

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on February 22nd, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, February 22nd, 2016, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair
Edna Karpinski
John Kupiec, Vice Chair
Jason McClanahan, Secretary
Charles J. Pryor
Syed Rob
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson
Kelly Colegio, Ex-Officio

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
Chair Howard called the meeting to order at 7:07 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
All Commissioners are present.
4. APPROVAL OF THE AGENDA
Chair Howard – Before we approve it I'd like to remove item number 6E from the agenda.

MOTION:

A motion was made by Secretary McClanahan to approve, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried unanimously.

5. APPROVAL OF THE MINUTES – February 8th, 2016
A motion was made by Secretary McClanahan to approve, supported by Commissioner Pryor. A voice vote was taken and the motion carried unanimously.

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR STORAGE AND BUILDING ADDITION FOR TRUCK REPAIR FACILITY: Located on the south side of Ten Mile Road, approximately 468 ft. west of Thomas Street; 3200 Ten Mile Road; Section 30; Sam Shamay (Kerm Billette).
TABLED

MOTION:

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

PETITIONERS PORTION:

Mr. Kerm Billette – I'm here tonight with Sam Shamay the proprietor of the truck repair business at 3200 Ten Mile Road. We have an item here before us that the City of Warren Inspectors found, that a building was constructed on the property without permits. The person that did the construction did not know, just went ahead and built the building, and now it's up before the Planning Commission for approval because it sets in the side yard. We tried to get ahold of the persons that were responsible for the construction, we can't get ahold of them we are stuck with a building now that was put up to house an air compressor.

The building that they are presently in repairs trucks. It's a fairly large building but the air compressor is very noisy it's a very large compressor. The building addition that they built to the south and south end east part of the existing building is to house the air compressor and there are large tires in it too. We are here tonight to request that the Planning Commission give site plan approval, amongst some other things, on the site plan. We do have an area that is proposed to be fenced. I believe it was 20 x 40 fence for the trash removal dumpster and the fence is to have the slats in it so you can't see through it. It's to the south and east portion of the site, next to the building.

The number of trucks on there have decreased, I don't know exact number right now, but they have an area with three different parts. One is for truck storage for the tractor trailers, and another area for

the tractor trailers being repaired, and one is for the tractor trailer on the west side that are already repaired. That's what they do in the building is repair large trucks. I was over there and I saw that there were four mechanics working there and they were putting an engine in one of the trucks. They had a crowded area to work in but it's okay in the building. They can get by in the building provided that they have the addition that was added, I might add illegally, to the south and east of the building for the air compressor. We have 12 parking spaces out in front of the building, to the north, for the customers and anybody that stays overnight.

The truck repair business has been increasing, it's getting better. It was down for a while and I think it's due to their hard work and their diligence to pursue an industry right now that has had several setbacks over the years, now I think it's a crowded area of merchandising or repair. There's a lot of places that repair trucks that really should not be in the business they do one or two trucks and store a bunch of disabled trucks on the property. This property is large enough to be well organized, it has been successful, it's getting more successful each day. If there's any questions you can ask the proprietor he's here.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. All existing and proposed underground utilities must be displayed on the site plan.
2. The site plan must clearly indicate the proposed building addition, the proposed outdoor storage area, and the existing building envelope.
3. This development must comply with the City of Warren Storm Water Management Plan.
4. Any improvement within the Ten Mile Road right-of-way are subject to the approval of Macomb County Department of Roads.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – Mr. Billette good evening sir. The 20 feet of the existing building where they house the compressor, it

says in the recommendations to be removed how will that affect the compressor in that building?

Mr. Kerm Billette – If it has to be removed we'd have to find another area for the compressor, perhaps an addition to the building, a regular block addition to the building. Presently, if the Board chose, we could live with this if it were approved for five years. The owner was thinking about putting an addition on the building anyway but can't afford it right now. But if you would make this a condition that this would be whole for five years the building as it is and at the end of five years be torn down or a building addition be put on we would approve of that.

Assistant Secretary Smith – Mr. Wuerth what do you think about what Mr. Billette just said?

