the City Attorney can offer some input here as well. There really is nothing to have a shared driveway access over. You can see where the property line is on the property and you can see to the right of that property line or the east where the individual driveways are and they are split all the way down with a barrier all the way down. The only commonality is in the entrance to Ryan Road which is on the west side of the property line, so therefore that's public road right-away. There's nothing that we can get a shared access agreement from the property owner to the north on because we don't own that curb cut area that's owned by road jurisdiction. That would be a condition we couldn't satisfy and it's also an existing condition too. It's nothing that we are adding or planning to change within our site plan.

Ms. Caitlin Murphy – I was just presented this earlier I haven't actually looked to see who the owner is so you're sort of putting me on the spot here. I know that we do usually require the cross easement agreement I understand if it's not your land to do the cross easement then you can't do it, but I think we would need to look into that a little more. It's something we can always strike later if it's not possible.

Mr. John Gaber – Or maybe we can put a qualifier on it subject to review by this City Attorney?

Chair Howard – Mr. Wuerth would you be amenable to that and can you give us the language?

Mr. Ron Wuerth – Yes, well just as the City Attorney said just subject to review by the City Attorney's Office I think that would suffice.

Vice Chair Kupiec – I'd just like to thank all the residents of the community and all the people involved in the planning the Commissioners and the Planning Department and Staff for all their diligence and good work along with the petitioner. I'm glad this thing was finally resolved it's been long overdue and I'm glad to see it finally resolved.

Chair Howard – And again let me echo the sentiments of this Board. Often we have petitioners and neighbors who are unable to come to some amenable agreement. It is refreshing when I see this august body of residences here and petitioner who have worked together to come forward and speak as one united voice. With that being said

we will turn it over to the Commission for action with amendment to item three for City Attorney’s review.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

- C. SITE PLAN PARKING LOT ADDITION: Located on the northeast corner of Dodge Avenue and Sherwood Avenue; 22930 Sherwood Avenue; Section 33; Jeffrey Brodsky. **TABLED. TO BE TABLED TO JANUARY 11, 2016.**

Assistant Secretary Smith – Madame Chair we received correspondence that the petitioner would like to have this tabled until January 11, 2016 a date certain.

MOTION:

A motion was made by Commissioner Rob to table until 1-11-16, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

- D. SITE PLAN APPROVAL FOR PARKING LOT ADDITION: Located on the southeast corner of Schoenherr Road and Leonard Avenue; 21944 Schoenherr; Section 36; Jeffrey Najor. **TABLED. TABLED BY PLANNING UNTIL DECEMBER 7TH, 2015.** Waiting until Board of Appeals hearing; appealing an administrative decision by Zoning Bureau.

Chair Howard – We did also receive correspondence from this item that they are asking for a tabling for a date certain of December 7th, 2015 they are waiting until the Board of Appeals Hearing.

MOTION:

A motion was made by Commissioner Pryor to table until 12-7-15, supported by Commissioner Rob.

ROLL CALL:

The motion carried as follows:

Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Pryor.....	Yes
Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes

- E. EASTMENT VACTION: Located on the north side of Ten Mile Road; approximately 180 feet east of Ryan Road; 4175 Ten Mile; Section 20; Michael J. Healy Jr., (Robert Tobin).

PETITIONER PORTION:

Mr. Robert Tobin – Good evening ladies and gentleman of the Planning Commission. This is a very unusual situation that has occurred on the property I recently appeared before this Planning Commission representing the present owner Equivalent Base and we received approval from both agencies for outdoor storage at the rear of the building. During the investigation of this site it was discovered that while a 50 foot wide street called Parkway Drive had been vacated on the site a 15 foot wide public easement in the 50 foot Parkway Drive had never been vacated.

In reflecting back in 1954 the Acme Tool Company built a building facing 10 Mile Road. In 1965 they put an addition on the north side of this 15 foot utility easement, in other words 50 years ago they put an addition on an easement that had never been closed and that’s why we are here tonight. No one in the City Building Department who issued a building permit paid attention to this existing easement at that time. So we are here 50 years later requiring to close this easement. There are no utilities in this easement and we are here tonight to receive your approval to close this 15 foot x 172 foot wide

easement. We will comply with all the four recommendations that have been transcribed.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

POLICE: Approved.

WATER: Approved.

FIRE: Approved.

TREASURY: Approved.

ASSESSING: Approved.

DTE: Does not approve. Has overhead wires crossing the North-South of the property which provides services to multiple customers. For this reason DTE needs to keep the easement area cleared to maintain equipment.

ENGINEERING: Preliminary review has yielded the following: All utilities within the proposed easement vacation shall be relocated. Otherwise, Engineering approves.

Mr. Ron Wuerth – Prior to reading the recommendation I just wanted to read the review of the area by the Planning Staff. A review of the area by the Planning Staff of the Public Utilities indicates that the proposed 15 foot wide easement crosses several properties that's Tim Horton's, Amery Label Co., a sign shop, a label company and the petitioner's industrial building. Two power poles exist within the easement they are located behind the sign shop area. No electrical lines exist above the industrial building. DTE registered the opinion to not vacate the easement because the power poles are located within the easement. A review of the responses made to the Planning Staff's request for review did not indicate that other utilities existed in the subject area. The Planning Staff would amend the request by only requiring the 15 foot public utility easement abutting lots 283 through 288 of Supervisors Plat of Kiefer's Land Co. Subdivision No. 3 be vacated. This part of the easement crosses the industrial building and has no existing utilities within it.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

A motion was made by Assistant Secretary Smith to approve, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:

Commissioner Pryor – It seems like all you have to do is have an agreement with the Utility Co. and whoever has that portion of the

easement that they can leave the pole there, is that what I'm reading in Item 4?

