

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on November 16th, 2015th, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, November 16th, 2015, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair
Edna Karpinski
Charles J. Pryor
Syed Rob
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson
Kelly Colegio – Ex Officio

Also present:

Ronald Wuerth - Planning Director
Judy Hanna – Senior Administrative Secretary
Michelle Katopodes – Planner I
Nicole Ciurla – Planner Aide
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 – I did receive correspondence from Vice Chair Kupiec and also Secretary McClanahan that they would not be here this evening, so I would

MOTION:

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

5. APPROVAL OF THE MINUTES – October 26th, 2015

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR STORAGE OF EQUIPMENT AND SUPPLIES: Located on the east side of Groesbeck Highway; approximately 1,355 ft. north of Schoenherr Road; Section 25; 24416 Groesbeck; Douglas Wolfbauer. **TABLED. To be tabled to December 21st, 2015.**

Chair Howard – We did receive correspondence from the petitioner that he would like this item to be tabled until the December 21st, meeting of 2015. I would need a motion to keep this on the table.

MOTION:

A motion was made by Commissioner Rob to table until 12-21-15, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN AND SPECIAL LAND USE PERMIT APPROVAL FOR AIR-SOFT GAMING FACILITY AND SEMI-TRUCK STORAGE PARKING: To be located on the west side of Mound Road, approximately 846 ft. south of Ten Mile Road; 24649-B Mound

Road; Section 29; Wojtunicki Real Estate Holdings, LLC (Tim Storey). **TABLED.**

MOTION:

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

Chair Howard – To our petitioners this evening, this goes for everyone, we are actually missing two Commissioners on this evening. You have the right to be heard by all nine Commissioners uniquely if you would choose to have your item heard on this evening and take the decision of this body we'll go forward or you have the option of having your issue tabled and we can move it back to a date certain.

PETITIONER'S PORTION:

Mr. Tim Storey – Tim Storey with Storey engineering representing the project. It's a site plan approval request, as you are aware Mr. Wojtunicki, his Wojtunicki Real Estate Holdings owns the building located at the site.

It's a two acre site zoned M-2 approximately 60% of the building is occupied by his trucking operation which is about 10,800 square feet that's GE Fleet. Also on the other largest portion of the building 40% of the building is east side air soft use, which we did receive the Special Land use for that from City Council in September. We're really not changing the site plan the main issue was the special land use but we had a few other items regarding some variances there was a couple variances that we needed. One for outdoor storage of the trailer in the rear we were exceeding the ordinance requirement for the area slightly. We also received a parking lot setback variance for the front parking that we have there. Being between the building and Mound Road there's requirements on that but we did received that variance. To have gravel parking in the rear also required a separate variance for that so we also received that variance. Then we received the special land use for the air soft gaming.

So the only thing left before we can proceed. There are some things we need to go through with the Fire Department and Engineering, but until we get to that point the next thing we need is the site plan approval. Once we get that then we are going to go take care of those items and then we'll be all compliant.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. The previously approved site plan required a detention facility on the west side of the site. The detention pond was filled in without acquiring the necessary permits and approvals. Detention will be required for this site and all drainage shall be maintained within this development.
2. Any improvements within the Mound Road right-of-way shall be subject to the approval of the Macomb County Department of Roads (MCDR).

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

1. Must meet the requirements of the 2012 Edition of the Michigan Building Code, specifically section 411, "Special Amusement Buildings".
2. Special Amusement Buildings must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13. Fire Department Connection threads shall be National Standard type and a fire hydrant shall be provided within 150 feet of the Fire Department Connection.
3. Provide fire alarm system as required by code.
4. Maintain existing Fire Department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
5. Provide Fire Department lock box (Knock Box) as required by local ordinance.

DTE: Approved.

ZONING: Preliminary review yielded the following comments:

In order for the Zoning Bureau to accept his application for Certificate of Compliance, schedule inspections and issue a Certificate, this address will need the Special Land Use permit approved by the Planning Commission and then the City Council. Prior to that being issued we cannot allow him to operate this business.

Mr. Ron Wuerth reads the recommendations of the Staff:

In your findings it says Zoning Board of Appeals that could say Zoning Bureau.

PUBLIC HEARING:

Mr. Tom Turmel – I'm a 50 year resident of 24462 Blackmar my street is parallel with Mr. Wojtunieck. He's owned this property for 5 years we call it the field it's about six acres. He's maintained it

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beautifully and I have absolutely no problem with this in my neighborhood. I've toured his facility it seems like some very viable, it could be very interesting. I can't find anything detrimental as a neighbor.

MOTION:

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

COMMISSIONERS PORTION:

Chair Howard – There was a note in our finds regarding the vehicular circulation regarding your driveway in the rear of the building are you going to be removing the fence what is your plan there?

Mr. Storey – Yes there's a small fence on that north side that's going to be removed.

Chair Howard – I did read in the findings as well, which I think is very good regarding the times that the varying entities will be operating and I think that's a better situation then we had before when you were here. Thank you so much for your time and patience.

ROLL CALL:

The motion carried as follows:

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

- 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 Road; Section 25; Designers Group, Inc.; Ali Jizzini (Ali Raichouni). **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Ali Jizzini – Last time we had some delinquent taxes but I've paid them.

Chair Howard – Alright, refresh us once again and tell us what you want to do with that particular site.

Mr. Ali Jizzini – I have an indoor salvage yard and the Zoning Department was telling me that we needed to change the outside parking space to an outdoor storage space for the salvaged vehicles that are waiting to be dismantled. We talked about it last time they asked me if I could move the fence barb wires, which I did, and we talked about me not leaving the cars there for not more than 90 days and not to leave any tires or anything outside that would cause bugs.

Assistant Secretary reads the following correspondence:

TAXES: No Taxes Due as of 11-16-15.

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

1. A system of internal drainage is required. Detention may be required. All site drainage shall be contained on the site.
2. Show all existing and proposed utilities on the plan.
3. The legal description begins at the northwest corner of section 25 and travels down the centerline of Schoenherr Road then extends into the site 438.8'. The current drawing shows the 438.8' dimension starting at the right-of-way of property line. The description and sketch shall be reviewed and revised accordingly.
4. Any improvements within the Schoenherr Road right-of-way shall be subject to the approval of the Macomb County Department of Roads (MCDR).

FIRE: Maintain existing Fire Department apparatus access roads (Fire Lanes). Access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.

DTE: The proposed storage is close to existing ITC (International Transmission Corporation) lines. This request needs to be referred to ITC.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONER PORTION:

Commissioner Robinson – One of the concerns that I have here is it's indicated in the recommendation that a system of internal drainage is required but nothing has been stated as to what is being done with it.

Mr. Ali Jizzini – It wasn't on the plan its pre-existent.

Commissioner Robinson – It wasn't on the plan so is it in place now?

Mr. Ali Jizzini – Yes we just have to mark it on the plan.

Commissioner Robinson – Secondly there's a DTE recommendation as to getting a request from your neighboring International Transmission Corporation, was that done to satisfy their request because of the close proximity from the storage to their business there?

Mr. Ali Jizzini – The easement is mentioned in the survey but it was not reflected on the planner map for the building, but it's on the survey so we just have to put it on the other map. It's been there since before I bought the building.

Commission Robinson – So does DTE have a problem with this in terms of having them satisfied as to whether it's okay?

Mr. Ali Jizzini – It shouldn't be a problem because we have 22 to 24 feet in the back that's empty. The last footage of the building is too far from their power line the only concern would be like in the future if somebody wants to add an addition to the building then we will get closer we have no plans to do that, we are like 22 feet away from that power line.

Commissioner Robinson – Okay that wasn't noted there.

Chair Howard – Mr. Wuerth just for clarification of Commissioner Robinson's question regarding the system of internal drainage that was just not noted on the site plan itself but there is one in place?

Mr. Ron Wuerth – I can't verify that, this is a requirement of the Engineering Division that's not part of the Planning Recommendation. Its part of their recommendation that they investigate to make sure there is one and they'll do that during the permit part of the procedure and process. Mr. Jizzini indicates that there are some structures in and around there so certainly we can put those on the plan as something that should be done. What I did

call attention to is all utilities shall be provided on site plan that includes those.

Commissioner Pryor – The recommendations that we have says that the taxes are over \$12,000.

Mr. Ali Jizzini – I paid it on the 10th, I have a receipt and as of today they verified that there's a zero balance.

Commissioner Pryor – Can you explain to me what happens to these vehicles I assume that they come in disrepair what do you do with them and how do you get rid of them?

Mr. Ali Jizzini – I buy those vehicles basically from insurance auctions so they've been in some kind of accident or mechanical failure. After I buy them I dismantle those cars and then the remaining of the vehicle which is the shell it goes to a processing facility sold as metal. Buy the time the car is done it goes straight on a towing truck to scrap yard with a title, when they scrap the car they give us a receipt.

Commissioner Pryor – What I see in the picture there doesn't seem to be any scrap cars or scrap lying around.

Mr. Ali Jizzini – It usually takes us one to three days to finish a car. If something along that time that happens that I need to finish first like a customer comes in with an order and I need to drop an engine off of one car then I have to give priority that's the time I would have to delay a car other than that I just send it to scrap.

Commissioner Pryor – I appreciate that. From what I see in the picture there's not very much scrap lying around.

Mr. Ali Jizzini – It's always work in process.

Commissioner Rob – So you're not having onsite sales, the salvage vehicles are not being sold at that location, you're just dismantling them?

Mr. Ali Jizzini – My license has a C and a W license from the State even if I need to sell something it has to be wholesale to a junkyard. I don't do that when I buy a car I want it for parts. Legally, if something were to take place like this it wouldn't be sold to people it would be sold to another company with the same C or W license.

I just wanted to point out about the drainage. In 2010 when we bought the building we had a certificate of occupancy everything was inspected and brought up to code and they looked at the drainage that was part of it so I'm sure when they come for another inspection I'm sure it's not going to be a problem.

Chair Howard – Thank you sir for all the work that you've done since you first came to the Commission and also taking care of those delinquent taxes. It's also refreshing that you indicated that you took care of the barbwire as well as the number of days that those vehicles will be on the property. We are looking to maintain good properties in the city so you working with us helps us on this end as well.

Assistant Secretary Smith – I visited this site a couple of times and one of my concerns are the roads that lead around the building, which would be your fire lanes for fire trucks in case there's a fire, they seem to be blocked with vehicles. By obtaining this outdoor storage of the salvaged vehicles it seems like they are all over the place instead of in the areas which you're proposing to place them. So there's like some housekeeping issues that are concerning as far as if they are going to be kept in the places that they are supposed to be or like I said blocking the fire apparatus roads and the fire lanes and stuff like that.