Mr. Ron Wuerth – The condition to wait for five years, no, nothing like that, that's extending the site plan out. That's too lengthy, we have two years for this site plan to be completed.

Vice Chair Kupiec – Mr. Billette have you had a chance to talk over these recommendations with the Planning Department, Mr. Wuerth or Michelle?

Mr. Kerm Billette – I looked at them all and I agree with all of them, I have a copy of them, I have not talked to anyone. I think the thing for the one requirement would be for the Building Department to be aware of the fact that the owner will be applying for permits just like building a regular building. Pay for the permits and pay for all the inspections on it that would be the conditions.

Vice Chair Kupiec – You said previously that prior to this lessee being in there someone else put the building up, not this gentleman here?

Mr. Sam Shamay – I put it up, I had a guy that helped me out with it.

Vice Chair Kupiec – How long ago did you do it?

Mr. Sam Shamay – It's been up maybe a year maybe I'm not sure to be honest.

Vice Chair Kupiec – How long have you been doing business in the City of Warren yourself?

Mr. Sam Shamay – 2 ½ years.

Vice Chair Kupiec – Were you aware of the fact that we have ordinances and restrictions in the City of Warren that you have to comply with to perform a business?

Mr. Sam Shamay – I didn't know to be honest.

Vice Chair Kupiec – One of them being a certificate of occupancy to be in the building. To do business you have to have a occupancy and permit.

Mr. Sam Shamay – I know that but I thought it was going to be a small box and not be a problem, and it's my fault, I agreed to that. That was a lesson that I learned.

Vice Chair Kupiec – Anytime you put a building without the proper inspection taking place it presents a hazard condition especially with people working in the building. You have electrical, you've got fire, you've got heating and air conditioning, you've ventilation, there's a lot of things that have to be taken into consideration. To put people in there to work on trucks making a livelihood for you and for them in conditions that are not approved by a professional engineering department, that's why we have the ordinance in the City of Warren, and I'm very disappointed in that.

Mr. Kerm Billette – The owner does have a C of O for the building, nobody is permitted inside, there's no occupancy, there's no plumbing, there's just electric to run the compressor.

Vice Chair Kupiec – Well there are numerous complaints about property maintenance it looks like a junk yard, insufficient parking structure, holes in the parking lot, I mean the place is in need of a lot of work and it's in dire need of a lot of oversight by our Inspection Department and by our Engineering Department. Plus the fact that the Planning Department has recommended that building be dismantled, be removed. So based on the recommendation I think you should have at least taken the time to stop in and visit with them and find out what he intends to do about it and what you can do about it.

Mr. Kerm Billette – First we'd go to the Board of Appeals and if the Board of Appeals turned it down then we'd have to tear the building down.

Vice Chair Kupiec – We understand. The Building Inspection Department does indicate here that you're operating without permits. Of course we know about the maintenance and the unlawful storage

of junk, debris, and tires. And of course we are on a plan and program in the city to clean up unsightly looking areas and prevent rats, and mosquitoes, and tires are a perfect hibernation place for mosquitoes and rats, along with accumulation of debris and piles not properly put into a garbage disposal container.

Mr. Kerm Billette – One thing we did just add was a large dumpster the kind you roll off a truck for scrap metal. All the scrap metal goes in that bin, that's part of the clean up that we've done on the property so far, with all the scrap.

Vice Chair Kupiec – What is recommended by the City of Warren as a permanent structure for debris like boxes, and scrap that is accumulated, you've got cardboard boxes, you've got metal you've got banding, you've got paper, you got all kinds of things that come with the parts you purchase that have to be disposed of somehow along with the scrap metal. The scrap metal generally is a separate issue, and the tires are a separate issue so you have to put together a garbage disposal to meet the city code. Clean up the yard, resurface the yard, do something about tearing down that building. A lot of things have to be done here. I 'm very disappointed that you didn't take the time to visit with the Planning Department, you've been in the city a long time you should know better.

I'm also going to make a recommendation to the maker of the motion that if by some chance this Board here decides to approve this particular site, I can't see any way in the world you can do this kind of work for \$3000.00 dollars that was estimated, nor the \$20,000.00 dollars that Mr. Wuerth suggested. I'm going to suggest a \$40,000.00 dollar estimate with a \$1200.00 dollar cash bond; I'm going to suggest that to the maker of the motion.

