

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on December 21st, 2015th, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, December 21st, 2015, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

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

Also present:

Ronald Wuerth - Planning Director
Michelle Katopodes – Planner I
Nicole Ciurla – Planner Aide
Caitlin Murphy - Assistant City Attorney
Christine Laabs - Communications Department

1. CALL TO ORDER
Vice Chair Kupiec called the meeting to order at 7:06 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

MOTION:

A motion was made by Secretary McClanahan to excuse Chair Howard, 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 Secretary McClanahan to approve, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF THE MINUTES – December 7th, 2015

MOTION:

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

Mr. Ron Wuerth – I did speak with Mr. Wolfbauer he has an exceptional site over there it's not one that the City is proud of. Now he wants to table this until June that gives him another six months of usage of that site. It is my suggestion that not happen and that we change his request to the first week of March. This will give him about two and a half months to either do something that he should be doing and that is cleaning that site or not. So that would be my suggestion.

MOTION:

A motion was made to table by Secretary McClanahan to table until March 7th, 2016, supported by Commissioner Vinson. A voice vote was taken and the motion carried unanimously.

- B. SITE PLAN FOR OUTDOOR STORAGE: Located on the northwest corner of Nine Mile Road and Pinewood Street; Section 29; 5523 Nine Mile; Nathir Hermez (Haris Hakim).

PETITIONERS PORTION:

Mr. Haris Hakim – I'm the Engineer for this property. Our request is for outdoor storage for a warehouse located at Nine Mile Road. It's an existing warehouse and there are some spare car parts so they are applying for outdoor storage and we do have enough area on that site.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Preliminary review of the site plan yielded the following comments from this department:

1. All existing and proposed utilities shall be indicated on the site plan.

Mary Clark CER-6819
December 21st, 2015

2. If there is over an acre of earth disturbance, the site shall be in compliance with the City of Warren storm water management site.
3. Due to the close proximity to the storm sewer system, a plan of containment and remediation in the event of any spills shall be provided.
4. The existing parking area does not appear to have concrete curb and gutter around the entire perimeter. A variance may be required.

ZONING: Preliminary review of the site plan yielded the following comments from this department:

1. Poor property maintenance trash/debris.
2. Outdoor storage of junk, building materials, debris, etc.
3. Illegal accessory structure.
4. Barbed wire without approvals.
5. Parking lot to be repaired and striped.

DTE: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

Modify condition No. 2 to read – The 12 ft. x 12 ft. accessory structure located near the northwest corner of the building shall be removed from the site plan and the property before the site plan is forwarded to the Building Department. Also, there was a comment, I believe that the Secretary spoke about Engineering, I think it had to do with curb and gutter. I'd like to remove that requirement from the record.

PUBLIC HEARING:

Ms. Lori Isaac – Good evening, I'm wondering if we could find out what they would be storing in there?

Vice Chair Kupiec – That question more than likely will come up with the Commissioners during discussion.

Ms. Lori Isaac – The other thing we wanted to bring up is behind the wooden fence was a riverbed, at one time, with river rocks and the pictures show that the river rocks were taken out so the drainage is poor. When it rains heavily that drainage system just seeps into our backyards.

Ms. Joan Edem – I've been there 59 years so that's why I'm questioning what's going on behind me.

MOTION:

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

Mary Clark CER-6819
December 21st, 2015

COMMISSIONERS PORTION:

Assistant Secretary Smith – The residents seem to have a concern about what kind of storage you are going to be having in that area?

Mr. Haris Hakim – It's going to be empty pallets, shelving, wood pallets, empty boxes, just empty stuff nothing for sale.

Assistant Secretary Smith – How long is this stuff going to be in storage there. You're not going to just pile a bunch of stuff in it are you?

Mr. Haris Hakim – No.

Assistant Secretary Smith – I'm just a little concerned about how long it's going to be there you don't want stuff sitting there over a year or two.

Mr. Haris Hakim – Most of the time that area for storage is going to be empty.

Assistant Secretary Smith – Now is this stuff that's coming out of the building, that's being stored there until it's disposed of. The material that you're storing in this area is that what's being delivered?

Mr. Haris Hakim – No, we have the product sitting on the pallet so when we get the product out of the pallets we put them in that area.

Mr. Nathir Hermez – They need some space inside for selling some materials and when they don't have enough room they put it outside.

Mr. Haris Hakim – We will put the empty pallets in that area for storage for a day or two. It's not going to be anything like oil, tires.

Assistant Secretary Smith – Mr. Wuerth I think we need to have some idea of what's going to be stored in that area, I'd hate to see it looking junky. It's wide open, there's no fencing around, if you drive down the street and you can see all this. So I think it needs to have some sort of order.

Mr. Ron Wuerth – We did ask to have the items that are to be stored out there but it didn't say on their application or anything like that and they didn't communicate with us to discuss it prior to the meeting.

Assistant Secretary Smith – My concern was they get materials in and they come in on the pallets then store the empty pallets there

and my concern is how long are they storing them there before they get rid of them. I don't want a big pile built up sitting there for two or three months so it doesn't become an eyesore.

Mr. Ron Wuerth – With past approvals it's the item or items that they want to place in an area but we've not really talked about the time that those items stay there. I guess one of the things you might want to be concerned about is how high they want to stack some of these items, but I don't necessarily know about the time. We don't ask them to move that stuff around it's assumed that they do.

