CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on October 5th, 2015th, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 5th, 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
Edna Karpinski
Jason McClanahan, Secretary
Syed Rob
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson

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 7:07 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

MOTION:
A motion was made by Assistant Secretary Smith to excuse Commissioner Pryor, supported by Commissioner Vinson. A voice vote was taken and the motion carried unanimously.

4. APPROVAL OF THE AGENDA

MOTION:
A motion was made by Commissioner Rob to approve, supported by Assistant Secretary Smith. A voice vote was taken and he motion carried unanimously.

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5. APPROVAL OF THE MINUTES – September 14th, 2015

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

6. PUBLIC HEARING ITEMS:

A. 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. Tabled by Planning to October 26th, 2015.**

MOTION:
A motion was made by Commissioner Rob to table until 10-26-15, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

B. SITE PLAN FOR PARKING LOT ADDITION: Located on the northeast corner of Dodge Avenue and Sherwood Avenue; 22930 Sherwood Avenue; Section 33; Jeffrey Brodsky. **TABLED. Tabled by Mr. Brodsky to October 26th, 2015.**

MOTION:
A motion was made by Commissioner Rob to table until 10-26-15, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

C. SITE PLAN FOR OUTDOOR STORAGE OF SALVAGED VEHICLES: Located on the east side of Schoenherr Road; approximately 462 ft. south of Ten Mile Road; 24660 Schoenherr; Section 25; Designers Group, Inc.; Ali Jizzini (Ali Raichouni). **TABLED. Tabled by Mr. Jizzini to November 16th, 2015.**

Chair Howard – We do have a date requested to November 16th, but I believe this is our third tabling of this item. Could we share with the petitioner if the Commission agrees that this will be the last tabling of this item?

Mr. Ron Wuerth – You most certainly can. We can put it in a letter to him that it is the Planning Commission's request that will be the last time it's tabled. The next time you will rule on it there won't be any tabling.

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MOTION:
A motion was made by Commissioner Rob to table until 11-16-15, supported by Secretary McClanahan. A voice vote was taken and the motion carried unanimously.

D. REQUEST TO REZONE PROPERTY: Located on the south side of Maxwell Avenue approximately 146 ft. east of Sherwood Avenue; 6732 Maxwell Avenue; from the present zoning classification of C-3, Wholesale and Intensive Business District and R-1-P, One Family Residential and Parking to M-1, Light Industrial District; Section 33; R.S.G. Industrial Repair (Robert Tobin).

PETITIONERS PORTION:
Mr. Robert Tobin – Good evening ladies and gentlemen of the Planning Commission. The site that we are discussing tonight is located just off of Sherwood Avenue below Nine Mile Road in an industrial district. The existing building is a 7350 storage warehouse that contains building supplies and equipment. The building is zoned C3, an unusual zoning for a warehouse in an industrial district. There are five adjacent lots on Maxwell Street all zoned R-1-P. The owner requires outside storage next to his building for various construction equipment for his business which is an industrial equipment repair business. However, the building is improperly zoned C3 which does not allow outdoor storage in an R-1-P zoning. By examining the area adjacent to this property we find that the properties on the north side of Maxwell are zoned M-1. The properties all along Sherwood are zoned M-2. The property on the west side of Sherwood is a large Chrysler Facility zoned M-4 so you can see we are surrounded by a lot of M zoning.

The property is zoned R-3 and we will provide proper screening as per Warren's ordinance and requirements. Due to the surrounding M zonings it becomes apparent that the site fits into the existing industrial area. In order to provide the necessary outdoor storage area required by the City we are requesting permission to rezone the existing building and the adjacent five lots to M-1 zoning and this would rezone lots 101 to 108 to M-1. Thank you.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

Mr. Ron Wuerth reads the recommendations of the Staff:

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MOTION:
A motion was made by Secretary McClanahan to approve, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:
Commissioner Rob – How long have you owned this business?

Mr. Ronald Gerst – I've owned the business 20 years we've been located in Warren for 11.

Commissioner Rob – What type of products will you store outside?

Mr. Ronald Gerst – We are a forklift repair company so we store our delivery trucks outside, some of our service vehicles and equipment that's a little large for inside. It will stay out in the lot while we are working on it or until we can bring it into the facility to be worked on.

Commissioner Rob- I believe something came to the Board it was in 1986 but it was denied for the same things trucks, drums, and pallets.

Mr. Ronald Gerst – We don't have drums and we don't work with pallets, its forklift equipment.

Commissioner Rob – The trailers?

Mr. Ron Gerst – They are my delivery trailers.

Commissioner Rob – Are they going to stay there?

Mr. Ron Gerst – It depends, on a regular basis they do move. We use them through the course of our day for delivery of the forklifts and bringing forklifts in for repair.

Commissioner Rob – Mr. Wuerth, we are just talking about rezoning then there will be a site plan am I right, this is just a rezoning the site plan will come later?

Mr. Ron Wuerth – Yes, anything having to do with particulars of the site that's when they're discussed you will actually see the site plan. I think the site plan that you have seen is a concept plan is pretty close to what you'll see.

Commissioner Rob – Will they have to appear to the Board with the site plan again for the greenbelt and other stuff?

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Mr. Ron Wuerth – Yes, you can see it up there right now and I'm going to assume that's pretty close. I'm sure there will be some modifications once the Planning Staff reviews the site plan.

Chair Howard – This is just for a rezoning and what we are proposing today is to change the rezoning from C-3 into M-1.

ROLL CALL:
The motion carried as follows:

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

E. SITE PLAN FOR BUILDING EXPANSION, GARAGE ADDITION AND PARKING LOT EXPANSION: Located in the southeast corner of Thirteen Mile and Mound Roads; Section 9; 6250 Chicago; GM (Jason Harris).

PETITIONERS PORTION:
Mr. Dino Lekas – Good evening, I'm the landscape Architect with Smith Group JJR the Design Consultant for the project. This project is on the General Motor's Global Technical Center Campus and it's at the extreme northwest corner of the campus. The current building is a facilities operation center which houses a lot of maintenance facilities for individual buildings within the campus. If a repair is needed in the building that's coordinated through that building.

