CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on July 20th, 2015 at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, July 20th, 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
Claudette Robinson
Warren Smith, Assistant Secretary

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 7:13 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL
Chair Howard – We did receive correspondence from Commissioner Rob as well as Commissioner Vinson on their absences this evening.

MOTION:
A motion was made by Assistant Secretary Smith to excuse Commissioners, supported by Secretary McClanahan. A voice vote was taken and the motion carried unanimously.

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4. APPROVAL OF THE AGENDA

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

5. APPROVAL OF THE MINUTES – June 22nd, 2015

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

Chair Howard – To our petitioners this evening, we are missing two Commissioners this evening if you would like to be heard by a full commission you have that right. If you decide for us to hear your item this evening you will be taking the decision of this body this evening, but you do have that option to have a full body if you so desire.

6. PUBLIC HEARING ITEMS:

A. SPECIAL LAND USE PERMIT AND SITE PLAN APPROVAL FOR EXPANSION OF USED CAR FACILITY; Located on the north side of Eight Mile Road between Albany and Syracuse Avenues; 5785 Eight Mile Road; Section 32; Majed Marogy (Kerm Billette). **TABLED.**

MOTION:
A motion was made by Assistant Secretary Smith to remove from table, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried unanimously.

PETITIONS PORTION:
Mr. Kerm Billette – I'm representing Mr. Marogy with the application for a site plan approval and for the City Council for the Julian Auto Sales on 5785 E. Eight Mile Road. We've been to the Board of Appeals they approved the items that we requested. The Planning Commission had to table because there was two or three items that had to be taken care at the Board of Appeals. So we went back, so the meeting tonight is a result of the approval of the Board of Appeals for the last item.

We have submitted the number of copies required although there may be changes in the drawing with possibilities of submitting

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different copies. We submitted the complete property survey and we will be submitting the necessary lot combination, which is an application and plans that show how all the lots are combined under one ownership. Presently there are five or six different ownerships and eight lots all together. A lot on Albany, a lot on Syracuse, and six or seven lots on Eight Mile Road. They will be combined with one number, the tax assessor will make it easier for him. We will be submitting the application for approval to the City Council whenever it's permitted.

Secretary McClanahan reads the correspondences as follows:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review of this site yielded the following comments:

1. The proposed drive approaches to Albany and Syracuse Avenues shall be constructed to meet current City of Warren Standards.
2. The existing drive approach to Syracuse shall be removed and new concrete curb and gutter installed across the opening in conjunction with the propose drive approach.
3. Any improvements within the Eight Mile Road right-of-way shall be subject to the approval of the Michigan Department of Transportation.
4. Internal drainage shall be provided. Detention may be required.
5. Existing DTE poles exist within the alley which is proposed to be vacated. Utility easements shall be granted, as necessary, prior to the alley being vacated. These poles will also impact the usable width of the maneuvering lane and the actual usable width shall be noted on the plans and shall be in conformance with minimum two-way traffic requirements.
6. The proposed parking area requires concrete curb and gutter around the perimeter. Also, adequate distance for vehicle overhang shall be provided around the perimeter of the site.
7. Along the southern face of the building there is a proposed 4' gap between the bumper block and face of building. This distance does not meet current standards between pedestrian traffic and vehicle overhang.
8. The southern drive approach to Albany Avenue shall be eliminated due to the close proximity of the Eight Mile intersection.
9. Vehicles parked along the westerly property line may experience difficulty backing out of the spaces due to the proposed location of the wrought iron fence adjacent to those spaces.

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10. Parking space dimensions provided do not meet minimum requirements for 90 degree parking.
11. Proposed handicap parking spaces shall be identified on the site plan.
12. The legal description does not match Macomb County records. Parcel 13-32-482-037 is only lots 35 through 38. A parcel combination request may be required.
13. The maneuvering lane in the southeast corner of the site shall be dimensioned between the proposed parking spaces.
14. The location of the proposed trash enclosure shall be shown on the site plan.

DTE: DTE has no objection for the use of Lots 28-34 for the expansion of the used car facility, except for the 20 foot wide proposed alley vacation. DTE has utility poles and cables within that 20 foot proposed alley vacation.

ZONING: The property referenced above is Zoned C-2 General Business District and R-1-P One Family Residential District. The parcel numbers are 13-32-482-037, -031, -032, -033, -034, -035, -036, -016.

Several variances have been granted for parcels listed above.