Chair Howard – The maker of the motion was Secretary McClanahan and supported by Assistant Secretary Smith do you support raising the bond to \$40,000.00 dollars and a \$1200.00 dollar cash bond?

Secretary McClanahan – Yes.

Assistant Secretary Smith – What is the reason for doubling the bond?

Vice Chair Kupiec – Because of the amount of work involved and if he has to tear the building down obviously that takes money plus he needs resurfacing of the parking lot.

Assistant Secretary Smith – Alright I support it.

Chair Howard – Okay we are going to amend the estimate work from \$20,000.00 to \$40,000.00 and there would be a \$1200.00 cash bond.

Chair Howard – There are several concerns here some of which even in the Planning Director's recommendation and typically when we see the language that is aforesated here it gives us pause. That the petitioner must comply with all pertinent codes and ordinances and guarantees that all dimensions, acreage, and figures in connection with this site are true and accurate as they provide the basis for this approval. There are some additional notes associated with this site plan and I just need some assurances from you Mr. Billette and also from the petitioner that this will be done correctly.

Mr. Billette – Yes, we have measured most everything on the property and we'll have to do a couple of them again on the portions to say how much square footage is allowed for each one of those.

Chair Howard – Alright, if this Board decides to approve this it is going to be a two year approval going forth but it's going to give us great pause if this is not completed correctly, to specification, that we would not possibly extend your site plan. You have a building that is erected, you don't have certificate of occupancy, and that building has to be taken down. What's going on in terms of the parking lot as far as that re-pavement and the condition of the driveway?

Mr. Kerm Billette – The driver way needs to be repaired yes.

Chair Howard – Is that cost reflected in your estimate?

Mr. Kerm Billette – That's a very slight cost.

Chair Howard – Mr. Wuerth, in regards to the resurfacing of the parking lot, and the maintenance, and repairs we have already elevated the cost of the work to be done do you think the \$40,000.00 dollars would also be sufficient for the work that has to be done on the parking lot?

Mr. Ron Wuerth – I believe so, I think that Vice Chair Kupiec thought it through correctly so what's been suggested is sufficient.

Assistant Secretary Smith – Mr. Billette looking at the drawing and also looking at the picture of the shed why isn't it possible to move

the shed forward towards the front where the doors are at and bring everything forward?

Mr. Sam Shamay – I'll do that, it's not a problem.

Assistant Secretary Smith – We are talking about knocking off 20 feet of the building and if you've got to knock off 20 feet of the building you've got room looking at the picture to move it forward quite a distance. Why couldn't you move, get the permits and move the building forward and still house your compressor. That way you'll be in accordance with the easement and you'd still have your compressor on the side of the building?

Mr. Kerm Billette – That's an option yes.

Mr. Sam Shamay – If it's good, I don't mind, I'll do that.

Assistant Secretary Smith – I'm just looking at the options, you can either tear it down or you can rebuild it and move it up. You're concerned about having the compressor where it's at so if you can redesign the building to where you can move the whole storage area where the compressor is at, forward, then you've eliminated the problem of getting a variance for the 20 feet and you've eliminated being in the easement.

Mr. Sam Shamay – That's not a problem I can do that. But if you look at the container, the orange one, I might just take that out because to me it's unorganized I don't like it either. But my building is too tight and we don't have room to put the compressor or the dumpster in there. I'm trying my best, if you take a look at the building and the grounds it was really bad before and we've spent a lot of money on it and I've done my best, but I don't like it either, I agree with all the complaints. If you look at the end of the parking lot we will tear down all that building and build a really nice building, more organized, that is our plan. I cannot afford it right now, that's one of the reasons I'm not extending the building and spending more money on the ground because I want to do it 100% right. Whatever money I spend right now is going to be for nothing but if I spend it in the right way it will be good forever and safer for me. So if you give me two years to move it forward that would be great I think in two years I'll make it 100% the way you will like it. Thank you for giving me more time.