Commissioner Robinson – Mr. Wuerth on this recommendation here the area facing west was there any indication on here about the drainage or some type of pebbles in this area here, to address the residents' concerns about overflow of water into their backyard. Maybe I missed something here in the recommendations was that addressed?

Mr. Ron Wuerth – Well each owner of property is responsible for the drainage on their property so water should truly not be coming off this site and going onto other people's property. It looks like a curbing that's there that should hold the water back. Typically that's something that Engineering takes a look at and makes comments about. We said that wooden fence there that has been up all that time should either get a variance to remain, or replace it with a poured concrete wall, or they put in a 8 foot wide greenbelt.

Apparently back 1969 there was a lot of foliage back there and the Zoning Board of Appeals said that they could just maintain the landscaping, it must have been very thick at the time. So it must have been enough that they felt that was good enough and that they didn't have to tear it all out and plant new trees and shrubs now it's all gone. Like I said over time it's been removed so in order to retain what they have they have to get a variance. If they can't get a variance then they're going to have to put up a wall or a greenbelt there. It's something that may help in the drainage, that's only if something changes.

Commissioner Robinson – So is that something that Engineering needs to recommend clearer in this site plan?

Mr. Ron Wuerth – Typically when the site plan gets to the permit stage that's where they get a chance to review the site and the plan in far more detail then what you see here. These are a lot of general statements that they see in a general review, but when it gets to them for the permit then that's a different story. What they've

provided us applies but other things come into play including drainage, that's probably the number one item that is considered.

Commissioner Robinson – So they may address this when they go back and look at it again to issue the permit?

Mr. Ron Wuerth – Yes.

Secretary McClanahan – Just one of the concerns we and the residents have is right now there is already junk and debris and poor property maintenance so with this storage we don't want this to become more of a problem with rodents getting back there.

Mr. Nathis Hermez – We took care of that the debris, the landscaping, it's clean all the time.

Mr. Haris Hakim – In regarding the west side the owner is planning to put some stones over there to make it so the water never will go to the neighbors. We will ask for a variance to retain the fence.

Commissioner Rob – I also agree with Assistant Secretary Smith. But for my knowledge I want to understand, when we approve any outdoor storage does it have a time period for that?

Mr. Ron Wuerth – Obviously it depends on what you're storing there if they are truck trailers then some of them could sit there for years. If it's equipment that they use landscaping equipment like two weeks ago that can be there and moved when they have a job or it sets over the winter time for six months it depends on the item and wooden pallets could sit there for a while.

Commissioner Rob – In our application procedure is there anything set up where it says how long they will have the outdoor storage?

Mr. Ron Wuerth – No and it's not mentioned in the Zoning ordinance.

Commissioner Rob – I think the height is a big concern because the pallet goes up and if it falls it will be a liability issue. What is your recommended height based on safety procedures from your experience?

Mr. Ron Wuerth – Ten feet, I wouldn't go over 10 feet. I've seen things stacked up to 20 and I think it's something that people from the residential area can see and it's not something they prefer to see.

Commissioner Rob – Can we amend that recommendation to have a limit of 10 feet?

Mr. Ron Wuerth – You can.

Commissioner Rob – To the maker of the motion I would request to have a height limit of 10 feet.

Assistant Secretary Smith – I agree.

Commissioner Vinson – No problem.

Vice Chair Kupiec – Do you own or lease this property?

Mr. Nathir Hermez – I own the property.

Vice Chair Kupiec – How long have you owned it?

Mr. Nathir Hermez – Almost four years.

Vice Chair Kupiec – Are you familiar with the riverbed?

Mr. Nathir Hermez – Yes I take care of that all the time. It's clean all the time no weeds or anything like you see in the picture. And the stuff shown on the property, we did some demolition inside, this stuff is not going to be there.

Vice Chair Kupiec – So you maintain that so the water can flow?

Mr. Nathir Hermez – The owner before us had weeds all the way to the fence, the wood fence. But since that time I have the property clean. We have a company to take care of the grass.

Vice Chair Kupiec – Currently when you go there and look at your property you talk about having wood pallets for storage but there's all kinds of metal looks like facing off a building, shelving and metal debris.

Mr. Nathir Hermez – We will build the shelving inside the building the shelving is not going to stay there.

Vice Chair Kupiec – So you're moving everything?

Mr. Nathir Hermez – Yes, some stuff is outside we put the scrap and people come take it from there.

Vice Chair Kupiec – I was there at 5 o'clock tonight it was just about dark and there was all kinds of orange pieces of metal stacked up near the door and big long, 10 foot long, brown pieces of facing off a building laying out in the yard.

Mr. Nathir Hermez – We bought more then we needed so that's why we are trying to get a site plan for outside storage in case we buy extra.

Vice Chair Kupiec – You understand the neighbors concerns and it's likewise the concern of the Commission that we'd like to keep the drainage under control, the weeds under control, and make it look decent and presentable, to the neighborhood. The maximum is 10 foot high for your pallet to be stored in height. Have you had a chance to talk to Mr. Wuerth about the recommendations and do you accept all the recommendations?

Mr. Haris Hakim – Yes they are fine.