Mr. Ali Jizzini – Basically the north end fire lane has been blocked because I'm trying to clear the old vehicles. In the back there's a space to put all those vehicles but I'm not putting them there because I'm getting rid of the old stock so I have to start somewhere. I keep the right side open at all times, the south end fire lane, because there's a way all around my building. I'm keeping at least one lane open at all times by the time. I don't want to put those cars back in the back because it's going to take too long to get them, which is going to exceed the 90 days, so I'm trying to get rid of the old stock first.

Assistant Secretary Smith – Mr. Wuerth just a clarification on your recommendation I thought I heard you say five copies of revised site plans and on recommendation it says 20 copies?

Mr. Ron Wuerth – Five copies is correct.

ROLL CALL:

The motion carried as follows:

Commissioner Robinson.....	Yes
Commissioner Vinson.....	Yes

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Assistant Secretary Smith.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	Yes
Commissioner Karpinski.....	Yes
Chair Howard.....	Yes

- D. SITE PLAN FOR NEW CUC BUILDING IN THE GM TECHNICAL CENTER: Located in the northeast corner of Mound and Twelve Mile Roads; Section 9; 30100 Mound; Jason Harris.

PETITIONERS PORTION:

Ms. Emily McKinnon – I'm with Smith Group JJR, Jason Harrison Harris is unable to be here today he sent a message to Ron. We are here to talk about the central utility center which is on General Motors Campus. It's another project that General Motors is pursuing as part of their Global Transformation Initiative on the Campus.

The project is located in the south west quadrant of the campus near 12 Mile and Mound Road. It's approximately a 15,000 square foot utility building located within an existing asphalt parking lot area. It's maintaining about 100 parking spaces around it. The building itself is almost entirely utility rooms, electrical rooms, chiller rooms, cogeneration rooms, there's a small common work area for staff when they are working there or for training purposes. The building itself is a one story building the room height is about 25 feet the total building height is about 44 feet 4 inches that's including the screen walls that extend up to screen all of the mechanical equipment that is on the roof top. The building is set back over 450 feet from Mound Road which maintains the existing setback of the design dome from Mound Road as well. Off 12 Mile Road it's about 157.9 feet from 12 Mile Road and in line with the other buildings that are along the 12 Mile right-of-way.

The maximum building per ordinance is 40 feet in this area but in the M-3 Zoning there's allowed a building height exemption if you increase your setback for every foot you're over 40 feet so that makes it a 155 foot setback and as I mentioned we are over that at 157.9 feet. The exterior materials on the building are zinc panel which will be a grey or silver tone, on the east and west there will be a curtain wall system with glazing and a perforated metal panel screen wall to screen in the mechanical equipment. So we are here this evening to ask for your approval of this improvement on the General Motors Campus.

Assistant Secretary Smith reads the correspondence as follows:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review yielded the following comments.

1. Show all existing and proposed utilities. Any utilities located within the proposed building footprint or within the influence of the footings/foundation shall be removed and relocated.
2. A system of internal drainage shall be required. Pretreatment of the storm water will be required prior to discharge. This site shall comply with the City of Warren Storm Water Manage Plan.
3. It does not appear that the current layout meets the minimum design criteria for maneuvering lane width. It is the understanding of the Engineering Division that GM is attempting to obtain a variance for parking and maneuvering lane dimensions. Should this variance not be granted, revisions to the layout will be necessary.

DTE: Approved.

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 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (Knox Box) as required by city ordinance.

Mr. Ron Wuerth reads the recommendations of the Staff:

Condition number three would be removed as the petitioner stated there's an exemption in section 19 so therefore that variance is not required. Remove item number three under Engineering, General Motors has obtained that overall variance for parking spaces and for maneuvering lanes.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – What is our height restriction of the building if it has to go to a variance what is the actual height that we require?

Mr. Ron Wuerth – They are not required, there's an exemption and it has to do with setbacks.

Commissioner Rob – What is the height that we allow without going to the variance?

Mr. Ron Wuerth – I believe it's 40 feet

Ms. Emily McKinnon – The height can be increased up to 10 stories or 150 feet when the setback is increased for every foot your over 40 feet.

Chair Howard – In terms of the employees I know you indicated that there would be about 100 parking spaces are those existing employees are you moving them from another facility?

Ms. Emily McKinnon – Yes, they're existing spaces and there's actually really no employees that will be full time in the facility. It will be General Motors staff that comes and goes from the facility.

Chair Howard – In terms of the drainage there I know there's a lot of construction going on, are you currently putting in a detention system?

Ms. Emily McKinnon – No we're not increasing the impervious on the site but we are putting in the required storm water quality, but we will meet the required Engineering standards for the site when we submit.

ROLL CALL:

The motion carried as follows:

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

- E. SITE PLAN FOR OUTDOOR STORAGE AND TRUCK PARKING ON GRAVEL: Located on the west side of Pinewood Street; approximately 394 ft. south of Stephens Road; Section 29; 23715 Pinewood; Kevin Garchow (Kerm Billette).

PETITIONER'S PORTION:

Mr. Kerm Billette – I'm here tonight with Mr. Garchow who owns the property in question and we have a letter here from Mr. Garchow, if

Madame Secretary, if you want to read it. It's a request that the item be tabled and the reasons for it.

Assistant Secretary Smith – This is from Kevin Garchow 21545 Lafever, Warren 48091 to the Planning Commission Secretary. Dear Secretary I am requesting that my petition for the Planning Commission approval of the site plan for 23715 Pinewood be tabled to a date certain. Last week I retained an attorney to assist me in presenting my petition he and Mr. Billette will be available at the public hearing. The attorney needs more time to review the finds of Mr. Wuerth. Respectfully Submitted, Kevin Garchow.

Chair Howard – Mr. Wuerth do you have any opinion regarding the tabling or any issues we may have on this item?

Mr. Ron Wuerth – There are plenty of issues with this particular site but this would give us perhaps an opportunity to meet with Mr. Garchow, his attorney and Mr. Billette and discuss some of these issues and see what can be worked out in the meantime. However I don't know what the length of time is that they are requiring we have two meetings I believe December 7th and December 21st.

Mr. Garchow – December 7th.

Chair Howard – Will that give you enough time sir?

Mr. Garchow – It should yes.

MOTION:

A motion was made by Commissioner Rob to table until December 7, 2015, supported by Commissioner Pryor.

ROLL CALL:

The motion carried as follows:

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

- F. **SITE PLAN FOR MACHINE SHOP BUILDING ADDITION:** Located on the northeast corner of Miller Drive and Denton Drive; 6855 Miller Drive; Section 4; Daniel Blake (William Baldner).

PETITIONER'S PORTION:

Mr. Daniel Blake – I'm here to request an addition and we are willing to comply with all the recommended requirements. It's a very small addition where we want to bump the wall out 6 foot x 60 feet and it's necessary to do that in order to put in another machine that I have on order. The machine is on the east coast ready to be delivered so I'm a little time sensitive I'm hoping to beat the weather with the start of this addition.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review yielded the following comments:

- 1 The distance of 48.21' shown along the southerly property line is incorrect. This distance shall be 46.21'
- 2 It appears that the existing parking area encroaches upon the existing right-of-way of Miller Drive.
3. The existing storm sewer is in close proximity to the proposed building addition. This storm sewer might require relocation of within the influence of the proposed addition footings.
4. The existing roadway along the west side of the site shall be labeled as Hollingsworth Avenue.
5. The existing sidewalk along Hollingsworth shall be protected from vehicular traffic within the site. All parking areas are required to have concrete curb and gutter around the perimeter.
- 6 The existing brick wall near the south property line is over the existing water main and within the easement. This wall shall be removed such that no part of this is within the water main easement.
7. The existing floodplain shall be shown per the Flood Insurance Rate Maps and per existing elevations.

DTE: Approved.

FIRE: Approved.

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

**There's a correction on 1G it says 6 feet it should say 6 high. Add item 1L the same as 4 of Engineering. The distance of 48.21' shown along the southerly property line is incorrect. This distance shall be 46.21'.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Pryor – I'd like to know what construction is that existing wall that you're going to raise or take out.

Mr. Daniel Blake – Is the question regarding the existing wall of the building?

Commissioner Pryor – Yes.

Mr. Daniel Blake – The existing wall is concrete block it's masonry.

Commissioner Pryor – The part that's still there is that going to be concrete block? What I see on the plans is the lower portion of the wall where this addition is made is removed and you got a couple of beams supporting the concrete blocks, is that the way it's going to be?

Mr. Daniel Blake – Yes that's what's illustrated, correct.

Commissioner Pryor – I didn't know whether you could remove the wall and put the high beams in there without cracking or creating a problem.

Mr. Daniel Blake – Well that's a good question, we are in the process of evaluating that structurally it will be addressed and resolved.

Commissioner Pryor – The glass blocks that are existing right now looks like you've changed the size of the glass blocks above the addition so that it doesn't come down below the roof line of that addition, is that true?

Mr. Daniel Blake – Yes.

Commissioner Pryor – Is there one still there on the front end of the building is there another glass block there?

Mr. Daniel Blake – Yes there is one toward the north end of the building that will remain unchanged.

Commissioner Pryor – You could get rid of those glass blocks up above because you've got glass blocks down for the sunlight.

Mr. Daniel Blake – It does add a significant amount of day light inside the building so it makes the environment within the building a lot more pleasant with the natural light.

Commissioner Pryor – Will it be a smaller window it looks like there wasn't very much left of it.

Mr. Daniel Blake – That's true it is diminished, that's for sure.

Commissioner Pryor – Unless you want to move the window up and you can use the same size window. That's just a comment that I have.

Mr. Daniel Blake – It's very well up we're also considering building this to the full height of the existing building and then we will mimic the windows they will be all alike that might be more desirable from a wind load against the wall and the construction process because of cracking.

Commissioner Pryor – I saw a real problem there with that weight and trying to transfer it to the high beams.

Mr. Daniel Blake – Yes the Structural Engineer brought that up and the dilemma is we are considering building fully up and mimicking the existing windows.

Commissioner Rob – Did you already talk to the owner on the east for the ingress and egress or are you planning to sit with them for the ingress and egress agreement?

Mr. Daniel Blake – Yes, they are very good neighbors, in fact three years ago I purchased the building from the previous owner of the building. We have a good relationship with our neighbor, we don't care if they come through our rear parking with their vehicles.

Assistant Secretary Smith – Mr. Wuerth this is for a site plan approval tonight listening to the petitioner he was saying he may raise that building to a different height, does he have to come back with a different site plan?

Mr. Ron Wuerth – I didn't hear what he said?

Mr. Daniel Blake – What we are considering doing is instead of a roof line here is bringing this wall to the existing building so it would be the exact same height as the existing building. So if you look at this side view this would be even straight down we have an Engineer looking at that at this point.

