

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on June 6th, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, June 6th, 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
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson

Also present:

Ronald Wuerth - Planning Director
Judy Hanna – Senior Administrative Secretary
Michelle Katopodes – Planner I
Nicole Ciurla – Planner Aide
Annette Gattari-Ross - Assistant City Attorney
Christine Laabs - Communications Department

1. CALL TO ORDER
Chair Howard called the meeting to order at 7:04 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

MOTION:

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

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

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

4. APPROVAL OF THE AGENDA

MOTION:

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

5. APPROVAL OF THE MINUTES – May 16th, 2016

MOTION

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

Chair Howard – We do want to share with our petitioners this evening that we are short three Commissioners you do have the right to have a full Board for your hearing this evening if not you can take the vote of the Commissioners. Since we do have a quorum we'd need five out of six votes but if you so decide to have a full Board to hear your item that is your option on this evening as well. With that being said we will move on.

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR RETAIL SALES: Located on the southeast corner of Van Dyke and Cadillac Avenues, 22660 Van Dyke; Section 34; Kerm Billette (Melodee Wieske, Good N' Plenty Retail Shop). **Tabled.**

MOTION:

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

PETITIONERS PORTION:

Mr. Kerm Billett – I'm here tonight with Melodee the owner of the property. We have a store at the southeast corner of Cadillac and Van Dyke known as Good N' Plenty Shop. We've been through several different approves and disapprovals of property. We are down now to get approval of the property at the rear of the building rather than on the sidewalk because there's no such ordinance that permits it. We are also in question about the location of the dumpster which is being taken under advisement by the Planning Department for the possibility of an ordinance permitting dumpsters located in the city on city property that are paid for by the adjoining businesses. Melodee also pays for the dumpster on the city parking

lot next door she pays \$100.00 per month and also pays \$600.00 dollars per year to plow the snow on the city's property. She's made application to sell on the sidewalk on Cadillac on the south side alongside the building for about 120 feet but that was denied by the Planning Department because there's no such ordinance that permits it. It's permitted only by a permit from the city for a temporary 30 days or twice a year arrangement that you can sell outdoor sales on the sidewalk.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

ENGINEERING: Approved.

FIRE: Approved.

PUBLIC SERVICE: Preliminary review of the site plan yielded the following comments:

Grants permission to keep dumpster for six (6) months

ZONING: Preliminary review of the site plan yielded the following comments:

1. Building is currently legal non-conforming due to front, side, and rear setbacks. Building will lose non-conforming status if any of the following occur.
 - structure is damaged beyond 60% of its value by fire, explosion, or act of god.
 - structure repairs or restoration exceed 30% of its value.
 - any change in use.
2. Parking is provided by city owned parking lot.

Chair Howard – I believe there are two correspondence from the petitioner that want to receive and file.

MOTION:

A motion was made by Vice Chair Kupiec to receive and file, supported by Commissioner Vinson. A voice vote was taken and the motion carried unanimously.

Mr. Ron Wuerth reads the recommendation of the Staff:

1c – is going to be relabeled just condition number 2, it's more of a condition then a change on the plan.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – Did you understand everything on the recommendation as far as the sidewalk sale is concerned?

Ms. Melodee Wieske – We submitted two letters.

Assistant Secretary Smith – I understand the letters, but you're asking for a permanent storage on the backside of the building which is what we are approving?

Mr. Kerm Billette – Just the backside, yes.

Assistant Secretary Smith – There has been some sidewalk sales in the past you know that won't be allowed once this is approved, you do understand that part?

Ms. Melodee Wieske – There never was that's just where the stuff would get dumped before it could get put into the store. So I totally understand there's no sales on the sidewalk. What I didn't understand the second thing that he said item number 2 of the recommendation.

Mr. Ron Wuerth – The only thing that I changed was just the identity of it that's all. I went from 1C to condition number 2 I just changed it into a condition.

Chair Howard – So the condition that was set forth initially is the same condition as item number C it's just the matter that Mr. Sabaugh has approved the waste management for six months.

Ms. Melodee Wieske – I never got any of this stuff so I didn't know, I've not seen any of this.

Mr. Ron Wueth – I'll address this since you didn't receive this. Condition number 2, you have this agreement now with the Public Service Director for six months. After that you're going to have to obtain a type of agreement with the City through the Public Service Department and make sure that you can continue to keep that trash dumpster there. You're going to have to obtain that, you'll have to work it out.

Ms. Melodee Wieski – I mean there's no ordinance or anything that's written.

Mr. Ron Wuerth – You'll have to talk this out and get an agreement through the Public Service Department. Beyond that it's an open ended thing, we don't know, you'll have to go talk to him about that.

Ms. Melodee Wieski – And I'll have to put up \$500.00 dollars?

Mr. Ron Wuerth – You'll have to put up \$500.00 dollars for the first year this has to do with your permanent outdoor sale.

Ms. Melodee Wieski – They're two separate things.

Mr. Ron Wuerth – That's right so this is for the permanent outdoor sale, this doesn't have anything to do with the dumpster.

Ms. Melodee Wieski – The \$500.00 dollars is for the outside sales?

Mr. Ron Wuerth – Yes outside sales and you need to keep it clean and after a year's time we'll release the bond, it's normal procedure.

Chair Howard – I think what Assistant Secretary Smith was indicating earlier in terms of whether there were sales, I was there this weekend and there were some items that were displayed on the Van Dyke side in the front of the building versus I don't know what you were doing in terms of sales in the rear of the building but there were some items that were displayed in the front. So all of those items need to be in the back of the building going forward.

Ms. Melodee Wieske – We have been grandfathered in years ago for the front part, that was grandfathered in years and years ago. It's just a small area that was grandfathered in a long time ago.

Chair Howard – Mr. Wuerth was there some discussion at the last meeting?

Mr. Wuerth – I am not aware of any agreement or any grandfathered agreement that has ever indicated that anything can be out in front of the building or on the side. I've never seen anything of it and we researched it to the best of our ability. If you have a document that indicates that you're allowed to do that please present it.