Vice Chair Kupiec – Including the ones from Engineering and Zoning where they want the trash and junk to be cleaned up?

Mr. Haris Hakim – Yes.

Vice Chair Kupiec – To the maker of the motion, Mr. Wuerth recommended that we increase the bond to \$750.00 dollars and I'd like to recommend \$750.00 cash bond.

Assistant Secretary Smith – I accept.

Commissioner Vinson – I agree.

Vice Chair Kupiec – Okay as part of the record we will increase the bond to \$750.00 dollars based on the \$25,000.00 dollar estimate and it will be a cash bond.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes

Commissioner Rob..... Yes
 Commissioner Robinson..... Yes

Vice Chair Kupiec – Your request has been passed with the understanding that there are changes to be made and we hope you take time to spend with Mr. Wuerth and go over the recommendations so you fully understand them. Thank you and best of luck to you.

Mr. Haris Hakim – Thank you.

- C. SITE PLAN FOR VEHICLE VACUUM ADDITION: Located on the north side of Twelve Mile Road; approximately 232 ft. east of Schoenherr Road; Section 12; 13665 Twelve Mile; Super Car Wash (Todd Gesund).

PETITIONERS PORTION:

Mr. Todd Gesund – I'm the owner and operator of Super Car Wash Systems at 13665 12 Mile Road. We have two locations in Warren at this location we are asking that we be approved to remodel our vacuum system. We've been here since 1998 our vacuum system is currently outdated they have brand new systems that are esthetically better looking, function better and more modern. One of the keys to this system that we are intending to put in is the motors for the vacuums are going to be self contained inside our building so we think that will greatly prohibit the noise out in the parking lot outside of the building. Our vacuum's are a very important part of our business we offer free vacuums with a car wash 35% of our business is driven by our free vacuums we've had vacuums since we opened in 1998.

We have our Certificate of Operation, the site has been a car wash since 1964 prior to us owning the site it was set up a little differently but they also had vacuums on the exterior of the building. There are 12 car washes in the City of Warren and all 12 car washes have vacuums in some capacity on site. One of the things to make note of is our vacuums are only on while we are open. They are shut off nobody can come in our lot and use the vacuums after we are closed. The biggest thing with the change is must a modern system the vacuums are over 17 years old and we think it's a very important factor that we are able to put the motors for the vacuums inside our building.

Secretary McClanahan reads the following correspondence:

ENGINEERING: Approved.

TAXES: No Delinquent Taxes.

FIRE: Approved.

DTE: Approved.

ZONING: Preliminary review of the site plan yielded the following comments from this department:

1. Debris pile and other debris on the west side of property behind fence area near car wash entrance.
2. First vacuum system (south end) along side of building placed over handicap parking space.

Mr. Ron Wuerth reads the recommendation of the Staff:

Modify 2 (a) – Expansion of the non-conforming use.

PUBLIC HEARING:

Mr. Michael Ealy – I live on the side where the car wash is where the vacuums are going to be. Pete's Car Wash owned the Car Wash at the time when he purchased it and he did not pull permits to have vacuums installed at that time in 1998. Now every year he adds vacuum cleaners now he's going to change it. I do like that they are going to be inside but he disrespected you and me by not pulling permits and doing it the proper way, he feels that he can get away with not doing that. The only reason we are here tonight is because he decided to rip out all the vacuums and change it that is the only reason he is here tonight.

I'm putting an end to this I have boom box radios in my backyard everyday, they are ruining my property values. I understand he's a business but when Pete owned it you said it was a car wash gas station it was full service they did not have vacuums. I would like to see his permits from 1998 stating that he can install vacuums. I think he thinks he can do whatever he wants and I don't think it's fair to the community or to you guys. I should have been here in 98 discussing this not today in 2015.

Ms. Linda Ealy – I live directly behind the Car Wash I'm here tonight for several different reasons that I've encountered with Todd. When he first purchased the car wash I had a conversation with him that it was a car wash that he has to pull the tanks out from underground he stated no he does not he's going to fill them with sand. I told him you cannot do that because of seepage if they ever deteriorate his exact words to me were there's a new Sheriff in town and he's doing it his way. So I turned him into the City of Warren and they didn't do anything so I went to the State and I turned him into the EPA. He

had at that time started to re-grate his parking lot, which the EPA came out shut him down tore his parking lot up and got two cranes back there and made him take both of his underground tanks out.

Then he turned around a couple of years ago and he put in a lighting system. I had to call the Mayor because he lit up my whole backyard I couldn't even look out my kitchen window to find my dog, so they had him put shields in front of the lighting. The Mayor drove by and even he said it was unacceptable the shields he's got are only supposed to light up his property and that's it but it still encroaches upon my property.

He came to my front door regarding these vacuums and he was beating on my door so hard I almost called the police. I wasn't opening the door for this man to scream and yell at me like he did 20 years ago when I called about the tanks I have nothing to say to him. He's hurting my property values I've invested a lot of money into my home to make it look nice by putting in an addition. When Pete owned it there was never a problem in the world this guy buys it and he doesn't pull permits he does what he wants. He just keeps adding vacuums he has never pulled a permit and that's not fair to us. It's extremely noise when we are sitting in our backyard listening to those vacuums the discipline level is very high you have people back there fighting. He went and put signs up there for them to not to boom their radio but his employees are too afraid to come out and tell the people to turn your radio off. So we have to listen to that loud noise that rattles your house, would you want that in your backyard. I've called all different departments who does he know down there that he's getting away with everything that he's doing.

