

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on June 22<sup>nd</sup>, 2015 at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, June 22<sup>nd</sup>, 2015 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

Also present:

Ronald Wuerth - Planning Director  
Judy Hanna - Administrative Clerical Technician  
Michelle Katopodes – Planner I  
Dewan Hassan – Planning Technician  
Caitlin Murphy - Assistant City Attorney  
Christine Laabs, Communications Department

1. CALL TO ORDER  
Chair Howard called the meeting to order at 7:06 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL  
All members present.
4. APPROVAL OF THE AGENDA

MOTION:

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

5. APPROVAL OF THE MINUTES – June 1<sup>st</sup>, 2015

MOTION:

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

Chair Howard – Before we go into our items this evening we have a very full agenda and I'm going to ask for cooperation this evening. We are going to do a couple of things the public hearing items we do have within our by-laws to time limit of three minutes. Because of the length of our agenda tonight we will hold true to that three minute time frame this evening so that we can hear all the petitioners and definitely hear your item this evening. With that being said item 6A.

6. PUBLIC HEARING ITEMS:

- A. SPECIAL LAND USE PERMIT APPROVAL FOR USED CAR FACILITY; Located on the west side of Mound Road approximately 373.64 feet north of Eight Mile; 20787/20809 Mound Road; Section 32; Mazin Marogi (John Bingham). **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Mazin Marogi – I'm trying to make a used car lot on the property I own we got an okay to change the zoning. We tried to put this kind of building in there to make a used car lot.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**FIRE:** The following provisions will be required.

1. Maintain Fire Department apparatus access roads. Access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
2. Fire apparatus access roads must extend to within 150 feet of all portions of vehicle storage areas.
3. Provide Fire Department lock box (Knox box) as required by local ordinance.

**DTE:** Approved.

**ZONING:** Preliminary review of the site yielded the following comments.

1. It is unclear as to what extent, if any, the building that is existing on site is to be demolished or is to remain. This information must be clearly displayed on the site plan.
2. All existing and proposed underground utilities in the vicinity of this project shall be clearly indicated on the site plan.
3. A system of internal drainage is required for any new hard surface paving. Detention may be required. All site drainage shall be contained on the site.
4. The perimeter of the pavement area shall have concrete curb and gutter.
5. The proposed sidewalk within the Mound Road right-of-way shall meet the City of Warren standard Section 600 "Specifications for Concrete Sidewalks and Drive Approaches".
6. Any improvements within the Mound Road right-of-way shall be subject to the approval of the Macomb Department of Roads.

Mr. Wuerth reads the recommendations of the Staff:  
 Add and subject to Special Land Approval by City Council.

Chair Howard – We had a public hearing on this item once before, actually I believe twice so we are going to omit the public hearing and take it directly to the Commissioners for further action. Now this is going to be a two part motion, we will have a motion on the Special Land Use and also we will have a motion on the Site Plan Approval. So I need a motion for the first part which would be the Special Land Use.

MOTION:

A motion was made by Commissioner Vinson to approve the Special Land Approval, supported by Secretary McClanahan.

ROLL CALL:

The motion carried unanimously as follows:

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
Assistant Secretary Smith.....	Yes

Chair Howard – Now the second part of this approval would be for the Site Plan Approval.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I noticed on your drawing you moved back the extra 60 feet to allow the distance from the residential area. You have that grass area on the drawing is that going to still continue to be grass, you're not going to eventually try to move into that area with this lot?

Mr. Mike Semma – It's going to be grass.

Assistant Secretary Smith – It's going to stay grass forever?

Mr. Mike Semma – Yes.

Vice Chair Kupiec – Where do you stand on any appeals to the Board of Zoning, have you been before the Board?

Mr. Mike Semma – Yes we did get approval already.

Vice Chair Kupiec – On everything that we proposed and everything is ready to go?

Mr. Mike Semma - Yes

Chair Howard – I was there at your facility this weekend and let me first apologize to you, for some reason I thought you were Albany Auto Sales, which is right there on the corner of Eight Mile and Mount. But you are a separate facility and by far we do need to have something there at that particular site. My concern is that we have another used car lot within one city block of another used car lot. Are you proposing 17 spaces for used cars sir?

Mr. Mike Semma – Yes we are.

Chair Howard – And what other work are you going to be doing at the facility are you just selling vehicles?

Mr. Mike Semma – Selling vehicles only.

Chair Howard – Please come to the mic sir and give us your name?

Mr. Semma – We have 17 spots for parking we are doing lots only we are not doing any repairs.

Chair Howard – No repairs just selling used cars?

Mr. Semma – Yes ma'am.

Chair Howard – And what are the ages of these vehicles?

Mr. Semma – I'd say between 2010 to 2015.

Chair Howard – And do you plan any expansion to increase the number of cars on that lot?

Mr. Semma – No, all we are trying to do is take the buildings down they've been there for a long time and put up new buildings. We are trying to take all those buildings down and put up brand new building on Mound Road.

Chair Howard – And do you have any relationship with Albany Auto Sales that's a block away from you?

Mr. Semma – They are brothers.

Chair Howard – That was a little concerning because again I kept circling around, and it was my error I thought that the two were connected so at first I had one opinion but to have another used car lot within a block is concerning to me. So that is a concern to me because of the concern of the neighbors and also what type of business is actually going to be going on in that neighborhood.

Mr. Semma – We have all of your approval we have about 16 neighbors on Albany Street that are okay with us tearing all those all buildings down. The only thing we are doing over here is a family business we have one on Eight Mile and now we are going to have another one on Mound Road. Just like I said these buildings are almost 60 years old and we are trying to tear all these buildings down and put a brand new building just like we showed you. We are going with a new style let's take the old stuff down and put the new stuff up in Warren. Plus the Warren area when you get in from Eight Mile we want to show good looking buildings in Warren.

Chair Howard – And you're planning on demolishing that?

Mr. Semma – Yes ma’am as soon as possible if we have our permit we will start demolishing next week we are just waiting for the permits.

Chair Howard – Is there any ordinance or what is our requirement in terms of the distance between used car lots?

Mr. Wuerth – It’s in the Zoning ordinance Used Car Ordinance I believe its 700 ft. or 750 ft. I believe they received a variance for it.

Chair Howard – for the 700 ft?

Mr. Wuerth – Yes.

ROLL CALL:

The motion carried unanimously as follows:

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

- B. ALLEY VACATION; Located west of Mound Road; approximately 165 ft. north Hayden Street; 21083 Mound; Section 32; Alqush, LLC (Lukas Koja). **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Essa Koja – Yes I was here two weeks ago I’m trying to close the public alley that’s between the two lots. I’m here to get approval to close the public alley to vacate it.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

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

An existing 15" diameter sanitary sewer and overhead electrical utilities are present in the subject alley. A full width utility easement shall be retained over the subject alley for the existing underground and overhead public utilities.

**DTE:** Approve.

Mr. Wuerth reads the recommendations of the Staff:

MOTION:

A motion was made by Assistant Secretary Smith to remove from table, supported by Commissioner Pryor.

Chair Howard – As in the item before we did have a public hearing on this item for therefore I'm going to turn it over to the commissioners for further actions.

Secretary McClanahan – I have some correspondence. The first one is a letter. I the petitioner Lukas Koja will not be able to make it to the Planning Commission meeting today 6-22-15 at 7:00 p.m., because I have school. My cousin Essa Koja will be at the meeting to represent me. Thank you.

Then I have a second one. I would like to start off the question why is there no name of the business on the building and what kind of business does he have with all the expensive cars that go in and out so quickly. For instance Jaguar and BMW I have personally seen the trucks with loads of cars coming at 1:30 a.m. This business operates a lot at night why does it always appear to the eye that it's closed but they are always in there working with all the doors shut. When a car comes in they pull it in the garage so fast and shut the door. I am concerned I have small children and this business is right across the street from us it does not seem legal to me it doesn't operate like any auto shop, car dealer or mechanic shop I've ever seen and they are always open on holidays. Thank you Debbie on 21011 Albany Avenue, Warren Michigan resident for almost 6 years.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – Looking at the property and listening to the residences of what their concerns are what's before us today is just an alley vacation, which being he owns the property on both sides of the alley all we are voting on today is to make that piece in the middle part of that property. One of the reasons why I approved it

is because anyone who has that property is going to have that situation. But on the other hand the site plan for this thing has expired so therefore that site plan is null and void. So that's the reason why I did what I did.

Commissioner Robinson – Has anyone been over there to inspect the operation of the facility, anyone from the City of Warren Building or Engineering?

Mr. Wuerth – I can't speak for inspections inside the building that takes place out of the Building Division, they do that type of inspection. On the outside when we go there we look at the site and make comments regarding different things that we see. The Zoning Bureau, they are in the Building Division, they also do inspections you'll see that in the recommendations. So if they see things that aren't right then they report those.

Chair Howard – As Assistant Secretary Smith has indicated your site plan is expired are you aware of that sir?

Mr. Essa Koja – The last meeting Mr. Ron said because I keep getting tabled so we are just waiting for me to know the answer to this so I can move forward.

Chair Howard – As Assistant Secretary Smith indicated we are only voting today on the vacation of the alley. But before any business can actually take place there has to be an approved site plan. You have to go through the necessary steps with the Building Division. You have to get a license a permit because your site plan is expired.

Mr. Essa Koja – This is why I cannot put a sign and name on my building and why I can't do any forward improvements besides cutting the grass and do the clean ups. I did have inspectors three weeks ago over for the application that I did I have the things that I'm supposed to do. Closing the alley is one of the things in order to get my certificate of occupancy done otherwise it will not be done.

Chair Howard – Are you operating currently sir?

Mr. Essa Koja – I'm fixing my cars I'm not open to the public I do my own cars inside the building.

Chair Howard – So you are not open to the general public?

Mr. Essa Koja – No ma'am, I'm not open for the public. There's no sign but I had to put an address because the inspector for the Fire Department needed an address plus the box for the key.

Chair Howard – So you do want to as soon as the Commission votes on this item this evening you definitely want to submit a new site plan immediately.

Mr. Ziad El-Baba – I'm the Engineer for the project. Actually back in September or October we started the project again with all the conditions that were required to be met from the original site plan. We did provide all these things the setback from the residential area on Albany Street. We put the 20 foot landscaping, the screen wall that was asked for, and the landscaping in the front. From Mound we put the 60 foot setback for anything to be displayed. We have presented the lighting and we were working with the Engineering Department about the storm system, the storm drainage inside the site.

We did everything that was requested from when original site plan was submitted plus the additional information that they need in order to apply for site plan approval. Then what happen is we were told that this alley is not vacating. The alley actually has a fence on the south and the north south property, which I think is the bank, already went through that. So they have this alley vacated and part of their property but it still remains an easement. That means if we travel south in this alley we are going to be stopped at our fence on the south side because we can't go through, there is the bank. Since February we've been trying to get through and get all the signatures required to apply for vacating this alley.

Chair Howard – Sir I understand that's part of your recommendations to do that so we understand we just wanted to make you that you were aware that your site plan is expired.

Mr. Ziad El-Baba – Well we are not the ones who applied for the original site plan. We came in with all the changes that the City is requiring us to provide on all of our drawings, landscaping to set back, yes.

Chair Howard – Thank you so much sir. To the Commission we're not voting on the site plan we are voting only on the alley vacation.

Mr. Wuerth – Madame Chair just a few comments so that everyone understands what's happened with the site plan issue on this site. It's actually on this agenda for a 2012 site plan that has expired, number

one that's a fact so you are going to receive and file that. Number two there's also another site plan that's currently in play and that is one that was recommended April 7<sup>th</sup>, 2014 and it was recommended for denial by this Board to City Council, but the approving or denying authority is City Council. We've sent that over so that is a current site plan I want you to understand that part.

Secondly, in order to vacate an alley it's not a requirement to have a site plan because people in residential districts all the time ask for alleys to be vacated and of course they don't have a site plan. So I wanted to clarify that I don't know if it has a bearing on your vote but it's not a requirement.

Vice Chair Kupiec – The site plan was submitted to City Council what was the result of that submission to City Council?