Ms. Melodee Wieske – I have no document but it goes back to the fact that even with the dumpsters it's all new stuff. I was told by somebody, before you, I have a permanent metal thing in there that holds up my mannequin. I've had her for years, and years, and years, she is just a part of Good N' Plenty Store. We were told we were grandfathered in for that and nobody would ever harass us for

that again. It was a woman, I have no paperwork on it, but that's been like that since we opened our business.

Mr. Ron Wuerth – Not that it matters but all the Planning Directors have been males.

Chair Howard – I believe what we have ma'am is an issue that may be a zoning issue, but I believe at the last meeting that we had the issue was whether or not the sales could take place in the front because of the setback versus the side and the back. What we are here to do today is to definitely grant you that opportunity to do that on the rear and on the back of your facility. If there is a document that you can provide to Mr. Wuerth or to Zoning I suggest that you do that.

Ms. Melodee Wieski – I have no document. That's how people find me with my mannequin out there, they've been doing this for 30 years. There's been different mannequins out there for 30 years.

Chair Howard – I don't believe it's the mannequin per se. I believe it's the sales that's in question not the display.

Ms. Melodee Wieski – There's an area that is covered that we are supposed to be allowed to put things in there.

Chair Howard – What I'm going to do is allow the City Attorney to speak to that. I don't want it to seem like we are debating I trust what you're saying but there are some ordinances that we must follow.

Ms. Annette Gattari-Ross – Basically what the Planning Commission is approving is what's before you and what's on your plan. If you have some issues regarding previous approvals, obviously it's been represented by the Planning Director that he has not found anything that exist related to that. What we are here for today is specifically what's documented and it's in the plan. If you have any other issues with respect to other approvals you received that's something that you'll have to address with the Zoning Department.

Ms. Melodee Wieski – Where and how do I go about paying the \$500.00 dollars for the bond and all of that?

Chair Howard – Mr. Billette will help you with the process.

Vice Chair Kupiec – Just wanting clarification that \$500.00 dollars is that going to be a cash bond?

Chair Howard – To the maker of the motion Commissioner Vinson, do you prefer a cash bond?

Commissioner Vinson – A regular bond she’s been in business for 25 to 30 years.

Vice Chair Kupiec – It’s 10% so \$50.00 dollars.

Ms. Melodee Wieski – That’s wonderful.

Mr. Ron Wuerth – I don’t know what Vice Chair Kupiec said but the bond is \$500.00 dollars, whether it’s a surety bond or whether it’s a cash bond.

ROLL CALL:

The motion carried as follows:

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

- B. REQUEST FOR LOT SPLIT AT MAJESTIC PLAZA: 1 subdivision parcel into 2 parcels; located between Van Dyke and Marcia Avenues and Martin Road and Farnum Avenue; the easterly 150 ft. of Lots 6,7,8,20 and all of Lots 9 through 19 and Lots 21 through 29; 27650 to 27860 Van Dyke Avenue; Section 15; City of Warren.

PETITIONERS PORTION:

Ms. Lark Samouelian – Good evening Planning Commission it’s nice to be here. I’m the DDA Economic Development Director for the City of Warren. This request for the lot split has to do with the sale of the Majestic Plaza Center. It is requesting a land division as it originally was intended in the beginning when it was purchased in the first place, and how the sale was handled was historical and Mr. Gjonaj can explain some of the details if you wanted to go into that. It has to do with the ownership it has taken place so that the County of Macomb has the south end, and they have a deed for the south end of this plaza. Then the DDA sold the other half of the plaza and the portion of the land then has been deeded to Y and C, which is the owner of a beauty supply for suppliers of people who have the salons that are within I believe a 20 mile radius. It will be open to the

public as well but their primary business is to support the salons in a 20 mile area.

The lot split is to allow what was originally intended from the beginning and will continue on so that there's enough parking for those entities that are within the Majestic Plaza as it goes forward.

The sale is in escrow until the DDA has split from Macomb County the original deed, that the County holds for their portion that's on the south side that took place in 2004, 2006 it's the same kind of arrangement. When the City asked the County to move from the site where our current Civic Center City Hall is and then they found the Majestic Plaza so they moved to Majestic Plaza. There was a deed that was created at that time and the arrangement will conclude in 2026. There's a total 300 spaces which will continue to be appropriate and you have the map and the design that will allow for that.

I believe with the recommendation that came from the research that took place with the staff was to ask for an agreement both for the ingress and the egress shared parking and Mr. Gjonaj has come and has a unsigned draft agreement to accommodate the request of the Planning that he can submit to the Board.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ASSESSING: Approved.

DTE: Approved.

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

1. All existing utilities and corresponding easements shall be shown on the plan. If any easement does not exist over a utility shared between the proposed parcels, one shall be recorded prior to the approval of the parcel split.
2. Shared access agreements may be required across both parcels.
3. The distance shall be labeled on the boundary line with bearing 89 degree 24 minutes 47 seconds west.
4. Additional sanitary sewer and water services may be required. Each building shall have individual water and sanitary sewer services.

FIRE: Approved.

MDOT: Approved.

ZONING: Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:

Mary Clark CER-6819
June 6th, 2016

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – Mr. Wuerth what are the conditions we are referring to?

Mr. Ron Wuerth – They are just as you see right here, actually the only condition is this agreement and that’s what we need to have. Everything else has been taken care of.

Chair Howard – This item is currently in escrow once we get the documents together will we be ready to go forward with the purchase?

Ms. Samouelian – Yes we are.

ROLL CALL:

The motion carried as follows:

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

C. REQUEST TO REZONE PROPERTY: Located on the north side of Frazho Road; approximately 900 ft. west of Hayes Road; 14795, 14815, 14825, 14829, and 14859 Frazho; Section 24; from the present zoning classification R-1-C, One Family Residential District to R-3, Multiple Family Dwelling District; Michael Tobin, TG Warren Inc. (Joseph and Rosemarie Pruzinsky) Michael A. Tims.