They are looking to create a new program there called the vehicle advocate program which sends cars to corporate events to promote the vehicles, to give test drives, to allow prospective customers to test drive General Motor's vehicles. So the proposed project is the renovation of approximately 12,000 square feet of the building. So the south end of the building would be renovated into a clean garage for these vehicles.

And an addition of about 60 feet to the south end of the building creating another garage bay for the storage for those vehicles. So it's a clean garage for new vehicles that we process through the facility detailed, washed and taken out to programs for test driving and promotion of the General Motors product.

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The site development is just looking to remove what's necessary for the building expansion and reconstruction of a fire loop around the building and adjustment of storm water management. So the dark area is essentially removal and replacement of existing pavement. The light color of the building that you see there is the addition and next to that is the building renovation within the existing building. So the addition is about 12,500 square feet. The garage itself is a one way loop by a door coming in and exiting both on the east side of the building.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes
ENGINEERING: Preliminary review yielded the following comments:

1. All water main, fittings, valves and other appurtenances shall conform to City of Warren Engineering Division an Fire Department specifications and requirements.
2. Sanitary pipe material shall be RCP Class IV, ABS Truss, PVC Sch. 80 or SDR 23.5 when under the influence of pavement.
3. Show all existing and proposed utilities. A system of internal drainage will be required. Detention may also be required.
4. The proposed dumpster enclosure and pad shall be shown on the plans.
5. Any utilities located within the proposed building footprint or within the influence of the footings/foundation shall be removed and relocated.

ZONING: The Zoning Bureau does not have any objection to the proposed construction. The site needs to be cleaned up after all construction has final inspections.
FIRE: This department has reviewed the above-captioned request and has determined 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 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access rods must have minimum width of 20 feet.

Mr. Ron Wuerth reads the recommendations of the Staff:
Eliminate #4 of Engineering

<u>MOTION:</u>
A motion was made by Commissioner Rob to approve, supported by Secretary McClanahan.

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COMMISSIONERS PORTION:
Chair Howard – You indicated that the drive is going to be for test vehicles and there's going to be one entry in and out am I correct?

Mr. Dino Lekas – Not test vehicles, but vehicles that go out for promotion of the product, for test driving, for prospective customers so they go out to facilities. I know for my son's high school has test drives of Ford vehicles often as a promotion for their vehicle product.

Chair Howard – So this is not a testing vehicle?

Mr. Dino Lekas – No.

Chair Howard – I was concerned about that because I would think that we need a little more space.

Mr. Dino Lekas – No it's just to house these vehicles. They like to keep them in fair pristine condition for perspective customers to test drive them at a particular location off site.

Chair Howard – And how many vehicles are you thinking that this location would actually hold?

Mr. Dino Lekas – Within the garage there are approximately 63 parking spaces and then there's another 20 proposed just outside the garage on the south end.

Chair Howard – And that's going to be on the south end in the darker shaded areas?

Mr. Dino Lekas – Yes.

Chair Howard – Could you explain number one to me in detail, I didn't understand your statement.

Mr. Ron Wuerth – Number one means that there are two site plans and they are combined to equal the site plan. We always ask them for an overall site plan and then a second site plan that's an enlarged type site plan so that you can see in much more detail what's going on. We staple them together in the office, stamp and send them off to the building division.

Chair Howard – And which one do you have currently?

Mr. Ron Wuerth – We have both.

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Chair Howard – You just want them combined?
Mr. Ron Wuerth – We make the statement that those are the plans that are to be represented. I don't know if you can see it but this is an overall that shows the entire Tech Center and then the other is like this a more enlarged one.

ROLL CALL:
The motion carried as follows:

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

The motion passed with one change of eliminated number 4 of Engineering.

F. SITE PLAN FOR PARKING LOT EXPANSION AND OPEN STORAGE OF VEHICLES: Located to the north east end of Concept Drive; 1990 Concept Drive; Section 19; Ground Effects (Larry Nichols).

PETITIONERS PORTION:
Mr. Larry Nichols – Good evening Larry Nicholas, Armstrong, Miller and Nichols. Our project is just a small parking lot at the north end of Concept Drive to add additional parking of 19 spaces. It's adjacent to a large open area that we are currently using for open storage which we received a variance from. We receive and send off about 450 pickups every day so you can't mix the parking with those pickups in order to keep them secure and safe. It's a small strip on a private drive north of Concept Drive.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
FIRE: This department has reviewed the above-captioned request and has determined the following provisions will be required.
1. Maintain Fire Department access roads. Access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.

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2. Fire Apparatus access roads must extend to within 150 feet of all portions of storage areas.

DTE: Approved.

Mr. Ron 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 – Has the new estimate been submitted yet, it's indicated it shall be provided, has that been provided yet?

Mr. John Dienst – No, not a construction estimate, no.

Commissioner Robinson – So it's contingent upon you submitting that estimate in terms of the bond?

Mr. John Dienst – Yes we have gotten a few quotes and they are under $40,000.00.

Chair Howard – So you have received a quote and you're saying it's under $40,000.00?

Mr. John Dienst – Yes.

Chair Howard – What would you say the best estimate would be currently?

Mr. John Dienst - $37,000.00.

Chair Howard – So we have a bond roughly in the amount $1100.00 dollars versus the $1200.00 dollars are you comfortable with that sir?

Mr. John Dienst – Yes.

Chair Howard – Alright so we'll have a bond in the amount of $1100.00 dollars to your site plan. I want to commend you this is always a very clean site, I thank you for how well it's maintained and we are looking forward to everything that you're going to be doing further on your property. Thank you so much for what you do.

Mr. Dienst – Great to hear thank you so much.

Vice Chair Kupiec – The 19 spots are for what purpose?

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Mr. Larry Nichols – They are for parking.

Vice Chair Kupiec – For personal car parking?

Mr. Larry Nichols – For employee parking.

Vice Chair Kupiec – Okay, because I noticed in passing through the area today there's a lot of parking in and around the area and very limited parking for the employees.

Mr. Larry Nichols – They have that big lot there but because they are running those trucks in and out of there all the time its limited parking for the employees.

Vice Chair Kupiec – I assume you'd like to keep your employees away from those trucks, thank you.

Chair Howard – Mr. Vice Chair we need to amend the motion to include a bond in the amount of $1100.00 dollars, do you support that sir?

Vice Chair Kupiec – Yes I support that, upon it's agreeable with Mr. Wuerth.