Mr. Ron Wuerth – I don't know what your time line is for construction, but I would suggest tabling this.

Mr. Daniel Blake – The dilemma is that I can still build this way it's not my preferable way to build but because of my time line and my customer's needs I have to try and do what I can.

Mr. Ron Wuerth – You'll have to come back for an amendment to the plan, you can't do it just tonight.

Mr. Daniel Blake – It's pretty straight forward it's not changing the footprint of the building.

Mr. Ron Wuerth – We have to have the plan what you're actually going to do.

Mr. Daniel Blake – Well we can stick with this plan then.

Mr. Ron Wuerth – If that's your choice and then if you happen to decide to go bigger come back to us for an amendment at the next meeting or the meeting after that.

Assistant Secretary Smith – If we approve this site plan it's going to go as shown on the drawing and if there's any changes he'll come back for an amendment to support the changes?

Mr. Ron Wuerth – Yes, as you heard.

Commissioner Rob – I think it will be better if we can clarify to the petitioner on how the process works for the approval and then we can have a minor amendment. If you can clarify it I think he'll have a peace of mind on it.

Chair Howard – As Mr. Wuerth indicated today that we would take your particular plan that you have today and either approve it or disapprove it. If we approved it and there were any amendments to that you would just submit that amendment to Mr. Wuerth and then it will just come back here for the amendment to your site plan. We have heard your particular item on this evening we will take that to a vote.

Mr. Daniel Blake – Okay.

Chair Howard – That was a motion by Assistant Secretary Smith and supported by Commissioner Rob.

ROLL CALL:

The motion carried as follows:

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

G. SITE PLAN FOR NEW CARPORTS FOR APARTMENT COMPLEX:

Located on the west side of Mound Road; approximately 918 ft. north of Thirteen Mile Road Section 5; 31499 Mound; Darryelle Heard (Harlo Apartments)

PETITIONERS PORTION:

Mr. Kerm Billette – I’m here this evening with Jennifer Malkiewicz who is taking the place of the previous manager, Darryelle Heard. She was appointed a couple days ago as the new manager.

Ms. Jennifer Malkiewicz – I’m actually the Regional Property Manager over the property.

Mr. Kerm Billette – We have a petition to put some carports on the property I believe there are \$48,000.00 dollars worth of carports. We’ve received the recommendation from the Planner Mr. Wuerth, we agree with all of them everything on there can be accomplished. The site plan explains itself, it will be two phases half of the carports will be built at the end of this year and half of them next year. Over a couple years they may have to build six or eight more sections it depends on how they rent.

Chair Howard – So this is as is?

Mr. Kerm Billette – To add to these yes.

Ms. Jennifer Malkiewicz – There will be 30 this year and 30 next year.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. Meet all requirements of the 2012 Edition of the Michigan Building Code.

2. Maintain Fire Department access roads. Access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.

DTE: Approved.

ENGINEERING: Preliminary review yielded the following comments:

1. Indicate all proposed and existing utilities.
2. Show all existing and proposed easements required for this site.
3. Any improvements in the Mound Road right-of-way are subject to the approval of the Macomb County Department of Roads.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – What are the total units there?

Ms. Jennifer Malkiewicz – There's 264.

Commissioner Rob – And you're doing 30 this year and 30 next year?

Ms. Jennifer Malkiewicz – That's correct.

Commissioner Rob – How do you assign that, is it by apartment building?

Ms. Jennifer Malkiewicz – It's based on if their wanting the carports then they would rent them for about \$20.00 dollars per month.

Chair Howard – You have a cost here in the amount of \$48,000.00 dollars that's just for the first 30 units and then next year you'll come back for the subsequent 30 units?

Ms. Jennifer Malkiewicz - Yes.

Chair Howard – And typically how long does this take for those carports to be erected?

Ms. Jennifer Malkiewicz – That will take a couple weeks.

Chair Howard – So you'll have them up before the end of the year?

Ms. Jennifer Malkiewicz – That’s what we are hoping for.

ROLL CALL:

The motion carried as follows:

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

- H. SITE PLAN FOR OUTDOOR STORAGE: Located on the west side of Groesbeck Hwy., approximately 218 ft. north of Eleven Mile Road; Section 13; 27101 Groesbeck Hwy.; Tim Zawodny (Shiloh Industries).

PETITIONERS PORTION:

Mr. Tim Zawodny – I’m an Architect with Process Results 201 S. Ann Arbor Street, Celine, I’m representing Shiloh Industries. This evening we are before the Planning Commission to secure and request approval of outdoor storage so that the facility can operate within compliance of zoning ordinance. This is to be staged in three areas along the site along the rear or westerly boundary facing the Grand Trunk Western Railroad.

This is an M-2 District and the three portions will basically compromise approximately 3400 square feet for area one, 3600 square feet for area two behind the building and about 8000 square feet in the northwest corner totally about 15,000 square feet within the allowable zoning ordinance requirement for outdoor storage of no more than 50% of the building, which is in excess of 117,000 square feet. This will provide parking on the site that will still provide enough spaces to accommodate the largest day shift of 90 staff employees and then the second shift of 50 and 10 visitor spaces for a total of 150 total required parking with a 151 stripped spaces shown. The stripping in the configurations allow for the required 20 foot wide fire lane around the perimeter of the building.

The storage areas will be fenced with six foot high fence in accordance with the ordinance for an M2 District. It will be significantly more than 75 feet from the front property line. And the fences that face toward Groesbeck Highway as well as to the adjoining properties to the north and south will have privacy slates and be screened in a color that would be medium grey

complimenting the existing building color and diminishing their appearance from the road.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

FIRE: Preliminary review yielded the following comments.

1. Maintain Fire Department access roads. Access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
2. Fire apparatus access roads must extend to within 150 feet of all portions of the storage areas.

ENGINEERING: Preliminary review yielded the following comments:

Due to the close proximity to the storm sewer system, a plan of containment and remediation in the event of any spills be provided.

MDOT: Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:

I'm going to add number two, that's a new number two. That is on the site plan application form the property number 13-478-009 was placed on there and that was the property to the north. If you'll look at your maps you'll see that it's outlined in red and that's not part of this site and that is 009 so that should be noted and removed from the site plan application.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I visited the site today and I looked at the areas where you're proposing to have outdoor storage. You already have storage in those areas and it seems to be out of the boundaries of where you're proposing to do the storage.

One of the concerns I also had was on the west driveway where the semi-trucks come around the back of the building you have propane and argon gas tanks stored along that fence line. I don't know if that's safe or not being you have semi's going behind there. Another thing to on the south driveway as I was leaving the facility you're showing storage on one side of the driveway and you had storage on both sides of the driveway. You had wood pallets, you had other containers, so you had storage on both sides of the driveway. My question is the storage that you're showing on your drawing I don't

know it it's going to handle all the storage that I'm seeing around the building. May you can elaborate on that a little bit.

Mr. Tim Zawodny – There has been storage around various portions of the building as part of this process that is in the process of being cleaned up. This initially was a compliance issue that was sited earlier in the year so they are working to restripe the lot and those items will be removed from the areas that are not showing storage on the site plan.

Assistant Secretary Smith – What about where the gases are stored on the back fence is there going to be a designated area for those?

Mr. Tim Zawodny – Those would have to fall within the designated storage areas or be within the building.

Chair Howard – Now in terms sir of what Commissioner Smith just indicated what is your time plan for that, how soon before those items would be addressed?

Mr. Tim Zawodny – They will be addressed before the end of December if not sooner.

Chair Howard – Alright I like the sooner. In addition to that you did indicate from the recommendation that you will possibly be needing to obtain some variances from the Board of Appeals have you set an appoint to go to the Board of Appeals?

Mr. Tim Zawodny – Yes Madame Chair we have applied and we are actually on the agenda for this week.

Chair Howard – That was a motion by Assistant Secretary Smith supported by Commissioner Robinson.

ROLL CALL:

The motion carried as follows:

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

- I. SITE PLAN FOR INDUSTRIAL BUILDING ADDITION: Located on the north side of I-696 Service Drive; approximately 360 ft. east of Bunert Road; 14575 Eleven Mile Road; Section 13, Emad Fahim.

PETITIONERS PORTION:

Mr. Joe Rockwood – I'm from J & R Engineering my address is 51543 Industrial Drive, New Baltimore. We are proposing 11,725 square foot building addition to an existing building. There have been at one time a 12 foot x 20 foot small addition in the back added onto this building without a permit. As of two months ago we had obtained a site plan, we got approval, obtained the building permit, and now have an occupancy permit for that. So that's been cleared up.

Chair Howard – And what are you planning on doing currently?

Mr. Joe Rockwood – To put an 11,725 square foot building addition.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

FIRE: Preliminary review yielded the following comments.

1. Meet all 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 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (Knox Box) as required by local ordinance.

ZONING: Preliminary review yielded the following comments.

1. No permit has been issued for the ground sign in the front yard.
2. The ground sign located in the front yard extends into the right-of-way and shall be removed or relocated. (permit required to relocate).
3. A variance was granted on August 27, 1986 to allow hard surfacing to no less than twenty (20) feet of the front property line, with a condition that a berm was to be installed. The berm does not currently exist and shall be installed.
4. The maneuvering lanes on the east and north sides of building do not comply with the Zoning Ordinance. It is recommended that the site plan be reconfigured to comply with Section 4.32 of the Zoning Ordinance.

DTE: Approved.

ENGINEERING: Preliminary review yielded the following comments:

1. Any improvements within the 11 Mile Road right-of-way requires approval from the Michigan Department of Transportation.
2. The legal description provided on the plan does not match the Macomb County records. If measured differently in the field, provide recorded and measured bearings and distances on the plan.
3. This site drains to the Schoenherr Relief Branch No. 1 drain which is under the jurisdiction of Macomb County. An approval from the Macomb County Public Works Office will be required.
4. Indicate all proposed and existing utilities. No permanent structure shall be constructed over an existing proposed utility.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING:

Mr. Tim Hoste – I live at 14461 E. 11 Mile. Just actually a couple quick questions I work at the property just directly west and directly north of this property and I'm more just wondering what the overall proximity to the property lines on both the west side and north side is going to be so I have an idea of how close to our existing property lines this is going to be sitting. The other question I have is that particular lot right now does now have a lot of growth along both the western and north side is this going to be completely clear cut for this purpose or is there going to be anything left in that area.

Chair Howard – What we can do sir is take your questions and then when it's time for the Commission to speak to the petitioner we'll also get a chance to answer those questions. I also welcome you to have a discussion with your neighbors to the north and to the west as you begin this construction.