PETITIONERS PORTION:

Mr. Michael Tobin – I’m Michael Tobin President of TG Warren. We were here previously and we got a couple lots and we finally got site plan approval. Then the additional lots became available as you can see from what we submitted. We’ll be able to put a pond in there and come up with units with garages. We think this will be the best use of the land and we are here to seek rezoning so we can continue on.

Assistant Secretary Smith reads the following correspondence:

TAXES: The parcel 13-24-276-011 has \$1,166.04 in delinquent taxes and the parcel 13-24-276-013 has \$1,777.93 in delinquent taxes. The additional parcels ending in 012, 014, and 015 have no delinquent taxes found on April 28th, 2016.

Mr. Michael Tobin – I want to point out that the delinquent taxes are on the parcel we haven't closed on yet so soon as we close that will be a mute point.

Chair Howard – That's very comforting sir thank you for that information.

Mr. Ron Wuerth reads the recommendations of the Staff:

PUBLIC HEARING

Ms. Linda DeVooght – I own the property at 14785 Frazho. I'm a little concerned because they're saying it's all going to be rezoned but there are still two houses there that are not going to be part of the apartment complex which is what I'm told. So I'm concerned if across the street is all condo's and all to the one side is all condo's what are you going to do with the two properties that are still going to stay residential. It's mine and the neighbor's next door and I was never contacted by anybody about selling and I know he wasn't.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Robinson – Are these units going to be condos or rentals?

Mr. Michael Tobin – They are going to be townhouses for rent with this additional land we will be able to add detached garages.

Assistant Secretary Smith – I was trying to rely on my memory, when they came before us before, when they purchased the lots before, these lots that house was involved in that project at that time, is that house still involved, I'm trying to address the ladies concern.

Mr. Michael Tobin – We are building around one house we bought the last time 30 feet of his backyard to straighten out our parking to make that project work. At this time he's not interested in selling, he thinks his land became a gold mine over night. We have designed

those two buildings so that they are spaced properly so that we can put garages in between. The only thing we'll ever build on his piece will be garages.

Assistant Secretary Smith – So what you're going to build is going to affect his property to a certain extent?

Mr. Michael Tobin – I don't think so.

Assistant Secretary Smith – Unless I didn't understand you you're saying the only thing that would affect his property would be the garages that you're going to be building.

Mr. Michael Tobin – If we bought his piece the only thing we would put on his property would be garages. We spaced everything so we could use his property, if we ever got it subsequently.

Assistant Secretary Smith – But as of right now he's not selling his parcel?

Mr. Michael Tobin – That's correct.

Chair Howard – Based on the follow up question by Assistant Secretary Smith the 30 feet that would be occupied or the 30 feet for the additional garage is that going to be east or west?

Mr. Ron Wuerth – Let me take a look, this is a conceptual plan by the way.

Mr. Michael Tobin – At the present time there's no garages, if we ever bought that land we'd have to come back and rezone it and then get site plan approval. We spaced it so it would be just like the rest of the buildings. In other words the distance between the two buildings that are on either side of him are such so that it would work perfect for garages.

Chair Howard – And that would be 30 feet?

Mr. Ron Wuerth – This is a property that we don't know how long the person is going to live there. It's not looking to promising at this point, it's just for future purposes. Mr. Tobin is trying to explain that's how it would be used if it ever becomes owned by Mr. Tobin. But until then they will build the complex around that property.

Chair Howard – And the area that he's currently looking at would be zoned multi unit dwelling and everything around it is single family am I correct?

Mr. Ron Wuerth – That's correct.

Assistant Secretary Smith – So the ladies property in question?

Mr. Michael Tobin – She's further west.

Assistant Secretary Smith – At this point and time is her property included in this zoning change?

Mr. Michael Tobin – No it is not, I can only rezone properties that I have permission to do. I'm only rezoning the properties that I have purchase agreements on or that I've closed on. We've closed on parcel A, and parcel B will be closing shortly and the lot that we built around the C. We were hoping he'd give us permission to get rezoning for it even though we have no deals for the future, but he wasn't interested in even doing that.

Assistant Secretary Smith – I was getting a little confused of the red lines that are shown on the screen here of the different parcels and how they extended into the industrial area I didn't understand why they had the red lines going that way?

Mr. Ron Wuerth – Well the red lines are those residential lines for the parcels that they have picked up.

Assistant Secretary Smith – I mean the other ones that are going out towards Groesbeck on the other commercial properties there.

Mr. Ron Wuerth – And what is your concern about those?

Assistant Secretary Smith – Well normally the red lines would show the area that's in question but it seems like there going all over the place.

Mr. Ron Wuerth – Well those lines are simply property lines and the line that is indicated on here is sort of a black line with little dots in between.

Assistant Secretary Smith – I see that, thank you.

Chair Howard – Mr. Tobin you did indicate in your opening comments as soon as you close on these properties you will be resolving those tax issues correct?

Mr. Michael Tobin – I’ve already closed on the one labeled parcel A, when we close on parcel B all the taxes will be paid.

Vice Chair Kupiec – The lady from the audience was her question answered?

Chair Howard – I believe it was, her area is not being rezoned she’s not part of the parcel. Her area is still zoned single family unit and Mr. Tobin’s property will be multi family unit zoned.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR EXPANSION OF JUNK YARD FOR M-97 CAR PARTS: Located on the west side of Groesbeck Highway; approximately 800 ft. south of Eleven Mile Road; 26395 & 26301 Groesbeck; Section 24; Jennifer Chupa (Robert J. Tobin).

Assistant Secretary Smith – Madame Chair we have correspondence from Ms. Chupa that she would like to have this item tabled until June 20th.

MOTION:

A motion was made by Vice Chair Kupiec to table until June 20th, 2016, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- E. SITE PLAN FOR OPEN STORAGE OF CONSTRUCTION MATERIALS AND EQUIPMENT: Located on the north side of Nine Mile; approximately 325 ft. east of Dequindre Road; 1971 Nine Mile Road; Section 30; Rahim Oraha (Ron Construction Inc.).

Chair Howard – We did receive correspondence and Mr. Wuerth is here to speak to this item.

Mr. Ron Wuerth – The correspondence is from the Planning Staff would you like me to read the reasons into the record?