Mr. Wuerth – A vote has not been taken on it. We are going to look into at what stage that's in, it hasn't been heard by them yet.

Vice Chair Kupiec – So technically this site plan has not been approved?

Mr. Wuerth – It's not been approved or denied.

Vice Chair Kupiec – So contrary to what they are saying about doing the different work the site plan still has to be approved in order for the work to be authentic?

Mr. Wuerth – Right now there's a site plan, it's active. That's a fact, it's active, whether City Council determines to approve or deny it they haven't heard it yet they haven't placed it on an agenda and until they do it's an active site plan.

Vice Chair Kupiec – Now the alley vacation has to go before City Council also, correct?

Mr. Wuerth – Yes it does.

Vice Chair Kupiec – To the petitioner do you understand that you still have to go before Council?

Mr. Essa Koja – The neighbors don't understand that, I do.

Vice Chair Kupiec – The neighbors don't have to understand it because they are not applying for it, you are, so it's your responsibility.

Mr. Essa Koja – Originally from day one the neighbors are blocking me from opening my business.

Commissioner Rob – So does this alley vacation have any impact on that site plan that's already active was it in the requirement?

Mr. Wuerth – It was a requirement written by the Board of Appeals and I wish I could answer for that but I cannot, it's one of their conditions.

Commissioner Rob – So it's a condition from the Board of Appeals.

Mr. Wuerth – It's a condition from the Zoning Board of Appeals they are trying to do what the Zoning Board of Appeals has directed them to do.

Commissioner Rob – So if the original site plan doesn't get approved by City Council then what happens to this alley vacation?

Mr. Wuerth – It doesn't matter even if it's denied, it makes no difference. This is an alley vacation I'm going to say you really should focus on the fact that they want to vacate the alley. And if they do and then they take the next step for ownership they can combine their whole property into one or they don't have to they can keep it a private drive for others who are in that subdivision to drive through it's up to them if they get it approve by City Council.

You have a choice here, you can recommend approval, denial, or another tabling. It's your opinion that City Council will be considering along with their action that they'd like taken.

Commissioner Rob – So those two parts are going to go together for City Council approval or will it go one by one?

Mr. Wuerth – Sometimes they go together, but we have to investigate at what stage the site plan approval for a used car lot that's a Special Land Use, where that's at they may put it on two different meetings. I have no idea, we have no control over City Council's way of placing items on an agenda.

Commissioner Rob – Do you have any idea when it's going to the City for the original site plan, do you know the dates?

Mr. Wuerth – No, but I intend to find out when it is.

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.....	No
Commissioner Robinson.....	Yes

- C. SITE PLAN FOR OUTDOOR STORAGE OF SALVAGED VEHICLE;  
 Located on the east side of Schoenherr Road; approximately 462 ft. south of Ten Mile Road; 24660 Schoenherr; Section 25; Designers Group, Inc.; Ali Jizzini (Ali Raichouni). **TABLED**

MOTION:

A motion was made by Assistant Secretary Smith to remove from table, supported by Secretary McClain.

PETITIONERS PORTION:

Mr. Al Jizzini – I’m the owner of the business. We have an operating business since 2010 I got the approval from the City for inside salvage yard. Last year the Zoning Inspector approached us with a ticket saying we are not supposed to park the cars outside because our cars do not have plates and the parking spaces outside is considered parking not storage. We parked the cars there before we took them in for dismembering they don’t have plates so it’s not considered parking. I buy cars from auctions for the intent of dismembering those cars and selling the major component to whole sale and retail. So basically we get the car from the auction bring it inside the building dismantle it put the parts on the shelves or they go inside the container for sale. The problem is that we cannot just buy one car at a time all those cars that are coming in I have to have the space to park them in order to dismantling like an assembly line.

I already have submitted for the Zoning, we have a meeting on the 24<sup>th</sup> for part three, which is the variances. As far as the recommendation from the Planning Committee there are only a couple things that they don’t have to apply to my business. On the

outside the trash enclosure which is 1F when we dismantle the cars we end up with a shell for the car everything that's not of use goes inside that car and then we haul it to the scrap yard to be shredded. So everything about the trash or the remaining items they go inside the cars that we dispose of as a scrap metal at the yard.

There's the second the tree that they mentioned in 1E, there was an older tree there and it was taken out before I bought the building. When I seen that we were supposed to plant trees every 50 feet I called the old owner and he said there was problem that tree was causing problems for the phone and the internet cables. I would love to put another tree there but the old owner told me it was causing problems that's why it was taken out.

There are a couple of things on engineering I will comply with those and try to get them done. As I said I have a business that's been operating since 2010 and just recently I was told about this and I'm trying to fix it.

Secretary McClanahan reads the correspondences as follows:

**TAXES:** \$11,498.39 in delinquent taxes as of 6/17/2015.

**ENGINEERING:** Preliminary review of this site has yielded the following comments from the Engineering Division.

1. A system of internal drainage is required. Detention may be required. All site drainage shall be contained on the site.
2. Show all existing and proposed utilities on the plan.
3. The perimeter of the pavement area requires concrete curb and gutter.
4. The parking space and maneuvering lane dimensions do not meet ordinance requirements at various locations within the development not just at the rear of the property as stated in the variance required section.
5. The legal description begins at the northwest corner of section 25, travels down the centerline of Schoenherr Road then extends into the site 438.8'. The current drawing shows the 438.8' dimension starting at the right-of-way property line. The description and sketch shall be reviewed and revised accordingly.
6. Any improvements within the Schoenherr Road right-of-way shall be subject to the approval of the Macomb County Department of Roads (MCDR).

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

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

Mary Clark CER-6819  
June 22<sup>nd</sup>, 2015

**DTE:** The proposed storage is close to existing ITC (international transmission corporation) lines. This request needs to be referred to ITC.

Chair Howard – Before we go any further sir according to the Assessor’s Department there is \$11,498.39 dollars in delinquent taxes. This Board can’t go any further until you see the Assessing Department regarding those taxes. I’m going to recommend you go to the Assessing Department to deal with those delinquent taxes and if they’ve been paid provide that. What I’m going to do is table this to a date certain our next meeting is July 20, 2015 that will give you about a month to clear that up.

Mr. Al Jizzini –Is there anything else on your mind, this way we save time for the future?

Chair Howard – Well definitely your correspondence and your conversation with Mr. Wuerth is going to be vital so whatever is on that plan and you agree with you definitely want to speak to Mr. Wuerth in the Planning Department to make sure that those items are definitely taken care of prior to coming back to us on the 20<sup>th</sup>.

MOTION:

A motion was made by Commissioner Pryor to table, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR PERMANENT OUTDOOR SALES AT KROGER’S GASOLINE STATION; Located on the south side of Fourteen Mile Road; approximately 55 ft. east of Schoenherr Road; 13700 Fourteen Mile Road; Section 1; Matthew Pisko. **TABLED.**

**MOTION:**

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

**PETITIONERS PORTION:**

Mr. Stephen Webster – Stephen Webster with The Project Collaborative 37704 Hills Tech Drive, Farmington Hills, Michigan, 48331 representing Edward Boutrous in the Harvard Development LLC owners of the shopping center for the outdoor sales at Kroger. Basically for the plan that we had submitted I believe we are looking for approximately 90 square feet of outdoor sales area consist with what is other fuel centers in the area have.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**DTE:** Approved.

**FIRE:** Approved.

Ms. Michelle Katopodes reads the recommendations of the Staff:

**MOTION:**

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

**COMMISSIONERS PORTION:**

Assistant Secretary Smith – I was going over the drawing and I was looking at what you had for the square footage for the different coolers and the numbers didn't calculate out exactly it was just a hair off but when you are using calculations you want them to be the right answer. It wasn't enough to make a difference on what the square footage was but as far as accuracy I just wanted to let you know about that.

Mr. Stephen Webster – Thank you.

Commissioner Rob – So what type of products will be included in the outdoor sales?

Mr. Stephen Webster – Well it would be bottled beverages, salt, fire wood any items that are sale at the store, potentially cases of water.

**ROLL CALL:**

The motion carried as follows:

Mary Clark CER-6819  
June 22<sup>nd</sup>, 2015

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
Assistant Secretary Smith.....	Yes

E. SITE PLAN APPROVAL FOR NEW DIESEL PUMPS AT GAS STATION/CONVENIENCE STORE; Located on the southwest corner of Thirteen Mile and Mound Roads; 30953 Mound; Section 8; Sam Jarbou. **TABLED**

MOTION:

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

PETITIONERS PORTION:

Peter Daleo – I’m representing my client Sam Jarbou for the addition of diesel pumps to his gas station at 13 Mound. There are five diesel pumps that we are adding to his site and essentially it’s a simple extension of the existing parking lot there’s going to be ample space for trucks to turn around and maneuver the site. It’s solely to give him the ability to service trucks specifically.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

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

1. This development must comply with the City of Warren Storm Water Management Plan.
2. The site plan shall indicate all existing and proposed utilities.
3. The Site plan shall have a legal description for the parcel.
4. The Proposed kerosene tank shall not be constructed over the existing sanitary sewer. The fuel and kerosene tanks may also require permits from the State of Michigan.
5. All drainage shall be maintained on this site. Detention may be required.
6. Fire protection may be required for the proposed work. Fire Department approval is required.

7. If the driver approaches are widened the existing light poles will need to be relocated. Show the existing light poles on the site plan. All sidewalks across the approaches shall meet City of Warren requirements.
8. Any improvements within the Mound Road right-of-way shall be subject to the approval of the Macomb County Department of Roads (MCDR).
9. Any work to the Meirow-Meckler Drain or change in discharge rate to the drain shall be subject to the approval of the Macomb County Department of Public Works.

**ZONING:** During a review of the Site Plan, it was observed that the pump canopy will extend approximately two (2) feet into the required setback towards the south end of the property. This would require the applicant to obtain approval from the PUD committee.

**DTE:** Approved.

**FIRE:** Approved.

**MCDOR:** For a 50 mph roadway, a minimum of 355 ft. of spacing is required per the Michigan Access Management Guidebook. This property does not meet the spacing requirements. When this plan was originally approved, it was approved with the intent that when the property to the south is developed that this would be a shared approach (for both properties) and that is what we will expect when a site plan to develop this piece is ultimately submitted to the City of Warren Planning Commission approval and the MCDOR for review and approval. In summary, the existing approach must remain as-is and no other approaches will be granted by the MCDOR onto Mound Road for the parcel(s) in question.

Mr. Wuerth reads the recommendations of the Staff:

Two comments regarding the recommendations in Engineering number four (4) should be removed their updated plan no longer shows a kerosene tank. And the Zoning recommendation can be removed because the plan has changed.

**MOTION:**

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

**COMMISSIONERS PORTION:**

Assistant Secretary Smith – There's been a few other times in the past where they've added the diesel pumps to the filling station and one of the requirements that we had was that the trucks could stand there or park there over periods of time. We have found out just by driving by that they do that. Is this a problem or is this going to be something that will not be allowed or can they stand there for a certain period of time, what is the situation on that?

Mr. Peter Daleo – He's going to assure that's not the case no parking will be allowed on the site.

Vice Chair Kupiec – How do you intend to enter and exit from this facility all from Mound Road or do you have plans to come in from 13 Mile?

Mr. Peter Daleo – We originally had discussed adding another approach but according to the Road Commission it was not going to be allowed. So basically didn't propose it in our site plan essentially going to be using the same approaches to the site.

Vice Chair Kupiec – It appears like you're doing more than just adding diesel pumps it appears like you're starting a truck stop for 18 wheeler, over road, tractor trailer pieces of equipment? How do you enter and leave the facility, I see by the plan you have a small driveway for cars to come and go now you're talking about bringing trucks 50 to 65 feet long into the property to fuel along with cars coming and going from the gas station. So how do you intend to handle this flow of traffic when the DOT says that they aren't going to allow you to do anything with existing deceleration lane and entrance into the facility?

Mr. Peter Daleo – Essentially the existing approach will have to accommodate those larger trucks.