Chair Howard – Mr. Wuerth are you agreeable to the $1100.00 dollar bond versus the $1200.00 dollar bond sir?

Mr. Ron Wuerth – Yes.

Chair Howard – Commissioner Vinson do you support it?

Commissioner Vinson – Yes I agree.

Chair Howard – Thank you sir. With that being said we have a motion by Vice Chair Kupiec, supported by Commissioner Vinson with an addendum added that we will add an $1100.00 dollar bond to the site plan.

ROLL CALL:
The motion carried as follows:

Vice Chair Kupiec……..... Yes
Secretary McClanahan…….... Yes
Commissioner Rob…….. Yes
Commissioner Robinson……. Yes

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Assistant Secretary Smith…….. Yes
Commissioner Vinson……. Yes
Chair Howard……. Yes
Commissioner Karpinski……. Yes

G. SITE PLAN FOR NEW GAS STATION/RETAIL STORE: Located on the southeast corner of Eleven Mile and Dequindre Roads; Section 19; 1950 Eleven Mile; OKE Development (Ron Jona).

PETITIONERS PORTION:
Mr. Ron Jona – Good evening ladies and gentleman of the Planning Commission my offices are at 1066 Commerce Street, Birmingham, Michigan. I'm representing OKE Development who has owned this site for a long time. It's a gas station that has been closed for nearly two years and has partial contamination.

As I investigated the site over a year ago the desire was to reopen it. We looked at various development options but we believe this site can work as a station so we looked at quite a few different alternatives on site layout. Ultimately we arrived at the layout that you see there, which allows us to have 6 MPD in a building of roughly 6000 square feet.

The desire to spend close to a million dollars and invest in that corner is one that OKE Development is willing to make. But in order to do that we had to insure that we had a station at this point that would work. When we looked back at the history of this site it was seen that in 1969 a variance was granted to put the pump island and light poles in the acquired front yard, they already exist, a rear yard setback variance and a sign variance. So tonight what you're seeing is a result of a site plan that we believe will work very well in that corner. It's obvious that we will need to go to Zoning Board of Appeals should we be approved tonight, which we are prepared to do.

One thing to notice on the site is the massive amount of right-of-way that's been taken on this site. The greenbelts are 30 feet as they exist now to the current curb, which leaves us a buildable site that's small when you see the setbacks on it. We've looked at the building and we've designed something that we know faces, kind of, four fronts. So as you look at the elevations you'll see that we've got brick and decorative masonry on all four sides of the building and as I said six pump islands. So with that we are hoping that the Planning Commission sees this site as something suitable.

Secretary McClanahan reads the following correspondence:

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TAXES: No Delinquent Taxes.
ZONING: The above site is to be demolished and a new building, pumps and parking constructed. There are variances that are required from the Zoning Board of Appeals. The Zoning Bureau does not have any issues with the site.
MDOT: Approved.
DTE: Approved.
FIRE: Preliminary review yielded the following comments:

1. Meet all 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 city ordinance.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING:
Mr. Steve Albrecht – I'm the owner of 1972 E. Eleven Mile Road Parkview Animal Hospital. If this site plan is approved it would be a disaster for me and I think there are other options available for the gas station.

We are located next to the site plan and would be impacted if the site was approved. I have a packet to pass out. It also has some pictures in it. I'm not the most articulate person but this is very important to me. Like the development company I've also spent well over a million dollars on the property. I grew up in Warren, when we started out it was just a parking where semi trucks would park illegally. At this time we have safety issues that are a concern with the setback and the loss of visibility. It is very possible that the building that they are putting up could be located without getting a variance if it was located on the Dequindre side as opposed to right next to us.

I'm going to read something and if there's any questions that you have please ask me. We are located next to the proposed site plan at 1950 E. Eleven Mile and would be mostly adversely affected if the

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site plan was approved. The variances associated with the site plan will cause a great deal of harm to my business and also decrease the safety of my employees and clients. Most of my concerns are related to the plan's intent to disregard normal setbacks in the placement of their building from both Eleven Mile Road and also from our adjoining property line. It places a building that is too large for the site only 2 feet from my property line instead of the required 20 feet. It also places the same building 22 feet from Eleven Mile Road instead of the 50 feet required by Warren's zoning ordinance. The building is so large it requires a variance of 14 off street parking spaces. The location and size of this building will decrease the visibility of my building and parking lot resulting in both decrease business and also a safety risk to my employees and clients. The property is not large enough for the proposed site plan. The proposed site plan fails to follow the intent of the zoning ordinance to conform with the establish setbacks.

The site plan is designed to maximize the value by obtaining variances. When this occurs at the expense and safety of others it is unacceptable. By placing in a more appropriate site and sizing it properly I believe that OKE Development can be successful and obtain the majority of their goals without having a detrimental effect on my business, the safety of my employees, the clients, and our community.

When I called the Building Department they did say that Eleven Mile Road is a major thorough fare and section 2.58 of the zoning ordinance defines the front yard as an open space, extending the full width of the interior lot or full length of all sides bordering upon a street or streets of a corner lot. This is important because it specifies that both Eleven Mile and Dequindre are considered front yards. When you go on to section 17.2 of the zoning code it specifies in an M-2 zone where the yard has been established by the building in a block all the buildings hereafter erected or altered shall conform to the building line thus established provided that no building in an M-2 zone shall be required to be set back further than 50 feet.

I think some of you are familiar with the area and when you look at Eleven Mile Road the area that we are at there is significant setbacks. Across the street there's a 7 Eleven Gas Station that is well setback they are asking for the same size building and the same amount of gas pumps on a site that's much smaller. If you go to Value City they have a large setback. We setback further then we needed to with the zoning ordinance with the confidence that the City would actually protect us. Even if there was different zoning in

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that area the way it's set up there would still be a 20 foot differential even if it was a C-2 Zoning as opposed to the M-2 that's there.

We've had a problem with crime in our area I've had my car broken into twice, our staff has had their Cavalier converts stolen, their tires stolen. Our building has been broken into in the last year and the line of site is extremely important, when that's gone it becomes a serious problem. The other problem that we have is our employees leave from the front door especially at night. Most of them are female, we have over 40 employees, there's a lot of people that come and go, most of our clients are females also. A lot of our employees don't leave until 11:00 or 12:00 o'clock at night sometimes I'm there until two or three o'clock in the morning fixing things. We leave by the front door because it's safer and it's the most visible but when you put that big building there it's going to block the front door and the visibility from Eleven Mile and will make it much less safe for us.