Chair Howard – Please.

Mr. Ron Wuerth – The Planning Staff has reviewed the proposed site plan and found numerous issues that must be addressed prior to the Planning Commission considering it for approval. Some of the issues are as follows:

1. The petitioner has a current tax bill of \$12,583.48 as of June 1, 2016. In order for anyone to conduct business in the City of Warren all taxes shall be paid prior to the petitioner obtaining a permit for the site.
2. The site plan has numerous changes and corrections to be made.
3. The north property line appears to have an encroachment on the property to the north.
4. No parking spaces are indicated on the property, however, parking is indicated in the right of way of Nine Mile Road. The Engineering Division shall be contacted to discuss this issue.

So for these reasons we would like to table this item until the July 11th, 2016 meeting and hopefully with meetings with the petitioner will have all these issues worked out.

MOTION:

A motion was made by Vice Chair Kupiec to table until July 11th, 2016, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

- F. SITE PLAN FOR OPEN STORAGE OF TRUCKS, TRAILERS, BOATS AND CARS: Located on the east side of Schoenherr Road; approximately 600 ft. south of Ten Mile Road; 24600 & 24620 Schoenherr; Section 25; Mark J. Aubrey (Charles Earl/Robert J. Tobin).

PETITIONERS PORTION:

Mr. Charles Earl – My address is 31851 Mound Road here in Warren and I represent the petitioner in this matter. Mr. Mark Aubrey is sitting behind me, he purchased this property a year and half ago or so, purchased out of foreclosure it was a vacant industrial site. It had been used over the years back into the 1950's I believe as a lumber yard, so most of the area that we are talking about for storage has been used for storage of lumber over those years. We appreciate Mr. Wuerth's positive recommendation, I have looked at it my client has seen it, I have two or three comments that I'd like to make about the recommendation. Mr. Wuerth do you prefer that I do that now or after you have read the recommendation?

Mr. Ron Wuerth – Go ahead.

Mr. Charles Earl – It's item number 1B there was a comment in the recommendation about parking bumpers being damaged and being replaced. My understanding and looking at the plan and our hope is that the only parking bumpers we have are along the Schoenherr property line where the perpendicular parking is in our lot facing Schoenherr and certainly if there are blocks that are damaged in there we would agree to replace them. We are not requesting and hope not to install any blocks in the storage lot that's before you tonight. This is going to be a totally and completely private storage lot there's not going to be the general public driving in and out of this. Only our own employees are going to access vehicles that are stored there and we believe the parking blocks negatively impact our use.

1C the barb wire issue we're going to visit the Zoning Board of Appeals there are a couple of variances that Mr. Wuerth has listed that he believes are necessary we are going to apply there, that's one of the things that we are going to ask for consideration on at that point. 1E, the driveways evidentially are at the sidewalk 20 feet wide there's some thinking that 26 feet is a more likely dimension. We would like to keep the driveways the current width. If the Commission would like us to designate one way drives we'd be happy to do that. With the north drive being one way out and the south drive being one out and the middle being one way in which faces right into the gate to access our storage area. It appears that

the Macomb County Road Commission is neutral in its thinking about those curb cuts and we would like to keep them as they are.

Two other things 1F, the trash enclosure we would like to have noted on the plan that we would store our trash inside we're not expecting quantity of trash, I think there's a small two yard dumpster that is sitting within the fence. We would hope to have that put inside. And last it's not part of the recommendation but in relooking at the storage lot stripping we are going to ask you to allow us to frame in the rectangles of storage that will then define the maneuvering lanes but not draw in the individual sites or the individual spots. This is not part of the recommendation that is something that I would like you to consider. Rather than each stripped spot for storage since the things that we have proposed to store are of varying sizes not necessarily a conventional passenger vehicle we would like to have the storage areas drawn in a rectangle rather than each particular spot delineated or stripped.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

ENGINEERING: Approved.

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

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

MCRC: It is the City of Warrant's discretion as to how they want to implement their planning and engineering standards, specifications and ordinances. If the City determines the existing approaches need to be upgraded, then they must submit for a permit with the Macomb County Department of Roads.

Mr. Ron Wuerth reads the recommendation of the Staff:

**Regarding 1B - We will be more specific about what bumpers and in particular they're the bumpers that are along Schoenheer Road they were observed on the site and will not consider any that are within the storage lot, so we will modify that sentence.

**Regarding 1E – As far as the driveways are concerned they simply sub width they should be all 26 feet as measured at the property line. Assuming everyone went out and took a look those driveways are in terrible shape to say the least. There's uplifting with the

concrete and that can create a safety issue that's what I was more concerned with than anything else.

**Regarding 1F – This is a common request however, in many times and in many locations where the petitioner or the owner has room inside their building they can provide and store that dumpster inside as long as the Fire Department approves that location. So we'll modify to make that type of statement we will look for a note on the plan that says that I will recommend that be changed.

Regarding the striping being eliminated within the areas of storage and those simply look like parking spaces that's how normally they are laid out but as long as we have a line that outlines the block area. They will be long lined in white or yellow they don't have to have the stripes there's no particular need for that they can put all these different things like boats, trailers within that area as long as we maintain the maneuvering lanes so if there's any concerns about fires we want the fire department to get to those items. But having them striped, there's no reason because we are not looking at them as parking areas sort of speak.

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – Mr. Earl in your opening statement you discussed that the facility will not be available to public storage?

Mr. Charles Earl – It's not going to be. My client is going to store items that have been placed in pawn. So vehicles or whatever might be submitted to a pawn shop that is waiting to be retrieved, so the general public is not going to be in and out of this storage place or the building itself.

Vice Chair Kupiec – So there would be like repossessed items, items that are stored for pawn pending the payment to the pawn of the recovery item?

Mr. Charles Earl – Yes.

Vice Chair Kupiec – And also items that have been recovered from insurance recovery?

Mr. Charles Earl – Not really insurance recovery, it's all items that are submitted by customers at a pawn shop now in storage waiting to be retrieved.

Vice Chair Kupiec – Is the petitioner currently in the pawn shop business?