Assistant Secretary Smith – When petitioners come before us and we make recommendations and they stand there and agree to it and say they are going to do it and then two years down the road they

haven't done anything. Or they've done what they've wanted to do instead of what they agreed to do when they were in front of us. That's one of the issues I've been having about different things that have been going on. You say you can try and move the building forward to correct the 20 feet easement problem, if it will work fine but to say it and then not do it that's the problem I have.

Chair Howard – It is going to be incumbent upon you, with all of these conditions, and as Vice Chair has indicated there are some things that you really must take care of. If this Board decides to approve this site plan as is there is a two year time frame but I will caution you if it's not done during that time and it comes back for renew or for an extension there maybe some pause in that conversation. So please based on what's been put before you, work with Mr. Wuerth and stay a man of your word.

Mr. Sam Shamay – I promise I will.

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
Chair Howard.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes

- B. SITE PLAN FOR BUDDHIST TEMPLE: Located on the southwest corner of Twelve Mile Road and Grobbel Avenue; 5356 Twelve Mile; Section 17; John Marusich. **TABLED. (2) Request to be tabled to 3-21-16.**

MOTION:

A motion was made by Commissioner Vinson to table until 3-21-16, supported by Commissioner Pryor.

ROLL CALL:

The motion carried as follows:

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

Vice Chair Kupiec.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes
Commissioner Rob.....	No
Commissioner Robinson.....	Yes
Assistant Secretary Smith.....	Yes

- C. SITE PLAN APPROVAL FOR PARKING LOT ADDITION: Located on the southeast corner of Schoenherr Road and Leonard Avenue; 21944 Schoenherr Section 36; Jeffrey Najor. **TABLED (4th).**

Mr. Ron Wuerth – You did receive correspondence regarding what appears to be a request for another tabling. At this time I would suggest that this be an indefinite table. Get this off of the agenda, it need not be there, if he has issues with the Appeals Court then take care of that type of business first and then we'll bring them back to the Planning Commission. We will re-notice everyone who is within 300 feet of the property. So that's my suggestion.

MOTION:

A motion was made by Secretary McClanahan to table indefinitely, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR OUTDOOR STORAGE: Located on the north side of Eight Mile Road, approximately 156 ft. east of Reynolds Avenue; 2667 Eight Mile; Section 31; Wally Hanna (Lay Esho).

PETITIONERS PORTION:

Mr. Wally Hanna – It's a parking lot on the north side of the building. We don't use it for parking lot at, all we have a larger parking lot space. There's a building on each side and fenced from Eight Mile and fenced from the alley. In my business we have pallets, PVC

pipes, and garbage container we don't have room inside the building so we are petitioning to use it as storage.

Secretary McClanahan reads the following correspondence:

ZONING: Approved.

DTE: Approved.

TAXES: No Delinquent Taxes.

FIRE: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Orest Kalba – I am one of the owners of the property that is just west which is Anchor Safe Company, our building is right on the property line it abuts the so called parking lot. When the tenants moved in it was a parking lot they decided upon themselves to turn it into a storage facility. There's been storage there, there's been rubbish there. There's a dumpster there that is usually up against our building. The company that picks it up raises it tears part of our roof off. We've had hi-low fork damage into our building and all different types of other damages. We asked the parties several times to give us some easement, to move there items of storage several feet away and that's been to no avail. So I am definitely protesting this plan's storage because up until now it hasn't been working. They did it on their own I don't think they asked Council whether it was okay to use it as a storage facility, it was a parking lot, and it's been a storage facility ever since.

Mr. Wally Hanna – It was never a parking lot.

Chair Howard – Sir, just one second, we will come to the petitioner in just a second. This is public hearing so he has the floor at the moment, go ahead sir, you may complete your statements.

Mr. Orest Kalba – What I'd like to know from the city, and I've called the Inspector several times, if we have a right to some type of an easement. We painted our building we are trying to maintain the building so it doesn't leak and we don't have any problems from that side, but we constantly have items that are being put against our building. Like I say we've had forklift damage and other items. I can supply pictures of previous damage that was done there.