Vice Chair Kupiec – What do you mean it will have to accommodate? You've got cars right now coming and going you have fairly good business at the Marathon Station with automobiles now you're talking about bring tractor trailers in for fueling. You are also talking about putting in a scale to weigh them so obviously if they are going to come in to fuel and scale they are going to do more than that they sit there or come in and get a pop and bag of chips before they leave so obviously parking will become an issue. Coming and going is a big issue in my opinion.

Mr. Peter Daleo – I spoke to the Road Commission I don't recall his name he said they wouldn't approve a proposal for widening the approach. He did note that it's the largest approach that they would allow along Mound in any case. The site has ample space as you can see from the drawings for large trucks to maneuver so I don't think we are going to have an issue with the site itself. The approach is what the Road Commission they will allow.

Vice Chair Kupiec – Also right in the front of your approach where you are talking about entering and exiting the facility there's a car wash what do you plan to do with the car wash?

Mr. Peter Daleo – The car wash is going to remain. It's set back far enough to not impede that traffic.

Vice Chair Kupiec – Have you personally observed this facility or are you speaking from the top of your head?

Mr. Peter Daleo – We prepared the drawings and I've been at the facility as well.

Vice Chair Kupiec – It's one thing to look at a drawing but it's another thing to look at traffic going down Mound Road it's a fairly heavy traffic area. You have a good business at the gas station currently services cars, vans, and people in the vicinity along with General Motors coming and going. They do exit out of your facility onto Mound Road through the one exit that they currently have it's also the same exit used for the car wash. Now you're talking about in the same exit bringing trucks in and exiting through the same facility. As far as the property with the new property you are acquiring I don't have a problem with parking trucks there you have plenty of room to swing in and turn around my question is how do you intend to get in and out of the facility?

Mr. Peter Daleo – There's a deceleration lane on Mound and then on 13 Mile there's also an approach for additional traffic.

Vice Chair Kupiec – So you think you might be coming in from 13 Mile Road?

Mr. Peter Daleo – No not for the diesel pumps no. Some of the vehicular traffic would be coming through the other approach, which would alleviate that load Mound.

Vice Chair Kupiec – Like I said you have a good business coming and going from 13 Mile Road and also exiting onto Mound Road with cars and vans now you're talking about bring big overload trucks in I just think you have the room especially with that car wash where it's at and you have no intention of moving it. Along with that you are going to put a scale there which is further going to enhance people to come and have their trucks weighed. You are actually opening up a truck stop not just a gas station for diesel. I really have a problem with the entering and exiting of this facility I can't see how it's going to happen.

Chair Howard – A couple of items here sir, first of all there is a recommendation about the Louie's Pizza sign is this sign out of compliance sir?

Mr. Wuerth – The business is not there.

Mr. Peter Daleo – He's back.

Mr. Wuerth – He's back, so he comes and he goes, how long has it been gone?

Mr. Peter Daleo – About three weeks .

Mr. Wuerth – I felt that the business had not been active for several months so that is the reason why the request was to remove signs that don't apply to a business. Now if a petitioner indeed says that Louie's Pizza is active again then we should remove that recommendation.

Chair Howard – How do we monitor that when businesses just come and go?

Mr. Wuerth – It's monitored through the Building Division in a new certificate of compliance.

Chair Howard – We are going to hold right now to the removable because according to you, you didn't know the business was back so let's just hold off for right now. Secondly, you indicate the bond in the amount of \$5,625.00 be continued from the original site plan. Are there still outstanding items on this original site plan that are not completed sir?

Mr. Wuerth – It has to do with this site in particular it was never developed he has an active site plan that shows it being a parking area but it never got developed that way so there's this remaining part of a bond that was on site. So now that he is developing it we will just apply this to this development, once it's finished being constructed then we will release the bond.

Chair Howard – Then lastly, to Vice Chair's comments, which I believe were valid statements regarding this being more of a truck stop verses a gasoline station and just adding the diesel if you could add your opinion to that sir.

Mr. Wuerth – They are essentially separating the uses, I mean they are going to use that same driveway but the trucks are going to be in that south part. That's where they are going to operate and they shouldn't be traveling through that facility let's just say to get to 13 Mile Road. They should come out that drive go across the road if they need to go northbound or east or simply make a turn going south. So the uses are separate in that design, do they cross each other's path, they most certainly will in that driveway. Vice Chair Kupiec is correct in the fact that it's a small driveway but apparently the Road Commission feels it's adequate and I'm not going to argue with the Road Commission.

One thing I would mention something I would have recommended I didn't get a chance to but I'll put it in the recommendation and you can see if you want to do this. As in the diesel facility that is south on Mound Road at Martin this facility also should have signs posted throughout it that say that they should not allow any stopping, standing or parking on that facility once they've used the facility for fueling.

Chair Howard – So do you want to add that?

Mr. Wuerth – Yes I'd like to add that to the recommendation. They need to be posted so that's going to be under the five copies of revised site plans. It will read no stopping, standing, or parking signs posted throughout the site so trucks don't stay overnight or park there for any length of time. Some of those trucks have loud motors they roar as they are sitting there. And eventually that property to the west and south will be developed residentially so therefore I want to protect that.

Chair Howard – Now that motion was by Commissioner Rob and supported by Assistant Secretary Smith can you amend your motion to include item number three (3) that there will be no stopping, standing or parking signs.

Commissioner Rob – I will accept that.

Assistant Secretary Smith – Yes.

Chair Howard – Thank you.

Commissioner Rob – If there is a site plan already existing there why is it not coming as an amendment to the old site plan?

Mr. Wuerth – Because if it was an amendment it wouldn't meet the criteria for being an amendment. It has to be no more than 10% and this is much larger.

Commissioner Rob – Then why are we linking the bond to the old one?

Mr. Wuerth – For simplicity sake but we certainly could change that if you so please. You can leave this bond current and you can assign another bond to this site plan if you want to.

Commissioner Rob – What type of cost are you expecting to have to do this development?

Mr. Peter Daleo – About \$120,000.00 dollars.

Commissioner Rob – For the diesel pump?

Mr. Peter Daleo – For everything the cement, the pump, the canopy the whole project.

Commissioner Rob – Then I would like to have a bond imposing this site plan too.

Chair Howard – So that bond would be in the amount of \$6000.00 dollars?

Commissioner Rob - \$3600.00 dollars.

Chair Howard – To the makers of the motion do you agree with a standalone bond of \$3600.00 dollars just for this work itself?

Assistant Secretary Smith – So that \$3600.00 would be in addition to the \$5600.00?

Commissioner Rob – I didn't think it was that much money we are not doing anything to the old bond. If we are doing a new site plan then bond should be separate why should we link the bond to the old one there should be a new bond. There should be a new bond so that they have release options and then we have options. The estimated project is \$120,000.00 of course the bond amount should be impacted there.

Assistant Secretary Smith – I agree with that.

Chair Howard – Alright we will modify that to have a separate bond. So item number two Mr. Wuerth would be a separate bond for \$3600.00 dollars, we'll modify that.

Vice Chair Kupiec – Did I hear you right you suggested moving the recommendation from the Michigan Department of Transportation from the findings or from the recommendations, did you say to remove that item the MDOT recommendation?

Mr. Wuerth – No I did not. The only reference I said was I wouldn't argue with Macomb County Road Commission who operates and makes decisions regarding that.

Vice Chair Kupiec – Originally you talked about removing item number four and you made some recommendation about the Zoning.

Mr. Wuerth – That was under Engineering item number four (4) and then the other one I asked to have removed was under Zoning that item.

Vice Chair Kupiec – So you're talking about the two foot setback that's the one you recommended removing from Zoning?

Mr. Wuerth – Yes.

Vice Chair Kupiec – I have no issue about arguing with MDOT I have no issue with that either, but my only concern is that was the recommendation and in summary they said that the approach must remain as is and no other approaches will be granted by the Michigan Department of Transportation onto Mound Road so that's what I base my whole discussion on. And you didn't recommend to remove that you recommended the one above it I'm clear now.

Mr. Wuerth – No, I did not say to remove that.

Vice Chair Kupiec – I wanted to just clarify that because they were very specific and I think the original intent of the agreement when it was a PUD Development was for that to be a gas station and convenient store to service the residence more so then the trucking industry and I think that's where the issue comes up with the ability to handle the flow of traffic. Now this plan will have to go before MDOT for approval also?

Mr. Wuerth – It has they've reviewed it and approved it. This recommendation I think comes from the Macomb County Road Commission we'll have to check on that but either way they are road

type authorities. If it were the Road Commission or MDOT saying this I would leave it there.

Vice Chair Kupiec – But at this point it does not have to go back before them you think it’s been approved by them?

Mr. Wuerth – Yes, the existing driveway that’s been approved it was approved back when they had site plan approval.

Vice Chair Kupiec – At which time the concept was a development for residential business not for a trucking industry.

Mr. Wuerth – No, I don’t believe so I don’t think it was stated that way but perhaps you have information I don’t.

Vice Chair Kupiec – I don’t I though the whole PUD Development had to do with residence rather than industries.

Mr. Wuerth – It’s a mixture of residential and commercial use and fueling trucks that’s a commercial use.

Chair Howard – We have several amendments to this item first being. That the Louie’s Pizza will stay in place until that conversation is resolved with Mr. Wuerth. Also there will be a separate performance bond in the amount of \$3600.00 which will stand alone for this particular site plan itself. And third there will be a no stopping, standing or parking sign on the site. With that being said roll call please.

ROLL CALL:

The motion carried as follows:

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

- F. SUBDIVISION LOT SPLIT; Request one lot into two lots; Lot 301 (13-34-153-021) in Piper's Second Van Dyke Farms Subdivision; located on the north side of Studebaker Avenue, approximately 338 ft. east of Van Dyke Avenue to be split into two parcels; Section 34; George Barnes (RDG FUND-5 LLC) 8067 Studebaker.

PETITIONERS PORTION:

Mr. Syed Mohsin – I' representing RDG Fund 5-LLC we filed to split the lot on 8067 Studebaker into two lots of 40 ft.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Approved.

**FIRE:** Approved.

**ZONING:** The Zoning Bureau reviewed the proposed site plan and the following items do not comply with the Zoning Ordinance:

**8067 Studebaker –**

- A. Section 7.03 – Create a non-conforming parcel at one hundred and nine (109) ft. in length with a width of forty (40) ft.
- B. Section 7.08 – To retain the residence at less than thirty five (35) ft. from the north rear lot line.
- C. Section 7.06 – To retain the residence at less than two (2) ft. from the east lot line.
- D. Section 7.07 – To retain the residence at less than two (2) feet from the east lot line.
- E. Section 4D.07 – Non-conforming fence in front yard setback. (The non-conforming fence should be removed as it is not necessary for the use, preservation and enjoyment of the property and any variance granted should be the minimum required).

**8075 Studebaker –**

- A. Section 7.03 – Create a non-conforming parcel at one hundred and nine (109) ft. in length with a width of forty (40) ft.
- B. Section 7.05 – To retain the residence at less than twenty one (21) ft. from the south front lot line.
- C. Section 7.06 – To retain the residence at less than two (2) ft. from the east lot line.
- D. Section 7.07 - To retain the residence at less than two (2) feet from the east and west property lot lines.
- E. Section 7.04 – The combined square footage of the residence and the accessory structure would exceed 30% lot coverage.
- F. Remove the wood fence attached to the cyclone fence at south-west corner garage.

**DTE:** Approved.

Ms. Michelle Katopodes reads the recommendation of the Staff:

Secretary McClanahan – Reading letter of Authorization to Represent.

To Whom It May Concern: This is a letter authorizing Mr. Syed Mohsin to represent RDG Fund-5 RCR LLC in the lot split meeting. I will be unable to join you, however Mr. Mohsin has been properly informed of all the important things which I wish to bring up in the meeting. Thank you for your understanding. Sincerely Gideon Pfeffer, Authorized Agent RDG Fund-5 RCR LLC>

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – What is the purpose of having this lot split combination?

Mr. Syed Mohsin – This RDG is an investment firm, we acquire properties in the City of Warren and rehab and find tenants. So when we purchased this property we had the idea that it was already separate properties but after buying the properties we came to know that these are not actually separate properties. So for the purpose of our business we need the lot separated into two different properties.