Mr. Charles Earl – Yes.

Vice Chair Kupiec – In the Warren area?

Mr. Charles Earl – Warren, Detroit and Roseville.

Vice Chair Kupiec – In reference to these driveways, the existing driveways are in disrepair they need replacement I feel that we should replace them with the 26 foot width driveway. You're just talking about a little extra concrete and the forms to lay it out, but you have to replace the driveways anyway because they are in bad shape.

Mr. Charles Earl – Well I did go out there myself and when I saw it I wouldn't use the word terrible but I did see cracked concrete. I know that Mr. Wuerth commented that safety was a prime consideration so I guess I would ask that the driveways be allowed to remain the same width. That potentially they be designated one way in or out and a 20 foot wide driveway at the property line I think is appropriate for these kind of vehicles that go in and out there. That the approach be improved to standards that are suitable.

Vice Chair Kupiec – So you do agree that the driveways do need to be replaced?

Mr. Charles Earl – Well whatever driveway needs to be improved to meet minimum standards of surface yes they should be done. As it relates to the width that's another matter that I would ask that you consider the idea of leaving them at the same width and potentially designating them as one way in or out.

Vice Chair Kupiec – So as I understand it you're saying keep the driveways the same as they currently are just repair them as needed?

Mr. Charles Earl – Yes.

Vice Chair Kupiec – How about the additional hard surfacing of the yard itself?

Mr. Charles Earl – The yard itself I didn't comment on that because we intend to hard surface. We are not going to ask the Zoning Board for a variance on that we are intending to hard surface that area, which is that little south end of the triangle.

Vice Chair Kupiec – And you would have approximately a two yard dumpster stored inside and that's for paper debris?

Mr. Charles Earl – Yes, there is some general office space in the front of this building. The entire inside of the building, the backend is storage also. And for your information the building itself we've been through the entire inspection process all the trains, the Building Department, the Fire Department and have a certificate of compliance for the building itself already.

Vice Chair Kupiec – In view of the item that you talked about the concrete work the surfacing some of the additional work in maintenance and repairs to bring it up to standards I'm going to suggest that we increase the estimate to approximately \$15,000.00 which would make the bond approximately \$450.00

Chair Kupiec – Commissioner Vinson do you support the increase in the bond?

Commissioner Vinson – Yes.

Mr. Charles Earl – We have no problem with that.

Assistant Secretary Smith – Do you have an issue if he wants to keep the driveways the same width and turn them into one way drives?

Mr. Ron Wuerth – The issue with one way drives is that they're not used commonly in the city. So when you go to something like that you're going to have to add signage to make sure that they know that it's an entry or exit and that it's one way. Typically I'd probably say 85% of our driveways are all two way driveways, so that's why I prefer the 26 footers.

Assistant Secretary Smith – To the petitioner?

Mr. Charles Earl – What I guess I would add to that and I think Mr. Wuerth is correct that the majority of drives and 85% is probably right, we'd like to fall within that 15%, within your discretion obviously. And one thing to think about is the general public is not

invited to this building, there's no sign out there. The only thing on the sign is the number of the address not the street just the street number. The general public is not invited to this facility, they have no reason to come there, it doesn't offer anything to the general public and so from that stand point falling into that 15% of one way drives is something to consider.

Assistant Secretary Smith – My only concern is that if the driveways are in need of repair and you have to tear them out to repair them anyway to increase it the extra few feet I don't see where it would be an issue.

Mr. Charles Earl – One of those issues is moving utility poles and that's particularly on the one drive that is the center drive that we would propose to be the one way in drive. There's an electric utility pole that's, I don't know, two or three feet from the existing curb and that's one of the main issues relocating the utility pole.

Chair Howard – Definitely you want to go to Zoning regarding the barb wire am I correct?

Mr. Charles Earl – Yes.

Chair Howard – Now in terms of the driveway and the items that will be dropped what is the traffic flow there?

Mr. Charles Earl – Well it would be a time when employees of particular shops would need to come and retrieve something out of the inside of the building. I suppose it could be probably 10 or 20 vehicle movements a day.

Chair Howard – And are we moving trucks, trailers, boats and cars?

Mr. Charles Earl – Yes.

Chair Howard – So these items would be coming to the facility and there's no discretion in terms of a particular tow truck knowing to enter to the left or to the right because the building is not marked so they would just have the address. So would they know to just use either driveway to enter or to exit, how would that be described?

Mr. Charles Earl – The vehicles aren't brought in by a tow truck because we don't take junk vehicles. These vehicles have to be running under their own power. If it's a trailer it will be pulled and towed by one of our own internal vehicles. We don't involve tow truck people or any outside movement so the driver's that are going

to come in and out of there are our own employees that know exactly where to go. And if there's a need I have seen a 1 foot x 2 foot directional arrow on a sign out in front that would help, but these are our employees they are the only people that will be going in and out of these driveways at all.

Chair Howard – Hypothetically two items are coming in at the same time are we have a trailer and we also have a boat coming in so they would be stacking waiting for one to exit and one to enter how does that work?

Mr. Charles Earl – I guess it's humanly possible that two vehicles could turn in off the street one behind the other and as you can see on the plan the middle driveway right where the arrow is you can see there's probably about 60 feet up to the gate that heads into the storage yard. So there's probably room for two vehicles with trailers behind them to be there waiting to get into that gate, it's an immediate access situation. I don't want to create any dissatisfaction over this issue if you truly believe that it's irrevocably necessary to have driveways then I guess we do. But we think that this particular use with these particular people not inviting the public and having our own employees be the only ones accessing this particular facility lends itself to a simpler approach.

Chair Howard – Well by far sir we're definitely not trying to debate or be non-accommodating. The unique thing is that we do know individuals in Warren they don't always know if that is a one way in and one way out. They may just turn in for convenience sake to go to the next establishment. I'm going to lean to the recommendation of the Planning Director regarding that. In terms of the parking bumpers I will say that I agree that only those on the Schoenherr Road should be replaced, that's definitely accommodating. You shouldn't be required to do that in areas in regards to the striping in the storage area I agree whole heartedly if it's not open to the public you should have some liberty where that is concerned. And also in terms of the garbage it is indicated on the plan that will go inside.