Mr. Tim Hoste – I do want to go on the record saying I fully support them and wish them well. I'm glad that the business is doing well and that they need to add on. It was more so just from the overall stand point to get this clarified at this particular point and time because when they did purchase the property there was surveys done in there and there was a slight encroachment issue that we had to deal with at that point. It's very minimal upon some area along the back portion of our building and we have since agree that our property line the way we had it in deed did encroach upon that, but it was more to understand what was going to be going on there.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – Mr. Wuerth if memory serves me they came before us before with this addition and it looks like the design has changed. It looks like the truck wells in the front are angled now and I don't remember them being angled before. Did they make the addition smaller or is it the same size?

Mr. Ron Wuerth – It is a smaller addition and now that you bring this up there is another note that I was going to add to the recommendation and I did not. This would be number 3 and it would say and indicate in reference to the November 10th, 2014 approval of that site plan, the site plan is still current and would expire November 10th, 2016. This site plan shall be withdrawn to make way for a newer site plan which of course is this one. So that would be condition number three.

Chair Howard – So you're saying the previous site plan to be withdrawn?

Mr. Ron Wuerth – The former one needs to be withdrawn and this will replace that.

Assistant Secretary Smith – According to the Zoning they are talking about the sign in the front yard. Should that be included in the recommendation or has that been taken care of, as far as the permit for the ground sign?

Mr. Ron Wuerth – I thought about that if the Planning Commission wants to make it a condition then please do, otherwise the Zoning Bureau will handle that. So yes make it a condition.

Assistant Secretary Smith – So we are going to add that to your recommendation to?

Mr. Ron Wuerth – Yes.

Assistant Secretary Smith – So in zoning number two the ground sign located in the front yard extends to the right of way and shall be removed to relocate it, a permit is required to relocate. So we'll use condition two from zoning and add it to your recommendation.

Mr. Ron Wuerth – Comment on Zoning number 4. When they talked about maneuvering lanes on the east and north sides of the building do not comply and indeed they don't but the whole thing can be designed correctly to make them comply, there's no variance involved on that.

Assistant Secretary Smith – Number 3 the variance that was granted in 1986 about the berm, is that berm going to be installed?

Mr. Joe Rockwood – The berm will be installed, we will have it on the revised plan.

Chair Howard – With the additional additions that Mr. Wuerth has added to your conditions are you in agreement with those conditions?

Mr. Joe Rockwood – Yes.

Commissioner Rob – Are we doing a twofold, are we withdrawing one of the site plans?

Chair Howard – Yes we are withdrawing the one, we approved one on November 10th, 2014. They will be withdrawing that previous site plan and this is the one they will be approving on this evening.

Chair Howard – When I was visiting your site on Sunday I did see polymer and casting that was in the back on pads. Is that outdoor storage, I know your trash enclosure was full so is that typically. How would you handle some of the products that you work on to leave them out?

Mr. Tom Ruczynski – Yes we have constant trucks picking up product and dropping off, maybe when you were there there was product being dropped off or being ready for pick up. The plant does run six to seven days a week.

Chair Howard – So the polymer's that are there those are just picked up by another truck and then the padding remains or the padding goes?

Mr. Tom Ruczynski – The padding goes along with it.

Chair Howard – Are you looking at getting a larger trash container?

Mr. Tom Ruczynski – We are yes, that’s one of the biggest reasons for this, we actually putting on a warehouse so that will help with the storage.

Chair Howard – In terms of the property line where actually are you situation in proximity to this other building at 14461?

Mr. Joe Rockwood – We are approximately 60 feet away, the other one you had approved was very close to the lot line we took that whole portion of the building off. So it’s about ½ the size now and it’s about 60 feet away.

Chair Howard – And to the open area that would be west of your property line that would be west of your property line, the open field there, are you planning on doing any development there?

Mr. Joe Rockwood – No, we have no plan for any development.

Chair Howard – I did notice some discarded tires in the brush?

Mr. Tom Ruczynski – That will be all cleaned up when they start doing the project.

Chair Howard – That was a motion by Assistant Secretary Smith, supported by Commissioner Rob.

ROLL CALL:

The motion carried as follows:

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

- J. SITE PLAN FOR NEW MEIJERS’S STORE AND GASOLINE/CONVENIENCE STORE: Located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; Section 23; REDICO (Paul Stodulski).

PETITIONERS PORTION:

Mr. Scott McCarthy – I’m with REDICO we are the developer. Also with me this evening is John Drain from REDICO, Cris Jones from Meijer’s, our Consultant Lyle Winn with A.E.W. As you know the

property is at the northwest corner of 10 Mile and Schoenherr previously it was a hospital, the hospital is now closed. It was built in 1964 and it's obsolete. This evening we are here to request site plan approval to locate a Meijer's Store on that property. We received unanimous approval from you a few weeks ago for the rezoning of the property and the rezoning was approved about a week ago by City Council.

Just a little background we've had a long relationship with Henry Ford they asked us to look at this property and to see what might be done with it. We looked at a number of uses it became very clear that a retail use was appropriate so we looked at a lot of the people in the retail industry we thought it needed a strong capable merchant and Meijer's was interested. We were very pleased with that. I've done a number of deals with Meijer's, they are a first class organization. They are Michigan based and I think they will add a lot to the area.

Before A.E.W. walks to the site plan both we and Meijer's tried to give a lot of consideration to how we did this. We certainly were concerned about the neighbors this is a big project especially the ones to the north. We are concerned about the environment and we are concerned about creating a good stable project. The first thing that Meijer's did was look at the corner, which has a lot of trees and the first thing they said was they wanted to maintain that. That's a little unusual for me. In my business if I'm dealing with a retailer they usually want to move everything so that you can see their store, but Meijer's committed to not doing that.

Also Meijer's and ourselves felt the store was large to fit on the site so I think from our first discussions it was determined by Meijer's to reduce the store almost 25% about 40,000 square feet. So the site plan you'll see this evening is a smaller store, which increases the distance from the neighbors to the north. Finally what I'll say is that access to the site is solely by four drives two on Schoenherr and two on 10 Mile. Now I'll let A.E.W. walk through the site plan with you thank you.

Lyle Winn – As Mr. McCarthy mentioned we are here this evening seeking approval of a site plan for a Meijer's facility. It is at the northwest corner of Schoenherr it is situated on an overall 18 acres the overall property is 21 ½ acres. As was mentioned we do propose two entrances to Schoenherr and two to 10 Mile Road. The notable improvements that we've done to the site plan since you saw the original concept plan was just mentioned. One of them being a reduction building size, we have brought that down to size by about

40,000 square feet. So it reduces the amount of parking needed and it allows us to increase the green space area. It actually took the north building wall and moved it about 50 feet further away from the residents. So now the north building wall is located 325 feet from the north property line. So we've actually increased that distance to keep that away from the residents as best we can.

The other improvement that we've made in this area, which is not reflected in the original concept plan is that along that north line at least along the Meijer's portion of that property we have included a six foot high berm with landscaping that will also help buffer the residents from lighting and noise that might come from the site. The other improvement that we made is in the entrance drives. We have included, at the Department of Roads request, an entrance lane that allows a full lane of traffic for about 100 feet to get off the main road and enter the site. The other improvement, the driveways, which was not on the concept plan was the south driveway on Schoneherr down by the large stand of trees. It became evident that particular location posed problems for left turning for both out of the site and into the site. At times during the day the left turn movements stacking waiting to turn at 10 Mile Road would prohibit people from coming on the site and making a left turn there. Also if someone is heading northbound on Schoenherr and wants to turn left at that driveway it would cause backups into the intersection. So that is restricted, it's been worked out with the Department of Roads to a right turn out, a right turn in only there will be no left turns at that particular driveway.

Some of the other efforts that were made during the process between the public hearing for rezoning and now is that Mr. McCarthy did meet with the residents to talk about the project, introduce Meijer's concepts and ideas, and work through the site plan there were a number of issues that they did have concerns about.

And lastly, through that process we also did perform a traffic study looking at those driveways and the plan does reflect the left turn movements at that south right driveway on Schoenherr. I know that there were some comments that the Planner had. I do want to talk about three of those and I don't know if you want to wait until you hear from his recommendations?

Chair Howard – You can go ahead and address those sir.

Mr. Lyle Winn – One of the items we want to talk about is the recommendation regarding charging stations for the electrical

vehicles. There are a number of those popping up nowadays and I think they got some experience with that on some of the other sites they have.

Mr. Cris Jones – Good evening Madame Chair I'm Cris Jones with Meijer's. I just wanted to let you know that Meijer's has two initiatives right now with electrical vehicle charging stations. We have partnered with Tesla to install charging stations at a number of our stores in Michigan. We've also partnered with General Electric to install some charging stations around Michigan and throughout our network of stores.

I had a chance to consult with GE before I came down today, talk to GE about a recommendation of the number stations that would be ideal for this location. They have some data as to the number of electrical vehicles in Macomb County and the number of electrical vehicles that would utilize the charging stations. GE recommended to us that a minimum of four charging stations rather than the Planning's recommendation of six. Meijer's would be happy to install a minimum of four and provide infrastructure for additional two and if the demand is there we could always add the additional two. That was straight from my conversation with General Electric as to the recommendation of number of charging stations.

Mr. Lyle Winn – The second item we wanted a little bit about pertains to the parking stall dimensions. I think the recommendation based on what I've read so far is that the parking stall recommendation is a 20 foot stall, I believe a 22 foot wide isle and a 20 foot stall over all dimension of 62 feet. Our current plan has 63 feet overall and a different arrangement 19 foot stalls and 25 isle. From the standpoint that we have found it a little more comfortable for people using a site to have a wider traffic isle maneuvering in and out of the space is the critical component. Many of the cars today are getting shorter we find very few cars that exceed 19 feet you have to have a very large vehicle to accommodate that. We would want to have a discussion about leaving it at 19 and 25 scenario.

Mr. Cris Jones – I'd just like to echo Lyle's comments. In our experience in the 223 stores that Meijer's have most of the public that are using the parking facilities we found there's far fewer accidents if we could get the travel isle 25 feet instead of 22 feet that there's less back in and less fender benders. If you have a little more room in the travel isle and 1 foot less room in the parking stall itself. I certainly respect the Planning Director's decision and their recommendation but if you could see it maybe from a little different perspective we would appreciate it.

Mr. Lyle Winn – One last item in the recommendation that we do want to talk about is the light pole height. There was a recommendation on the light pole height of 20 feet the plan you see in front of you does show it at 30 feet.