Assistant Secretary Smith – Looking at the drawing it's showing the one side is 20 feet west of the remainder lot of 300 and the other one is remainder lot 301 so it's two separate lots and they are splitting them down the middle, I'm just trying to understand the drawing a little bit. They are trying to combine part of lot 301 and part of 300 to make one lot, one parcel?

Mr. Wuerth – They are making two (2) forty foot lots. If you want to call somewhat in conformance with the way lots are laid out up and down that street. What's interesting is they started out as 80 foot wide lots and over time they all became split into forties, smaller lots.

Chair Howard – Within your recommendation you put approve conditionally there was no explanation there can you share with me why you would like to have a conditional approval sir?

Mr. Wuerth – Conditional approval has to do with the variances that need to be approved first those are conditions. So that's why it's set it's just not straight approval.

Commissioner Rob – So it will go to the City Council just for review or does it have to go to the City Council for voting also?

Mr. Wuerth – For approval. It will have to go to the Zoning Board of Appeals first to bring it into compliance and then it will move on assuming they get the variances then it would move onto the City Council.

Commissioner Rob – Thank you.

Chair Howard – Initially they were 80 foot lots?

Mr. Wuerth – That's how the original subdivision was platted and then over time it went to 40.

Vice Chair Kupiec – From what Mr. Wuerth said this vote will now become a conditional vote?

Chair Howard – Based on the Zoning Board of Appeals.

Vice Chair Kupiec – So we have to change our recommendation for a vote?

Chair Howard – No sir I don't believe we do, I believe that once we take a vote here it will go to the Zoning Board of Appeals they in turn will make a determination on whether or not they can have this lot split accurately and then it will proceed from there.

Vice Chair Kupiec – So our vote does not have to be on a conditional approval?

Ms. Caitlin Murphy – Under chapter 35-27D3 the proposed division cannot render an existing structure to not comply with the zoning ordinance so they have to go to the Zoning Board of Appeals. So you do a conditional approval based on the Zoning Board of Appeals then it goes to City Council, but you can't approve it unless the ZBA approves it, so it's conditioned on the ZBA's approval of the variances.

Vice Chair Kupiec – So therefore our vote should be on a conditional approval our original vote was just on a straight approval?

Ms. Caitlin Murphy – All of your votes have these conditions attached to them so you're voting to approve with the recommended conditions that Ron gets.

Chair Howard – And Mr. Vice Chair if you would prefer for us to have a conditional approval within our language I believe that’s appropriate, we can make that a conditional approval.

Vice Chair Howard – Based on what we heard Mr. Wuerth say I think we should make it a conditional approval.

Chair Howard – We’ll make it a conditional approval. The maker of the motion was Commissioner Rob do you agree sir?

Commissioner Rob – I think it’s already stated there, so you understand you have to go to the Zoning Board of Appeals that’s why we are putting it as a conditional approval.

Mr. Syed Mohsin – We have already filed variance so I think we are awaiting approval there is that the condition?

Commissioner Rob – Yes that’s the condition, yes I’m good with that.

Chair Howard – Thank you so much gentlemen, that was a motion by Commissioner Rob supported by Vice Chair Kupiec.

**ROLL CALL:**

The motion carried as follows:

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

- G. AMENDMENT TO ORDINANCE NO. 30; APPENDIX A, ZONING;  
Article 11, Definitions for Medical Marijuana Growing Facility and/or dispensary and other related definitions; Article IV, Section 4.01 minor changes for readability and a revision regarding a misdemeanor to operate a business that violates an applicable law; Article V, Section 5.01 restricting patients to legally use, cultivate and/or process marijuana for their personal use in residential or commercial zones; Article XVII, Section 17.0 restricting Medical Marijuana Growing Facility and/or dispensary to locational criteria from certain uses, limitations by all applicable laws, patient hours and indoor operation. Further the facilities are subject to inspections,

maintenance of records, caregiver cards, and transfers. **TO BE TABLED TO 7-20-15.**

Chair Howard – Item 7G has been recommended to be tabled until 7-20-15 by the Acting City Attorney.

MOTION:

A motion was made by Commissioner Rob to table until 7-20-15, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- H. SITE PLAN FOR EXPANSION OF ATHLETIC FACILITIES AT DE LA SALLE HIGH SCHOOL; Located in the southwest corner of Common Road and Gloede Drive; 14600 Common Road; Section 12; Thomas Lackey (Foresite Design).

PETITIONERS PORTION:

Mr. Bruce Lemons – I represent De La Salle High School they are proposing to enhance their athletic facilities and make some improvement relevant to entry and a concession, rest room, team room building. The baseball facility will be reoriented based on National Federation Guidelines, the entry plaza will be off the parking lot on the south side of the facility. The new concession rest room will be near the grand stands near the football lacrosse, soccer field. There are two half lacrosse practice fields also being proposed.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review of this site yielded the following comments.

1. Indicate all proposed and existing utilities and corresponding easements. There shall be no permanent structure built over the top of an existing utility or within an easement.

2. The proposed improvements appear to include parcels 13-12-401-007 and 13-12-401-005. The legal description shall be provided for both parcels and they shall match City of Warren records. A parcel combination is recommended.
3. This development must comply with the City of Warren Storm Water Management Plan.
4. Story sewer discharge shall be restricted from this site. Detention is required.
5. The extension of the landscape berm along the south property land may adversely impact drainage in the area. All drainage must be maintained on this site and shall discharge approvable outlet.
6. The old drive approach to parcel 13-12-401-007 shall be removed and a new section of concrete curb and gutter installed across the opening.
7. The crosswalk and sidewalk ramp shall be realigned to be perpendicular to Common Road and the intersection of Common Road and Valenti Drive. The easterly ramp and crosswalk shall also be eliminated after the construction of the new westerly crossing.
8. The improved area shall have adequate fire production. Fire Department approval is required.
9. If there is food preparation at the concession stand a grease/oil interceptor may be required on the sanitary lead servicing the building.
10. The distance between the existing parking lot back of curb and proposed fence shall be shown on the plan.
11. There appears to be an existing sidewalk easement through the existing open space area. This shall be vacated, revised and recorded as necessary.
12. The site shall be handicap accessible. Additional ramps and increased sidewalk/path width may be required.
13. The location of any proposed utility/light poles shall be shown on the overall site plan.

**FIRE:**

1. Build to the requirements of the 2012 Edition of the Michigan Building Code.
2. Fire hydrants shall not be closer than 40 feet or further than 400 feet from any point on the exterior of the building. Distances shall be measured along the shortest feasible exterior route around the building.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet.

**DTE:** Approved.

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – It's a huge project so is there State funding involved?

Mr. Bruce Lemons – Not that I'm aware of, I'd have to turn to Chris.

Mr. Chris Czarnik – I'm Director of Advancement at De La Salle High School. This will be completely funded through De La Salle there will not be any State funding involved. Our Board of Trustees have to approve that project based on the decision of the Commission.

Vice Chair Kupiec – How long do you anticipate before your project will be completed?

Mr. Chris Czarnik – We recently had a Board of Trustee meeting and they are eagerly awaiting the decision of the Commission, but there has been no timetable set yet. We have to reach a few internal hallmarks including the funding proposition for that. So there's no time table at this point but based on your decision we will hopefully begin moving forward.

Vice Chair Kupiec – It's a very favorable improvement I'll look forward to seeing it.

Assistant Secretary Smith – Last time they came before us it was for a garage for athletic equipment this a big improvement, thank you.

Chair Howard – By far the last time you were here it was for a shed, this is definitely a greater expansion, a larger investment to the site. There were some concern's initially regarding drainage and detention with the neighbors have those items been corrected and how do we stand currently?

Mr. Bruce Lemons – We have a Civil Engineer on board who is very familiar with how to mitigate these issues and we will comply with all the Engineering requirements established by the City of Warren.

Chair Howard – Excellent, I think that was one of the major concerns of the petitioners and also the parking of the students and you have

done a great job in addressing those concerns, so we thank you so much.

ROLL CALL:

The motion carried as follows:

Vice Chair Kupiec.....	Yes
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

- I. SITE PLAN FOR OUTDOOR STORAGE; Located on the north side of Ten Mile Road; approximately 180 ft. east of Ryan Road; Section 20; 4175 Ten Mile Road; 4175 10 Mile Road LLC; (Robert Tobin).

PETITIONERS PORTION:

Mr. Robert Tobin – This site is located on 10 Mile Road near Ryan road and contains 21,335 square feet of manufacturing building zoned M2. At the rear north side there’s a parking lot zoned R1-P. The manufacturing buildings on the west side are also zoned M2. The property to the north are single family resident zoned R1-P. The property to the east is zoned C1 so we have a lot of things going on in this property. The vehicles enter from 10 Mile Road and proceed one way in a 35 foot closed alley that contains 11 angular parking spaces. There’s also a 35 foot alley at the northwest corner of the parking lot that connects to Kiefer Avenue. There is currently a six foot high 200 foot long block wall on the north side and a six foot high 130 foot long block wall on the east side of the parking lot both of which provide shielding for the existing residents to the north. So we have provided the proper walls there even though we are zoned R1-P for outside storage.

The owner fabricates various kinds of aluminum and metal bases and requires outside storage behind his building which is not visible from 10 Mile Road. He requires storage for materials, miscellaneous steel for production, parking for five large trucks, and a shipping area for completed bases. The total area allowed for outside storage is 50% of the building or 10,667 square feet he only requires 7,116 square feet so he’s well within the ordinance requirements for outside storage. The M2 zoning requires 21,335 square feet of off street parking for employees and customer parking but we can only provide

7,820 square feet which is more than adequate for our 15 employees but it does not meet the parking requirements for the ordinance. They will go to the Board of Appeals to waive 13, 515 square feet of off street parking and receive permission for outside storage in R1-P. We will comply with all the recommendations outlined by the Planning Department. We've gone over these recommendations and we can comply with every one of those.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent taxes.

**DTE:** Approved.

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

1. Any improvements within the 10 Mile Road right-of-way is subject to the approval of the Macomb County Department of Roads.
2. All paved areas must have curb & gutter. Bumper blocks are not allowed.
3. The diagonal parking spaces located near the entrance are part of the adjacent parcel. A parking access agreement between the parcels must be in place.

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

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

Mr. Wuerth reads the recommendations of the Staff:

**MOTION:**

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

**COMMISSIONERS PORTION:**

Assistant Secretary Smith – I stopped by the site today and there's a lot of wood pallets stored in the back by the back wall are they using those pallets to load the finished pieces on there to haul them away. What is the situation because according to the storage areas they are just storing steel and scrap steel and abrasive materials it didn't say anything about any wood pallets.

Mr. Robert Tobin – I've told them to remove some of those pallets, they are not using them and he said he would remove them. He's going to clean up the whole backyard. Its scattered right now but we

have easy identifiable areas for outside storage where he's going to take these things and put them properly and those pallets will probably be gone.

Chair Howard – Thank you, Mr. Wuerth this is probably something we can discuss during your comments later on to the Commission. They are using all the way up to 50% of that variance use and we are just getting a lot of facilities that have a lot of items and it's making the City look a little unruly in some of these areas. So have you told the petitioner to remove those wood pallets?

Mr. Robert Tobin – I believe they are going to handle it I will go to the Board of Appeals and get this waived. The man needs outside storage and he has the opportunity and the area to do it unfortunately we have to get permission to store it in R1-P that's the biggest problem we have.

Vice Chair Kupiec – You said you will comply with all the things that are recommended by Mr. Wuerth?

Mr. Robert Tobin – Yes sir.

Vice Chair Kupiec – I've notice in my travels there he has propane fired hi-lows and obviously propane is not prohibited on the property so he's going to have to go to the Board of Appeals to get approval for storage tanks.

Mr. Robert Tobin – The man has approval, it's in a fire box right behind his building and he does have a permit for it. So he does have a permit for that propane storage and it is in a fire box.

Vice Chair Kupiec – As it was pointed out by another Commission about the pallet boxes, will the petitioner be able to enforce the compliance of designated areas for storage?

Mr. Robert Tobin – Yes it will be stored correctly.