As a company I think we have a right for our building to be secure, to be safe, not to be vandalized, not to be damaged, we shouldn't have a garbage container right up against our building they can move that

garbage container and put it somewhere else. It's been used for storing all different types of items but there's also been trash laying around all over the place to.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – Did you hear the situation that your neighbor was mentioning?

Mr. Wally Hanna – Yes sir.

Assistant Secretary Smith – I can see where he's painted the building and upkeep his building. If what you're storing in that area is affecting his structure there has to be some sort of easement, blockage, or some sort of barricade to keep things away from his building. You might need to talk to Engineering or maybe the Planning Department and is if there's something that you can do to keep it five feet away what you need to do to protect his building. I know that's the lot that you own but still you have to respect the neighbor's property also. Being there's no easement between the two of businesses you have to see what you can do to keep the peace or make things work so you're not damaging his property.

Mr. Wally Hanna – Yes certainly sir, I understand, actually I'm a very conscientious about everything around me I don't want to intrude, I don't want to hurt, I don't want to do any damage to anybody, especially my neighbors. What he said 99% is not right, I want you to image a masonry block about eight to twelve inches all we have against that wall is a PBC pipe which a child can carry, it's very light. He mentioned to me one time about the forklift damage and he was right. At the time we had a forklift and somebody operated it the wrong way and they hit the masonry block but that's not damage at all for god sake as a neighbor it takes a little cement to fix it.

He said we are damaging his roof I don't know what he's talking about when you have a garbage container and the truck carries the container, it has to go up in the air. As far as damage to his roof, I'm not aware of it, if there's damage I will be more than happy to fix it for him. It's a masonry block wall. Is he asking me to build another masonry wall right next to it so we will not touch his wall? I agree it needs to stay clean a couple of times it was out of hand I'll be honest it was in the winter time. In the winter time when we have a lot of pallets we take them outside, it's snowy outside, and they stay there

for a week or so before the weather permits us to go take care of them. Besides that I go out of my way to keep that place clean and if anything it's in between two buildings and between two gates you can't even see what's inside. That doesn't mean we keep garbage in there of course not, it's not going to serve my business if it's not clean.

After all the material that we have there is very expensive, it's new not used, it's not garbage or scrap. The only part that we store stuff against his building is only 10 feet that's how long the PBC pipe pallets are. When we put them against the wall they touch the wall yes but its masonry block there it's not fiberglass or cardboard. I'm here to do whatever it takes not to upset my neighbor or not to hurt my neighbor, I'm not here to fight or anything.

Assistant Secretary Smith – The only thing I would recommend is you take into consideration those issues, if somebody makes a mistake I understand that but if you can prevent that from happening by just doing something minor to block it so it won't hit his building that might be something you need to consider. Maybe you can work something out with the owner of the building next door that you both can agree on where it's not damaging the property.

Mr. Wally Hanna – I think I'm going to put 4 x 8 plywood just in case something hits the wall it will not be hitting his masonry block it will hit the plywood.

Secretary McClanahan – I don't think you should be hitting his wall at all. It sounds to me like that pretty unreasonable for you to be hitting his wall and pushing stuff up against it. He wants to keep his building clean and obviously he does and you really don't so I don't think he's being a bad neighbor at all I think you should stay off of his wall.

Vice Chair Kupiec – I have to concur with Mr. Secretary here. You talk about respecting and loving your neighbor well you can't respect your neighbor very much if you bang up against his wall with anything. You have no business on his wall nor does he have any business on your wall period end of conversation stay off his wall. You have a lot of things here that the Planning Department has written up, hopefully you had a chance to look them over. Item N is a embossed poured concrete wall along the north property line Edmonds Avenue, along the east and west property lines also or a greenbelt. So you will have to put some kind of wall that the City of Warren requires or a greenbelt in that area. There are some

landscape things that you have to do also with trees, grass, and parking blocks, are you aware of all these things?

Mr. Wally Hanna – Sir there's a fence in there with a plastic thing in there where you can't see through it is that what you're indicating or a different type of wall?

Vice Chair Kupiec – Item N is either a greenbelt or a brick embossed pour concrete wall, it's a Warren specification that a six foot high concrete wall has to be put between an industrial location and a residential location.