Mr. Ron Wuerth – They assumed that this was the vacation of a fifteen foot wide utility easement that begins at Ryan Road and then goes east a number of feet passed the industrial building. There are two poles that exist more to the west they are in this 15 foot wide public utility easement, they can remain there. I'm saying that we revised this to only talk about the land area that the industrial building is on and that happens to be those lots in that subdivision that I mentioned. So going through this procedure is regular.

Commissioner Pryor – Then there really is no impediment to okaying this ordinance?

Mr. Ron Wuerth – No, ideally nothing will change.

Vice Chair Kupiec – I assume that based on what you said that you agree with all the recommendations that Mr. Wuerth has put forth?

Mr. Robert Tobin – Yes, it's a process but we are ready to go through and follow all the recommendations.

Chair Howard – Thank you Mr. Wuerth for sending your team back out to do a more investigative assessment of the property.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

- F. SITE PLAN FOR SMALL RETAIL CENTER: Located on the west side of Van Dyke Avenue, approximately 450 ft. north of Convention Boulevard; 32501 Van Dyke; Section 4; Andrew Margulies (George Hartman).

PETITIONERS PORTION:

Mr. Andrew Margulies – Good evening we are the purchasers of the property from Menard Inc. The lot was recently split up from the apparent parcel there so the address still to be determined. For the

purposes of this application we use the address of the apparent parcel. My plan is to construct 8,585 square foot, four tenant, retail building just west of Van Dyke Avenue on an out parcel that was just recently created in front of the Menards.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review yielded the following comments:

1. All existing easements and utilities on the out-lot parcel and within the influence of the proposed building or other permanent structure shall be removed and relocated.
2. Sidewalk adjacent to parking shall be minimum seven feet wide to allow for vehicle overhang.
3. Any work within the Van Dyke Avenue right-of-way will require approval from the Michigan Department of Transportation.
4. Any work within the floodplain area will require approval from the Michigan Department of Environment Quality.
5. Any site disturbance over one acre in size shall comply with the City of Warren Storm Water Management Plan.
6. A detention pond agreement will be required between the out-lot parcel and Menard's parcel.
7. An ingress/egress agreement is required between the parcels and shall be shown on the plan.
8. Water service shutoff valves shall be located within the Van Dyke Avenue right-of-way or water main easement.
9. The plan shall include a legal description for the parcel of land impacted by the proposed improvements.

FIRE: Preliminary review yielded the following comments:

1. Build to the requirements of the 2012 Edition of the Michigan Building Code.
2. Fire hydrants shall not be closer than 40 feet or further than 400 feet from any point on the exterior of the building. Distances shall be measured along the shortest feasible exterior route around the building.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
4. Provide Fire Department lock box (Knox box) as required by local ordinance.

Mr. Wuerth reads the recommendations of the Staff:

MOTION:

A motion was made by Vice Chair Kupiec to approve, supported by Commissioner Vinson.

COMMISSIONERS PORTION:

Commissioner Robinson – What is a pond agreement, a detention pond, I'm not familiar with that?

Mr. Ron Wuerth – We are referring to an Engineering requirement here not Planning requirement, although that's what their supposed to be doing, but a detention pond is an area that receives water as it rains it runs off of the large parking lot. It goes into a pond area and it's detained for a length of time until it slowly drains out and goes into the creek that runs right through the property.

Commissioner Robinson – I'm curious as to what type of restaurant you plan to put there?

Mr. Andrew Margulies – We have a lease signed with Tebella Subs to take the 3605 square foot restaurant space on the south end. It's a National Sub Sandwich Chain.

Chair Howard – You indicated that this particular mini shopping area was going to be about 8500 square feet and four tenants when do you anticipate starting the construction process?

Mr. Andrew Margulies – Hopefully before the snow falls this winter, but more realistically in the spring.

Chair Howard – Would the hours of operation be similar to that of Menards?

Mr. Andrew Margulies – It would be subject to the tenants that lease the remaining three stores. I believe that Tebella's stays open until 9 p.m., typically and I believe Menard's is similar in hours of operation.

Chair Howard – I think that's a great location, I think that what you're going to provide there in that parcel of land is great. Thank you so much for the expansion there on that new development I think it's going to be a welcome addition to the City.

MOTION:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Commissioner Howard.....	Yes

- G. SITE PLAN FOR OUTDOOR STORAGE AND PARKING OF TRUCKS: Located on the west side of Sherwood Avenue, approximately 970 feet south of Mackersie Avenue; 25585 Sherwood; Section 21; Jan Neuman (Kerm Billette).

PETITIONERS PORTION:

Mr. Kerm Billette – We are here this evening on a question of approval of outdoor storage and parking. Yesterday the sister’s retained legal counsel and he called today and said he could not make it to tonight’s meeting he had another commitment. So we’d like to have this tabled if we could until the December meeting.

Chair Howard – We have a lot of things going on December 7th can we move it to January 11, 2016?

Mr. Kerm Billette – Yes.

Chair Howard – We have a request from the petitioner to table this item until the January 11th, 2016 date. Do I have a motion to support this?

MOTION:

A motion was made by Vice Chair Kupiec to table until 1-11-16, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes

Commissioner Karpinski..... Yes
 Chair Howard..... Yes

H. SITE PLAN FOR BUDDHIST TEMPLE: Located on the southwest corner of Twelve Mile Road and Grobbel Avenue; 5356 Twelve Mile; Section 17; John Marusich.