Vice Chair Kupiec – As the maker of the motion I think I'm going to support the original comments about the driveway and require that we get 26 foot driveways to be installed along with the repairs required, I do think we should stick with the 26 foot driveway.

Chair Howard – These are the recommendations, the parking bumpers will be only to those on Schoenheer Avenue, the petitioner will want to go to the Zoning Department regarding the chain link fence, we are going to stay with the Planning Director's

recommendation of the 26 foot wide driveway, and we will also modify the garbage will be held inside the building and that the petitioner, of course, has some liberty in terms of the striping that it is not conventional striping but somewhat more of a liberty with that in terms of how the striping is done on the plan.

Commissioner Robinson – How about the bond request?

Chair Howard – Oh yes thank you, and the bond be increased to \$450.00 dollars.

ROLL CALL:

The motion carried as follows:

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

- G. SITE PLAN FOR OPEN STORAGE OF SEMI-TRUCK AND TRAILER FOR SERVICE: Located on the east side of Sherwood Avenue; approximately 461.02 ft. north of Lozier Avenue; 23660 & 23692 Sherwood Avenue; Section 28; Carl Bumgardner (Royal Truck and Trailer), Alan Cruz.

PETITIONERS PORTION:

Mr. Alan Cruz – Good evening I’m from Hennessey Engineering’s at 13500 Reeck Road, Southgate, Michigan, I’m the Engineer for the project. I’m here on behalf of Carl Bumgardner he’s the owner of Royal Truck and Trailer. Carl has been in business for 45 years based in Michigan, it’s a family owned business and he purchased the property and occupied a property in Warren which is before you now. He’s currently occupying the building, he’s gotten his building inspections, made some clean ups and improvements to the outside, he added awnings, he’s made some significant improvements to the site. The use has not changed the use is exactly the same as the previous use it was a trailer park and accessory type of development. So the use is no more intense then it was and it fits the current zoning of M3. Because of that we are looking to get site plan approval of the existing facility as is with some of the recommendations from the Planning Department.

There are a few items in here that we spoke with Mr. Wuerth about one of them is the parking spaces along the north property line and

the fence. There's an existing fence already on the north property line and that actually serves as the screening to the adjacent mobile home residential district, so that fence is existing already. Because of that we wanted to forgo any type wall improvements or bumper block improvements on that north side because that screening is existing already.

The other items is basically is asking for concrete curb along that north property line also which we feel isn't really necessary because there's already that screen wall barrier and curbing and bumper blocks wouldn't really serve a purpose because that wall is already there. Other than that we are pretty much in agreement with Mr. Wuerth's recommendations. I wanted to reiterate there's no building additions, renovations, expansions on the site we are occupying the building already and we are seeking site plan approval on what's there already and the improvements that he's made to the site thus far.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

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

1. Parcels 13-28-401-020 and 13-28-401-007 should be combined.
2. The excess concrete shall be removed within the Sherwood Avenue right-of-way and sod be put in its place unless prior approval from City Council has been obtained. A clearly defined sidewalk shall be created along the frontage of both parcels. Additionally, drive approaches shall be created for each parcel and standard concrete curb and gutter shall be installed along the remainder of the frontage where curb drops exist.

FIRE:

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

Ms. Michelle Katopodes reads the recommendation of the Staff:

****Note** – both J & K those are two items that we can make number 3 and that could be a variance, potentially going to the Zoning Board of Appeals to waive those two requirements the wall and the continuous concrete curb.

**In the Engineering comments we would like to strike out number 2.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I went by the site today it looks very clean and organized. I understand your concern about the concrete wall between your site and the residential area of the mobile homes. It's a requirement in the City of Warren anytime a commercial or an industrial site abuts a residential site there needs to be a six foot high poured concrete wall where the two abut each other. I understand you're going to go to ZBA for a variance but I don't really feel personally that the wood fence that they have there is sufficient to prevent any type of barrier against the residential area. I know your concern has been there but it is a requirement and I think it's a good requirement.

Mr. Alan Cruz – I wanted to quickly point out that the ordinance doesn't actually spell out a wall requirement it spells out a greenbelt requirement, but Planning agrees that you can't really put a greenbelt in this type of application because it's two fully developed sites. What we feel is the purpose of the fence is for screening it's not to keep people out or keep people in it's to screen from the residential. The owner is willing to rehabilitate that fence have it painted to serve visually as a better screening mechanism so we are open to that.

Assistant Secretary Smith – I understand your comment but the ordinance does say either 6 foot brick emboss wall or a greenbelt and because you can't do the greenbelt the other option would be the wall so that's just my recommendation.

Vice Chair Kupiec – I have to support Assistant Secretary Smith as far as the poured concrete wall because it does give some privacy to the individuals in the residential area and also acts as a buffer. It is part of the ordinance and I think that we should enforce that and keep that part of our recommendation. Also in the proposed bond I think there should be a correction I think that should be \$20,000.00 dollars.

Chair Howard – That's correct it will be \$20,000.00 estimate with a \$600.00 dollar bond. Ms. Michelle can we go ahead and make that correction.

Mr. Alan Cruz – So the bond is how much?

Chair Howard – It's a \$20,000.00 dollar estimate with a \$600.00 dollar bond. To the petitioner, by far you do have the option to go to ZBA regarding the continuous concrete curb as well as the 6 foot brick emboss wall. I will echo the sentiments of Mr. Smith it's a very clean site I applaud you for what you're doing sir it looks excellent it's going to be definitely a benefit to the community. We love to see business establishments that are well maintained it makes it easy for us if we don't have to tell you about the maintenance of the facility. What we have there in terms of the 6 foot wall as a buffer and also for protection for you between the residential and the commercial business. But of course you do have the option to go to ZBA to request a variance for that. But everything else are you in agreement with?