They drop names all the time they know Jere Green they are contracted with the City of Warren to do free car washes. I don't care who you know that means nothing to me it's not about that it's about what's fair. I understand that he has a business but I have a home would he want this in his backyard. His answer to me 20 years ago was no I don't live here go back to Oakland County. Thank you.

Ms. Janet DeMichelle – I'm the neighbor right behind the car wash. I have been there for over 20 years and I love the neighborhood it was quite when we first moved in Pete was right behind us. When this guy took over we started getting the vacuums going and at first the vacuums would run all the time. We had issues of them not shutting off the vacuums, people would use them all through the night. Then you have teenagers coming onto the property at night and soliciting doing whatever teenagers do. They do say they have

something to block them from coming in it must not be locked because they still come back there. I'd like to see a gate or something that will secure the area so people can't go back there and do that kind of business. People crashed the wall behind us they backed up onto the wall, the gentleman paid for everything to get fixed but that happened four times all the way down to 12 Mile. He needs to have it locked. Could you handle the booming from the radio all day, I had to shut off the alarm system on my house because it was setting it off. I was at work and I heard my alarm system is going off.

I understand he has to run a business the problem is the people using the vacuums. They need to control their customers if the radio is loud shut off the vacuums each vacuum should have a shut off. I understand he's putting money into the business and into the community but again there goes our property value. Who's going to buy my house when during the summer time all you hear is these radios booming? Thank you.

Secretary McClanahan – Vice Chair I have a letter from a resident that is unable to make it tonight. To Whom It May Concern, I am writing you in regards to notice of site plan for vehicle vacuums at 13665 12 Mile Road. I am unable to attend but wish to make comments. I've lived at 29125 Melvina for the last 55 years and it is my understanding that the above car wash did not get permits for the original existing vacuums on the east side of the building. Despite signs posted there are ongoing problems with cars playing music while vacuuming. This is more of a problem in the summer with the back windows open on the house. Robert Qubeck.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – We've been sitting here listening to some of the concerns of the citizens and I know you don't really have control of who comes into the car wash and who booms their boom box and stuff like that. From my understanding you've put some signs up that say that this is not allowed, but people don't read anymore they text. It's human nature for people to do things without being concerned about other people. A pole gate or something across there so traffic can't go back through there when you're closed it might be something you want to look at. As far as the debris in the corner that needs to be cleaned up.

Mr. Todd Gesund – It's been removed.

Assistant Secretary Smith – I like the idea of the vacuums having the motors inside. I visited the car wash many times, it's a very nice car wash. I used the vacuums last time I was there so it will be interesting to see the new system where you don't have the sound of the motors outside. As far as the permits go you know any type of development or anything you do on the property a permit has to be pulled. It has to be inspected to make sure everything is in accordance and compliance with the City of Warren's law. Whether they were pulled in the past that's not a concern right now the concern now is anything you do from this point on you've got to have the permits pulled.

Secretary McClanahan – You've heard the concerns about the noise from the radios, do you have any thoughts on that?

Mr. Todd Gesund – I definitely understand how that would be a nuisance to our neighbor's. We have our signs but on our end we could definitely be more diligent. We are going to have a central shut off button that will be right in the Manager's office so they would be able to shut it down if someone is not listening to us. We do try to be diligent our guys do go out there maybe not as often as they should we get tied up inside and they might not hear what's going on out there, but we can definitely try and be more diligent on our end about it. Also each vacuum post does have another small sign on it that does say please keep your radios at a respectable level.

Assistant Secretary Smith – One thing about the noise there is a noise ordinance in the City of Warren and you might want to post that sign along with the other sign saying that there's a noise ordinance and any violators can be ticketed.

Mr. Todd Gesund – We can do something like that sure.

Secretary McClanahan – Can we add that to the motion.

Vice Chair Kupiec – We will add to the motion that we will have a sign posted with the ordinance stating that there is a violation in the City of Warren for loud noise. Is that acceptable to the maker of the motion?

Assistant Secretary Smith – Yes.

Secretary McClanahan – Yes.

Vice Chair Kupiec – So we will add that to the motion.

Commissioner Robinson – Could we make a recommendation that the gate entrance during non-business hours be a requirement. Because as a resident I think I would be a little concerned with who is back there after hours and what's going on.

Mr. Todd Gesund – A truck came into our property three separate times and purposely backed into the wall that separates us and the neighborhood and knocked down three large sections of wall. We were unable to pick any of it up on the camera because we don't keep any of our lights on at night we turn all of our lights off when we close. So we have no lights in our parking lot which is another issue with kids coming into the parking lot so maybe we can add a security light in the parking lot. We did have the gate and a truck drove through the cable.

Commissioner Robinson – What time do you close?

Mr. Todd Gesund – We close at 7 pm.

Commissioner Rob – Did you say you have a security camera in place?

Mr. Todd Gesund – Yes we have security camera.

Commissioner Rob – Does it cover the outside parking lot and the back?

Mr. Todd Gesund – Yes.