PETITIONERS PORTION:

Ms. Tra Page – I’m an Architectural Designer on behalf of John Marusich. I’m here to present the project for a Temple, its located 5356 12 Mile Road. Currently the site is residential and the owner wishes to convert this into a religious places for the community. So I really hope that the Commission will approve this. We are willing to follow any recommendation of the Commission.

Chair Howard – I know I’m going slightly out of order, is she capable of standing in for the petitioner this evening?

Mr. Ron Wuerth – Well I suppose she could I would have been much better if you would have notified our office that you were going to represent. She can provide us with an affidavit I supposed, a signed one, we can get that later.

Chair Howard – That will be great. We will have you take care of the necessary paperwork with Mr. Wuerth’s office.

Assistant Secretary Smith reads the following correspondence:

TAXES: \$64.19 IN Delinquent Taxes as of 10-21-15.

DTE: Does not approve. DTE has several poles and overhead conductors crossing the proposed area to provide lighting to the public at 12 Mile Road and electrical services to residential customers.

FIRE: Preliminary review yielded the following comments.

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 ft.
3. Must provide Fire Department lock box (Knox Box) as required by local ordinance.

ZONING: Preliminary review yielded the following comments.

1. A six (6) foot wall or eight (8) foot greenbelt is required along the West and South property lines. Section 5.11 (5).

2. A twenty (20) foot side yard is required on the west side of the property. Section 5.11 (10).
3. A twenty-five (25) foot side yard is required on the east side of the property. Section 5.11(10).
4. The site plan does not contain adequate information to calculate the parking requirements for the main building and worship area. Section 4.32.

ENGINEERING: Preliminary review of this site yielded the following comments:

1. All existing and proposed utilities must be displayed on the site plan.
2. All sidewalk and drive approach construction must comply with City of Warren Standard Specifications for Concrete Sidewalks and Drive Approaches.
3. This development must comply with the City of Warren Storm Water Management Plan.
4. Any improvements within the Twelve Mile Road right-of-way are subject to the approval of the Macomb County Department of Roads.

Mr. Ron Wuerth reads the following recommendation of the Staff:

PUBLIC HEARING:

Ms. Elizabeth Dziejewit – I live at 5352 12 Mile Road, I live next door to this home and I'm also the former owner of this property, because of an estate from my grandparents who built the house and also built my house as well.

I sold the home in 2014 as a residential property is the zoning being changed to a commercial or is it still going to be residential? The plans look like the garage will be torn down to build this Buddhist Temple. Public restrooms will be added to the building, public parking will be added to the backyard of the home and I'm concerned about the noise level because my home is within about 15 feet between the houses the parking area would be within my bedroom windows. The trees that they propose on the property line, I don't know if that would be sufficient for my privacy.

The City asked us to connect with the sewer system back in the early 1990's the two homes were connected into one sewer line and that runs in the back of both homes. I was wondering if that was going to affect my sewer and water access. They plan to put this parking lot area I don't know if that's going to be rerouted or will that remain intact. They show that the plans for a water pond will be in the front west corner of the yard that's very close to my house. I'm very concerned that any interruption in the underground water will

result in my sub pump over drain perhaps giving me a flooded basement. I've noticed that the work has been added to the home they've added ceramic tile to the front ledge, steps and hand railing and concrete blocks have been add. I've also noticed that a 15 foot statute will be erected in the front so will that obstruct views on 12 Mile Road and will the entrance access be on the existing driveway of 12 Mile Road or will it come into Grobbel and when will this construction take place.

Ms. Linda Rose – I represent the group behind me we all live on Grobbel Street. We have concerns about traffic, I purchased my home 24 years ago in a residential neighborhood without having the congestion that we have now because of having Meijer's and the new subdivision all that on 12 Mile. I do believe that this would cause a very large problem for the neighborhood as well as danger to the kids that have the bus stop at that corner down there. We have a hard time seeing around that corner now with the big tree that's there and putting a row of arborvitaes cuts out all of the vision that the parents would have when those buses are coming through and so forth. I don't know what else we need to say but commercial on the corner is an absolute down vote for the entire community right here.

Rebecca Harvey – I live at 28605 Grobbel I'm also with Linda Rose. My concern is the fact that there is only five parking spaces for this location eight at best. What happens when they have more people and is the overflow going to end up all down Grobbel Avenue? We purchased our home 10 years ago and would have never considered purchasing our home with two commercial ends on Grobbel and 12 Mile. So I would really propose that you not approve this for commercial I wish it would stay a residential location.

Mr. Ken Lach – I live at 28653 Grobbel and I know that parking is permitted on both sides of Grobbel Avenue and what that would do in the case of the public safety is one car will be able to get down the road if they are parked on both sides. So that would definitely make a problem with kids, people backing out of their driveways, one car at a time can only go down they would have to back up and pull into a driveway it would just be a mess. So I wish you would not approve this thank you.

Mr. Arpad Miklos – I live at 28803 Grobbel just a couple houses down from this proposed Buddhist Temple. I don't have anything against Buddhist Temples it could be a car wash, hair salon it wouldn't make any difference. What I'm seeing is that this is a residential structure in a residential neighborhood. Literally within a

stone's throw of that location you have four vacant commercial buildings that would be totally suitable for mass gatherings of people. Directly across 12 Mile Road you have an abandoned Heritage Pancake House with dual driveways tons of parking large open areas for people to meet at. Just down the street you have Rub BBQ vacant for years also same thing two entrances onto 12 Mile tons, of parking, large open spaces. If that's too big just kiddy corner from there Tommy Mack's vacant for years. Right across the street from Grobbel you have what used to be Fizeo Therapy again commercial building the smallest one of the four. Already paved already set up for parking, ready to go. I'm not understanding why a residential lot is being converted to something non residential.