If you look at the pictures in there, according to the Zoning along Dequindre Road and you follow the M-2 Zoning they can actually put a building without getting a variance just about to the sidewalk because there's an established setback by the existing buildings there. And if you look at the picture they would be able to put that building there without destroying the neighborhood, it would actually fit in on that location. When you put it in on our side it's going to stick out like a sore thumb and destroy all the setbacks in that area of Eleven Mile Road.

I know they intend on spending a lot of money, I spend everything I had on this building, we spend well over a million dollars on our building also, I trusted Warren I grew up here. When people come by one of the major sources of new clients for us is that they see the building. Before we were on the other side street a couple hundred yards from there and when we moved to the new building we actually doubled the size of our practice because people were able to see us more and they actually came to us because they were impressed with the building. If the building gets blocked it's definitely going to cause us to have a loss in business and we are going to have a detrimental effect.

They do ask for variances and with the variances the City of Warren does have a fairly high standard. One of those things for the variances is that they are not going to cause harm, these variances will definitely cause harm. It also says that the property has to be unique physical characteristics and this property doesn't have any physical characteristics that will allow the variance. They do say that

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it can't be a determent and this is definitely a determent to my staff and their safety. It says it can't be for personal or economic reason and these variances are asked for economic reasons. If this goes through it's definitely going to decrease my enjoyment of my property rights.

Mr. Oke is a landlord he came to me one time and I did express my concerns. What he said is that we'd get together sometime. I tried to arrange a meeting and he never got back with me when I told him I was concerned about the safety. It has successfully operated in the past as a gas station, it would cost them significantly less to remodel and actually bring it up to date. When I told him about some of my concerns he blamed it on the previous tenants he said they weren't very good they did allow loitering which contributed to our problems but as the owner he was responsible for that.

Eight Mile Road is a thoroughfare and according to what I believe it should require a 50 foot variance that has not been applied for yet to the best of my knowledge. I think part of the reason for that is that there's a distinction between a front lot line and also what the front is and that may have caused that, but there definitely should be a variance there. I did try to actually talk to one of the Planners about my concerns earlier in the week and when I called the Planning Department I was told since I wasn't the owner I wouldn't be able to talk to a Planner about it. I only got this a week ago.

Chair Howard – Sir we are running very close on our time limit you've actually exceeded but I will give you another minute to conclude your comments.

Mr. Steve Albrecht – Okay, the setback for the adjoining property should be 20 feet, and for safety reasons, and visibility that's extremely important also. I would appreciate if you did read this and go through to see what my concern's are because I believe that this building could be set on the other side and relieve a lot of my concerns. My concern is that the location of the building is going to significantly harm me, it's going to hurt the safety of my staff, my clients, and my business as to where it's located and it doesn't have to be that way and I don't believe it's appropriate for the site.

Chair Howard – Thank you so much for being very thorough sir and thank you for a concise report.

<u>MOTION:</u>
A motion was made by Commissioner Rob to approve, supported by Commissioner Vinson.

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COMMISSIONERS PORTION:
Commissioner Rob – First of all I want to say thank you for doing something on this property. It's been closed for a long time and looking at the concerns of the neighbor so my question to you is why isn't the building being placed in the same place where it was before?

Mr. Ron Jona – I'm going to answer that in two parts. I'd just like to say first, the first thing we did was spend a considerable amount of money and time at looking to just renovating that building. The problem is that the current pump in the building configuration, and our companies have studied this, was not financial feasible. So we looked at rebuilding the building in that location. What I want you to notice is that the property line along Dequindre is 126 feet which gives us that much depth from what would be from the south to north property line, you can see 126.75 on Dequindre. Along Eleven Mile it's 148.7 feet so we have increased depth going east to west on Eleven Mile. The difference of being able to create a pump configuration that actually works. This pump configuration works we could not get a double row of pumps if we put the building where it was on Eleven Mile. We've spend tens of thousands of dollars looking at renovating and doing that and we could not get this configuration to work at all.

The reality is that extra 21 feet allows us to get a very standard double row of pumps facing the building the building facing Dequindre. Also our market study told us that the building facing the way it does now towards Dequindre on the front is going to be much better for visibility and for those using to patronize the station.

Commissioner Rob – How many pumps were there before with the other gas station?

Mr. Ron Jona – Four pumps.

Commissioner Rob – Do you know the square feet of the previous store, is it the same dimension, is the size the same?

Mr. Ron Jona – No, the building that we are building is larger. And without doing a larger building this site wouldn't be feasible.

Commissioner Rob – I have another concern, I always see people cutting from Dequindre to Eleven Mile when there's a traffic jam. So I'm going to request a sign no through traffic especially on the side of Dequindre coming from southbound to northbound.

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Mr. Ron Jona –You'll notice that one of the key things to this site was that pavement and Mr. Wuerth read it into the record, there are currently two curb cuts on each road one extremely close to the intersection. This plan, this renovation obviously as you've read in the record and we've already shown takes out the two curb cuts closest to the intersection so that the site is served by only one curb cut on each side.

Commissioner Rob – I think that was a wise move because that would have been very risky, will it be one way traffic?

Mr. Ron Jona – Its two ways into each curb cut because they've been moved off the intersection. So right now we show two ways in and out of both curb cuts.

Commissioner Rob – I will still propose to the Commission to have a sign.

Vice Chair Kupiec – The gentleman in the audience indicated that he tried to meet with yourself or someone from your company and go over his theory on what he feels about his business versus what you're attempting to do, are you familiar with this meeting?

Mr. Jon Rona – Mr. Oke did meet with the neighbor. I was told about the meeting I encouraged Mr. Oke actually before to meet with the neighbors. I always do that I want any new project to be a win win for the municipality, the neighbors and obviously the petitioner in this case. What Mr. Oke related to me was that after discussing it and showing the site plan that our neighbor was not in favor of it, was not going to support it and have no interest in discussing it further, that's what was related to me, I did hear our neighbor say something other than that but that's what was related to me I did not personally meet with him. I do know that I told Mr. Oke that we are going orient it this way and that the rear of that building would not be just regular masonry. We've continued all the brick and decorative around that side.