Mr. Alan Cruz – One thing I wanted to mention there may be future plans of rezoning that mobile home district to industrial. If you look at the zoning surrounding this whole area it's mostly industrial zoning. That property almost wants to be industrial because it's all industrial down that entire corridor. Mr. Bumgardner was open to the possibility of even buying that property if there was a rezone possibility in expanding his property. For that reason to we wanted to keep that fence as the screen buffer. If you put a wall in there you'd really have to knock it down for future improvements again that's way down the line but I just wanted to add that for consideration.

Chair Howard – By far I do think that when you're looking at future expansion that could be problematic, to invest the dollars and then come back and have to tear that down. I would love for you to have that discussion with Mr. Wuerth in regards to what your plans are to see what the options are with the mobile home. This site plan is a two year site plan approval and if that's something that's going to be immediate we could possibly take a look at amending that but definitely have a conversation with Mr. Wuerth in terms of what your plans are for the future.

Mr. Alan Cruz – Mr. Bumgardner wants to stay in the City of Warren he wants to invest his business in here and expand that's his intention.

Chair Howard – If you've maintained that site and expand it further and have that same clean and precise look we would welcome that. With this particular site plan there are some areas that we have to obey by the ordinance but if this is something going forward

definitely have that conversation and let's look at this within the next couple of days or months or weeks.

Mr. Carl Bumgardner – I'm the owner of Royal Truck and Trailer thank you for seeing me tonight. What I do want to say is with some of the things is the wall we would like to chat with ZBA about that, but with the curb I don't think it's a necessary thing so you're talking about 600 foot of curb that if you ever had to take it out would be a nightmare. So it would be something I wish you would consider to drop off from your recommendations.

Chair Howard – Mr. Wuerth concerning the curb what are your thoughts on that should that be a variance that should be addressed at ZBA?

Mr. Ron Wuerth – It's a requirement, if you're going to park against the wall then you have to have what we call a continuous concrete curb. It's measured from the property line in, there's a measurement of five feet, usually it turns out to be about 4 feet wide abutting the wall. It's a common thing, sometimes it gets waived and there's just the wall but then people end up using bumper curbs to keep the vehicles away from hitting the wall. So ideally that's the purpose of that curb line.

Mr. Carl Bumgardner – So the curb and the bumper blocks?

Mr. Ron Wuerth – No just the curb.

Mr. Carl Bumgardner – What about the bumper blocks without the curb?

Mr. Ron Wuerth – I find people end up putting bumper blocks in, if they get that curb waived and variably they end up putting bumper curbs in there to keep their vehicles from hitting the wall and damaging it.

Mr. Carl Bumgardner – That wall that you saw on the board that has been that way for 25 years anyway and the wall has never been hit. If you look at some of the pictures you saw some of our customers, you're talking Enterprise, Coca Cola, some of the bigger companies and we are very careful with their pieces of equipment. So I understand Mr. Wuerth but on the other hand it's been that way for 25 years and there's never been any bumpers there and it's never been hit. The fence hasn't been hit in a very long time or ever so it just seems like that's a cost that doesn't need to be incurred that's all I'm saying, thank you.

Chair Howard – Thank you, we definitely need to see who had that business before, but I do invite you to go to the ZBA for that.

Vice Chair Kupiec – The trash compactor do you have a use for that trash compactor?

Mr. Alan Cruz – Sir the trash compactor we get a lot of boxes and we also get let’s say a fiber glass hood that came off a truck it will go into there and we can crush it up really well so we do use that compactor a lot.

Vice Chair Kupiec – So the dumpster container is for the trash compactor?

Mr. Alan Cruz – That’s right.

Chair Howard – With that we will take a vote on this item. We had one modification and that was just a typographical error but everything else remains the same in terms of \$20,000.00 versus \$2000.00 but the bond amount remains the same as \$600.00 dollars. And also the deletion of item 2 in Engineering.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

Letter received from the City of Detroit for review of their draft Master Plan of Policies.

MOTION:

A motion was made by Commissioner Vinson to receive and file, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried as follows:

8. BOND RELEASE

A. SITE PLAN FOR INDUSTRIAL BUILDING ADDITION: Located on the east side of Nagel Street approximately 600 feet south of Nine

Mile Road; 22720 Nagel Street Section 35; American Metal Processing (Edward Servitto). Release of \$5000.00 cash bond paid on September 8, 1994

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OUTDOOR STORAGE AND TRUCK PARKING ON GRAVEL: Located on the west side of Pinewood Street; approximately 394 ft. south of Stephens Road; Section 29; 23715 Pinewood; Kevin Garchow (Kerm Billette). Release of \$180 cash bond paid on January 15, 2016.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

9. OLD BUSINESS

- A SITE PLAN FOR OUTDOOR STORAGE AND TRUCK PARKING ON GRAVEL: Located on the west side of Pinewood Street; approximately 394 ft. south of Stephens Road; Section 29; 23715 Pinewood; Kevin Garchow (Kerm Billette). Withdrawal of Site Plan denied use at Zoning Board of Appeals.

MOTION:

A motion was made by Assistant Secretary Smith to withdraw site plan, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried unanimously.

- B. SITE PLAN FOR CANOPY ADDITION OVER GASOLINE PUMPS: Located on the southwest corner of Ten Mile and Ryan Roads; 3950 Ten Mile; Section 30; Nassar Chouchair (Adnan Satti). Withdrawal of site plan by petitioner, approved on March 21, 2016.

MOTION:

A motion was made by Commissioner Vinson to withdraw site plan, supported by Commissioner Robinson. A voice vote was taken and the motion carried unanimously.

- C. SITE PLAN FOR GARAGE ADDITION FOR DE LA SALLE HIGH SCHOOL: Located in the southwest corner of Common Road and Gloede Drive; 14600 Common Road; Section 12; De La Salle Collegiate High School (Brad Brickel). Expired Site Plan originally approved on May 19, 2014.

MOTION:

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

10. NEW BUSINESS

LETTER FOR DISCUSSION BY THE Planning Commission in regards to waiving the Land Survey for 2811 E. Eight Mile Road.