Mr. Raymond Pritchett – I live at 28620 Grobbel again right down the street from this proposed property that they are talking about building and just to piggyback on what Arpad said. Again there are several properties in the immediate area that could be utilized by them to build their temple so I guess I don't understand why it has to be on that corner, like he said, in a residential area.

You have several school buses coming down there, my son catches the bus right there at 12 Mile and Grobbel what is that going to do as far as him being able to catch the bus without interference from the building and us being able to see him get on the bus safely or get off the bus safely. I have no problem with any religion I believe in live and let live, but when you're talking about putting a temple in a residential area right there on that corner we have so much traffic there on 12 and Grobbel now that sometimes you have to sit there for 10 minutes just to get out on 12 Mile so you can go either east or west. I also propose that it not be approved and again if they take into consideration all the other parcels that are available I think that they'd be able to find something that would suit their needs. Thank you so much.

Mr. Joseph Hunt – Primarily as far as the site plan for the Buddhist Temple I've heard those that are against it make suggestions for occupying other vacant buildings in the city. However, the idea behind that as someone who knows the city inside and out on the south end of the city we do have quite of bit of religious centers that are basically nestled within the neighborhoods. Primarily when looking at the site plan itself specifically I'm not against it I think that the Buddhist religion has a right under the Federal land use. There's a Federal Law from the year 2000 that allows religious organizations to basically set up wherever they want. I respect the fact that the people that live close to it do not see that it should be put into place. However in reference to the Federal Law I would have to say that I

would be in favor of this plan. Like I said the city has many religious organizations in places that are within neighborhoods and also on major streets. I don't see where this would be a detriment, I just don't see where suggesting that the Temples should go into a vacant commercial properties as opposed what's before you this evening.

Mr. Dave Harvey – I live at 28605 Grobbel. Again this is nothing about religion it's strictly traffic and I'm concerned about the affect it's going to have on my property value if this approves. I've seen days when there's a graduation property on the street and just one family having friends and guest over congest both sides of Grobbel there's going to be an accident, I've seen it almost happen a few times.

MOTION:

A motion was made by Assistant Secretary Smith to approve, supported by Commissioner Pryor.

COMMISSIONERS PORTION:

Assistant Secretary Smith – From listening to the residents comments and I appreciate everything everyone has said. I noticed that you're only showing five parking spaces on the rear of the building, it's a small building so you're not going to get a lot of people in it, how many members to you have for this particular temple?

Ms. Tra Page – We are aware of that and we will limit the number of people coming in so like about 12 members for the temple that's why we came up with five parking spaces.

Assistant Secretary Smith – Do you have any events where you would have more than 12 people there?

Ms. Tra Page – We don't want more, the owner wants to keep the place quiet. She doesn't want to expand the place too big, she wants to limit it to 12 people.

Assistant Secretary Smith – Does the person who wants to building the Temple live in the house?

Ms. Tra Page – Right now she currently lives in the house yes.

Assistant Secretary Smith – Is she going to continue to live there or is that going to be part of the Temple?

Ms. Tra Page – No, she will move somewhere else to live.

Assistant Secretary Smith – So that house in the front and what they are going to build in the back is going to be the whole Temple area?

Ms. Tra Page – Yes.

Assistant Secretary Smith – One of the things that they mentioned was the traffic coming out on Grobbel. The driveway that they are proposing does not come out on Grobbel the entrance is off of 12 Mile. If they keep the limit to 12 people everyone should be able to fit in the parking lot and there shouldn't be any traffic blocking the street. The trees along the house to the neighbor next door provides coverage so as far as screening, I can understand their concern about the parking being the back of her house is by the parking lot. Now this pond that you're talking about putting in front, how big is this pond?

Ms. Tra Page – It's like a small pond she's going to grow water lilies in there. I can provide the dimensions of the pond it's like about four feet by five.

Commissioner Rob – I still believe the petitioner should be here because the residents have a lot of questions. Did you or the petitioner get an opportunity to meet with the residents to talk with them?

Ms. Tra Page – My partner and I came over a couple of months ago and we talked to the lady in the back of the temple. She came out of the house and we told her what we would like to do and she said as long as you keep the place quiet and have some kind of division between your property and my property. I can't remember her name but we did have conversation. We haven't had any chance to talk to the other neighbors.

Commissioner Rob – So people would come from the front side or are they going to come from the back?

Ms. Tra Page – From the south side, we have long trees that are going to be the barrier between the property of the temple just to differentiate between the property of the temple and the house in the back. So I don't think they are going to have access from the back to the Temple.

Commissioner Rob – Based on your conversation if you have 12 members why would you need that 1000 square feet worship area are you going to be expecting more people in the future, what are the future plans?

Ms. Tra Page – It doesn't mean she wants to get more people in the future.

Commissioner Rob – I still see a discrepancy on the parking lot. Are you still going to do the prayers and other things on the existing building am I right?

Ms. Tra Page – Yes that's correct.

Commissioner Rob – How many rooms in this existing building right now, I'm talking about the existing structure that you have in the front?

Ms. Tra Page – I believe there is four bedrooms in the house that will be used for offices for the people doing the paperwork for the Temple.

Commissioner Rob – Do you have a plan on where people will park their cars because when you are talking about a religious institution you can expect some increase on the membership. I'm not against any religious institution I'm trying to figure out if you might have more members in the future.