The safety issue frankly is new to me and was not brought up to Mr. Oke. If there's lighting that can help we'd be more then glad to do it. I don't think that an empty business is very good for any safety issue. Anything we can do to help with safety with lighting would be amenable to us. I think that having an occupied corner is going to be a lot better than having an unoccupied corner. I don't see any traffic issues and I think that if we are successful going through or if we're not successful going through there's going to be a building

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most likely facing Dequindre and there are variances that exist on this site. So I think this is the right way to orient this building it's not being oriented that way to detract or to be a determent to our neighbor we think it can be an asset when we landscape it and light it properly.

Vice Chair Kupiec – You say that Mr. Oke did meet with the neighbor and indicated that the neighbor was not acceptable with the site plan as it was so obviously he's familiar with the fact that he would like to see the building reconfigured?

Mr. Ron Jona – He just said he was not in favor of the site plan. A reconfiguration is not an option for us. We are not going to put the building where it was and we are not going to put this building facing Eleven Mile as I indicated because we cannot get a pump configuration that work due to the fact that dimension is 127 versus 148 in the other direction, so unfortunately it just doesn't work for us.

Vice Chair Kupiec – Are you currently in the gas station business elsewhere?

Mr. Ron Jona – I'm with Mr. Hassan Bazzi who is with us, we have another station, Oke Development has a station on Twelve Mile and Van Dyke I believe on the southwest corner, and there are numerous other stations not in Warren.

Vice Chair Kupiec – Twelve and Van Dyke that's the Marathon Station?

Mr. Hassan Bazzi – Good evening ladies and gentleman, yes it's the Marathon Station.

Vice Chair Kupiec – Well obviously you heard everything you're neighbor had to say, he's not a very happy camper and he's been around for awhile. That corner has been vacated for a long time and it would be nice to see something on that corner because it is an eyesore it's becoming a hazard zone.

Like indicated by fellow Commissioner, it's a cut through for traffic during the busy hours of the day. There are concerns about that corner, we'd like you to somehow meet with your neighbor and come up with a compromise that would make him satisfied. He's been there for awhile and he does have an established business so we do respect his opinion. Obviously you're making a big investment so you have to be satisfied also, so try and meet with him and see if you couldn't work some of this out.

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Mr. Ron Jona – We'd be more than willing to do that and within the framework of the site plan that we have we are willing to do anything we can to help accommodate any concerns he has.

Mr. Hassan Bazzi – I'd like to mention one thing also, we are going to have a security system around the building as well, for security reasons. It will be behind the building and around the corners as well. We've been there for sometime even with the other location on 12 Mile and Van Dyke and we've never had any issues. The station was open probably from five to eleven or twelve, we never had security glass. We will have security along the building in the future.

Vice Chair Kupiec – What will your hours of operation be at the Eleven Mile and Dequindre Store?

Mr. Hassan Bazzi – We haven't decided, we are going to be looking at keeping it open hopefully 24 hours and it's going to be very well lit. That's the plan, if it will go through. The station will be completely different then what it is right now.

Vice Chair Kupiec – In the findings it did mention a sandwich shop also are you talking about a premade sandwich or a franchise like Subway coming in?

Mr. Ron Jona – Yes more like a Subway type franchise not a premade.

Vice Chair Kupiec – So you haven't decided on that yet?

Mr. Ron Jona – No, we have not got to that point yet.

Vice Chair Kupiec – Are you considering a drive thru for sandwiches or just walk in?

Mr. Ron Jona – No just walk in.

Commissioner Rob – I hate to see this empty because this business has been closed for a long time but what else can be done at the rear side of the building, can there be a wall or something to make it safer for the neighboring business?

Mr. Ron Wuerth – I guess a study would have to be done of the two buildings that are there and the new building and find out where it's believed the people are hanging out. If there are areas that are not

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lit, dark areas then they should be but a wall, I don't know what a wall is going to do there to help anything.

Commissioner Rob – The new proposed building will be facing west but the rear side will be on the east?

Mr. Ron Wuerth – That's right and it's going to be setback, if allowed. Just two feet off that east property line so it behaves as a wall to begin with, if that's what you're getting at.

Commissioner Rob – Yes.

Mr. Ron Wuerth – Then there would be no need for a wall along the east property line.

Commissioner Rob – What is the gap between these two buildings?

Mr. Ron Wuerth – The setback is I believe two feet if memory serves me right, two feet as opposed to 20 feet. 20 foot is the rear setback, that's the rear of the property.

Chair Howard – This is a very interesting situation we have before us. Definitely we are concerned about the veterinarian business that is right to the south and I do understand that he has actually invested a lot in this area. The petitioner indicated just based on getting the six pumps that configuration correctly there's no other way to configure those six pumps at that site based on the dimensions of what he wants to do, am I correct?

Mr. Ron Wuerth – He is right there's no doubt about that. As far as the setbacks are concerned there's a 50 foot setback because of the M-2 Zone along Dequindre Road and its 20 feet along Eleven Mile Road that's where you see that building setback, I think its 20 feet, meeting the ordinance along the north line. If you look at the picture of these two as it exist out there you'll see that the veterinarian's parking lot is at a setback near the road. He probably could have located his own building out that far for more visibility if he had chosen to, back when his building was built. If you notice the building farther to the east on the south side of Eleven Mile Road that building is located fairly close to the sidewalk.

The buildings on the north side they're back because there happens to be a type of easement and it's an extension of the expressway system, not that they cared to be back that far, they would have like to be closer to the road also. So that's part of the reason why there

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open space it's nice to have but you can't always get it in an environment like this.

Chair Howard – So what you're sharing with us is that the setback for the other buildings were primarily based upon the Eleven Mile expressway situation versus the zoning itself?

Mr. Ron Wuerth – Yes because the State of Michigan purchased extra right-of-way on the north side and that's why it turned out to be as it is.

Chair Howard – In this particular area how many zones are there, we have M-1 zone and what else?

Mr. Ron Wuerth – M-1, I believe a C-2 where the veterinarian is and that goes back to the shopping center to the south I believe, I'd have to look at the zoning map again.

Chair Howard – And we cannot reconfigure this to allow for the six pumps?