The following items do not comply with the Zoning Ordinance and will require variances to:

- Allow the expansion of an existing Used Car Lot into an R-1-P District.
- Allow the expansion of an existing Used Car Lot adjacent to an R-1- P Zoned District.
- Allow the expansion of an existing Used Car Lot less than 700' from a proposed Used Car Lot at 20787 Mound Road.
- Allow hard surface for parking to the front property line and to the side property lines (north and south) as per plan.
- Allow 28 vehicles to be stored on property Zoned R-1-P, as per plan.
- Allow Used Cars to be parked in a stacked formation as per the plan.
- Waive the required wall/greenbelt along the north property line.
- Install an 8 foot tall wrought iron fence as follows:
  114' along the north property line (25' extends into the required setback)
  160' along the west property line in the required setback.
  114' along the south property line in the required setbacks, as per plan.
- Waive, 8 required customer parking spaces.

Other items observed:

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- Unlicensed vehicles parked on Albany Street.
- Unlicensed vehicle parking in the public right of way along Albany Street.
- Sidewalk obstructed with a used vehicle at overhead door on east side.
- Maneuvering lanes in main lot blocked with used vehicles for sale.
- Vehicles for sale in other areas of main lot not approved on previous site plan.
  Approved spaces: 24. Actual number of vehicles for sale in main lot: 34.
- No customer or employee parking spaces provided, customers to have park on the street.
- Spikes installed on metal fence.
- Dilapidated wood fence along 8 Mile Road.
- Dilapidated fence along north property line.
- Number of vehicles parked in lot at 20735 Albany exceeds number of parking spaces approved on previous variance. Approved spaces 13. Actual 23

FIRE: Approved.

Chair Howard – We do acknowledge the presence of City Councilman Warner who is here in the audience with us.

Mr. Ron Wuerth reads the recommendations of the Staff:
*Eliminate 1B and I would recommend that the following numbered items should be retained 3, 4, 5 the rest should be removed.

Mr. Kerm Billette – We agree with the recommendations and we will be submitting the property combination as well as doing the other things that are required.

Chair Howard – Please, not that this is a two part approval we have a Special Lane Use Approval and then we have Approval of the Site Plan.

<u>MOTION:</u>
A motion was made by Vice Chair Kupiec to approve the Special Land Use, supported by Assistant Secretary Smith.

<u>COMMISSIONERS PORTION:</u>
Chair Howard – I have one concern. The concern I have Mr. Billette, and I do recognize all of the hard work that you have put into this project. I have a concern about the number of vehicles that are

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going to be there between Eight Mile and Albany. Both what you have there existing and then what you are proposing. I'm also concerned about the metal fencing and how that is going to appear to the residence in that particular area, it's almost as if they are being fenced in that area. For the health and the wellbeing of the community it doesn't suffice for me. I know you've gotten your necessary permits and also the necessary variances but those are concerns that I currently have. Are you actually putting 119 cars?

Mr. Marogy – It's going to be less than that.

Chair Howard – How many current vehicles do you have on your lot currently?

Mr. Marogy – About 25 cars.

Chair Howard – And you're going to increase that by how many?

Mr. Marogy – About 80.

Chair Howard – As a total?

Mr. Marogy – Yes.

Chair Howard – I have some concerns about that especially how your facility is actually set up currently.

Assistant Secretary Smith – Madame Chair wouldn't your concerns be under the Site Plan Approval part?

Chair Howard – I think that we have two aspects and first the site plan. The Special Land Use is for the expansion of this particular area.

Assistant Secretary Smith – Right but the concerns about the space should be under the site plan.

Chair Howard – We could discuss it there as well and to get to the site plan approval we're actually going to be looking at that Special Land Use to expand that. So my concern over all is for the Special Land Use as well as the Site Plan. I know it's conforming with the other areas but for the sake of the residents is where I have my concerns. We will take a vote on the Special Land Use and then we'll take a vote on the Site Plan Approval.

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ROLL CALL:
The motion carried as follows:

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

MOTION:
A motion was made by Secretary McClanahan to approve Site Plan, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:
Assistant Secretary Smith – I've been checking other car lots and one of the problems I'm having with this site plan is the number of cars. Its 119 cars, all the other lots that I've looked at up and down Eight Mile don't have that many cars. You are going to sandwich them in between the alley and the residential and I don't particularly like that. The other thing is are you moving that many cars, are you selling that many cars a month to where you're going to need to have that many cars on the lot?

Mr. Majed Marogy – No, not for now.

Assistant Secretary Smith – So why would you need that many spaces if you're not going to sell that many cars. You're maybe going to sell one or two cars a month and all these other cars will be sitting there for us to look at. That's one of the problems I have with this site plan. To me the site plan needs big revisal because there's too many cars in that small spot.

Mr. Kerm Billette – One thing that should be noted is that the 56 cars on the back of the property, that's inventory. There may or may not be any cars back there until he buys them and replaces them. The main part is the sales lot up in front which is approved that's why it was split into two separate parts. The back part is going to be stock for sale to sell to other dealers and it may never be filled up, the north part that's up against the masonry wall that was required against the residents.