Vice Chair Kupiec – Most of these items that were discussed by the neighbors are in the recommendations and whatever is in the recommendations will be monitored and there will be enforcement issues. If the items are not followed the site plan will be held up or violations will be issued. Whatever happened in the past happened but for the future we are going to make sure that this thing is run properly and professionally with all respect for the neighbors. I'd also like to make a request to the maker of the motion that we make the bond a \$900.00 cash bond.

Assistant Secretary Smith – I support that.

Secretary Smith – That's fine.

Mr. Ron Wuerth – Just back in history during a Zoning Board of Appeals meeting in 1979 it does state that there is a stipulation that he, whoever it was in 79, must put a chain across the driveway at night when he’s closed. So it does require in this case a chain of some sort to make sure that there’s no one able to get back there.

Vice Chair Kupiec – Again to the petitioner you did agree that you are going to put some kind of gate enclosure across that entrance?

Mr. Todd Gesund – Yes sir.

Vice Chair Kupiec – Does your security camera take pictures when the lights are out at night?

Mr. Todd Gesund – It’s recording, we filed a police reporting but we weren’t able to get any information from the vehicle because it was just so dark in our lot.

Vice Chair Kupiec – You are required to have a garbage dumpster in there do you understand that?

Mr. Todd Gesund – Yes I have no problem with any of the recommendations and I know that’s on the recommendations. One more thing please for the record, it’s kind of made out to be like I’m an outlaw business not getting permits and living outside the laws of the city I’ve pulled 14 permits since 1998 I have a Certificate of Occupancy that I received in 2001. I have my original prints submitted that show vacuums on the prints unfortunately the City misplaced their copy of those prints and I don’t have an actual stamped property from the City. Just for the record I have been pulling permits and things like that all along the way.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR TRUCKWELL ADDITION: Located on the southeast corner of Eleven Mile Road; Section 21; 6400 Eleven Mile; Kwang Jin American (Yong Joo Lee).

PETITIONERS PORTION:

Mr. James Cummins – Good evening James Cummins I am the Architect and the Owner’s Representative for Kwang Jin America. We are proposing to install a small 1292 square foot truck well addition along with the installation of below ground depressed truck wells at the south side of the building and at the east side of the building another set of four backing up against the existing building. Outside storage is allowed in the zone, it’s never been designated on the site plan, and we’ve designated the outside storage area on the site to be located between the two truck wells hidden from vision from all the surrounding roads in the area screened by the building and the truck wells. It’s an area containing approximately 6000 square feet of outside storage along the building.

We were not aware until after our surveys were completed that this portion indicated in green is actually part of the city’s property part of the right-of-way for Sherwood. So as part of this construction we will be removing that paving and the fence that’s located within the right-of-way moving that back onto the petitioners property and having the remaining 17 spaces restriped on the parking lot that remains.

We are also installing concrete ribbons along the driveway along 11 Mile Road. We are installing concrete parking bumpers on all of the parking spaces along the perimeter of the property and converting the existing driveway to a one way drive in accordance with most of your recommendations. If there are any questions regarding this project I’m happy to answer them for you this evening.

Secretary McClanahan reads the following correspondence:

ENGINEERING: Preliminary review of the site plan yielded the following comments from this department:

1. It appears the existing parking area extends beyond the easterly property line. If the pavement is on the adjacent property, easements and/or agreements may be required.
2. The existing parking area does not appear to have concrete curb and gutter around the perimeter. A variance may be required.
3. The existing drive approaches do not appear to meet City of Warren requirements for bi-directional traffic.
4. A trash compactor is proposed adjacent to a storm sewer catch basin. It is recommended to relocate the trash enclosure to reduce the potential for debris to clog the grate openings. This

Mary Clark CER-6819
December 21st, 2015

would also reduce the potential for pollutants from entering the storm water collection system.

5. The truck well is proposed over an existing storm sewer. The sewer may conflict with the proposed truck well/retaining wall, footings or foundation.

FIRE: Preliminary review of the site plan yielded the following comments from this department:

1. Meet all requirements of the 2012 edition of the Michigan Building Code.
2. Maintain fire department apparatus access roads. Access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the facility.

DTE: Approved.

TAXES: No Delinquent Taxes.

MDOT: Approved.

ZONING: Preliminary review of the site plan has yielded the following comments from this department:

1. Outdoor storage without approvals.
2. Uncovered/open dumpster.
3. Pavement in need of repair.

Mr. Ron Wuerth reads the recommendations of the Staff:
Eliminate No. 2 of Engineering.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I was reading through the information and I was a little confused on the open storage note. It was saying that open storage exist on the site part of the south property line in the area of proposed parking the maximum requirement for open storage area on the site is unlimited. But then it says open storage and material should not be permitted on this site. I didn't understand it says unlimited open storage and then there's a note saying there's no open storage?

Mr. Ron Wuerth – Well there is open storage on the site but it's not on the site plan. So when it's not indicated on the site plan then we request a note like this to be placed on there so if they intend to put open storage of any type in the future and our Zoning Inspectors come by with the site plan they'll know if they see a bunch of open storage than they need approval for such thing. If they want to have

open storage as it says it's unlimited they certainly can have it but there was no indication on the plan that they were going to have it perhaps the petitioner can address that.