Ms. Tra Page – If that's the scenario we will come up with more parking spaces for the site.

Vice Chair Kupiec – Do you feel comfortable speaking for this petitioner in their absence?

Ms. Tra Page – Yes.

Vice Chair Kupiec – I'm a little concerned about this 12 membership. In listening to you respond to my fellow Commissioner it sounded like in the future you have plans to add more people. My concern is the parking and the requirements that are being asked of you in the recommendations for the cement, parking spaces, curbing, making sure that all your greenbelts are feed automatically through irrigation system and putting in a pond.

My concern is for only 12 people it seems to be an awful big expense for a temple. I think \$70,000.00 dollars you have for an estimate is low based on the recommendations. I think it should be closer to over \$100,000.00 based on the cement work that's required. I'm concerned about the parking and the safety issue of Grobbel Avenue the children getting on and off the school buses. Is

the pond going to be fenced and how deep is the pond going to be, there are young children walking up and down the street there and safety is an issue. The biggest thing I'm concerned about is parking and the ability with 12 people to maintain the facility and do the work that's required. I just don't see it. To open the door for 12 people and down the road we find out there's 100 people in there then there's going to be a real problem. You have the room to put parking there but it's going to cost a lot of money to put a parking lot in. Twelve people just don't sound to be enough to support an effort like you're asking here. So I'm having a problem with this right now. There are a lot of recommendations here to be addressed I don't know if you went through them, if you agree with them, or if you're in a position to address them. Mr. Wuerth listed them one by one I don't know if you understand them or not, do you understand all the recommendations?

Ms. Tra Page – Yes.

Vice Chair Kupiec – And you are saying that your petitioner is in agreement with complying with all of them?

Ms. Tra Page – Yes.

Vice Chair Kupiec – Have they given any thought to any of these vacant buildings that are in the area there that are more adaptable for a worshipping facility, they are right down the street with a paved parking lot plenty of sewage, drainage, facilities inside. To take over a residential area and tear down a garage and put a Temple in the garage I don't want to be disrespectful, but I'm just having a hard time absorbing that. With that being said I'm almost of the opinion that this should be tabled and further investigated. Has your representative had a chance to talk to Mr. Wuerth or the Planning Staff?

Ms. Tra Page – I talked to him a little bit but not really in detail.

Vice Chair Kupiec – How about the neighbors other than the one immediately behind you have you poled the neighborhood?

Ms. Tra Page – The neighbor behind the property I did talk to her there are neighbors that we haven't had a chance to discuss this.

Vice Chair Kupiec – How long ago did they start entertaining the thought of developing this project, is this something that just recently came up?

Ms. Tra Page – We met the owner just a couple months ago in the beginning of the summer.

Vice Chair Kupiec – Madame Chair I would like to, with the approval of the maker of the motion, make a recommendation that we table this item for at least a month to do more research on it.

Chair Howard – Mr. Vice Chair the maker of the motion was Assistant Secretary Smith and supported by Commissioner Pryor. I am also of that opinion there needs to be some conversations with the residences as well. I know you indicated that you spoke to the neighbor directly behind the particular home currently, but like in our other presentation with St. Anthony's we love to have a seamless integration. That there's not going to be a drop in property values, religious institutions are capable of being in a residential, that is not it. We want to have a harmonious interaction and some further investigation should be done. We would need a date certain.

Vice Chair Kupiec – January 11th, 2016.

Chair Howard – Alright that would give you roughly give you two months to speak with the neighbors find a location where they can come and talk to you. You can express your concerns and they can express their concerns as well and see if we can come up with something between the two parties that we can work with, as well as working with the Planning Department as far as the recommendations.

Vice Chair Kupiec – I think working with the Planning Department is very important because there are a lot of items on here that need to be addressed.

Chair Howard – Yes sir there were two and a half pages worth of recommendations so definitely we need to look at that.

Assistant Secretary Smith – I'd like to make another comment also. One of the things we need to consider is the hours of operation. The dumpster is one of the recommendations we need to know if a dumpster is really going to be required. So these are things you need to talk to with the Planning Department. Some of the other buildings that the residents had mentioned that you can possibly move to have already come before us and there are plans for those properties. I agree that we should probably table this so you can get in touch with the residents to let them know what you are trying to do. Explain the hours of operation; explain to them about the noise,

the traffic, all their concerns, and also with Mr. Wuerth to work out any details of what needs to be done.

Chair Howard – Just to be very reasonable in forecasting in terms of your growth in what's going to happen in perhaps next three, six, nine months down the road just be open about what that will look like. I think you, you've been very calm and patient I thank you for your disposition this evening and I want to thank the residents as well. To the maker of the motion there was a proposal by Mr. Vice Chair that this be tabled until 1-11-16 do you agree with that?

Assistant Secretary Smith – Yes, I support that.

Commissioner Pryor – I'd like the chair before I support that. You have a pretty big burden there for the finance for this and 12 people would have to have a lot of money to start something like this. I'm wondering if they are all wagers or are they families with only three per family or something like that.

Ms. Tra Page – The existing garage is going to be the worship area. So the house is pretty much going to stay the same. I believe she wants to raise up the roof to make it higher. It's going to be like 12 people with a membership she's already aware and knows who the 12 people are.

Commissioner Pryor – I'm just concerned about the support of an organization which is going to be expensive with all the things you have to do there and I want to make sure it's going to lay fallow because she can't cover the cost of it. This is my concern, that I want you to think about when we bring it up next time.

Ms. Tra Page – I will thank you.