Mr. Wally Hanna – That part is a parking lot it's zoned parking lot is that the part that you're talking about?

Vice Chair Kupiec – I'll have Mr. Wuerth come up and explain it to you. Have you talked to him at all about these recommendations?

Mr. Wally Hanna – No sir, I received it today so I didn't have a chance.

Vice Chair Kupiec – You probably should because there are a lot of things in here that you need to do that are going to cost you a few dollars. It's going to beautify your property and make a good neighbor in the City of Warren and they are requirements that you will have to do.

Mr. Ron Wuerth – This has to do with the north parking lot there was a lot of research that was done on that north parking lot as to when it occurred, when it got constructed, did it have variances at the time because right now he has a fence, actually it's a nice looking fence with some slates that provides some screening. We took a look at the permit there was some issue that was mentioned that something was okay according to a City Attorney, back in 1967 there was a letter. We could not find the letter we could not find the proof and I have no idea what was in that letter. Without that letter that tells us what was permitted the petitioner is required to put up a wall or greenbelt or as you can see later in the recommendation go to the Board of Appeals and get a waiver of variance so he wouldn't have to do the wall or the greenbelt. Our suggestion is get a variance.

Vice Chair Kupiec – Do you understand now?

Mr. Wally Hanna – Yes sir of course, I bought the building eight and a half years ago so I'm not aware of those findings at all.

Vice Chair Kupiec – You said you just received this document this morning so my suggestion would be take this document with you make an appointment with Mr. Wuerth and sit down and go over these items so you understand. I'd hate to exercise another option, I would rather proceed.

Chair Howard – I think I'm going down that road Mr. Vice Chair. Definitely we are concerned in regards to your neighbor. He did put a request in for an easement between the two properties, definitely the storage items from your building should not be abutting his property. What I'm going to suggest is that we table this item to a date certain of March 21st, 2016 that would give you a chance to talk to your neighbor and talk to the Planning Director and see what is required. In the meantime work with Mr. Wuerth in formulating a document with your neighbor that would be an easement between the two properties where your property and your items will not abut his property line. I'm disappointed that you just received the package this morning so you really haven't had enough time to really digest what's being required of you. I am recommending that we table this for him to come back on a date certain of March 21st, 2016 Assistant Secretary Smith do you concur with this?

Assistant Secretary Smith – Yes I'll support that.

Chair Howard – Commissioner Pryor?

Commissioner Pryor – I concur.

Chair Howard – Thank you we are going to table this to a date certain and that would be March 21st, 2016.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

None at this time.

8. BOND RELEASE

None at this time.

10. NEW BUSINESS

None at this time.

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

Just a recap of some of the things I attended since the last Planning Commission Meeting. So first off, I had a meeting with some developers who want to create a PUD for some brownstone type housing units, it looks like they want to place them on Hoover Road just south of Irene which is south of Common. They have submitted their plans for a PUD there so it should be interesting, so we'll see how that works out.

I spoke with Art Rose, the Attorney for the owner of a used car lot at 24055 Ryan. He had initially got approval from us for additional used cars on his lot and also a fence that was relocated and moved too far in the front setback. He went to the Zoning Board of Appeals and he was turned down so at this point that particular site plan sort of hangs in balance and we'll see what that attorney will do next, we have some time to wait on that one.

I attended one staff meeting. The Attorney's Office, upon my urging, has sent a letter to the owners of a fuel station that is located on Mound Road just south of the Marathon Gas Station. It's a location where we had a conditional rezoning, when you have a conditional rezoning you have an agreement and in the agreement it was that trucks were to come in fuel and leave. Instead the trucks fuel and at night, especially, they stay and they've been doing it for a considerable amount of time so finally, we have sent communication to the owner and their attorney. We'll see what kind of result we can get.

We did talk to Lipari Foods over off of Bunert Road and they are looking to rezone the junk yard basically that's on the east side of the road. The idea is to rezone that property then get site plan approval for an industrial building that will amount to 250,000 square feet. So it's a massive development we hope that this can move forward. You haven't seen the rezoning request yet, its coming. I

attended two DDA Meetings and basically the same discussion had to do with the proposed hotel and the proposed residential units that they are looking to place in that area. I attended a CDBG Meeting block grant that's what that is and a TIFA Meeting.