Vice Chair Kupiec – I'd like to say I pass by this area quite a bit and he normally runs a real clean operation a good looking operation with the exception of he has a tendency to stack that stuff up on that wall behind the residence which is objectable so he needs to comply with that. Other than that it's clean and professional and looks good.

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

- J. SITE PLAN FOR NEW LITTLE CAESARS RESTAURANT; Located on the west side of Hoover Road, 198.82 ft. north of Engleman Road; 11555 Engleman Road; Section 22; Todd Huntington (Little Caesars).

PETITIONERS PORTION:

Mr. Andrew Karow – I'm the director of Architecture and Design for Little Caesars. This project is located at the corner of Engleman and Hoover it's currently owned by Little Caesars. Little Caesars operated a Caesar Land Restaurant there for almost 30 years we closed it a few years ago so we've been looking at avenues to redevelop this site. So our proposal under a separation application we've applied for a lot split. We were going to build a restaurant in the most northeast corner of the lot it would be approximately 2100 square feet. It will have limited seating 14 to 18 seats in the lobby and have a dual drive through around the back of the building.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

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

1. A system of internal drainage is required. Detention may be required.
2. All existing utilities within the proposed building footprint shall be removed or relocated.
3. Storm lines carrying drainage from the adjacent parcel must be in an easement.
4. The south property line goes through existing parking spaces belonging to the adjacent parcel. A parking access agreement between the two parcels is required.

**FIRE:**

1. Build to the requirements of the 2012 Edition of the Michigan Building Code.

2. Fire Hydrants shall not be closer than 40 feet or further than 400 feet from any point on the exterior of the building. Distances shall be measured along the shortest feasible exterior route around the building.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet.
4. Provide Fire Department lock box (Knox Box) as required by local ordinance.

**ZONING:** The Zoning Bureau reviewed the proposed site plan and the following items do not comply with the Zoning Ordinance:

1. Section 14.01 (k)(4) – Drive-in restaurant properties shall be completely enclosed with a chain link fence and a height of four (4) feet.
2. Section 4.32 (h)(17) – The number of parking spaces proposed is less than the required amount for Drive-thru restaurants.
3. Section 4.32 (i) – Maneuvering lanes for one-way traffic shall be 15’.
4. Section 4A.35 (b) – One freestanding on premise sign or advertising display of a size not to exceed seventy-five (75) square feet shall be allowed in commercial business districts zoned C-2.

**DTE:** Approved.

Mr. Wuerth reads the recommendations of the Staff:

**MOTION:**

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

**COMMISSIONERS PORTION:**

Assistant Secretary Smith – I was looking at your drawing, on the top part where you have the 12 foot maneuvering lane the one-way traffic coming down. Along the side there you also have two way traffic coming up and the side next to the stripe places that’s next to the drive-thru is going up toward that maneuvering lane. I didn’t know exactly where they were going at that point and time because that maneuvering lane is coming one way down towards that and you have an arrow going up towards the maneuvering lane, so I didn’t understand where that traffic was going to be heading.

Mr. Andrew Karow – The idea is when you enter into the site off of Hoover you would turn to the right go into the parking area if you were going to go into the building either to pick up or dine in you would park in that area. When you leave you can either go out the

same way you came in with the two directional arrows or you can go out through the escape lane in the back of the building and then come out to the entrance on Hoover through the parking.

Assistant Secretary Smith – I understood that but I was talking about the other two directional areas to the south of the drive-thru. I can understand the one coming down back towards Hoover because that's coming from the maneuvering lane but the other one is going up so it confused me why that one was even there because I don't know where that lane was supposed to be going.

Mr. Andrew Karow – That's to access the parking of those six spots in the southwest corner. I don't know why those spots weren't shown by our Engineer as part of the site, but those are meant to be employee parking spaces. So the arrows are meant to indicate that there's two directional traffic there so nobody thinks they are in a one way area.

Assistant Secretary Smith – So they are employee parking spaces up in that area that aren't being shown?

Mr. Andrew Karow – They aren't indicated as heavily, they are very lightly shown they are existing parking spaces so that would be in the upper left corner. If you are looking at the sheet there are six spaces there.

Assistant Secretary Smith – I don't see them on my drawing sir that's the reason I questioned it.

Mr. Andrew Karow – Like I said they are very light there's the striped island where the two directional arrow is so just to the left of the arrow is six parking spaces.

Vice Chair Kupiec – There are quite of few recommendations that came from the Planning Department have you looked them over and do you agree with all of them?

Mr. Andrew Karow – Yes we agree with all of them. The only thing we'll have to look at is we will have to ask for a variance for the chain link fence. We don't think that's going to be esthetically pleasing if it's determined that we need to put it up we will.

First we'll look at the XOA in the back it's currently showing a 12 foot the requirement is 15 feet. We will look at the site and see if we can get 15 feet if we can't we will ask for a variance for 12 feet. I would point out that the 12 feet there is actually more than 15 feet clear

because it's just asphalt behind there so 12 feet is really to an imaginary line. We will try and adjust the plan to accommodate the full 15 feet if we can't we will have to ask for a variance for the 12 feet. If we can't get a 12 feet in there then we would have to eliminate one of the drive-thru. But our first choice is going to be to try and figure out if we can get the actual 15 feet in. The second choice is to ask for a variance for 12 knowing that there is nothing behind there to obstruct anyone you would just be driving across the imaginary property line onto some other asphalt.

Chair Howard – I see that you have properly been rezoned, but also that you are looking at selling some of that additional property has that property been sold?

Mr. Andrew Karow – No, until we get approvals for everything we need from the City of Warren to make sure that we can actually build the property like this we are not pursuing the sale of the other lot. So we have a separate application for a lot split of the entire lot so we can develop just our portion for the restaurant and then sell the other portion. Once we get approval from Planning Commission and City Council for the lot split that everyone is okay with this we do have a developer that is interested and we will immediately start negotiations with that developer for the sale of the property.

Commissioner Robinson – Is this building vacant now, what is the nature of the business now?

Mr. Andrew Karow – The old Caesar Land that we used to operate is vacant right now.

Commissioner Robinson – So will customers have access in as well as drive-thru?

Mr. Andrew Karow – No, we are building a whole new building the existing building will be the parcel that we are selling off to a developer and we will be developing the other portion of the lot as a new Little Caesar's Restaurant. We will have a drive-thru and seating inside with about 14 to 18 seats. We anticipate that to be mostly bench seating around the windows and I think we have six (6) two, little seater, tables. It's going to be for lunches mostly we are not a dine in facility, but some people like to come in at lunch and grab a quick bite.

Commissioner Robinson – Will there be handicap, how many handicap spaces?

Mr. Andrew Karow – Two handicap spaces.

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

(At 9:18 p.m., proceedings are in recess)

(At 9:28 p.m., proceedings continued)

- K. SITE PLAN FOR NEW BUILDING ADDITION AND REMODEL:  
 Located on the west side of Hoover Avenue and approximately 670 ft. south of Hupp Avenue; 22001 Hoover; Section 34; Jack Campo (Michael Van Loon).

PETITIONERS PORTION:

Mr. Michael Van Loon – I’m the Architect of record on this project. I’m here today with one of the owners Jack Campo. This project is about just replacing the existing building that’s there. We are not going to reinvent anything but we’d like to make some improvements to it that hopefully will be helpful. Metro Sanitation does not deal in garbage so we want to clarify that. This is strictly construction rubbish that comes from the construction sites.

There’s three sections of the building one is a transfer station where all the construction debris is dumped and then it’s transferred into large trucks to be taken off site. The second part of the building is a repair shop to repair their trucks and all their dumpsters that they have and just keep things moving. Its minor repairs replacement of brakes, tune ups, oil changes, those kinds of things.

Then the third part of their building is just their offices.

We’ve taken a number of steps to try and improve what’s there now. One of the things that we’ve done is separate the transfer building into two sections one is their trucks that come in with the dumpsters that dump all the debris and the second part is a public area which is

going to be contained on the west end. The idea of this is to keep the public away from the truck's that are moving in and out in making their dumps we want to keep them at the other side of the building. Which is why there are two separate sections of the building one on the west end and one on the east end. The west end is strictly going to be for the public to come in and be able to dump. We have some scales so that all the material is weighed in and out and that occurs up near the front.

The other issue that we are trying to deal with is currently the rubbish is scooped up with a tractor then dumps into the tractor trailers it's very noisy and it creates more dust. What we were doing with this particular project in the new site plan we are actually sinking a couple of truck wells down below the floor level. So now the rubbish will be pushed into the trucks so that will eliminate a lot of the noise and a lot of the dust. It's going to make for a faster process by the company to get the materials on and off the site.

In addition the remainder of the site is pretty much going to remain the way it is now it's just the building and the new area that we are dealing with.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review of this site yielded the following comments.

1. An accurate legal description shall be displayed on the site plan.
2. The bearings displayed along the property lines on the submitted site plan do not correspond to the parcel legal description.
3. The existing transfer building and existing screen wall are encroaching in Marmon Avenue public right-of-way.
4. Indicate all existing and proposed utilities.
5. Any existing utilities located within the boundaries of the new building addition shall be relocated outside of the proposed boundaries.
6. This development must comply with the City of Warren Storm Water Management Plan.

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

1. Meet all requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility.

Fire apparatus access roads must have a minimum width of 20 feet.

3. Provide Fire Department lock box (Knox Box) as required by ordinance.

**DTE:** Approved.

Mr. Wuerth reads the recommendations of the Staff:

Secretary McClanahan – I do have some correspondence to read. Hello my name is Russell Chessin I live 11339 Studebaker Avenue in Warren. I live on the corner lot of Studebaker and Marmon right directly on the other side of Metro's brick wall.

I am writing this letter because as this meeting is going on I'm in Kentucky with my students at a National Competition, otherwise I would be there in person.

I'd like to ask that they not be permitted to rebuild their garage building again. My main reason for this is that when the wind is right the smell is so bad you cannot be outside in the summer and it last for days. Also because of the smell you can't have your air conditioners on because they draw the smell into the house so you are forced to go visit friends until the wind changes again.

Also because of the fire that lasted over three days it sent these large rats into the neighborhood searching for other places for food. Finally, we got rid of them, it's been nice not to go outside and see large rats running around the neighborhood.

I appreciate you hearing my opinion. Please feel free to contact me on this matter I will be back in town on Sunday, June 28<sup>th</sup>.

Also one last item, because they don't have "normal" business hours they work their machinery at all hours of the night until the early morning. The noise is enough that we're not able to relax and sleep throughout the night. Sincerely, Russell Chessin.

**MOTION:**

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

**COMMISSIONERS PORTION:**

Assistant Secretary Smith – I was by there today and I was observing the site and one thing I didn't see on the drawing was that big white canopy building that's in the front where they had brush going into

there. Is that being eliminated from the new project what is the purpose of that?

Mr. Michael Van Loon – That's just a temporary building that they are going to be utilizing while we construct the new one and then that will come down.

Mr. Jack Campo – Yes sir, that will be removed.

Assistant Secretary Smith – Now along the transfer building it looks like it's in pretty bad shape that's all going to be rebuilt?

Mr. Michael Van Loon – That's all going to be taken down and rebuilt yes.

Assistant Secretary Smith – I noticed on the other site on the north end of the site there were some of your trailers that were stored there but also on the north east corner of the site there was a lot of concrete block and debris that was scattered about over there that just needs to be clean up?

Mr. Michael Van Loon – Absolutely sir, that will be removed for sure.

Assistant Secretary Smith – I noticed some of the paving around in the area now are these parking spaces that you are showing on the drawing?

Mr. Jack Campo – Yes those are proposed parking spaces.

Assistant Secretary Smith – I noticed that there was a lot of debris that was in that area that was being dropped off that was being loaded into different containers.

Mr. Jack Campo – Yes absolutely sir, when the site is reworked and the new building is constructed that will definitely will change and those parking spaces will be utilized.

Assistant Secretary Smith – According to the correspondence that we got about the neighbor as far as the noise, what are your hours of operation there?

Mr. Jack Campo – Typically sir we're in operation from 6 a.m. to 6 p.m.

Assistant Secretary Smith – And the noise would be the loading and unloading the containers?