Assistant Secretary Smith – Mr. Wuerth I noticed on the elevation drawing for number two where it showed the east and west elevations on the drawing. They are missed labeled the east elevations should be labeled west and the west elevations should be labeled east. So when you look at the drawings again you can check that and see what I'm talking about.

Mr. Ron Wuerth – Thank you very much, I shall.

Commissioner Rob – There are a lot of recommendations to work out and a lot of money so just talk to the Planning Director and work this out. I would personally say instead of having a pond may have more parking spaces.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

Assistant Secretary Smith – The item has been tabled to a date certain of 1-11-16.

Chair Howard – We will see you then, please work with the residents.

Ms. Tra Page – Thank you for your consideration.

- I. SITE PLAN FOR BUSCH PUBLIC LIBRARY: Located on the southwest corner of Ryan Road and Capitol Avenue; 23333 Ryan Road; Section 30; Oksana Urban.

PETITIONERS PORTION:

Ms. Oksana Urban – I’m pleased to be here this evening to speak to the Planning Commission to share our plan for a 21st Century Library at the location of 23333 Ryan Road. This 21st Century Library will provide the residence of the area with all the amenities that a 21st Century Library has to offer. It will provide them with all of their needs and wants for that community. The Architectural Engineering group that will be conducting the construction of this new library is Partners in Architecture and they will present their plans to you this evening.

Mr. Mike Malone – I’m Mike Malone with Partners in Architecture and I have Fred Meinberg here as well with my firm. Before you today we have the proposed new plan for the Busch Library Branch. The proposed plan actually demolishes the exiting building that’s currently there as well as the adjacent house that the library had purchased a while back. We are constructing a new library approximately 6,600 square feet, the current library is 4,700 square feet so slightly larger then what is currently there. Currently there’s 26 parking spaces on the site and we will be installing 39 total parking spaces. We’ve also provided some computer generated

renderings today you should have those in front of you which show the exterior expression of the proposed building.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

FIRE: Preliminary review of the site yielded the following comments:

1. Build to the requirements of the 2012 Edition of the Michigan Building Code.
2. Fire hydrants shall not be closer than 40 feet or further than 400 feet from any point on the exterior of the building. Distances shall be measured along the shortest feasible exterior route around the building.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 ft. 6 in.
4. Provide Fire Department lock box (Knox Box) as required by local ordinance.

ENGINEERING: Preliminary review of this site yielded the following comments.

1. All existing and proposed utilities must be displayed on the site plan.
2. All sidewalk and drive approach construction must comply with the City of Warren Standard Specifications for concrete sidewalks and drive approaches.
3. This development must comply with the City of Warren Storm Water Management Plan.

DTE: Does not approve. Library proposed building would be located under existing DTE overhead wires DC-1461 Kenney. To approve this site for a new library building, 15 DTE energy poles need to be relocated on the property. A right of way easement document would need to be signed and all charges for this relocation would have to be paid by the customer.

Mr. Ron Wuerth reads the recommendation of the Staff:

Just a comment on this DTE recommendation I didn't see 15 power poles out there.

PUBLIC HEARING:

Mr. Joseph Hunt – I've been following the advent of the library system since the 2010 mileage was introduced when three of the four libraries were closed and of course that mileage had passed. I've been to many of the Warren Library Commission Meetings to watch the extensive planning that Oksana and the Library Commissioners have gone through to obtain the property next door.

I was at the October 1st meeting that was held at Fitzgerald Media Center where on the upwards of 80 people had attended all in favor and in support of this.

I am aware that through the public viewing of the presentation of course also the video that TV Warren had taken is available for those people who want to see the complete presentation. I am completely impressed with the plan for moving the library from being old and archaic to new and existing. I am fully behind the site plan approval and can't say enough about Oksana's dedication to creating a world class library. I wish you would approve this and I'll go to the Zoning Board of Appeals and lobby them to approve it so that we can tear down the old library and start construction on the new library as soon as possible.

MOTION:

A motion was made by Vice Chair Kupiec to approve, supported by Commissioner Vinson.

PETITIONERS PORTION:

Commissioner Rob – Where are the funds coming from on this project?

Ms. Oksana Urban – In 2010 there was a mileage passed by the citizens of Warren 2-1 to support the library project and to provide a state of the Art Library System for the residence of Warren.

Commissioner Rob – I'm really excited when you say 21st Century Library. We do have a strong library in the City of Warren Building Two so what are the differences what type of new things will we be expecting there?

Ms. Oksana Urban – Well first of all you're going to have a new facility. We have a 51 year old library that doesn't have enough power outlets, it doesn't have the proper lightening it just doesn't have what it should have for the citizens of Warren. There are only two outlets that patrons can use for their laptop and that's just not right for the community. We want to provide everything that should be in a library so that you don't have to fight over an outlet. We are going to have WiFi, a multi-purpose meeting room, and craft room for programs for associations if they'd like to meet. We are going to have a study room which we do not have. The facility that we have now is 4700 square feet we don't even have a place to do a story hour for children nor anything else for that matter. It's crowded, it's old and it's time for a new facility.

We are just down the street from Chatterton Elementary School we want to engage children in reading, we want to promote literacy. We are also across the street from Fitzgerald High School we want to bring the youth into the library and engage them into using the library. We are an educational system we want to provide classes, workshops and computer classes for seniors. It is up to us to provide this type of service to the residence who have voted for this.

Commissioner Rob – I think we are living in a technology where we can do most of the things on line rather than phone calls.