Mr. Ron Wuerth – I don't think they can, the site isn't really that large and if you used all the setbacks exactly the way they were you'd probably be lucky to get two pumps in there. For an M-2 zone you have a 20 foot setback along that east line and a 20 foot setback along the south line. So your building, your pumps and your canopy all have to be within that particular the area not in the setback areas.

It's had previous variances, its hard surfaced all the way to the property lines now and the pumps now have previous variances. That's something that we did look at.

Chair Howard – I appreciate that sir, by far we take, as you know, every surrounding business and their concerns very seriously. We want to make sure we do the accommodations if we can.

Mr. Ron Wuerth – I think they could have improved lighting that would probably work very nicely especially in the back corner there they should work out something.

Chair Howard – I know the business to the south, their concern was for their staff members who would be leaving at some ungodly hours at night, so definitely they would want to have some type of protection there. Thank you Mr. Wuerth

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Chair Howard – Definitely you're in a situation based on the various zoning and how that is done and how the configuration is done. From this particular August Body we are very sensitive to our neighbor to the north, south, east, and west and what their concerns are. Especially from an established business who's invested as well in the community. We don't actually do Zoning you're going to have to go before the Zoning Board of Appeals to get those particular six or seven variances that you have to get to establish this business before the permit is released from the Building Department. I would encourage you to definitely have a conversation with the veterinarian. I do know you are working with some constraints but have that conversation.

Again we just approve the site plan, if the Zoning Board of Appeals denies your variances then you'll be coming back to this Board again just for a redo of your site plan. So please have that conversation.

Mr. Ron Jona – I commit to you that we will have that conversation, we will exchange information again today. I wasn't part of the original conversations but I will be part of these and design anything I can to help his site work with ours. As Mr. Bazzi said our security system will go around the whole site, which will help him and increase lighting and anything else we can do. We have no problem doing it we want to be a good neighbor as much as possible.

Chair Howard – Mr. Albrecht I do see your hand but we've closed the public hearing portion so therefore I can't have you come again. But what I would do is after we've taken our vote I would encourage both of you to have a conversation outside of this meeting.

Mr. Ron Jona – Certainly thank you.

Secretary McClanahan – We heard that lighting would be something that Mr. Wuerth would recommend and I know security is our biggest concern. Is there any way we can add to this site plan that they are going to put lighting on the east side of the building to protect the veterinarian employees and maybe the south side to both back sides of the building?

Chair Howard – Mr. Wuerth can you add that to your recommendation sir?

Mr. Ron Wuerth – Yes.

Secretary McClanahan – Is that okay with the maker of the motion Commissioner Rob and Commissioner Vinson?

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Commissioner Rob – Yes.

Commissioner Vinson – Yes.

Chair Howard – Alright we will add item number three additional lighting to the east and south side of the building. We'll move item number 3 down to item number 4 and a performance bond in the amount of $22,500.00 be posted according to the estimate cost of the petitioner. Is the petitioner good with this?

Mr. Ron Jona – Yes.

Commissioner Rob – Madame Chair I proposed having a sign for no thru traffic northbound onto traffic.

Chair Howard – Alright we'll add that item number four moving item number four to five. Commissioner Vinson do you agree?

Commissioner Vinson – Yes.

Chair Howard – With that being said we have two additional items lighting on the east and also on the south side of the building with the additional sign that would be items three, four, and the performance bond will be item number five.

ROLL CALL:
The motion carried as follows:

Commissioner Rob…….. Yes
Commissioner Robinson…….. Yes
Assistant Secretary Smith……. Yes
Commissioner Vinson…….. Yes
Chair Howard……. Yes
Commissioner Karpinski…….. Yes
Vice Chair Kupiec……. No
Secretary McClanahan……. Yes

Chair Howard – Vice Chair Kupiec would you state you objection for the record sir.

Vice Chair Kupiec – Well I think this site needs more consideration possibly tabling and get a little more in-depth review of the building location and see if they couldn't come to some kind of agreement. I think that the position of the veterinarian is very sound, he's been there a long time and deserves some consideration and I don't think

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we are giving him any consideration by putting this big building in there. The building has a lot of opportunities, they are talking about a gas station, a retail store, and a sandwich shop. It's a bigger building then you really need to run a gas station, but if that's what they want to do it's their investment. So I'm not in favor of it, I think we are trying to put too much in too small of a space.

7. CORRESPONDENCE
None at this time.

8. BOND RELEASE

A. SITE PLAN FOR A NEW DRIVE-THRU RESTAURANT: Located on the north side of Twelve Mile Road approximately 150 ft. west of Hayes Road; 15101 Twelve Mile Road; Section 12; Wendy's International, Inc. (Brian J. Mruzik). Release of a surety bond for $15,000.00 dollars posted on June 20, 2002.

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

ROLL CALL:
The motion carried as follows:

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

B. SITE PLAN FOR PARKING LOT EXPANSION TO LIBERTY FOUR SQUARE CHURCH: Located on the south side of Eleven Mile Road approximately 275.70 ft. west of Ryan Road; 3800 Eleven Mile Road; Section 19; Terry R. Frazier, Pastor; (Greg Baugham RLA). Release of a surety bond for $1200.00 dollars posted on December 17, 2013.

MOTION:
A motion was made by Commissioner Vinson to release bond, supported by Assistant Secretary Smith.

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ROLL CALL:
The motion carried as follows:

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

9. OLD BUSINESS

A. MINOR AMENDMENT TO APPROVE SITE PLAN FOR USED AUTO SALES: Approximately 94 ft. north of Stephens Avenue; 24055 Ryan; Section 30; City of Warren. The minor amendment is for 16 additional display spaces.

MOTION:
A motion was made by Secretary McClanahan to table until 11-16-15, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

B. MINOR AMENDMENT TO APPROVED SITE PLAN FOR RETAIL SHOPPING CENTER ADDITIONS IN TECH PLAZA CENTER: Located on the north side of Twelve Mile, approximately 1,048 feet east of Van Dyke Avenue; 8399 Twelve Mile; Section 19; Thomas Petzold. The minor amendment is for addition of a ATM with canopy.

PETITIONERS PORTION:
Mr. Thomas Petzold – My name is Thomas Petzold.