Assistant Secretary Smith – I did notice that when he was explaining his diagram he was saying between the two truck wells he was going to have open storage. I noticed when I was there today just around the corner of the building of where they want to put the new truck dock there's a lot of pallets and stuff stored along the fence there which borders the 696 freeway. That stuff is not in the proposed open storage area so that would all have to be removed.

Mr. Ron Wuerth – Well it's also placed in an area where there are parking spaces that are indicated on the plan so that's the reason for that note. Again if the petitioner has another idea or wants to put some open storage out there it needs to be indicated on the plan.

Assistant Secretary Smith – Even though he spoke of having open storage between those two truck wells he needs to indicate it on the drawing.

Mr. Ron Wuerth – Yes it needs to be on the drawing then the note doesn't apply because he'll have open storage.

Vice Chair Kupiec – Mr. Cummins some of the things in your presentation were covered, are you familiar with all the recommendations submitted by Mr. Wuerth?

Mr. James Cummins – I am, one of them being the open storage which we did address by taking this open storage from this area where we have parking it was approved by Kwang Jin this morning that storage would be located in this area which is much better then here to begin with. The other item is that this existing driveway along Sherwood that has the fencing on the fence we've already placed a note on here that the existing fencing will be removed and new gates will be installed on that driveway. The driveway needs to be open because we've indicated the fire lanes along this plan and this driveway needs to be there so we don't have a dead end condition with fire trucks for the Fire Marshall so that driveway will be opened and that will be noted on the drawings.

Vice Chair Kupiec – Thank you. It sounds like you've addressed most of the things that Mr. Wuerth has recommended.

Mr. James Cummins – They will be bringing 75 new jobs in here once this is done.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

None at this time.

8. BOND RELEASE

- A. SITE PLAN APPROVAL FOR NEW WIND TUNNEL BUILDING: To be located on the north side of Twelve Mile Road approxijately 620 ft. east of Mound Road; 6325 Twelve Mile Road; Section 9; General Motors Company (Ghafari Associates LLC). Release of Cash Bond for \$3600.00 paid on April 2, 2014.

MOTION:

A motion was made by Commissioner Rob to release the bond, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

9. OLD BUSINESS

- A. 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.
Tabled. Tabled again to February 8th, 2016 by the petitioner.

MOTION:

A motion was made by Commissioner Vinson to table until 2-8-2016, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

- B. MINOR AMENDMENT TO SITE PLAN FOR MACHINE SHOP BUILDING ADDITION: Located on the northeast corner of Miller and Denton Drives; 6855 Miller Drive; Section 4; Daniel Blake (William Baldner). The minor amendment is to raise the height of the building.

MOTION:

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

PETITIONERS PORTION:

Mr. Daniel Blake – I'm Dan Blake the owner. I'm simply looking to change the drawings to a full height addition whereas it was approved last meeting at a 12 or 14 foot height addition. There were issues with potential structural steel how we support the existing brick and we decided to change that.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

FIRE: Preliminary review of the site plan yielded the following comments from this department:

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. Access roads must have a minimum width of 20 feet.

ZONING: Approved.

DTE: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

Just a note the petitioners site plan had been revised accordingly according to the previous recommendation that's why this recommendation is a short one and I appreciate that.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS

Review of the 2016-2017 Budget.

Mr. Ron Wuerth – This document represents the proposed budget by the staff to the Commission for the next budget year that will begin in July of 2016. It's in the same format as usual that is provided to us by the Controller's Office. As you read through here you can see that we start off with a planning statement who we are and what we do. Second page is proposed staff organization chart and the changes suggested in this would be that Michelle Katopodes be promoted to a Planner II. That we would by then hopefully have ourselves a new Assistant Planner, I'd like to do that in about four months. It appears that we need an Office Assistant and that's someone to backup Judy Hanna who is the Senior Administrative Secretary. Even with the Planner Aides and the Planner Technician that we have we have gaps and we are still trying to fill those so between the Assistant Planner and the Office Assistant who takes care of basically the office portion of the things that go on we feel that would help make our Planning Department that much more function able.

So then we go to the memorandum and that is a statement is to Mayor Fouts from the Commission. I'm sure that you've read it there's plenty of information on what we do. I'm not going to read all of this at this time this was for your review if you have questions regarding this statement or things that should be said or not said then either this is the time to indicate that to me or you can indicate that to me in writing by the next meeting which is January 11th, 2016.

Vice Chair Kupiec – Will we be reviewing this budget again before it goes for submission?

Mr. Ron Wuerth – The intent is that we wanted you to take a look at it now review it if you have changes, questions or those types of things if you have them now I'll do my best to answer them. I'll take any changes and fix this or change it in any particular way that you want for that last meeting. Right after that meeting the following day we will turn the budget over to the Controller's Office.

Vice Chair Kupiec – When will that meeting be?

Mr. Ron Wuerth – The first meeting in January the 11th.

Vice Chair Kupiec – I'll speak for myself with the holiday season and things going on I didn't get a chance to spend a lot of time on this but it would be nice if we could spend some time on it and talk about it again. But you are saying submit it to you in writing or call you on the phone and talk about it?

Mr. Ron Wuerth – Yes, between now and that time because they the Controller's Office and the Budget Director requires it to be to them right away the very next day after that meeting. I hate to say this but usually we are late and I don't care to be late this year.