Ms. Oksana Urban – We have data base that our citizens can search, we have electronic e-books, we have e-magazines, we have electronic music that you can download, we do provide a lot of services but we want to enhance this even more then what we have provided at this point.

Vice Chair Kupiec – Mr. Malone do you understand everything that Mr. Wuerth has provided here in the recommendations?

Mr. Mike Malone – Yes we do.

Vice Chair Kupiec – I visited the site I didn't physically count the poles in the event that there are a significant number of poles, it will be the responsibility of the project manager to absorb the cost of this.

Mr. Mike Malone – Yes and I actually had a phone conversation with an individual from DTE today speaking about that particular comment because there are not 15 poles. There's one pole that's somewhere near the building it's nowhere near where he thinks it is so we are going to meet, hopefully this week, and work that out.

Vice Chair Kupiec – Thank you very much it's a beautiful facility we look forward to seeing it its long overdue.

Ms. Oksana Urban – The one light pole is in the southwest corner of the parking lot, there's one light pole.

Vice Chair Kupiec – Well I couldn't imagine 14 of them being in that house next door to you that you purchased unless it was a ballfield.

Ms. Oksana Urban – As you see I'm smiling from ear to ear because this is a long time coming and we're finally at that point where we can progress. We are a progressive city and this is our goal.

Chair Howard – I think this is a very exciting project as an avid reader one of the things I grew up on was going to the library it's a state of the art very well constructed very well designed. I love the state of the art construction and what your design team has put together. What are the hours of operation?

Ms. Oksana Urban – That library will be open six days a week. There will be morning hours and evening hours. There will be three days where they will be open 12-8 and three days where they will be opened 9-5. The nice thing is there is going to be a drive up drop box for moms who have children with them in their car or its winter and nobody wants to get out to drop the books out. This is a dream.

Chair Howard – So when do we begin construction?

Ms. Oksana Urban – Demolition will start in the early spring and hopefully the library will be complete at the end of 2016 or hopefully earlier.

Chair Howard – Wonderful I applaud you for all of your efforts it looks absolutely magnificent I know it's going to be a wonderful addition to that side of town.

Ms. Oksana Urban – We will have an open house and everyone is invited.

Chair Howard – That was a motion Vice Chair Kupiec supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

Vice Chair Kupiec.....	Yes
Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

7. CORRESPONDENCE
None at this time.

8. BOND RELEASE

- A. SITE PLAN FOR MIXED USE COMMERCIAL AND RESIDENTIAL (PUD): Northeast and northwest corners of Chicago Road and Eckstein Street 6213, 6239, 6243, 6247, 6251, 6255 and 6259 Chicago Road; Section 4; Michael Wiegand (The Cummins Group). Release of Surety Bond for \$36,000 posted on May 23, 2006.

MOTION:

A motion was made by Commissioner Rob to release bond, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Pryor.....	Yes
Commissioner Rob.....	Yes
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes

9. OLD BUSINESS

- A. MINOR AMENDMENT TO SITE PLAN FOR A NEW DRIVEWAY ENTRANCE TO THE NEW GM TECH CENTER: Located on the east side of Mound Road, approximately 540 feet south of Thirteen Mile Road; 30800 Mound Road; Section 9; GM (Jason Harris); the minor amendment is for the replacement of concrete curbing with gravel shoulder material and redirection of drainage from the driveway.

PETITIONERS PORTION:

Mr. Jason Harris – Jason Harris with General Motors 30200 Mound Road. First off thank you for your extension of tonight’s meeting and I do want to thank Mr. Wuerth and the rest of his office for their patience and grace as we go through this revision here on this project. It’s been very much appreciated in getting us on this agenda the way they did. Here speaking on General Motor’s behalf I also have Patrick Doher with Smith Group JJR our lead Engineer of record.

Mr. Patrick Doher – Good evening Commissioners. We are partners with General Motor’s along with Wall Bridge. As this Commission may recall on August 24th we were before you to have the site plan

approval for the new entrance off of Mound Road and this Commission, to our appreciation, did approve that.

In the subsequent time in continuing to do Engineering Analysis for this new entrance off of Mound Road and also to look at some of the sustainability goals that General Motor's has we've looked at reducing the pavement widths for this drive. It will still accommodate the traffic in and out that we need to. We've also eliminated the curb and gutter as it is indicated and provided an aggregate shoulder which will allow free flow across the pavement into the storm water management system. So just to be clear we did reduce the width of the pavement, our analysis does indicate that the truck access and egress will still be accommodated with technical accuracy. We've also, as I've indicated, eliminated the curb and gutter but we've also eliminated a small island in order for us to be able to accommodate our movements on the site. There were no changes that were made to the design whatsoever from Mound Road through the right of way of Mound Road and for a distance into General Motor's Campus of about 170 feet plus or minus all the changes have occurred beyond that limit.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review yielded the following comments:

1. Any proposed improvements within the Mound Road right of way will require approval of the Macomb County Department of Roads.
2. Additional right of way or sidewalk easement will be required due to the proposed sidewalk relocation.
3. A system of internal drainage will be required. Due to the size of the disturbed area pretreatment of the storm water discharge will be required.
4. A variance for removal of the concrete curb and gutter may be required.

FIRE: Approved.

DTE: Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:
Remove item 4 of the Engineering recommendation.

Chair Howard – Again we are going to recognize this as being a minor amendment they are just replacing the concrete curbing with gravel shoulder material and the redirection of the drainage into the basin.

MOTION:

A motion was made by Commissioner Rob to recognize as a minor amendment, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

MOTION:

A motion was made by Commissioner Vinson to approve, supported by Commissioner Rob.