Mr. Ben Tiseo – I'm Ben Tiseo with Tiseo Architects. Mr. Petzold is in the middle of negotiating with a bank client for the shopping center and one of the requirements is to have an ATM. This is the only part on the site that will accommodate it, it's out of the way it doesn't interfere with traffic. I understand there were some comments from the City Planner. We have amendments to accommodate that here, so I will hand those out. We are seeking approval, if we can get it tonight rather than have it tabled and bring back revised drawings we have those tonight if I could share them with you.

One of the comments was to have an escape lane, we did do that we did it at the end of the boulevard so if the third and fourth car

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needed an exit they could go through and go right and go out to 12 Mile Road or go back into the center. So it does accommodate the need that was expressed by the City Planner. We've also added the dimension that were required from the property lines in both directions off of 12 Mile Road and from the Walmart property. The one issue that I was not able to address was that there was a request to add some dimensions that was on the survey. Unfortunately we ran out of time today, I apologize but we only got notice today that this hearing was being held tonight.

Chair Howard – Now sir did you happen to submit these updates to Mr. Wuerth prior to the meeting tonight?

Mr. Tiseo – No I did not, actually I just submitted a portion of that plan tonight.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ZONING: The Zoning Bureau does not have any issues with the ATM as submitted on the site plan amendment. They will need variances for any signage on the ATM and any directional signs that have the bank identification on it.
ENGINEERING: Approved.
DTE: Approved.
FIRE: Preliminary review yielded the following comments:

1. 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 feet.

Chair Howard – What we are in a slight quandary sir is that our Planning director has not had a chance to review this and also the Planning Staff, they are seeing this fresh within these five minutes. Mr. Wuerth if you could come forward to get your input on this prior to making a decision.

Mr. Ron Wuerth reading the recommendation of the Staff:

Mr. Ron Wuerth – I am comfortable with this plan if there's any tweaking to be done it can be done afterwards, but I don't believe it needs to be tabled as long as it looks like the plan that I have or the plans you're looking at.

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Chair Howard – Because our contention here is that typically we don't do it here on the spot without your approval so we wanted to differ to you and if you're comfortable with that we'll move forward.

Mr. Ron Wuerth – Well I am, it reflects what I was proposing and what I felt was acceptable and what you would accept.

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

MOTION:
A motion was made by Secretary McClanahan to approve, supported by Commissioner Vinson.

COMMISSIONERS PORTION:
Secretary McClanahan – Seeing on how our Planning Director has approved this I think we should go forward and not stop progress.

Commissioner Vinson – You are aware as I am aware that these ATM Machines are being pulled out onto the streets. Would yours be so it can't be tore up and someone steal it?

Mr. Ben Tiseo – Well as best as we can, the bank is actually the driving force behind how it's installed. There will be a foundation and there will be anchor bolts but I guess if somebody came in with a tank they could take it out. We are hoping someone even with a tow truck would not be able to take it out. That's proprietary information that the ATM Machine has and we only have limited access to how they secure it.

Commissioner Vinson – What bank is supporting this?

Mr. Ben Tiseo – I don't know if we can mention it or not sometimes they ask for it to be confidential.

Mr. Thomas Petzold – I'm comfortable with it, it's Citizens Bank.

Vice Chair Kupiec – This is not related to tonight's site plan, but sometime ago when you first started your project there was some discussion with that no left turn sign going east on 12 Mile on the eastern portion of the facility that you're building about getting that removed so that people could turn in there, are you familiar with what I'm talking about?

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Mr. Thomas Petzold – There was some inquire with the County and it became a very prohibited proposition. I will say there are currently eight ways to get into our shopping center and from my prospective owning six other shopping centers that's a lot. So I've never felt that this shopping center had a big problem in its access and egress and ingress because of the multiple available ways of getting in.

Vice Chair Kupiec – I somewhat agree being on the Planning Commission I've been approached by neighbors and friends and was asked about the sign.

Mr. Ben Tiseo – To answer your question we did approach the County on doing that they had some very restricted requirements. One of them was that we would have to remove the boulevard back at least several hundred feet to accommodate a left hand turn lane. We would also have to re-engineer some other passing lanes on the south side to accommodate that. It became very expensive and challenging to make all of it work. At this time we did not pursue it because of those expenses. The County made it clear that it was going to be very time consuming and challenging for their approval.

Commissioner Robinson – I guess I'm looking at it from a safety stand point. Walmart has an inside ATM and this is going to be outside I'm assuming am I correct?

Mr. Ben Tiseo – Yes it is.

Commissioner Robinson – I guess I'm concerned about the safety issues having an outside ATM when you can walk a few feet and go over to Walmart and use the ATM. I think it would promote more crime in that little area there.

Mr. Ben Tiseo – This ATM is very close to 12 Mile Road I believe its 51 feet from 12 Mile Road it's going to be well lit. There's not going to be a lot of high shrubs around it that's one of the requirements for ATM's that you keep the shrubs very low if any so that people can't hide or lay down in there as the cars drive up. This is a drive up ATM, this is not a walk up as you might have inside of Walmart.

Commissioner Robinson – I saw that, I guess I'm still a little concerned about having that outside ATM in that busy shopping strip mall.

Mr. Thomas Petzold – The fact that we are projecting to be very busy I believe that will benefit the safety of it. Because of the

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exposure and the visibility that people have and the amount of traffic and eyes that will be on that ATM.

Chair Howard – That was a motion by Secretary McClanahan, supported by Commissioner Vinson with the addition of the escape lane.

ROLL CALL:
The motion carried as follows:

Secretary McClanahan…… Yes
Commissioner Rob…… Yes
Commissioner Robinson…….. No
Assistant Secretary Smith…….. Yes
Commissioner Vinson…….. Yes
Chair Howard…… Yes
Commissioner Karpinski…….. Yes
Vice Chair Kupiec…… Yes

Commissioner Robinson – My vote was no because I'm concerned about the crime issue in that area.

10. NEW BUSINESS
None at this time.

11. CITIZEN PARTICIPATION
None at this time.

12. PLANNING DIRECTOR'S REPORT
Mr. Ron Wuerth – It seemed rather busy in these last couple weeks. I met with a Larry Goss who is leading the group who would provide the Downtown Townhouses and Lofts that we may see in the near future here behind City Hall and in and around that area. It was interesting to talk to those people and discuss what they had in mind that was on the 16th.