I spoke to some person who is interested in developing some property along the ITC corridor, this is where the big power lines come through Warren off of 14 Mile Road. That particular location years ago was approved for some condominiums and it runs along the west side of the corridor all the way down to Masonic. It didn't happen, the development didn't go, it was a consent judgement agreement through the court system. Now they want to come back because they don't want to do that they want to put in some storage units, interesting concept because that's what they wanted to do before the condo's got approved so we'll see where this goes. I think these people are serious and I think they'll come forward and see if they can have that type of use in that area. We did speak to the petitioner at 25585 Sherwood, that was with Kerm Billette, had to do with the semi-truck trailers. I'm glad they came in we had a good meeting we worked out quite a few problems regarding that so they will be coming back soon with revised site plans.

Finally we did have the Budget Hearing and to put it mildly it was negative, what was clear is two items in the budget that the Administration does not look to support and that would be a new Office Assistant and promoting the Planner I to a Planner II position. Those two things stood out, I have a meeting tomorrow morning with the Budget Director and the City Controller to discuss the rest of the items and I'll report to you at the next meeting what the results of that meeting.

Vice Chair Kupiec – As Mr. Wuerth stated it was a very negative meeting we didn't have much chance to communicate intelligently there was so much negativism flying around the room, it was hard to get a word in. It was pretty obvious that they feel that the Planning Department is overstaffed, underworked and in need of a budget cut in the area of manpower that's my opinion. It was a shotgun type meeting and the bullets were all going one way and you couldn't stop them. I guess we'll have to wait and see what happens.

Secretary McClanahan – It's my opinion that the Planning Department does a great job and I thank them. I also want to say at this time I applaud the Mayor for his support of the second amendment, our incident at the Tech Center the other day and applaud the gentleman that saved the woman's life. I'm a big supporter of the second amendment and I appreciate the

Administration backed the gentleman up. It's a great thing that woman's life was saved.

13. CALENDAR OF PENDING MATTERS

Vice Chair Kupiec – On that Fourteen Mile power line corridor what would they do build something between the back fences of the housing of the street that runs north and south there?

Mr. Ron Wuerth – Yes, as a matter of fact a former Planning Commissioner used to live in that area David Koury, and with the use that I had mentioned that they are looking at he had fought that particular use.

Vice Chair Kupiec – You say he fought it previously?

Mr. Ron Wuerth – He fought the use with the Planning Commission and with the City trying to stop it, it was an issue at the time.

Vice Chair Kupiec – That's the first I heard of it so it must have been before my time, thank you.

Secretary McClanahan – So that would encroach into the ITC Property, built on the fence line there?

Mr. Ron Wuerth – Yes, the land itself abuts the residential district to the west and it runs the full length it's a ½ mile. Again what was approved were condominiums but they were never built. They were approved somewhere around 2008 – 2009 when building anything residential was not worthwhile.

Vice Chair Kupiec – It's hard to believe with all those power line that they would consider building places where people would live with all that high voltage running through there, it's not someplace I'd want to live.

Mr. Ron Wuerth – They did, we have the site plans.

Chair Howard – We will look forward to the review, after you speak with the staff, in regards to the budget and your revised presentation here with us. So we can take a look at that prior to going to City Council. We are aware of what the Administrations concerns, so we will see what their response is, along with the Controller, and the Budget Director. Do you think that at our next meeting you will have a revised budget?

Mr. Ron Wuerth – I hope to have that meeting tomorrow morning.

Chair Howard – Ms. Michelle is submitting to us, in the coming days and weeks a template for us with a Master Plan then we will start working on that.

Ms. Michelle Katopodes – I already sent it, I emailed it about a week ago.

Chair Howard – I do apologize is, it possible that you can send it back to me once again and I will get started and start working and get this up and going so we can give it to Craig Treppa.

Ms. Michelle Katopodes – Sure I will email it to you tomorrow.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 8:20 p.m.

Jocelyn Howard, Chair

Jason McClanahan, Secretary

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