COMMISSIONERS PORTION:

Assistant Secretary Smith – I’m looking at the drawing and trying to figure out where the gravel is supposed to be can you show me. So between the dark area and the guard shack is that where the gravel is going to be reduced?

Mr. Patrick Doherty – Yes, it will be an area west of the guard booth. The distance as I said is about 170 feet east of the right of way to where the curb transitions to an aggregate, the curb goes away and it becomes a shoulder.

Assistant Secretary Smith – I couldn’t figure out exactly where it was at but I see it now.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

10. NEW BUSINESS
None at this time.

11. CITIZEN PARTICIPATION
None at this time.

12. PLANNING DIRECTOR’S REPORT
Mr. Ron Wuerth – It was a fast couple of weeks and some of it Michelle and I weren’t even in the office we were at the Map Conference in Detroit so that was a pretty good experience. I

attended quite a few sessions, sessions on fair housings, some legislative updates on cell towers, and the Zoning Authorities right to farm issues. There was a nice presentation on just how Detroit and their Planner's handle things and there were numerous Planners at all sorts of levels, it's amazing. Their Planning Director Maurice Cox is well known Director throughout the United States.

Another session I attended was called the Nuts and Bolts of business improvement zones and I'd like to look into business improvement zones a little closer to see what possibly can be done with those. They talked about the missing middle housing and the middle housing has to do with duplexes and multiple type housing that seems to be missing in between single family residential and then your high rise and your apartment buildings. So that middle mix is something we are going to get more of and you'll see it probably in our Downtown area. I suspect we are going to get a PUD coming up having to do with some condos. We'll surprise you later on I don't want to tell you right now.

On a different note we had site plan approval on the corner of Dequindre and 11 Mile Road for the Gas Station and the owner of Parkview Vet has hired an Attorney to fight all the variances that person is going for at the Zoning Board of Appeals. I did meet with Scott McCarthy for Redico and that's Meijer's on 10 and Schoenheer and that was really to go over the entire process one more time. Tonight you released the bond for Mike Wiegand's location that's a nice example of a mixed use with retail on the bottom residential above and I think we approved the site plan to expand that with more parking. Did a great job there, it's something to be proud of at that particular location.

We have hired a new Planner Aide and we will bring her in next meeting so that you can all meet her so thankfully we have another person to help fill in. And then finally some of you may have seen that on the City Council Agenda for tomorrow night there is the SEMCOG bill and it's in our budget so it's just a matter of having them authorize the payment.

Chair Howard – Just a couple things can you give us an update on I think it was going to be a grocery store a shopping center there at Eight Mile and Schoenheer right on the border.

Mr. Ron Wuerth – I checked on that about two months I was concerned that construction wasn't moving along and it all had to do with financing and they managed to find someone else to finance

them so I think they will get moving again with construction work, whatever they need to do to build that so it's still on the go.

Chair Howard – Thank you so much. In terms of the Master Plan I would like to set up a meeting if we can before Thanksgiving. I did hear back from Doctor Jacob's he's a very busy man he gave his apologies he's now working on a Federal Initiative with the Government that's going to have him out of the office until around January. I know at our last meeting we discussed possibly posing some questions to our City Council Members to get a feel if we can get that up and going then we will move forward. We can pose those questions to him via the internet just send him an e-mail and he will respond back. So I will send out some possible dates to Judy to send to the Commissioners and we'll just keep moving with that.

Vice Chair Kupiec – Thirteen Mile and Mound I see our outside sales are there again since Kroger's is down is there any other activity that's in the making?

Mr. Ron Wuerth – Nothing that I can speak of for certain. The outdoor sales that still is permitted and was approved years ago.

Vice Chair Kupiec – So it's legal, what he's doing?

Mr. Ron Wuerth – Yes, yes it is.

Vice Chair Kupiec – As far as you know is he ever going to build his facility that he talked about for five or six years now and he threatened to go to Sterling Heights now he's back on the corner again.

Mr. Ron Wuerth – I don't think he has a real good plan for what he wants to do. He does have property in Sterling Heights it's financing of course.

Vice Chair Kupiec – One of the questions that went along with that facility there was tapping into that fire hydrant. I see it's got a fresh valve on it so I hope he's paying the water bill.

Mr. Ron Wuerth – I'm not sure about that.

Vice Chair Kupiec – The new Planner that you hired is it an experienced person or new person out of school.

Mr. Ron Wuerth – It's a person from the work study program Macomb Community College and as far as experience is concerned

I'm sure she has a vitality and is going to help our organization she wants to get into Urban Planning and that's someone we want to hire.

Vice Chair Kupiec – Is it someone that's going to be able to step in and immediately give you some relief or will she require some training?

Mr. Ron Wuerth – Yes, we have Dewan doing a certain task at work and he's there limited hours so it was pretty obvious that we needed more help with our office. We have Elizabeth who does a fantastic job and this new person will help to, we need them all.

Chair Howard – Mr. Wuerth we discussed last year regarding getting the forwarding budget in perhaps maybe one to two meetings before so we'll have a chance to review it. Maybe that last meeting day or somewhere in December possibly being able to look at the 2016 budget to review.

Mr. Ron Wuerth – I was just thinking about that today.

13. CALENDAR OF PENDING MATTERS

None at this time.

14. ADJOURNMENT

MOTION:

A motion was made by Assistant Secretary Smith adjourn, supported by Commissioner Vinson. A voice vote was taken and the motion carried unanimously.

The meeting adjourned at 9:39 p.m.

Jocelyn Howard, Chair

Warren Smith, Assistant Secretary

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