Mr. Jack Campo – Yes inside of the building I'm sorry I'm not sure how far that sound echo's but yes.

Assistant Secretary Smith – And the smell if it's construction materials why are you getting any type of smell from the materials?

Mr. Jack Campo – I'm a little surprised because the construction material that we have it usually doesn't create an odor so that surprises me.

Vice Chair Kupiec – One of the recommendations from the Planning Staff was that, in fact there is a recognized consideration for noise and odor, which are two nuisances that the residents object to. The Planning Staff recommends that there be no openings to the west elevation of the building. Are you plans currently to keep the west end enclosed?

Mr. Michael Van Loon – We would really like to keep that opened that is the area that we're considering for the public it keeps them away from the main trucks and that would be an area for them to be able to dump off construction debris. What we would like to do is some of the new stuff that we are incorporating by sinking the trucks we think that will eliminate a lot of the noise problem and also any of the dust that's created. The other thing we could do is on that particular side of the building we could add some siding and drop it down to about 15 foot that would minimize that opening down a little bit and try to take care of those problems so that we don't have that. We could monitor the situation for a year and see if that works if there's still a concern we could always come back and revisit it.

Vice Chair Kupiec – What percentage of your business of rubbish materials is from the public?

Mr. Jack Campo – I would say 30%.

Vice Chair Kupiec – Well if it's only 30% of your business and 70% is your own trucks providing the hauling then why would it be so important to have that west end opened?

Mr. Jack Campo – You know it's a safety concern for us. When we have the other contractor's that come in independent of us and dump what they do is they comingle into the regular truck traffic and it creates a safety hazard. So what we are attempting to do is eliminate a safety hazard and have them dump on their own that way no accidents would occur.

Vice Chair Kupiec – We appreciate your concern for safety but we also would like to have you concerned about the neighbors concern about the smell, noise, the rats.

Mr. Jack Campo – Absolutely sir, we do have a regular service that comes in that puts bait stations out, monitors our site, and there's never a lot of activity not saying that there couldn't be a stray or two. As far as the dust issue, with the new building I would assume that would stop a lot of that.

Vice Chair Kupiec – One of the concerns right now is that if you're not dumping garbage where are the rats come from and where is the smell coming from. Normally with construction debris you shouldn't be getting a smell.

Mr. Jack Campo – I would agree sir, but that's all we haul, so there again, surprising it's creating that.

Vice Chair Kupiec – And going back to your design concept, I understand the safety factor trying to keep the public from your own trucks but is there any way you can reconsider closing the west end off?

Mr. Jack Campo – The way our business plan is that 30% of the incoming traffic that we charge for makes up pretty nice for the revenue portion. But like I said we can continue look at closing that in and bringing the top part of the building down and then maybe closing in some more with some doors that might be a solution as well.

Vice Chair Kupiec – When you say closing in how does that affect the west end, I don't follow how you're closing the west end.

Mr. Michael Van Loon – Basically what we would be doing is right now we've got the whole end of the building open, which creates a lot of air movement. If we bring siding down to a point of say 15 feet so that the biggest trucks could still get in there between that and the 10 foot high wall that we have on the outside we would basically be limiting the exposure. The other thing is and I didn't point this out originally, the original building is right on the property line which puts it right across the street from this gentleman's house that's there. With the new plan we are moving the building back 60 foot out of the right away and with the 10 foot high wall and if we could bring the siding down I would hope that would solve all the problems. As I suggested it's something that we could monitor and see if not than we might have to take some other steps.

Vice Chair Kupiec – That 60 foot area that you're talking about what is going to be replaced in that area what's going in there?

Mr. Michael Van Loon – It's just concrete it's just going to be a pad a flat concrete pad for them to drive in on.

Vice Chair Kupiec – So instead of the existing building you're going to have a concrete pad for them to drive in and back up to the dump site?

Mr. Michael Van Loon – Right exactly they would just back in.

Vice Chair Kupiec – I appreciate your new concept with a ground level movement of the material verses scooping it and dumping it. That scooping and dumping creates a lot of dust, noise and flying debris. Where pushing it from the ground to a below ground level is a good concept. We'd like for you to do the best you can for the neighbors regarding the noise and rodents in the area. We know you've been in the area for awhile so we'd like for you to do the best you can. Once you put a million and a half dollars into a facility then it's kind of hard to make adjustments now in the inception of the project is when you should try to consider your adjustments.

Mr. Jack Campo – If we could have a period to see if that works we'd rather do that and then if it doesn't work we do have another option. I'm sure you've seen these plastic roll down doors that you see on auto wash places during the winter. They roll down and then when the car comes through it rolls back up, it's a plastic barrier and it would contain the sound so we could consider doing something like that.

Vice Chair Kupiec – So saying that a vehicle would be inside a closed area when it's dumping?

Mr. Jack Campo – Yes when he pulls in it would roll down he dumps and then he would pull back out again.

Vice Chair Kupiec – Is that something that you're willing to monitor your plan to do?

Mr. Jack Campo – Absolutely sir we want to be good neighbors it's definitely something we would do.

Vice Chair Kupiec – Since your current plan is to have the trailers back into a well and push the debris into the trailers on the ground

level what's your plan to clean the wells once the trucks pull out at the end of the day to keep the debris from accumulating down there?

Mr. Jack Campo – In fact every time a trailer pulls out what we do is have these bobcat machines, which is a smaller loader that goes and cleans out the wells so the next trailer can back right in. So actually every time a trailer pulls out we clean the well every time.

Vice Chair Kupiec – Mr. Wuerth submitted quite a few recommendations are you able to comply with everything else?

Mr. Michael Van Loon – If I could I'd like to address the parking. I'm not sure maybe I missed something I took our parking calculations off the City Ordinance. The building is rather large and if you take the total square footage our parking is not going to work out the same.

However, I do want to point out that the majority of the building is the transfer building and there are only two people that are ever going to be in there at any given time so it's not like there's a bunch of people in there. The same with the repair shop I think he has two or three employees only that work in that whole repair shop so basically the only parking that would accrue would be in the building area and that's about 7000 square feet of office space. We originally calculated the parking based on that and thought we had the proper amount, I wasn't sure. We can work this out with them and if we definitely need a variance we can get it, but I'm not sure I understand how it worked out that way.

Chair Howard – Do you have any additional comments?

Mr. Michael Van Loon – I just have one other comment and that is on the Engineering the City of Warren Storm Management System there is an existing storm drain system on the site currently and we're not really affecting the majority of the site what we'd like to do is comply with number six (6) as to the increase, the net increase in whatever we are changing as opposed to the entire site, which is already established.

Chair Howard – I was at your site on Saturday by far I do appreciate you watching out for the pedestrian vehicles that was a very interesting drive in the back to say the least. I was maneuvering around like dodge ball so I do thank you for putting a process in place for the trucks verses the passenger vehicles. Thank you for being proactive in terms of the truck wells and storing your refuge below and regarding to the noise reduction. Definitely there is some concern about the smell we don't know where that's coming from if

it's just construction debris, but again you're using some proactive measures to go forward.

With that being said Mr. Wuerth just a couple of questions on what we can do in this case. In terms of the plastic guarding for the entrance so that the cars can come in and out is that something that's permissible or would they have to modify their site plan to provide for that?

Mr. Wuerth – If you change it from the open area, any changes you make will still need an elevation plan to show that.

Chair Howard – And in terms of the water sewage components under Engineering, would they be able to just modify this based on the new development or would they have to submit this regarding their entire site?

Mr. Wuerth – The City recently adopted this storm water management plan I'm not familiar with it. So they would need to go to the Engineering Division and speak to them about what kind of requirements would be put on them. I'm sorry I wish I could answer that but I can't.

Chair Howard – In terms of the residential area to the west as Mr. Vice Chair had already spoken to us about what are your thoughts there concerning that sir, its item number 2.

Mr. Wuerth – The dropping the upper part by 15 feet with aluminum siding I don't think that would do anything except be cosmetic. As far as a type of door that goes up and down during the operation that's better but ultimately closing the entire west side is the best.

Chair Howard – And what are your thoughts regarding them monitoring it over the next 6 months to a 1 year?

Mr. Wuerth – I have found in the past that's rather difficult to follow from an inspection point of view. They can monitor it but it's also the City that needs to monitor it, I'm not even sure how to go about that, I guess I'd have to talk to Zoning. But I think in some past conversations Zoning have to come out at different times and speak to the neighbors and see what the conditions are. With our limited manpower it's difficult to go and do that. I'm not saying not to, I know how many people are there and it's difficult for them to get out, there would have to be a schedule.

Chair Howard – So based on the proposals that they have submitted to us this evening what are you most comfortable with?

Mr. Wuerth – My proposal. I said the door could possible work dropping the aluminum siding I don't think will work. Ultimately just closing it on that side is my remedy.

Chair Howard – To the petitioner are you comfortable with the door combination that you can modify your plan to adjust to Mr. Wuerth's?

Mr. Michael Van Loon – Modify our plan to add the door, yes we sure can.

Chair Howard – Mr. Wuerth how about the parking?

Mr. Wuerth – Our parking ordinance needs an overhaul and the worse part of it is trying to indicate to people how parking is calculated in industrial districts especially with one like this. Now what you see in the findings and recommendation that's what they have to do, I'd prefer that we work on the Zoning Ordinance the parking part and fix that. As they said they have very few people working there it's unfair yes but we have law that we are dealing with and that's what the Zoning Ordinance states regarding parking requirement so they have to get a variance.

Chair Howard – I'm sorry sir, we'll send you to the Board of Appeals for that variance but we do understand what you are working with.

Commissioner Rob – I just want to make a correction on item number 4 it should be 1.8 million it says 18 million.

Chair Howard – The maker of the motion was Assistant Secretary Smith and supported by Vice Chair Kupiec, we have a couple of options before us regarding the door or we have Mr. Wuerth's recommendation. Do you want to go with Mr. Wuerth's recommendation or a compromise with the door?

Vice Chair Kupiec – The only problem I have with the doors is again as you indicated when you were there the fast track of activity that goes on in this type of climate. Whose going to enforce the open and close of the doors, is it going to be an automatic thing? I would like the petitioner to try and rearrange his business plan in such a way where he could utilize another way using the outside source of revenue bringing in debris in a different area and follow Mr. Wuerth's recommendation of keeping the west end of the building closed off, I really think that's the appropriate way to do it.

Assistant Secretary Smith – On the west end of the transfer building the slab that's behind that that's where the people drop off their debris right?

Mr. Michael Van Loon – Right, there would be enough room to make that maneuver to back in and turn around and pull out.

Assistant Secretary Smith – So if you closed off that west end of that transfer building how does that affect what they are dumping, it doesn't really affect what they are dumping because they are coming along the side and then backing into the back.

Mr. Michael Van Loon – If we close it off we would have to have them come into the front like the rest of the trucks and that's what we were trying to avoid. We can put sensors on that door to work automatically.

Assistant Secretary Smith – The road where I came in alongside the fence, which needs repair also, goes along side the transfer building to the back of the building. Now once they dump are you loading from that slab into the transfer building?

Mr. Michael Van Loon – Yes that material would just be pushed again into a truck that is down below it will not be lifted up.

Assistant Secretary Smith – So that's why that west end has to be open because the materials where the customers are dumping is coming in to that end of the building?

Mr. Michael Van Loon – Yes.

Mr. Jack Campo – The vehicles do pull into the building and that's when the door would closed and then the door on the other end is closed. So when the vehicle is done dumping when it pulls out of the building the electronics activates and opens up the door and lets them out. So it would trap whatever dust it may make or contain it in the building.

Commissioner Pryor – Rather than a side door I see industrial places where they just have plastic curtains like ribbons that hang there. When you pull in or back up they just part away is that something that's a possibility?

Mr. Jack Campo – That would actually be a more simplistic way to do this. Just like going to a grocery store where they try and trap the

cold into a cooler. So hanging a heavy grade plastic could be there all the time it's a good point.

Assistant Secretary Smith – I would like to suggest that they have a rotary door or plastic curtain that can be operated to open and close and if that doesn't work then the recommendation would be to close off that end.