Vice Chair Kupiec – Aren't we late getting this preliminary document don't we normally get this in November?

Mr. Ron Wuerth – No you never have and you've never gotten it in December you've always gotten it in January, so we are actually ahead of the game sort of speak. It was submitted in early January and submitted to the Administration about the third week in January now I don't care to go that route anymore.

MOTION:

A motion was made by Secretary McClanahan to receive and file, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

Mr. Ron Wuerth – If there are any issues that you see like the change in personnel or questions that's important you need to let me know. One of the highlights here is hiring a group to do our scanning. Up to this point we've made an effort to have our Planner Aides do it but they've been so busy processing all the site plans that have come through the door that it takes all of them to do that work in between their school. So it's our thought to then hire this

company the estimate is over \$61,000.00 dollars however the product that we will receive in the end is a product that we will save in time, probably in the first year I wouldn't doubt that one bit.

It takes us time like, like an example, retrieval of a file. Somebody wants to know something about a site and we don't have that file in our office now we have to send somebody down to another building they have to go through these boxes and retrieve the file we look at it and eventually the file finds its way back to. That scenario goes on all the time it's especially important when we do the background checks on sites that we go for site plan approval but when we get foia's and when we have lawsuits trying to find this information sometimes is difficult. It's much easier to have it right there on the computer available to us. I think people will be amazed at how easy that's going to work for us in the future and the power that it gives us and the City when trying to find out history of sites. Like the car wash in the history that they are supposed to run a chain across there it was in 1979, we are constantly looking at the history of sites.

Vice Chair Kupiec – How long would that scanning company be on board?

Mr. Ron Wuerth – Seems to me I think about six months, Judy was handling this she took him to the place where we archive everything. Right now we are already scanning the new stuff that we get everything is scanned in.

Vice Chair Kupiec – And the company has been doing this in the past and they are familiar with it?

Mr. Ron Wuerth – We had someone look at it so we could get an estimate. We'll have to send this out, to probably Mitten, to have a company come in with the right bid, I believe that's the right way to do this. So anyway that's one of the costly items that we are looking for it's going to save us time and we can move on to do some planning work that I hope to do this next year. Look through it all please and contact our office for changes.

Commissioner Rob – You itemized for Planning Commissioners attending courses and you have itemized that for four Planning Commissioners. We have many other seminars also where I think that there are tickets and other expenses related can we increase that amount or can itemized all nine Planning Commissioners. I'm sure not all nine will attend but if we have that fund you subsidize it for other events can we increase that?

Mr. Ron Wuerth – We most certainly could increase it I was just trying to be conservative and hope that I can get it approved. The idea was that if some of the Officers weren't able to go then they could offer it to some of the other Commissioners if they wanted to go.

There were two main things here involved and that was those who are not citizen Planners should be that means you should attend the classes or take it on line you can do it in two different ways. So that's an important thing to do and it really helps you understand planning a lot better than just getting it here to this stage. This is important obviously but everything you read is how things take place here.

Secondly, to go to some of the Map Meetings especially the Map Conference you find out all sorts of new and interesting things that are going on and in my Directors Report. I was going to mention that Michelle and I went to the Transportation Bonanza and when you say Bonanza that's a whole lot of different things regarding transportation issues. When I sat down to lunch I sat next to a Planning Commissioner from East Lansing and he was totally taken back he wasn't even sure he wanted to attend this he didn't think there would be much there for him to be interested in and then mentioned the Citizen Planner thing to him and the next thing I know he says I'm going to be signing up for that and the things I've learned here today I've never experienced before. So that's an example of what Commissioner's can be a part of and Commissioners go to those meetings. Honestly to try and convince the Administration to flip the bill for all nine I think that's a little difficult to do. These are the fees just for the program itself the Spring Institute and the Transportation Bonanza those people can drive to Lansing in one day and do the meetings. Sometimes the Map Meeting is up north it might be Mackinaw Island or Traverse City it would cost to stay overnight so that's a whole different scenario. This is the first time to do this I think its important education is important. Commissioner Rob, if you want me to put that in there I can calculate that out and do so, and then it can be talked about at the last meeting?

Commissioner Rob – No we added something this year so we can go gradually.

Mr. Ron Wuerth – I'm hoping that they will agree to it.

Vice Chair Kupiec – Anything else Ron?

Mr. Ron Wuerth – No that covers it, but I'll check it over again maybe run it past the Budget Director before I bring it back but again I need some information from all of you. At least by the Monday before you get the packet that comes on Thursday so that I can have a little time to make these changes if there are any.

Vice Chair Kupiec – And your plans are to have this submitted by January 11th?

Mr. Ron Wuerth – That's our Planning Commission Meeting so the 12th, we would make the changes and provide it to them.

Vice Chair Kupiec – I guess we have our homework for us it's something to do on New Year's Eve instead of watching football. I have one recommendation I'd like to make. There has been a lot of changes in the last couple years under ordinance 30 is it possible that we could get an upgraded ordinance 30 with all the changes?

Mr. Ron Wuerth – You're talking about getting a new zoning ordinance?

Vice Chair Kupiec – Yes the one that applies to us number 30. We've made a lot of changes, fencing and walls, a lot of different things going on.