What we've discovered is that we are now using fixtures that are LED fixtures a very small profile lighting. In order to bring that height down to 20 feet we would have to have approximately eight to ten poles to get the coverage to eliminate those dim areas in a parking lot. Additionally we'd have to take some of the single fixture poles we have and make them doubles to get that spread to cover those areas in the parking lot. What we did include in your packet is a lighting plan your ordinance says we can't have, lighting intensity greater than one foot candle at the property line. What we see and I think the most important area here is the north property line where the residents live. The foot candles we are generating because of our distance away from them is zero yes you will still be able to see the light but the intensity has dropped to zero at that point and that does not even take into account the berm or the trees being planted there. We feel that's the critical component to the lightening situation and I believe what we proposed works well. Additionally when you start to add more fixtures you start to get a lot more reflective lightening. So we can minimize fixtures by increasing the height where it tends to keep that glowing affect down. It helps with energy efficiencies, it also helps with the night sky movements to try and reduce the overall night sky lighting.

Mr. Cris Jones – We use state of the art lightening LED Lightening is the most state of the art lighting that's out there on the market place is what Meijer's utilizes. What we found is fewer light poles at 30 feet are better than more light poles at 20 feet for residents. What I'll also commit to do is the outer band of lights the ones that are closest to the neighbors we can put those on a separate circuit so they power off at 11:00 p.m.

Chair Howard – We are definitely going to take all of this into consideration and see what is amenable to our Planning Director and also to this Commission, you've been thorough sir.

Mr. Lyle Winn – I think that generally covers the presentation that we had here I know that there are some variances we are seeking your, Planning Director has noted those. With regards to parking and building height at the entrances to the store I think it's noted as 37 feet in your information, the actual proposed height is 39.7 so it's a few more feet higher than that but it's only isolated at the entrance

doors. He listed the outdoor storage, signage is also a variance as well as the screened in wall. I believe there's a fencing requirement at the drive thru that we are seeking a variance on.

Assistant Secretary Smtih reads the following correspondence:

TAXES: No Delinquent Taxes.

FIRE: Preliminary review yielded the following comments:

1. Meet all 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 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (Knox Box) as required by city ordinance.

ENGINEERING: Preliminary review yielded the following comments:

1. Label all roads.
2. Any improvements within the Schoenherr Road and the 10 Mile Road right-of-way requires approval from the Macomb County Department of Roads.
3. Any improvements to the Schoenherr Drain or the 10 Mile Branch Drain are under the jurisdiction of Macomb County and an approval from the Macomb County Public Works Office will be required.
4. Any easements for abandoned or removed public utilities shall be vacated. Any portion of the permanent structure shall not be constructed over an existing or proposed utility.
5. On site detention is required and must conform to City of Warren's requirements.
6. All drainage from this site including the berm area must be contained within the property limits.
7. If the outdoor trash compactors are intended for any perishable items, a grease trap will be required.

Mr. Ron Wuerth – What I'll do is read the recommendation as it stands and then I'll go back and address those issues as they were raised.

Chair Howard – Perfect.

Mr. Ron Wuerth reads the recommendation of the Staff:

I'm going to add condition number 4 and that is that the petitioner provide a revised legal description of the rezoning excluding outlot A

as approved by the City Council so that we can have proper notice in the local newspaper.

Quick comment on the traffic study, you all received a copy of that to review and I also reviewed it. The work that they've done on the plan at the intersections is extremely good and acceptable to the Macomb County Department of Roads. That will address some of those issues that are presented there. I think the plan can stay as is regarding what was reported in the study. I did feel that Schoenherr Road probably needed to be widened up to Zagaiski but that is a Macomb County decision, that's just my opinion. Judging from the report itself it seem to indicate that there might be a need for that looking at those level of services that were reported in there. For the time being I think it will work very well. If there are problems in the future then I have full faith in Macomb County Department of Roads to go ahead and request a change and make those changes if traffic becomes a problem in that area.

Now I'll go back to the recommendation and address the issue regarding the charging stations. I can certainly appreciate the comment made, I believe by Mr. Jones, and I think that reducing it to four can be done, but I also like the idea of placing the infrastructure in for two more, if there is a need. That is what we encourage at new facilities with the size like this. So adding the infrastructure for two more is perfectly acceptable and if the needs there then they can put those in very easily and they can change parking, striping, and signage in the future.

So changing 1A – change from six to four providing the infrastructure for two more. IB – when it comes to the length of the parking spaces I have no choice the Zoning Ordinance dictates a 20 foot length unless the petitioner asks for a variance, which is what I would suggest at this time. Having wider maneuvering lanes I agree with their opinion about less accidents, but with 19 feet they are forced to go for a variance. So they need to add that to their list of variances and we can add it to ours as D that they need that variance. Just a quick statement about the variances we didn't get them all on there but they've already submitted their application so those have been listed and I'm confident that the Zoning Bureau has them all set to go there.

As far as lighting is concerned you well know that you've been approving sites with this type of lighting at a 20 foot height with lights for as long as you've been on the Board, and if Mr. Kupiec was here he'd say the same thing. It's something we believe in it's something we've always wanted. The other Meijer's Store that's in the city is

located within a PUD the height of those lights was negotiated. When it comes to lights at other facilities throughout our city we ask for a 20 foot height. I also believe that the 20 foot height works for night sky, go online and look up night sky and you'll find out a whole lot of information about what that's all about. So I still believe in the 20 foot lights, if you see it in hearts to change it to 30 then that is your opinion and I'll respect that.

What I understand is that REDICO wants to waive the wall along the west property line and that could be an issue and that is on the request. We said we wanted it extended within 15 feet of the north property line. So with that said the recommendation is submitted.

PUBLIC HEARING:

Mr. Derrick Mallais – I live at 26601 Schoenherr Road and this is my father Lawrence. We've been residing there for 39 years we've seen Schoenherr fixed one time. The past five years I've been trying to get somebody just to come out and look at what we have to deal with. Noise pollution, loss of sleep, affecting our health, nobody's come out. I called St. Pierre in July to come out and go for a walk to talk to the neighbors I'm still waiting for his call. I know it's not a city issue Mr. Wuerth said something about Schoneherr being widened that's great. The Rizzo Trucks and the garbage trucks have destroyed that road it's so bad. I'm on an average of three to four hours a night of sleep and it's affected my health.

Mr. Lawrence Mallais – They start at five thirty in the morning with their dumpsters and they hit a spot by the church and as soon as they hit that spot that dumpster is rocking all the way to Eleven Mile Road.

Mr. Derrick Mallais – I can't even open my windows in the summer time and I feel bad for these people on Zagaiski because there's a lot of things they are being told. I hear dumpsters being empty all the way from Planet Fitness, which is probably a quarter mile away from my house at four thirty in the morning and they run all night.

Mr. Lawrence Mallais – Ever since the city took a contract with Rizzo and these other companies that's all we get is traffic on Schoenherr. I even went to the Mayor and asked him why can't those trucks take Bunert to Eleven Mile Road to get on 696, they won't do it because it's a 25 mile per hour speed limit there where they can do 50 on Schoneherr.

Mr. Derrick Mallais – I would like somebody to come out with a decimal meter and see what my complaint is. Because nobody, I

went as high as Mark Hackel, that's a joke, he won't even answer his phone.

Mr. Lawrence Mallais – The Mayor tried calling him for our concerns he won't return his calls.

Mr. Derrick Mallais – I see that all the money is spent on the north end they spent \$700,000.00 on a bike trail. Look south of Eleven Mile Road it's all blight. I want Cecil to know I might have been the one complaining or in his words bitching and I am going to bitch. Thank you and God Bless our America.

Mr. Paul Webster – I live on Zagaiski 13245 to the north of this property. First I want to state that I'm disappointed with the three minute time limit in regards to this. I feel this situation as many others deserves more than three minutes of my time, there was no time restrictions placed on the individuals that spoke before me to put that to us, as citizens, I think is a big disappointment to all of us.

I want to start by saying back in September there was a meeting and there were 16 items that we brought to your attention. In reviewing the 16 items that we addressed five of them have been addressed, but they were not for the Planning Commission. There are 11 items that still need to be addressed, one was traffic control. We were told that a traffic study was done so I'd like the traffic control questions answered in regards to the trucks and general traffic that's going to happen at that corner. I'd like to see some of the questions answered in writing. Back in September we were allowed to voice our concerns with no answers how can you tell us we can voice our concerns with no answer coming back.

The lighting, I would like the lighting kept down to 20 feet. I know they are going to use newer technology LED and things of that nature. Stay the night at my house one night and you'll understand. We had worker concerns, the workers that are going to be working on the property as far as demolition and construction. We had a concern with the hospital when it was in business once they went to a no smoking campus we had smokers standing out on our street smoking every day. Now you have a construction site going on what is that going to bring to us as neighbors. General noise at all hours of the night, it's a 24 hour business, we do understand there's going to be noise. Crime do you have a plan for police presence, cameras as deterrence and again we did have issues when the hospital was there. There are a couple of schools nearby I don't know if that's been addressed as far as the property itself and the planning. My concern with the trees what are the age of these trees

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that are going to go in there, are they brand new, are they 10 feet tall or 20 feet tall can we get that addressed.

Meijer's is a great company they've done a lot for the State of Michigan the gentleman before me mentioned grant money was being directed towards bike trails. I know there's a lot of Fred Meijer bike trails in the State of Michigan, I'm a cyclist, I ride I really appreciate that, but I want to know what their commitment is to our community. I know what their commitment is to the State, my community is very important to me as far as the local schools and the residence that are nearby. Some of that was addressed as far as foodbanks with some of the food that's nearing expiration dates is donated to local food banks that is a fantastic thing that happens.

Construction concerns, again debris, dust, dirt, the traffic, and the noise. That building that's sitting there right now currently houses, I couldn't even tell you how many rodents, roaches, and other items. Rumor has it that building has been damaged by the flood that we had that leaves me to the detention pond that's sitting there. That's supposed to be for runoff from the parking lot for rain. Is that going to be fenced in can we get it fenced in, we have kids that play on our street. I'd hate to find somebody lying face down in a ½ inch of water that was supposed to be drained. If I put a pool in my backyard I have to have my backyard fenced in for safety.

On our street we have two entrances right from Schoneherr and you can come in from Cloie off of Frazho. If some of this project gets approved we'd like to have a traffic sign put at the end of our street residential traffic only, something of that nature. We have a special needs child that lives on our street we'd like to have that designated as well.

The plans put the loading dock on this side of the building which is by us I would rather see the loading dock placed on the other side and the garden center on this side. Ten Mile is a busy traffic area why not have your trucks coming off your busy traffic area and pull into that area. The noise and the pollution that is going to be caused from the trucks will affect us as residents. I know that there's residents that live on the other side of 10 Mile one of the residents I spoke with last week at the City Council meeting Susan Robinson she brought up a lot of concerns as far as the traffic goes on 10 Mile. The sign coming off of Schoenherr just north of 10 Mile it's only right turn out and right turn in, will there be a sign there no left turn. I can guarantee you there will be at least 20 people a day making a left turn into that spot from Schoenherr.