Chair Howard – And Mr. Wuerth's contention was who was going to monitor to see if that was going to be sufficient. Or would we like to table this to July 20<sup>th</sup> have the petitioner speak to Mr. Wuerth work out something that's amenable to both parties?

Vice Chair Kupiec – The problem with what Assistant Secretary Smith is saying as I see it, is you're talking about truck wells which means you have to have an elevation going downward into the earth and have a structure to support that. Once the expense is incurred putting truck wells in it would be rather difficult to ask them to shut everything down and rearrange it at that point and time. He would have to shut down all the truck wells and reposition them on the other side of the building. I understand with what you're saying but I can't agree with the concept because once the expense it's not a trial and error situation it's a big expenditure.

Chair Howard – Here's the thing sir, I believe more than most that you are trying to be very accommodating and we don't want to penalize you for your accommodation. What I would like to do is have a meeting of the minds because you have several wonderful ideas. Mr. Wuerth by far has an idea of how he would like this to proceed as well, but we don't want you to be penalized because you're trying to accommodate us by providing several engineering options. We want to find out what works best so to the maker of the motion would you support tabling to our next meeting the 20<sup>th</sup> have them talk to Mr. Wuerth perhaps even speak to Engineering about item number 6 and then coming back to us on the 20<sup>th</sup>?

Assistant Secretary Smith – Yes I will support to table to July 20<sup>th</sup>.

Vice Chair Kupiec – Okay I will go along with that.

Chair Howard – So sir if you would we are going to have you speak to Mr. Wuerth and Engineering let's work out something that's amenable between the two parties and hopefully we can work this out.

Mr. Jack Campo – Thank you Madame Chair we will do everything we can. Keep in mind what we are talking about really is enclosing

the whole west end of the building when we bring the siding down and enclose it. The only thing that would be exposed is two doors that the trucks would enter and exit out of. Even if we did enclose the whole west end of the building the truck wells would still remain the only thing that would change would be the outside traffic the revenue source I was talking about would be cut off or rerouted into the interior of the building with the rest of the trucks.

Chair Howard – As long as that’s indicated on the site plan and I think with those modifications we will have a completed site plan and I think we can go further with this. You have been very accommodating.

Mr. Jack Campo – I thank you very much I do appreciate it.

Chair Howard – We have a motion by Assistant Secretary Smith to table supported by Vice Chair Kupiec to table this to July 20<sup>th</sup>.

**ROLL CALL:**

The motion carried as follows:

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

Chair Howard – Thank you sir we will see you on the 20<sup>th</sup>.

- L. SITE PLAN FOR NEW PARADOX CHURCH LOCATED WITHIN THE CORT FURNITURE BUILDING; Located on the west side of Mound Road; approximately 202 ft. north of Elmer Road; Section 17; 28241 Mound; Pastor Craig McGlassion.

**PETITION PORTION:**

Mr. Craig McGlassion – Good evening Commission appreciate your time this evening. I am the lead Pastor of Paradox Church I am also the Church’s founder I brought a couple people with me tonight our Architect as well as our Construction Manager so hopefully they can help with some of the questions. We are here tonight to seek your approval for our site plan to be able to do an internal renovation of

location on Mound that would service us as 24/7 facility for our Church.

We have been operating about 9 years now as a church, we have been in the City of Warren for 7 of those years. We love the City of Warren we would love to continue to stay here and serve the people of Warren, but the current facility that we are in is no longer meeting our needs. We feel like the facility that we've looking at and presenting this evening would all fill the needs that we have. So we are here, to hopefully obtain that approval and answer any questions.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

**ENGINEERING:** Preliminary review of this site yielded the following comments.

1. Any improvement in the Mound Road right-of-way are subject to the approval of the Macomb County Department of Roads.
2. This development must comply with the City of Warren Storm Water Management Plan.

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

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet.
3. Provide Fire Department lock box (Knox Box) as required by local ordinance.

**DTE:** Approved.

**ZONING:**

1. Section 4.32 (i) – Maneuvering lanes should be twenty-two (22) feet in width.
2. Section 4.32 (i) – Parking spaces that do not abut a continuous curb should be twenty (20) feet in length.
3. Section 4.32 (g) – Parking requirements for the existing uses are not stated on the proposed site plan. Additional parking variances may be required.

Ms. Michelle Katopodes reads the recommendations of the Staff:

**MOTION:**

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

COMMISSIONERS PORTION:

Commissioner Robinson – I would like to know what is the reason for the outdoor propane tank?

Mr. Craig McGlassion – For that I will have to defer to the building owner I'm not sure how to answer that question.

Mr. David Jankowski – The propane tank is for the Cort Furniture. I'm lost to as to why the propane tank was there.

Commissioner Robinson – Would you enter at the middle of the building is that where your parishioner's would go in the middle and then it would go upstairs?

Mr. Craig McGlassion – Correct, it enters into a 3000 square foot opening like a lobby entrance and then the remaining square footage that we would be utilizing is on the second floor.

Secretary McClanahan – You had mentioned 24/7?

Mr. Craig McGlassion – We are actually renting space right here in the Community Center and we are pretty limited because of that so we have approximately 7 hours a week. We set up on a Sunday morning, unpack all of our equipment, and then we reverse that at the end of the day. Our staff are using home offices, all of our functions outside of Sunday mornings, are taking place in people's homes or restaurants or we are renting other facilities. So this would be the first time in our Church's history that we have something available to us beyond that seven hours a week. We certainly wouldn't be using it 24/7 but it gives us that type of access.

Assistant Secretary Smith – Mr. Wuerth I have a question on item C it's after note two. It says a six foot high concrete wall exists along the east 590 feet of the south property line. An additional 70 ft. of greenbelt is also provided as a living screen. The rest of the property has an existing tree greenbelt along the south and west property lines. A buffer is required along the south and east property lines as they abut the residential zones. The east property line is going to be Mound Road so there wouldn't be any wall there?

Mr. Wuerth – Of course that's wrong it should be west.

Commissioner Rob – So you will not be using the propane tank at all am I right?

Mr. Criag McGlassion – No sir.

Commissioner Rob – So it will go under the building?

Mr. Craig McGlassion – Correct.

Commissioner Rob – You are going to go to the Board of Appeal's to get a variance on it even if you are not using it?

Mr. Craig McGlassion – No, I think we need to find out what it's there even for.

Commissioner Rob – How is it going if the applicant himself is not using the propane tank the building owner has it for another reason who is going for the variance?

Mr. Wuerth – Ideally the owner should go to the Zoning Board of Appeals or make sure that the Paradox Church goes to get it.

Commissioner Rob – Does the Cort Furniture still exist there?

Mr. Craig McGlassion – Correct.

Commissioner Rob – What is your plan for that are you going to use it?

Mr. David Jankowski – I will investigate this and I'll give you a full report regarding this propane tank because this is new to me to.

Commissioner Rob – It's not fair that the petitioner has to go to the Board of Appeals for a variance.

Mr. Wuerth – I'll answer that, when we go to a site we look at every foot of that site and if we find things that are out of kilter or don't meet the ordinance then we call attention to it. If they want to keep that tank there then they have to get a variance otherwise remove it from the site. It's our standard procedure when we go to a site to look pretty hard to inform you, as the Planning Commission, that there are these concerns then have the owner or petitioner or whomever it is that's coming before this Board to take care of the problem.

Commissioner Rob – Thank you, that makes sense. I hope either the building or the petitioner will be able to address this issue.

Vice Chair Kupiec – You said you're currently operating in the City of Warren where are you operating from?

Mr. Craig McGlassion – Right here sir we actually rent space out of the Warren Community Center. Adults meet here in the auditorium on Sunday morning and for kid space we utilize many of the surrounding class rooms. We have a lot of young families where any given week where a third to a quarter of our attendance is children so we utilize a lot of space, that's actually the space we are outgrowing the most.

Vice Chair Kupiec – Now in moving to the Cort Furniture Building are you leasing space there and what will your actual hours of operation be?

Mr. Craig Glassion – That's correct we would be leasing space, during the week it would be nine to five on Sunday mornings we have service at 10:00 o'clock we are usually done by one but with a facility of our own we may go a little bit longer than that with it being a facility of our own. We'd be able to have other functions on Sunday mornings and not be pressed so much for time. The good thing about us meeting in that facility on a Sunday morning is that the other two tenants are not occupying their space on Sunday it would only be us.

Vice Chair Kupiec – Do you have the modifications to do the renovations in that facility or are you going to use it exactly how it is?

Mr. Criag McGlassion – Yes there would be some modifications.

Vice Chair Kupiec – Who is incurring the expense you or the building owner?

Mr. Criag McGlassion – It's a mix of both but primarily us yes.

Vice Chair Kupiec – The other thing that the building owner has to consider that Mr. Wuerth cited in his inspection is the trash enclosure. Right now you have a dumpster thrown outside which by the ordinance is illegal you'd have to put up a trash enclosure or store the dumpster inside along with the propane that's another issue you have to address.

Mr. David Jankowski – We will address those two issues immediately.

Vice Chair Kupiec – So you as the owner of the property will address them as opposed to the Church that's leasing the property?

Mr. David Jankowski – Yes.

Vice Chair Kupiec – So this lease property you have will be accessible to your patrons 24/7 every day of the week how does this work since Cort is a business does he have a separate entrance for you to get in and out of?

Mr. Craig McGlassion – Yes we have our own separate entrance there are three doors in the front of the building each one lead to three separate units we would be the middle door with our own access.

Vice Chair Kupiec – How many members do you have?

Mr. Craig McGlassion – Currently we have 300 members.

Chair Howard – Sir in regards to the dumpster, we have two items here whether you can move the trash enclosure inside therefore there would not be a bond, or whether one would be constructed so we would need vote on that. Is this trash enclosure something that you can move inside the building sir?

Mr. David Jankowski – I can't speak for the tenant Cort Furniture right now so I would have to discuss that with them.

Chair Howard – Alright then what we are going to do is have the bond of \$500.00 based on the Planning Director's recommendation. If you find that Cort Furniture can move that dumpster inside it would just be a minor amendment and we can make the adjustments from there. With that being said, that was a motion by Commissioner Rob supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

M. SITE PLAN FOR NEW COSMETOLOGY SCHOOL LOCATED AT THE NORTH END OF A RETAIL PLAZA; Located in the south east

side corner area of Eleven Mile and Ryan Roads; Section 20; 4100 Eleven Mile; Michael Deutsch.

Chair Howard – Mr. Wuerth has recommended that this Commission table this item until July 20<sup>th</sup>, 2015.

MOTION:

A motion was made by Commissioner Rob to table until 7-20-15, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

None at this time.

8. BOND RELEASE

- A. SITE PLAN APPROVAL FOR PARKING LOT EXPANSION FOR DE LA SALLE HIGH SCHOOL; Located on the southwest corner of Common Road and Gloede Drive; 14600 Common Road; Section 12; De La Salle Collegiate High School (Timothy L. Germain, P.E.). Release of Cash Bond paid on February 22, 2013 for \$3,000.00.

MOTION:

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

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

- B. SITE PLAN FOR CO-LOCATION OF COMMUNICATION ANTENNAS ON AN EXISTING DETROIT EDISON TOWER AND A NEW EQUIPMENT BUILDING; South side of Masonic Blvd., approximately 533 ft. west of Shawn Drive; 13992 Masonic Blvd.; Section 1; City of Warren. Release of Surety Bond paid on May 29, 2002 for \$10,000.00.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

9. OLD BUSINESS

- A. MINOR AMENDMENT TO EXISTING SITE PLAN FOR PARKING EXPANSION; Located to the northeast of the end of Concept Drive; 1990 Concept Dr.; Section 19; Ground Effects (Larry Nichols). Minor amendment is for additional parking area. **TABLED.**

MOTION:

A motion was made by Assistant Secretary Smith to remove from table, supported by Secretary McClanahan.