Mr. Ron Wuerth – We have a letter from the owner of this property on Eight Mile at 2811 Eight Mile Road from Karen Sergolia and she's represented by Kerm Billette. We would not accept their application for an outdoor storage area at the time because we also were in need of a land survey of this property. Mr. Billette through discussion with the petitioner indicated that they did not feel that they needed a land survey of the property for the reasons indicated in the letter that was submitted.

So their argument is that they didn't care to have the survey, I understand that sometimes there are cases where that may happen. In this particular case what you have is a parking lot I believe they want it for storage. I got some pictures here in my research from Google Earth to show the front of it the overhead view of it is packed with vehicles. The argument is that you've got on either side of this

parking lot two buildings. We do not know exactly where the buildings are if the buildings are built on the property line or if they encroach over the property line. We have walls and fencing along Eight Mile I don't know if that's a proper location for those or not. The same with the wall to the rear or to the north, we do not know where that wall exactly is. There's an alley back there so it appears to be on the property line but I'm not sure, the only way to make sure is to provide a land survey. So what I did do is also research a little further and with the help of our Planner I, Michelle Katopodes, she went back and researched the site for the Zoning Board of Appeals. And come to find out we have a site plan here that treats this parking lot as part of the building that is to the east. They got approval in 1989 so to us that property is joined with the building to the east it does not sit on it's own. So we see the two as joined together, Zoning Board of Appeals back in 89 sees it as joined together yet you're being asked to waive the land survey. And we have a legal document here approval from Zoning Board to add a building addition to that building to the east that also includes this parking area.

So my suggestion is that they most certainly do need a land survey, and in the course of our research we have it, so we will be asking them exactly how this can be so.

Chair Howard – Well that's thorough sir, when do they intend to come before us do we know?

Mr. Ron Wuerth – Well if approval is given to waive the survey then immediately, but if you're not going to approve the survey we will send them a letter as such.

Chair Howard – So then based on what your findings have been in your office I believe the most logical thing is not to waive the land survey, am I correct?

Mr. Ron Wuerth – That's correct.

MOTION:

A motion was made by Vice Chair Kupiec to deny request to waive the survey and that we require a survey to be performed on this site, supported by Assistant Secretary Smith.

COMMISSIONERS PORTION:

Assistant Secretary Smith – I think the importance of the information you obtained is important especially if the lady that owns the property doesn't own the building to the east of it. So that's the

importance of the land survey, if she doesn't own the building then she's not going to own the property.

Mr. Ron Wuerth – What their intention was I do believe is for open storage and they would have to go to the Board of Appeals to get a waiver for permanent building. And they need a permanent building because half size of the building will equal the amount of permitted open storage area. So we will have to see what the response will be.

Chair Howard – The motion is to deny waiving the land survey for 2811 E. Eight Mile based on the information presented to us from the Planning Department.

ROLL CALL

The motion carried as follows:

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

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

So since the last planning meeting I've had meetings as usual. Starting with a meeting with Dennis Champine he happens to be the City Manager for the City of Center Line. And the discussion there had to do with the bikeway trail coming up Van Dyke to Stephens Road so there is some discussion as to where it's going to go now. And how it will either go through Center Line or go around on the edge of Center Line so we had a discussion regarding that particular item. We will be attending a conference with Macomb County and others in the State of Michigan to discuss how this is all going to connect. Mr. Champine at one time did work for the City of Warren so I know him well and it was a pleasure to discuss this and other things that were of some importance.

If you'll recall it's called State Crushing it's where they're crushing material concrete and all that type of thing on Sherwood Avenue and we did table that item so that there would be a discussion with the DEQ, to find out how far we've gone along with that. As a matter of fact our City Attorney, who is sitting at the table, was part of that

meeting, a very important meeting. So we discussed something called a fugitive dust controlled program that they're supposed to provide approvals from the State of Michigan, permits from the State. It's a little complicated in different ways in which they go about it and how they analyze the site plan but there was good discussion with that and I think we'll come to a good resolution in the end. And we'll come back for site plan approval so that then they can initiate these programs and control the dust and the tracking of dirt, they have methods to do all of that.

Another one having to do with a new amendment to the Zoning Ordinance regarding Pawn Brokers and we'll see where that goes. I did meet with Kerm Billette regarding I believe it's Xfinity Trucking on Ten Mile Road and they came here the site plan approval conditional, they went to the Zoning Board of Appeals and were tabled regarding their building that encroached in the 20 foot yard setback if you recall that. This is next to Paslin. That's not something I appreciated because they built it without our approval. They came back, we discussed it they said they were going to modify the building take it out of the setback like we asked for and do a few other things. So they'll come back to us with an amendment to their site plan and that corrects that particular situation.

I also had a meeting in the Attorney's Office regarding used car ordinance we are still working on, used cars, I hope someday we don't have to work on used car ordinances. We are trying a different angle regarding how we can regulate used cars in this town, as you know it's a big issue with the Administration. I attend a DDA Real Estate meeting, that was discussion of the Lofts by Larry Goss and we are still negotiating that deal trying to get some approval on that.

Had a meeting with a gentleman named Ron Jona he came here for site plan approval for a complete changeover of a gas station on the southeast corner of Dequindre and 11 Mile Road. He went to the Zoning Board of Appeals went back and forth with them three times only to have his request be denied. So they came back to us to discuss the issue and he will come back to us with a revised site plan and then he'll have to go back to the Zoning Board again. But a lot of the changes that he is going to propose are ones that were suggested at that meeting and also suggested by the neighbors who were there. The veterinarian, if you recall that gentleman, they are trying to appease him the best way they can so we'll probably see that back.

Finally, most importantly of all, we had a Master Plan Committee Meeting last week and had a very good discussion regarding the RFP. So we'll keep moving forward on that. So with that that's the Director's Report.

13. CALENDAR OF PENDING MATTERS

Chair Howard – We will be meeting with the Master Plan Committee in the next couple weeks. Michelle has been very instrumental in working with that and making sure that's moving forward at the direction of Mr. Wuerth so we are very excited and we hope to have a report out to this board within the next couple of weeks.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 9:09 p.m.

Jocelyn Howard, Chair

Warren Smith, Assistant Secretary

Meeting recorded and transcribed by
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