I think it's a great idea to put charging stations there for the future. Also the wider parking structure with shorter distance I think we should approve that. I understand that Meijer's is going to be in this space, I implore all of you to please hear our concerns and address our concerns before this plan is approved. If some of these things are not even addressed I doubt I'll stay in the City of Warren.

Mr. Tom Satawa – 13235 Zagaiski Avenue, Warren, Mi. If I go to City Hall and apply for a permit for a swimming pool the city says I must have a self locking, self latching gate. You're going to put a retention pond there without a fence that's the same thing as a swimming pool, it's a container that holds water. I don't want to make it sound like I'm making a threat I'm the one that has the special needs daughter I just hope that Meijer's and the City have the liability if they put a retention pond and don't fence it. I've gone through it once already. If I put a pool in I need a self-closing, self-latching gate, they should at least need a fence around it.

Ms. Kelly Colegio – Good evening Planning Commission it's great to back with you guys again. I would just like to make sure that you listen to the Planning Director's recommendation regarding the lighting. When you have residents this close to a business 10 extra feet can make a huge difference as how far the glow will go and when you're trying to sleep at night that can definitely have an impact on your daily life.

Mr. Paul Webster – Mr. Wuerth has addressed outlot A at the City Council Meeting last week that was still to stay zoned as R-2 if my memory serves me correctly.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – One of the concerns had been the traffic going down Zagaiski Street is there if there a possibly that they can put a traffic light there to help or is the driveway far enough away from the intersection that it wouldn't need one?

Mr. Cris Jones – Our traffic study analyzed the movements, the right and left hand movements, at Zagaiski onto Schoenherr and I don't believe that the study warranted a signal. Now our Traffic Engineer

is here tonight, I'm just a layman on the traffic study, he could be able to speak to the data and details that were generated there.

Assistant Secretary Smith – The traffic study was done very well. The other concerns the neighbors relayed was the fence around the detention pond. I know you've got that six foot berm on the backside of it and its 50 feet wide so someone would have to cross over the berm to get into the detention, it's not like you're going to fall in it walking down the sidewalk. Is there a possibility you could maybe talk to Mr. Wuerth about having a low fence around it?

Mr. Cris Jones – I certainly heard what the residents said and they were very passionate about a fence being around that pond. I would like to point out that it's a detention pond and not a retention pond as he said in his statement. So the pond only fills up with water and then it empties after a rain event into the cities storm water system. But nevertheless there are times that water will be in it and it will be wet. I would certainly not be opposed to some kind of chain link fence around the pond. I mean heaven forbid if somebody drown or ran their car in it that would be awful. So if that alleviates that concern then we will certainly commit to that.

Commissioner Rob – First I want to thank you for adding this to the City of Warren. I want to bring up some issues that were raised by the residents. Maybe you can do something with the trash that's not in the early morning so people don't have problems. You can also have a no left turn sign.

Mr. Cris Jones – What we've planned to do is channelize that so there's a steep curb so it would be more difficult to make a left turn in there you'd have through a channel so it would be really difficult for a car to make the left turn. There will be a sign there as well.

Commissioner Rob – Are you planning to put security cameras on the parking lots, are you planning to put something?

Mr. Cris Jones – Meijer has cameras in the exterior of our parking lots, the parking lot is filmed 24 hours a day. We have cameras over every check out station in the store so any place money changes hands or a card is used you're being filmed. Those are some items that Mr. Webster brought up, the crime and to prevent crime, we make it apparent that there are cameras there, all you have to do is look up and you see them. We have a loss prevention program that's very rigorous so we have greeters at the door that cuts down on theft. We have people patrolling the store you just don't see them, but they are walking and patrolling the stores.

Commissioner Rob – So the cameras are extended to the parking lot?

Mr. Cris Jones – Yes.

Commissioner Rob – How long are we looking at for the construction period?

Mr. Cris Jones – Well REDICO is responsible for the demolition of the hospital and they'll start that in 2016 and that's probably only a six month process. Then we'll start our building in the spring of 2017 and it's about a 13 month construction process so we'll open early spring of 2018 that's the plan.

Commissioner Rob – This is a great addition to the city, but at the same time the whole purpose is to serve the residents around you. And I appreciate that you are coming forward to resolve this issue.

Mr. Cris Jones – We'll have a construction trailer on site, we'll have a Superintendent that's there seven days a week. Meijer's visits the site regularly we have a Project Manager and we'll have a Store Director. We take a lot of pride in how we run and maintain our stores, how we keep our parking lots clean, our bathrooms clean. Our food preparation areas are spotless, they are inspected by the Health Department, they are inspected by the U.S. Department of Agriculture. We do a rigorous program to help address Mr. Webster's concerns with regards to trash, litter, and rodents. We have a smoke shelter at the back of our building so there's a place for our team members to go and not wander around the area, there's an enclosed area for them to sit and have a break.

Commissioner Rob – I really appreciate you answering all those issues, thank you so much.

Chair Howard - In terms of the charging station, thank you so much for bringing forward the recommendation of four and also having the infrastructure for the two, I think that works out well. In terms of the lighting I love the brand new lighting but this Commission as a whole has always approved a 20 foot light even though I'm sure a 30 foot with soft lights has a very nice look. Are you still amenable to cutting off the lights at 11 p.m., where the neighbors are, is that something you can just turn off the circuit?

Mr. Lyle Winn – Yes.

Chair Howard – In terms of the maneuvering lane and the parking spaces Mr. Wuerth has indicated that probably getting a variance for that would work. I think that at one of the town meetings we had there was discussion about having the loading trucks coming in off of 10 Mile versus Schoenherr is that still going to be in play?

Mr. Lyle Winn – Yes the trucks are entering from 10 Mile Road to the back of the site and then existing out to Schoenherr when they are done. So they would be coming from the south moving north behind the west side of the building to the truck docks that's in the back, and when they are done they pull out and go to Schoneherr Road.

Chair Howard – And they would exit from there but they would enter off of 10 Mile?

Mr. Lyle Winn – Correct.

Chair Howard – One of the neighbors indicated that there is a special needs child, is there any way to have posted deaf child in the area or primarily having a sign that says Meijer's the next 300 feet off 10 Mile and Schoenherr can you do that?

Mr. Lyle Winn – Yes we could I think we would have to work with your Public Safety Department to make sure it's placed properly where they want it located.

Chair Howard – That would be great, this is right in the middle of a residential area just making sure that those individuals who will be coming to your location would know nope don't turn here on this street go up another 300 feet and find the entrance. Mr. Wuerth, with our lighting plan at 20 feet we're still going to look at the new bulbs verses the traditional lighting?

Mr. Ron Wuerth – That's the issue yes.

Chair Howard – You also indicated that the revised legal description was there something that we are not aware at the last meeting?

Mr. Ron Wuerth – Yes I guess it wasn't explained. They went for the entire site as C2 zone and it was decided by the City Council that the entire site could be C2 except for outlot A and that's the outlot that's along Zagaiski and that was to remain R2 zoning. So that's why there's one of the conditions, to give us that revised description so that we can get it advertised for them.

Chair Howard – Thank you for placing some type of fencing around the detention pond for the safety of the neighbors. Is there a variance or is that something they can just put on their site plan to accommodate that sir?

Mr. Ron Wuerth – I don't think it's a requirement for a detention pond, as was indicated. There's a difference between detention and retention and ideally the water leaves the area and it's gone after a good rain. They can work that out during the permitting time period, probably with Engineering or even with the Building Division. We can make that a condition, that they put a fence.

Chair Howard – Perhaps Meijer's and REDICO can make the traffic study readily to the neighbors so that they can see it. I think this was a very well done piece of work here. In terms of one of the neighbors indicating only being able to make a right off of 10 Mile versus a left what is your thought on that?

Mr. Ron Wuerth – I had conversations with their representative and they worked quite a while with the Meijer's representative to come up with the plans that they have right now for the intersections. The one citizen said I know someone's going to make that turn, well I don't doubt it. Someone will make that turn but they are not going to make it often, we are not going to stop it unless the police sit out there. The majority of the people will follow the channelized ways in and out at that particular location. I have faith in that.

Chair Howard – I want to thank the petitioner for all of the work that you have provided and meeting with the residents. I would encourage you to continue this open dialog, most of the residents have been 20 or 30 years, you are aware of that you're a family business so you know how important that would be. If we could schedule some ongoing town hall meetings, just while you're in development phase. I know when the building is going to be demolished there is going to be some activity there and I know you will be very proactive in how that is taken care of.

Mr. Lyle Winn – I guess I would just like to add we are not opposed to the 20 foot high light poles we will be proceeding on that basis, we appreciate all the comments and concerns there. Just a background piece of information Meijer's provided us with the information that it totals about an average of 25 trucks per week when you break that down it's about four or five trucks a day and its spread out over the entire day. So there's not a large amount of trucks sitting there, waiting there, to come into the site and unload it's just a few a day it's not a massive truck operation.

Mr. Cris Jones – I appreciate your support, and your comments, and the comments from the citizens, I want them to know that we did hear them. We did see the letter that came out with the 16 items, I think we’ve tried to address those concerns. We look forward to having another store in the City of Warren.

Chair Howard – We have a motion by Assistant Secretary Smith, supported by Commissioner Rob, with the necessary changes that were added in addition to item number 4 in regards to the revised legal description of the site.

ROLL CALL:

The motion carried as follows:

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 FO RENEW OUTDOOR STORAGE: Located on the northeast corner of Dequindre Road and Bart Avenue; 23402 Dequindre; Section 30; Allan Saroki (Anthony Sycko). Release of a cash bond for \$750.00 paid on July 8, 2015.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

Commissioner Robinson..... Yes

9. OLD BUSINESS

- A. MINOR AMENDMENT TO APPROVED SITE PLAN FOR USED AUTO SALES: Approximately 94 ft. north of Stephens Avenue; 24055 Ryan; Section 30; Arkan Alton (Kerm Billette). The minor amendment is for 16 additional display spaces. **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Arthur Rose – I'm the Attorney representing Arkan Alton who has L.A Motors which is a used car lot just north of Stephens Nine and half and Ryan. This is a minor amendment for that lot, he had site plan approval back in 2011 and has done most, if not all, of the things required. The minor amendment would be the increase in display spaces, it's a small lot he's been in business three to four years. The business is improving, the economy is improving but there's a lot of empty space on that lot and frankly there's not a critical mass of cars and not enough product diversity to really lure people in. It would be extremely beneficial to the business and frankly entirely internal to the property with no problem to any of the neighbors if this new site plan were approved.