PETITIONERS PORTION:

Mr. Larry Nichols – I’m representing Ground Effects. We are just adding a minor parking area at the end of Concept Drive on a private drive to the north. It’s roughly 38 feet wide and about 220 feet long with 19 parking spaces. It’s all industrial M2 in that area. We have applied for two variances at this time and it sounds like there’s a third one that we are going to have to ask for. In the adjacent parking lot

to where we are putting this in they have about 300 to 400 trucks that go in and out of there every day so that's being listed as open storage at this time.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

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

1. The site plan shall contain a legal description for the parcel in question. Parcel 13-19-326-022 (No property address has been assigned) is currently owned by CTP Newco LLC which is the same property owner as 1990 Concept Drive.
2. The overall dimension provided for the proposed pavement area does not equal the total of the curbed island, maneuvering lane and parking space length. Revise as necessary such that all dimensions meet City ordinance parking requirements.
3. The perimeter of the parking area shall have concrete curb and gutter.
4. A system of internal drainage shall be provided. Detention may be required.
5. Show all existing utilities on the site plan to ensure that the proposed improvements do not conflict infrastructure.

**FIRE:** Approved.

**DTE:** Approved.

Ms. Michelle Katopodes reads the recommendations of the Staff:

Chair Howard – We first need to determine is this a minor amendment to this particular site plan. If we come to the conclusion that it is not a minor amendment then this item would be denied.

Commissioner Rob – So this would be submitted as a new site plan?

Chair Howard – Yes you'd need to submit a new site plan.

Commissioner Rob – There are variances required and a lot of other things. I don't know how it comes as a minor amendment.

Chair Howard – Would you like to put a motion to deny this sir?

Commissioner Rob – So first we are doing a minor amendment right?

Chair Howard – Right if we determine that this is not a minor amendment then this item would be denied. However the petitioner

would need to go back and provide a regular site plan for the changes that he is about to make.

Ms. Caitlin Murphy – According to your Rules of Procedure if the Planning Department determines that the revisions are significant the applicant and the Building Division shall be notified by letter by the department that a revised site plan approval must be received from the Planning Commission.

Assistant Secretary Smith – I would like to make a motion to deny it as a minor amendment.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – That's based on the recommendation of the changes that need to be looked at as far as the guidelines go. The recommendation says it needs to be considered as a regular site plan approval instead of a minor amendment.

Commissioner Rob – We are not denying the plan we are just telling you to come up with a new site plan because there's a lot of things involved. I personally believe because it's a zoning issue you need to go there first and get approval and then come back here.

Vice Chair Kupiec – Are you in the transporting of vehicles business?

Mr. Larry Nichols – Ground Effects is in the bed liner business. So they bring in new pickup trucks into the factory and spray in the bed liner and then they stage them in that parking lot there. So those trucks are coming and going all day long with drivers. Some trucks come in on a car hauler so there's a lot of activity in that big open storage. My site plan probably won't change that much, I think it's just really the variances.

Vice Chair Kupiec – Well I think that's the thing to do then at this point. Follow the recommendation of the Planning Department, meet with Mr. Wuerth and go over what you have to with him so you have a good understand, then revise your plan and bring it back to us for approval.

Chair Howard – That was a motion to deny by Assistant Secretary Smith saying it is not a minor amendment, supported by Commissioner Pryor.

ROLL CALL:

The motion carried as follows:

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

- B. MINOR AMENDMENT TO SITE PLAN FOR NEW RELIGIOUS CENTER; Located on the south west corner of Diena Drive and Schoenherr Road; 27643 Schoenherr Road; Section 14; Sejad Melkic. Minor amendment is for a canopy and HVAC unit.

PETITIONERS PORTION:

Mr. Hisham Turk – I'm the Architect. We already have the site plan approval but after we applied for the Building Permit when we were working on the drawings we found out that we need space to put our HVAC unit. We found that there is that small canopy in the rear that existed and we thought maybe we can make it a bigger canopy and put the HVAC unit under it.

Secretary McClanahan reads the correspondence as follows:

**TAXES:** No Delinquent Taxes.

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

1. All storm sewer which extends from adjacent parcels shall have an easement for between the parcels that share utility.
2. The trash enclosure and dumpster shall not be constructed over an easement.
3. Screening walls are proposed over shallow storm sewer. The designer should investigate if the wall footings will impact the exiting storm sewer.
4. The existing steps and bollards along the north side of the building may impact the width of the maneuvering lane.
5. The minimum drive approach opening width for two-way traffic 26'. The drive approach and sidewalk across the approach shall be constructed to meet Macomb County Department of Roads (MCDR) and City of Warren standards.

6. Any improvements within the Schoenherr Road right-of-way shall be subject to the approval of MCDR.

**ZONING:** A site plan review and field inspection of the property was performed on May 21, 2015. It was determined that the proposed canopy would not comply with the setback requirements of Section 12.08 of the Zoning Ordinance. A Zoning variance will be required.

**DTE:** Approved.

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

1. Must meet the requirements of the 2012 Edition of the Michigan Building Code for an A-3 use group.
2. If required by the Building Code, the building must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13. Fire Department Connection threads shall be National Standard type and a fire hydrant shall be provided within 150 feet of the Fire Department Connection.
3. If the basement will be used for storage, the basement shall be equipped with an automatic sprinkler system or separated from the floor above as required by the Michigan Building Code.
4. Maintain existing Fire Department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 ft. 6 in.
5. Provide fire alarm system if required by code.
6. Provide Fire Department lock box (Knox Box) as required by location ordinance.

Mr. Wuerth reads the recommendations of the Staff:

Chair Howard – This is a two part approval. First we need to approve that this is a minor amendment we need to make a declaration as to whether this is a minor amendment and then we will approve the site plan.

Commissioner Rob – So if we go forward and approve it then it has to get a variance right?

Chair Howard – Yes they are going to have to get a variance based on the recommendation.

Commissioner Rob – The setback has nothing to do with the variance am I right, it's only one variance?

Mr. Wuerth – Number one is simply we need a dimension from the canopy to the nearest off set rear property line, you can see it up there the property is unusual and makes a turn and that's where the dimension comes into play.

Commissioner Rob – So this is only one variance issue.

Mr. Wuerth – Just a variance to be that close to that offset rear property line.

MOTION:

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

MOTION:

A motion was made by Assistant Secretary Smith to approve the site plan for this minor amendment, supported by Commissioner Rob.

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

C. SITE PLAN FOR COLLISION SHOP WITH OUTDOOR STORAGE

AREA: Northwest corner of Eight Mile Road and Mullin Avenue; 11255 Eight Mile Road; Section 34;8 Mile; Mullin Investment (Robert J. Tobin). Removal of closeout of Site Plan done incorrectly on January 12, 2015. Re-instate Site Plan.

Chair Howard – This reinstatement of the site plan can you give us some insight here he said it was done incorrectly, are we getting a new site plan?

Mr. Wuerth – No you will not see a new site plan you will see the existing site plan that was taken away before, we are just bringing it back simply because a mistake was made.

Chair Howard – So we are voting to close out the old site plan is that what we are voting on this evening?

Mr. Wuerth – No you are not going to close it out.

Chair Howard – So this is just a receive and file?

Mr. Wuerth – The site plan is real, it never should have been like an expired site plan.

Chair Howard – So we are going to correct an administrative error?

Mr. Wuerth – That’s correct.

Vice Chair Kupiec – Can Mr. Wuerth tell us what was done wrong so that we understand and hopefully this problem won’t happen in the future.

Mr. Wuerth – It was just a mistake someone made a mistake looking at the date it was a clerical error. The Commission didn’t do anything wrong it was a Planning Staff mistake.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

MOTION:

A motion was made by Secretary McClanahan to correct the administrative error, supported by Commissioner Smith.

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

- D. SITE PLAN FOR COLLISION SHOP AND A RENTAL CAR LOT;  
West side of Mound Road, approximately 167 ft. north of Hayden Street; 21083 Mound Road; Section 32; Alqush LLC; (Robert Tobin). Expired Site Plan – Approved on November 26, 2012.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – On this particular I just need a clerical correction this one says 167 feet north of Hayden Street and the item on 6A shows 165 feet north of Hayden I don't know which one is correct?

Mr. Wuerth – I don't have the correct answer, I will find out for you for the next meeting.

10. NEW BUSINESS

Center Line draft Master Plan Review and Comment.

Chair Howard – In your package you have the Master Plan from Center Line I think this is a great guide for us considering we are actually in the process of our Master Plan.

Mr. Wuerth – Commissioner Smith and I attended a meeting in Center line to look at and comment on their Master Plan several months ago maybe a year ago. The procedure is that the Planning Commission read and review it, and others in the Administration should also review it to make sure it doesn't clash with Warren's. So whatever comments you have at the next meeting we will send a letter to Center Line and they can do with those comments as they please.

Chair Howard – Since we will be meeting on Wednesday we can have this along with the other items that Michelle has provided for us as well to go forward. Since they are our neighboring city it's great to know what they are about to do.

MOTION:

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

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

From last meeting until this meeting I did have eight meetings with various professionals. As you've seen come before you here there are a lot of different are coming up. During that time period I also attended one Staff Meeting with the Mayor and all the Directors. I attended a TIFA Meeting they are always discussing Van Dyke Avenue from Stephens down to Eight Mile and the concerns there.

They are trying to sell some of the property they own and get people with business in that area. I attended a Block Grant Meeting. There was a meeting with the Attorney's Office regarding the Marijuana Ordinance that we tabled tonight that was extensive.

I did talk to Annette Gattari-Ross regarding the other diesel fuel site that's located south of Mound Road and I basically made a complaint there. That's a site that the Planning Commission recommended and the City Council approved a conditional rezoning. One of the conditions of that was that no trucks would park, stand or stop there after fueling they'd have to move on across the road they are able to stay and probably sleep overnight, but not at that location it was specific because residential homes are nearby. As I drive home from Planning Commission Meetings I see them parked there and so I've basically made a complaint to Annette who is going to move forward with a letter. I've already met with the owner of the property but that didn't seem to do any good. So we will see what happens with that.

Also met with some of the leaders of General Motors to discuss all of the new jobs, buildings, and other changes that they are going to do in the Technical Center. So I've made contacts there and I've got meetings set up next week to push forward with them. I attended the Prestige Cadillac ground breaking ceremony last week I look forward to seeing that business working. I think General Motors is also excited to see them right across the street.

Finally I attended the Rotary Club Presentation as our Chair Howard did for the Mayor as Citizen of the Year. With that that's the Director's Report.

13. CALENDAR OF PENDING MATTERS

Chair Howard – The Master Plan Sub Committee will be meeting this Wednesday at 4:30. We will be meeting with Doctor Jim Jacobs from Macomb Community College to give us some inside direction and demographics on what's going to be going forward. I want to thank everyone again, it being 11:00 o'clock, one of our later meetings, I know it was a lot. My objective is going to be to try not to table as many items because that's only going to encumber our meeting for the following week and try and hash things out. We will try and table no more than two to three items per meeting that way we won't have an agenda that is 16 items long. I thank you so much for your time.

Assistant Secretary Smith – I just have to clarify some information on the sheet that was passed out. I know that a certain number of us,

our term expires at the end of June and Commissioner Robinson who just came on board they have her term expiring at the end of June too. I'm trying to figure out if that was a mistake.

Vice Chair Kupiec – What it is it's a replacement position and the replacement position expires on that date so it's up to the new person to renew themselves. It's a replacement position that's why it expires on that date.

Ms. Judy Hanna – So who she replaced is expiring and that's why hers will expire. I believe all of the members that are expiring need to contact the Mayor's Office.

Vice Chair Kupiec – In reference to your comment about the extended meeting tonight, one thing we might want to recommend also is on date certain when we table something we seem like we stack them all to the next meeting. Do we have to do that or is that something that's flexible?

Chair Howard – No sir, I think we can probably move forward and push them out. I think our concern is if it's something that's been tabled or something that's been waiting we try to get in as quickly as possible. I think in terms of our stacking agenda items based on how long they've been on the agenda and how quickly we can get to it, but we do want to use some concern going forward. I know Mr. Wuerth mentioned going to two meetings per month starting in August so that we can try and get some of this up and going.

#### 14. ADJOURNMENT

##### MOTION:

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

The meeting adjourned at 11:09 p.m.

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Jocelyn Howard, Chair

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Jason McClanahan, Secretary

Meeting recorded and transcribed by  
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DRAFT