On the 18th what is known as a quarterly meeting with General Motor's to discuss all of the development over there on how it's been going and how we've been working with them. It's been kind of tough, to say the least, regarding the Administration and the pressure that's being put on the Planning Department, Building Department, Engineering, and everyone else this is not easy task.

One of the major reasons, and it was brought forth in that quarterly meeting, it has to do with the amendments and the changes that they are constantly bringing forth after site plan approval if you

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haven't already noticed. So I've voiced that and tried to convince them that I think they need to take a little more time with their plans before bringing them before us, getting an approval and then having them come back two weeks later for another changed approval. We do those, but that's when someone needs a change after about six months they find after they get under construction that there's problems.

We tried to straighten some of that out at least voice how things are on the City side because I did also voice the fact that I work hard to satisfy General Motor's but I do have the rest of the City of Warren to work with too. That was on the 18th the same day as the Waste Water Treatment Plant, the smoke stack. We have Team Mobile and other carriers there, like Verizon that are mounted on that smoke stack well it's not doing very well structurally. So it looks like we'll move those to a different area on that site. The smoke stack I think will be coming down sometime in the future.

On September 21st, 2015 I had discussions with the Architects for the new Busch Library and that will be coming before us probably three or four months. I think you'll like the design and what's being planned for that. On the same day I attended Menards Grand Opening. What a place that is I encourage everyone to go see it. Then a couple of days later I spoke with an Andrew Margolis and they are going to put a small retail strip center out in front of Menard's. So where the sign is to the west of the sign that's where this strip center will be proposed so you'll being seeing that site plan rather soon. On the 24th we had Jason Harris from General Motor's drop off a plan with an amendment for General Motor's.

Coming back October 2nd I did have the opportunity to speak with the Boji Group, Victor Sarocki and John Hindu they represent the group, that potentially, if all things work out and there's a lot of work ahead of us on this will provide a four to five star hotel out on Van Dyke and more, much more, not just the hotel. So that was a real pleasure to see that type of development we'll see zoning wise if we can handle that to our greatest advantage.

Just today we did have a discussion about a building it's called a Peacock Building it's located on Van Dyke and Yacht a few blocks north of Eight Mile and it appears that there are some people there who want to open a small theatre and teach children everything there is to know about theatre work so we are excited about that. We have a few zoning issues there that we are going to solve but we'd like to see those people go in and do that. The best news of all I

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was given the okay to hire another Planner Aide so I will be calling people in the next couple of days here.

Finally there is the conference downtown. It's going to start Wednesday, Thursday, and Friday. I did check with the Administration they don't have the monetary means at this point to supply the fees for the Planning Commissioners perhaps we can look at that next year and put it in the budget I think that's the proper place for it make it an item. As opposed to trying to just pull a rabbit out of a hat sort of speak. So we will do that and see what we can set up for next year's conference, but it's still open I know it's costly and you don't have to go all the days you can probably go just one or two days if you wanted to it's at the Renaissance Center.

Vice Chair Kupiec – Madame Chair, I was just wondering if everybody had an opportunity to see Mr. Fouts on T.V. the other night voicing his opinion about the marijuana. We had a home explosion in the neighborhood and he was pretty adamant about.

Mr. Ron Wuerth – I wasn't in town at the time, but yes there were a few problems going on.

Vice Chair Kupiec – So anyway contrary to what he said originally about getting this thing moving he somewhat changed his opinion and he's wanting City Council to take a really close look at it along with the Attorney's Office.

Mr. Ron Wuerth – We will be at the next meeting because that item will be coming back for recommended approval.

Vice Chair Kupiec – And also his letter on the used car moratorium, I guess he's putting pressure on Council to shut down the used cars again.

Mr. Ron Wuerth – Yes that's exactly right, we can't accept applications for any type of expansion or new/used car lots. I had a request just today for one and I had to turn them away.

Vice Chair Kupiec – I think it's long overdue because we are becoming overwhelmed with them.

13. <u>CALENDAR OF PENDING MATTERS</u>

Chair Howard – I have been in contact with Doctor Jacob's Office he will be giving me some updated information and dates, just a lot of new ventures that he's involved in.

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Secondly, in terms of General Motor's and the abundance of changes do they allow someone from our staff to maybe sit in during their planning. But perhaps if there was some consensus beforehand we could minimize the amount of amendments.

Mr. Ron Wuerth – Well that's what that quarterly meeting was all about. I think they knew there were going to be some hiccups, things that both sides needed to work on and communicate better. If a Planning Commission wants to sit in on their next quarterly meeting then certainly I can have someone do that. I don't think they'd like a lot of Commissioners to sit in on that. They are working meetings discussing on how to better process things.

Chair Howard – Well at our next meeting sir maybe you can bring in some information on the dates and the times and then we'll pose it to the Commissioners to see if anyone would like to participate in that.

Mr. Ron Wuerth – Certainly.

Vice Chair Kupiec – You mentioned this five star hotel and then you mentioned something about zoning would there be any problems with zoning something like that in the area where you're talking about?

Mr. Ron Wuerth – Well it's just a matter of looking at whether the zoning that's in place the Downtown Center will work with how they want to develop what they are thinking about in the development of structures there or perhaps a PUD. If you go PUD it allows us to relax some of the dimensional aspects of construction. I just mentioned that I felt that if they could stay with the zone we have going there. Basically what it is in zoning terminology is it's a form base code that was designed and we'd like to attempt to adhere to that all through. And they did say they felt that they could do it and that if we run into any problems then we may switch to a PUD and it won't change things a whole lot from what I could see and from what I heard.

Vice Chair Kupiec – Based on some past experience with PUD that's not always the best plan to take but it's better than nothing I guess. Its dimensional type things so we'll take a look at that.

Vice Chair Kupiec – How far down the road could this be?

Mr. Ron Wuerth – I haven't talked to the Mayor and these gentlemen didn't exactly tell me anything in particular so I'd say within a year we

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will start looking at it hard. We may even be able to get to site plan approval.

Vice Chair Kupiec – Thank you.

Chair Howard – Thank you it is now 8:58 p.m., and I will take a motion to adjourn.

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 8:58 p.m.

_____
Jocelyn Howard, Chair

_____
Jason McClanahan, Secretary

Meeting recorded and transcribed by
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