There are a couple of variances required with the ZBA and those have been applied for. One of them has to do with the very nice metal fence that has been put in with the property, which also included an electronic gate. He got approval and permitting and so forth but the gate when it opens basically cuts into the set back and that was not dealt when the permitting was done so that's up for the ZBA as well. We are scheduled with the ZBA in December if we have approval here.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ZONING: The Zoning Bureau has received a variance request for this location. It is awaiting the addition of waiving required parking before it will be processed and sent to the Zoning Board of Appeals office to be scheduled.

1. The Zoning Bureau has issues with this tenant not being in compliance with the approved variances and the site plan that

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was approved. Attached are all the complaints the Zoning Bureau has addressed with this site without compliance.

2. The Zoning Bureau is not in agreement with this amendment until the site has been in compliance with the existing variances granted for a given time period, possibly two years, to that the tenant is serious about following the variance granted.

ENGINEERING: Preliminary review yielded the following comments:

1. A system of internal drainage shall be required. This site shall comply with the City of Warren Storm Water Management Plan.
2. All existing and proposed utilities shall be displayed on the site plan.
3. The site plan shall be sealed by a registered Professional Engineer.
4. The correspondence from the Planning Department indicates the City of Warren is the petitioner. According to City tax records, the owner of the property is Arkan & Waela Alton.

DTE: Approved.

FIRE: Preliminary review yielded the following comments:

1. Maintain Fire Department apparatus access roads. Access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.
2. Fire Apparatus access roads must extend to within 150 feet of all portions of storage areas.

Mr. Ron Wuerth reads the recommendations of the Staff:

****Remove item number 3 under Engineering, the Professional does not need a seal**.**

MOTION:

A motion was made by Assistant Secretary Smith for minor amendment, supported by Commissioner Pryor. A voice vote was taken and the motion carried unanimously.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – Are you scheduled with Zoning?

Mr. Arthur Rose – It's scheduled yes in December.

Commissioner Rob – You already have a waiver and you're asking for another five.

Mr. Arthur Rose – The ZBA, I think, says four.

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Commissioner Rob – I personally think it should be tabled because you have a zoning issue you should address first. There's a very high possibility that you might have a different answer from Zoning.

Mr. Arthur Rose – We were required to come here first.

Commissioner Rob – Mr. Wuerth is that a requirement that it has to go through us first?

Mr. Ron Wuerth – It's our policy to have people come to the Planning Commission first before it go to the Zoning Board of Appeals and get a recommendation for approval. That's how we've handled it and that way if the Zoning Board of Appeals cares to look at what we've recommended they can do so, plus they have all the background information if they need it to make a decision. If you table it they won't have an opinion from the Planning Commission if you table it.

Commissioner Rob – It wasn't tabled through you am I right?

Mr. Arthur Rose – The reason it was tabled originally sir was that the original recommendation from the Planning Department Staff was not to approve it and we went back to the Staff while it was on the table. In order to revise the plan and work out some of the issues with the staff, in order to be more in compliant and acceptable to that staff, and that's we did and that's why it was tabled until tonight.

Commissioner Rob – Mr. Wuerth are you optimistic on those issues that he's talking about?

Mr. Ron Wuerth – This is why we felt it could come back to the Commission some of the issues were worked out so we brought it back to you. There were some issues there was a car that was elevated in the setback and things like that so we discussed it and they made the changes so we felt it was appropriate to bring it back for your recommendation. I do recommend it be approved.

Commissioner Rob – I'm satisfied with the answer but I still personally believe it should stay on the table.

Chair Howard – The maker of the motion was Commissioner Pryor.

Commissioner Pryor – I'd like to go ahead with motion to approve.

Chair Howard – There's a motion on the table to table is there anyone who would like to second that motion to table.

Commissioner Pryor – I'll second it.

Chair Howard – We have a motion by Commissioner Rob to table and then it was supported by Commissioner Pryor to table. Is there a date certain Commissioner Rob do you want to go to the next Planning Meeting on December 7th?

Commissioner Rob – I'll leave it up to the petitioner for the date it depends on the date that he has scheduled for the ZBA.

Mr. Kerm Billette – I think there's a misunderstanding, almost two years ago the Zoning Department under Lynne Martin and with Ron decided that the Planning Commission hears all site plans first, except maybe for signs. All site plans go through Planning Commission first to iron out anything that goes to the Board of Appeals. The Board of Appeals don't see a lot of things that the Planning Commission, that the Board of Appeals doesn't have to approve.

Chair Howard – Definitely Mr. Billette we understand the process here. Commissioner Rob being a Commissioner is indicating that he would like this item to be tabled.

Mr. Ron Wuerth – Just wanted to call your attention to item 3D in findings. On October 14th, 2015 here the Board of Appeals granted the petitioner permission to add 16 used car spaces creating stacking of vehicles without a maneuvering lane. One of the spaces elevated on the north side of the building to no less than eight feet of the front property line, as per plan. That's been done.

Now what they've agreed to do is not put the elevated space out front that's very kind of them. To have them go back for the variances here regarding the spaces does not allow a decision and that's what we prefer to do. I thought as a Planning Commission and that was to make a decision in advance of the Zoning Board of Appeals. We've had it the other way around but they've already been to the Zoning Board. So if the purpose is to go against the 16 spaces that's already been done, that's finished.

Commissioner Rob – I'm just trying to figure out if I missed something. In zoning 1 it talks about some attachment that is not in compliance with the Zoning Board.

Mr. Arthur Rose – Those had to do with the stacking.

Mr. Ron Wuerth – I've stated what the Planning Commission has wanted in the past and we've run into concerns like this before with used car lots and I don't think we want to do that again because we ended up with the Zoning Board of Appeals making the decision, then it came back to us. What decision making power did we have left.

Chair Howard – Mr. Rob is actually saying according to the findings that the Zoning Board says that this tenant is not in compliance and what we are asking is what are the not in compliance with?

Mr. Ron Wuerth – It's listed in the recommendation what they are not in compliance with. We are saying we think it should be approved with those variances. If they choose to say no then they are going to have to go back to the drawing board.

Chair Howard – We understand that when this item was brought to us before and they've been very kind to bring us the discussion and the minutes from this situation some nearly two years ago. And you're saying this petitioner has gone forward they've adjusted some of these things, but when we see the comments in Zoning items 1 and 2 that they have issues with this tenant and that they are not in agreement with this amendment. So when we have those types of comments I believe Mr. Rob is saying give it back to them and let them address this.

Mr. Ron Wuerth – Those have been answered and they apply to previous plans not this new plan.

Chair Howard – If you are sharing with us that these issues are already done then I think that we can give that back.

Mr. Ron Wuerth – Madame Chair we always show what the past is so you can be brought up to date. If that was an issue I would have called it to your attention.

Chair Howard – Commissioner Rob are you satisfied with what Mr. Wuerth is saying that those issues based on Zoning are no longer an issue at this point?

Commissioner Rob – Yes, I just wanted to have assurance that things are being addressed. If Mr. Wuerth feels comfortable and says it has been addressed of course I'll accept that.

Chair Howard – Commissioner Pryor previously you had rescinded your motion are you putting the motion to approve back on the table?

Commissioner Pryor – Let's go back I made the motion to support.

Chair Howard – Supported by Assistant Secretary Smith?

Assistant Secretary Smith – Yes. One of the things I've been concerned about with the used car lots is they do stack a lot of cars in there. If they are not moving the cars that are in there then I can't understand why they want to stack extra cars in there?

Mr. Arthur Rose – I actually think they move cars in there relatively, but they would move them better if there are more to display because as I said, product diversity. If it looks like you have no cars or not many cars people don't seem to want to enter. The stacking approval is not the entire lot it's a reduced stacking that's part of what we did. It's a convenience to have the cars there obviously for the owner because otherwise if he owns 35 cars and he can only put 24 in the lot he's got to find a place to put the other cars and if he doesn't have the other cars then he can't sell them so you have that vicious circle. This still retains maneuvering puts the handicap in the right place with signs and puts the striping down, which is the thing that hasn't been done in the site plan.

Assistant Secretary Smith – I visited the site this morning, I looked at it, I saw where there was space to put the additional cars. I know we've had other lots come and want to add 100 cars and they weren't moving that many cars, it didn't make any sense to me so I just was trying to figure out what their thinking was on that.

Chair Howard – Mr. Rob are you withdrawing your motion to table?

Commissioner Rob – Yes I will, based on the Planning Directors assurance thank you. That was a motion by Commissioner Pryor and supported by Assistant Secretary Smith for a minor amendment to the current site plan to add 16 additional display spaces.

ROLL CALL:

The motion carried as follows:

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

- B. MINOR AMENDMENT TO APPROVED SITE PLAN FOR NEW PARKING DECK/STRUCTURE: Located on the south side of Chicago Road; approximately 881 ft. west of Van Dyke Avenue; Section 9; 7000 Chicago; Jason Harris. The amendment is to reduce the size of the open parking area represented as Phase I.

PETITIONER PORTION:

Ms. Emily McKinnon – I'm with Smith Group JJR, here again on behalf of Jason Harris with General Motors. You approved this site plan I think back in September, we are back for a minor amendment, two minor changes to the plan.

Parking configuration stays the same, the same number of parking spaces, this parking deck was for current demand as well as growth. We have changed the surface parking to put about 100 spaces along the south end as a phase two parking so it's not going to be installed right now, but it will be installed as the growth needs it. Another minor change to the parking deck itself, there was two stair towers at the south end they were consolidated to one stair tower in the middle of the south, so two minor changes to the plan.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. Any utilities located within the proposed building footprint or within the influence of the footings/foundation shall be removed and relocated.
2. Any improvements or change in discharge rate to either the Meckler or Bear Creek Drains shall be subject to the approval of the Macomb County Public Works Office.
3. There is flood zone along the Meckler Drain in the northwest portion of the site. Identify the limits of the floodplain per FEMA maps and per actual elevations. Work in this area may require

permits from the Michigan Department of Environmental Quality and/or U.S. Army Corps of Engineers.

- 4. A system of internal drainage shall be required. Pretreatment of the storm water will be required prior to discharge. This site shall comply with City of Warren Storm Water Management Plan.
- 5. It is the understanding of the Engineering Division that GM is attempting to obtain a variance for parking and maneuvering lane dimensions. Should this variance not be granted, revisions to the layout will be necessary.

MDOT: Approved.

FIRE: Approved.

DTE: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

****Eliminate 2 because there is the overall variance now for maneuvering lanes for the entire site and that's all of General Motors.**

Chair Howard – Mr. Wuerth you're saying the 20 foot maneuvering lane is for the entire site everything we see from now on they would have received a variance for that?

Mr. Ron Wuerth – For the north campus, yes. Within those boundaries they received that type of variance and I'll list that from now on in the history.

MOTION:

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

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. MINOR AMENDMENT TO APPROVED SITE PLAN FOR NEW TRUCKWELL ADDITION: Located on the south side of Tobsal Court, approximately 541 ft. west of Dequindre Road; 2006 Tobsal Court; Section 19; Steven Sollish (Joseph Guido). The minor amendment is for the addition of a covered outdoor storage area.