Mr. Ron Wuerth – And there have been a lot of changes. Actually the budget includes everything that's been updated up to this point we want to print out some copies so that our Commissioners have some. If City Council and Zoning Board of Appeals want a new copy they don't offer them at the Clerk's Office anymore they used to they don't anymore.

Vice Chair Kupiec – Yes that's what I'm asking, in view of the fact that we have new Commissioners on board and, including myself, who keep adding to the packet and it's getting thicker and thicker.

Mr. Ron Wuerth – I agree that's part of our budget including the Zoning Atlas we want to get that updated also so we have a few things that we want to do this year including get that information out to everyone.

Vice Chair Kupiec – Along the lines of what Rob said in view of everything that's been going on this past year. All the building going on in the city you see a lot of new developments going on, with a lot of request before us you would think that the Administration would

give us a little bit more consideration because we have been real busy and we've had double packets.

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

Just an update from the last two weeks, we did have a Master Plan Meeting that was on December 9th. As usual we discussed quite a few things, we had Council Secretary Colegio and she wants to help us with that RFP and get that going. She has experience far more than I do and I think she can indeed help us get that going in January or February we will have a consultant come in and give us the product that we want for this town.

In our office we've had a list of professionals we've had it for well over 30 years. The professionals that are on this particular list are there because and I think all of them, don't even know they are on this list. The list is there for professionals who do a lot of work in this town they know the procedures of the Planning Commission, of the City Council and of the ZBA. So when someone comes to the counter and they are not familiar with the area or they've never been through site plan approval before they ask do you have someone that does some work in this town like this and we give them the list. So it's a reference to those people we never indicate anything about who are favorites are, and not that any of them are our favorites. There is a disclaimer at the bottom of that list that certainly indicates that, it also includes a list of surveyors. That was brought up at the Master Plan Meeting and there seemed to be an issue regarding the list. That was December 9th and then December 15th there was a staff meeting in which it was mentioned again once that was done I had this feeling that there was a concern regarding the list so the list no longer exist I've removed it. For the time being I've removed it it's not going to be used any more. Chair Howard clearly understands all this and I'll be talking to her further regarding it.

I did attend a DDA Meeting and we are working with a gentleman named Larry Goss and he's looking to provide the residential units that would be constructed to the south and to the east of City Hall its part of the Downtown Area. So we are being some negotiations with that gentleman it looks promising it's something that this Commission hasn't been through because the zoning ordinance in this area is a more modern type zoning ordinance it's called Form Base Zoning. I've mentioned it before a few times in the past it's very detailed on how to build a building in the area. It talks about the sidewalk from to the height, to the material, to you name it, so we're

going to have to go through that and see how this all works out. So I'm preparing you know its coming. I'd say in about two or three months we will have a plan here that we will have a chance to look at. It might be worthwhile to take a look at your zoning ordinance and read through the Downtown District and familiarize yourself with some of the terminology because it's not what we use every day this is specific to the Downtown Area.

Vice Chair Kupiec – Is Form Base Zoning a new concept?

Mr. Ron Wuerth – It's been around for several years, maybe 10 years. When it was designed for the Downtown area that was in 2006 so that's nine years ago it was new then and at that time it was a concept but they hadn't even labeled it Form Base. So if you want to say that the City of Warren was a little ahead of the game or ahead of everyone else in the concept, yes they were.

Vice Chair Kupiec – So this is unique to Warren its not State wide?

Mr. Ron Wuerth – It is Nation Wide.

Vice Chair Kupiec – And it started about 10 years ago?

Mr. Ron Wuerth – About that, probably 15 years ago when it's all said and done but about 10 years ago is when the Administration put it together and chose to go this way. So what you see now with City Hall and the so called the Village Green Area, the Recreational Area, that's part of the original plan. After that there are other types of buildings multi use buildings that we are looking to put up some day. But in this case it's going to be residential and that residential will support the retail and office in and around that green area and throughout the area. Once it gets moving it will be amazing to see the transformation and this certainly will be a Downtown Area.

Vice Chair Kupiec – Thank you.

Mr. Ron Wuerth – I did meet with Caitlin and Engineering that was on the 16th regarding the Storm Water Management Program you see that mentioned in the recommendations from Engineering a brand new program. On December 18th there was a meeting with Caitlin and a few others talking about used car lots and the concerns that the Administration has and how these variances are being interpreted so we need to get together and have some meetings regarding all of that. I meet with the owners of 13 Mile and Mound that shopping center and they came in with some new ideas on what they'd like to see built there and again it's something you'll probably

see in a couple of months. I meet with a developer who is interested in looking at the vacant Kmart at Schoenherr and 13 it's a retailer that's all I'll say. There are others who are interested in it for other uses. It all looks promising in the end so we'll see how that works out. So there are things coming along here we'll have some rezoning and some other site plan approvals that will be interesting.

13. CALENDAR OF PENDING MATTERS:
None at this time.

Vice Chair Kupiec – I'd like to take the opportunity to wish everybody a very Merry Christmas and a Happy Prosperous New Year for 2016 God Bless everybody.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 8:57 p.m.

John Kupiec, Vice Chair

Jason McClanahan, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

E-mail: maryclark130@gmail.com

Mary Clark CER-6819
December 21st, 2015