PETITIONERS PORTION:

Mr. Steven Sollish – We had earlier been approved for some outdoor storage along the east side of our building. Once we moved in we found that location for outdoor storage is not convenient and we wanted to move the outdoor storage from directly behind our building on the east side of the building to the southeast corner of the building moving east toward the trash enclosure. In addition to that we want to cover it so that there it's protected from the elements.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

FIRE: Approved.

ENGINEERING: Preliminary review yielded the following comments:

1. All drive approaches shall be designed to accommodate two-way traffic. The minimum approach opening width for two-way traffic is 26'.
2. Indicate all proposed and existing utilities.
3. The proposed outdoor storage area is in close proximity to a storm sewer catch basin. This area may require containment to ensure that the storm sewer structure and collection system is not adversely impacted.
4. Any enclosed or interior truck well shall have a drainage outlet to the sanitary sewer system.
5. Show all existing and proposed easements required for this site. An easement may be required for the storm water collection system outlet for this site.

Mr. Ron Wuerth reads the recommendations of the Staff:

**Add F – F indicates that a note to the plan that the truck scale was removed.

Chair Howard – Mr. Wuerth before we start voting we do want to have just a little clarification and that the Commissioners are clear in what your recommendation is. You're indicating that the minor amendment be denied, however that we approve this as a regular site plan?

Mr. Ron Wuerth – It actually has to come back for another public hearing for a regular site plan approval and these are the items that he has to provide. We had a discussion with the petitioner today at the Planning Department and he was very convincing so I'd like you to listen to him.

MOTION:

A motion was made by Assistant Secretary Smith deny as a minor amendment, supported by Commissioner Pryor.

COMMISSIONERS PORTION:

Assistant Secretary Smith – The scale that Mr. Wuerth was talking about was removed it was not there. What is going on with that why is it not there and put on the drawing?

Mr. Steven Sollish – When we were in the planning stages we thought about installing a truck scale and since we moved in and became and familiar with the neighborhood we located a truck scale about a ½ mile from us that we could use on a per diem basis instead of making such a major investment. I believe at the original site plan approval hearing we discussed this and I said that I was interested in installing a truck scale at this time. I think the confusion happened after my initial site plan approval hearing my architect never followed up with a complete drawing. I think in some correspondence that I might have emailed to Mr. Wuerth today prior to that hearing we had indicated our desire to move our new depressed truck well to the existing location that's in that drawing that was since presented to Mr. Wuerth.

I was surprised to find that the drawings that the City had indicated that our new depressed truck well was in a location that we did not intend on placement, we are putting it next to the existing truck well. I think the only change that I'm asking for from you is to move my outdoor storage from one spot to the next. I was under the impression that I was already approved for a truck well. I think I hired the wrong contractor and I'm not working with him anymore. As I presented this issue to the City four or five weeks ago in my application the only thing that I was really asking to do was move my outdoor storage from the east side to the southeast corner of my building and cover it. I've already been approved for outdoor storage so I thought really all I was asking for was to move my outdoor storage and cover it. I'm not blaming anybody but I was a little bit surprised by what's going on here, maybe just by my own nativity.

Assistant Secretary Smith – The truck scale is not going in?

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Mr. Steven Sollish – The truck scale is not going in.

Assistant Secretary Smith – What about the new truck well?

Mr. Steven Sollish – Yes.

Assistant Secretary Smith – With the addition of the covered area for storage?

Mr. Steven Sollish – Presuming you approve it, I've already been approved for some outdoor storage. Now that I'm in the building where I thought was a good location for my outdoor storage is really not a great location. It's basically the same size I'm just moving it to a different part of my lot and I would like to cover it.

Assistant Secretary Smith – Well I think what we are looking at here from my prospective is you need to come back with a new site plan showing the new location of where you are going to put it. So we have to deny the minor amendment and you have to come back with a new site plan.

Mr. Steven Sollish – My drawing has the new location, it's clearly marked on it with a layout of the whole outdoor structure, it's on the drawing that was presented to them.

Assistant Secretary Smith – The covered storage area I see is by the existing truck well.

Mr. Steven Sollish – That truck well doesn't exist, it's just hard to go back in time and explain this. When the architect initially presented the drawing to the city prior to my previous site plan approval, in between that time we decided to change the location of it. Then once we got site plan approval back in 2014 my architect never followed up with the final drawing. A few months ago I talked to Ron and he told me that my architect never presented the final drawings to me.

Assistant Secretary Smith – Personally I still think that there's still some things that need to be cleared up before approval can be given.

Commissioner Rob – After receiving the recommendations of the Planning did you have any communication with Mr. Wuerth?

Mr. Steven Sollish – We received a fax Friday morning and I came to his office on Monday morning, I didn't get the recommendation until Friday morning.

Commissioner Rob – Do you think if you have a little more time you would be able to work with Mr. Wuerth and come up with something?

Mr. Steven Sollish – I think there's enough data here. I think there has to be some procedural changes to the drawing that he asked me to do, but other than that ultimately I think this is going to be approved.

Commissioner Rob – We are going to put it as a denied and then you're going to come with a site plan, but if enough time is given to you would you be able to come up with something and show it to Mr. Wuerth so you can still keep it as a minor amendment?

Mr. Steven Sollish – I'm sure I can make the drawing suitable to Mr. Wuerth if that's all that it will take to make this a minor amendment. Will that still require me to come back?

Commissioner Rob – It's not that I love to put things on the table. I think if you can get a little more time with Mr. Wuerth you can still keep it as a minor amendment, you won't have to go all the way back and come up with a new site plan.

Mr. Steven Sollish – A minor amendment sounds better than a full site plan. I just want to make sure I know what you want me to do to keep it a minor amendment. To me it seems very simple, to you guys I know it's not so simple. I just want to move my outdoor storage and cover it, tell me what I need to make it a minor amendment and I'll do it.

Commissioner Rob – Mr. Wuerth what is your thought, given enough time do you think there could be a solution to this issue?

Mr. Ron Wuerth – Some of the issues he had were with contractors who gave us several site plans and his communication back in August has another site plan on it that still doesn't have everything that it needs to have. This at least showed where the new depressed truck well was moved to. All the information put together on one plan and have it amended is what you're talking about and if the Planning Commission wants to table it and have us work that out and bring it back as an amendment we can. On this plan you have

in front of you there's a box there with an X in it and that's where the depressed truck well is at, it's there correct?

Mr. Steven Sollish – Yes.

Mr. Ron Wuerth – It's already been constructed there what they needed to do is come back to us when they wanted to relocate the depressed truck well from the corner over to that possession, only that didn't happen, he wasn't directed to do that. I don't know if you went to the Building Division to check to see if you had a permit for it but it appears that the people who did the work for him said oh yes we'll get the permits and they didn't bother getting the permits.

Mr. Steven Sollish – That's correct.

Mr. Ron Wuerth – I think I could solve it by doing what Commissioner Rob is suggesting. We could simplify it, put it in an amendment. We can work it out in the office, get the plans so it's exactly correct as it should be. We could probably table this and be back in a couple weeks, if you can get your architect to do this. Can he get it done in time to be back on the 7th?

Mr. Steven Sollish – I'll have that conversation with him tomorrow morning.

Mr. Ron Wuerth – Either the 7th or 21st of December.

Commissioner Rob – Thank you Mr. Wuerth. So I'm going to request to table the item until 12-21-15.

Chair Howard – Mr. Wuerth I want to be sure because this was an amazing series of events that happened with the particular site. You are confident that you can combine this information and what's missing into a site plan that's feasible, are you comfortable with that?

Mr. Ron Wuerth – It can be done and be approved by the Planning Commission. It's just that he wasn't informed by the proper people, the architect and the person who did the work, that they had to talk to the city first before they could take steps, and they changed the plan a couple times without coming to us. I'm certainly willing to work this out as an amendment.

Chair Howard – We had a motion on the table by Commissioner Rob to table until December 21, 2014. Sir if you get with your architect and he cannot make that particular date contact the office and we can move it to January 11, 2016. We are going to take a motion for

this to be tabled until December 21, 2015. That was a motion by Assistant Secretary Smith, supported by Commissioner Pryor to deny do you want to rescind that?

Commissioner Pryor – Yes.

Assistant Secretary Smith – Yes.

Chair Howard – We are going to rescind that motion to deny this as a minor amendment.

Commissioner Pryor – The statement that we have in the findings, it says west of Dequindre Road now that’s in Madison Heights so I would like to have that corrected.

Chair Howard – Okay we will have that corrected to east of Dequindre Road. I have a motion by Commissioner Rob to table this until December 21st, 2015,

Commissioner Pryor – I’ll support it.

ROLL CALL:

The motion carried as follows:

Commissioner Vinson.....	Yes
Assistant Secretary Smith.....	Yes
Commissioner Robinson.....	Yes
Commissioner Rob.....	Yes
Commissioner Pryor.....	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 – We had a whole week of BS & A Training which took us away from doing the findings and that’s why you ended up getting the findings late again unfortunately, so I apologize for that. BS & A Training will help us work hand and hand with the Building Division, Accessing Department, and probably other departments as we go along. I attended a meeting with the City Attorney to discuss IONA and the two lawsuits that were involved. So we the City think

we have worked out an agreement, I can't talk about specifics, pending approval of the City Council and that agreement is directly with IONA and that took a day of discussion.

There were many other meetings that we had. I do meet with people regarding used car lots, I just don't process any projects or their applications at this time. That's the Director's Report I know it's a little vague but frankly it was a blur. This is our newest Planner Aide.

Ms. Nicole Ciurla – Hi I'm Ciurla.

Mr. Ron Wuerth – She was running the power point over there and she's doing a great job so far.

Chair Howard – How many hours is she working?

Ms. Nicole Ciurla – It's varied because of Veterans Day so about 15 to 20 a week.

13. CALENDAR OF PENDING MATTERS

Chair Howard – Mr. Wuerth maybe we can have a preliminary Budget Hearing on December 21st before we go into the January meeting.

Mr. Ron Wuerth – Yes we will make an effort to do that, our staff has started some work on that already.

Assistant Secretary Smith – If I could just share something. I was at the hospital last week with my wife and I was looking through some of the magazines, and it was a Forbes Magazine from September of this year, and it said best places for business and it had the City of Warren. It said job growth in Warren Michigan just of Detroit has averaged 2.4% for five years 12th best in the U.S. among larger Metro Areas. So I want to give City of Warren a pat on the back for doing a good job.

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 10:58 p.m.

Jocelyn Howard, Chair

Warren Smith, Assistant Secretary

Meeting recorded and transcribed by
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DRAFT