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Vice Chair Kupiec – I have a concern about all the cars maybe now it's a matter of trying to organize yourself, to get situated, but there were cars parked on a public street without license plates infringing upon the neighbors right to have ability to park in their neighborhood. So hopefully that's not going to continue once you open your car lot and you have your area fenced in you'll keep your cars within your own perimeter not on the streets. They don't belong on the streets or along Eight Mile Road.

Secondly, is the fence that you're going to put up going to be consistent with the existing fence to your adjoining neighbor as far as the color and design?

Mr. Majed Marogy – It will be the same yes.

Vice Chair Kupiec – So it will be the same matching colors and everything?

Mr. Majed Marogy – The color I haven't decided yet, I don't know, I'll be honest with you.

Mr. Kerm Billette – The fence against the neighbors is required for the first 25 feet back from the two streets and then the rest required is a 6 foot masonry wall. I think that the setback for the masonry wall is required by ordinance.

Vice Chair Kupiec – I'd like to recommend that we make it a cash bond, Mr. Wuerth recommended $3000.00 which I agree with but I'd like to see a cash bond.

Chair Howard – That was a motion by Secretary McClanahan do you support that sir?

Secretary McClanahan – I sure do.

Chair Howard – Vice Chair Kupiec?

Vice Chair Kupiec – Yes I agree.

Chair Howard – Mr. Wuerth, we do know that they have been before the Zoning Board of Appeals but also within our package there is a list according to Mr. Secretary who has read a list of variances. Are these variances that have been obtained already or are these existing variances that need to be obtained as well that's in our proposal?

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Mr. Ron Wuerth – You mean the list at the end of the recommendations by Zoning?

Chair Howard – Yes sir.

Mr. Ron Wuerth – That's from their list that they set forth that have already been approved and you can see that back in the finding if you look under list. On page 2 you'll see that they've been there 3 times this year March, May and July, which comes to 13 variances it covers what's mentioned.

Chair Howard – So all of these variances we can go ahead and omit?

Mr. Ron Wuerth – Yes.

Chair Howard – Thank you I wanted to make sure that there wasn't anything that was outstanding. With the number of vehicles that are there both on the street and it seems as if this neighborhood is being blocked in and fenced in. I don't' think it's good for the health and the welfare of the community that's my opinion. That was a motion by Secretary McClanahan and supported by Vice Chair Kupiec roll call please.

ROLL CALL:
The motion carried as follows:

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

B. 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 17.02 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

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inspections, maintenance of records, caregiver cards and transfers. **TABLED.**

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

Chair Howard – We do have our Assistant City Attorney Caitlin Murphy who will be representing this item this evening.

Ms. Caitlin Murphy – You have before you a proposed ordinance that has been asked for by the Administration. It's basically an evolving area of the law but we have come up with some certain restrictions on Medical Marijuana use, growth, transfer that kind of thing, in the City of Warren.

It seems to be a growing problem relating to odor and traffic congestion especially in residential areas. Obviously you've read the ordinance you're seeing the zoning portion there's also going to be a regulatory section when it goes to City Council so you're seeing half of it. It limits residential use or growth to an owner or registered occupant one patient per household so we are limiting what people can use or grow in their own house. That is the biggest concern is the residential neighborhoods. We also are restricting caregivers to cultivating growing or transferring marijuana to M1 and M2 Zones. They have to be at least 500 feet from the residential zones there are a lot of other regulations and restrictions that we are putting on so that we can enforce various aspects of the State Law to keep track of where these business are running and make sure they are running within compliance with the State Law. We are concerned about the traffic, the minors, there's a section in there about not allowing minors on the property unless they are registered patients. So that's a basic overview.

Mr. Ron Wuerth reads the recommendations of the Staff:

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

COMMISSIONERS PORTION:
Assistant Secretary Smith – I just want to add a correction, Section 2.93 of the Zoning Ordinance number 5 it's just a repeat of number 2. So we should probably strike item 2 it's saying the same thing.

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Chair Howard – Ms. Murphy item number 12 on page 12 it indicates that the owner of the facility must obtain a license under chapter 18 of the code of ordinance and shall also obtain a certain certificate of compliance and to be registered with the State of Michigan as a primary caregiver, how long is this license good for?

Ms. Caitlin Murphy – That's actually part of what's still being developed with the Attorney's Office we are still writing the licensing because that's in the regulatory section. I'm not entirely sure how long we will be doing it, maybe a year or two years. It will be something along the lines of our business licensing of one year so I suspect it will probably mirror that language.

Chair Howard – I would like to mirror that as a one year and then they'll have to come back for a renewal. With each one is there an inspection during that time?

Ms. Caitlin Murphy – There will be various inspection required, yes, and then also as you read here there's going to be various paperwork that they'll have to keep on the premises that we will be able to go in and see it to make sure they are in compliance with our requirements and State Law.

Chair Howard – And in terms of disposal if this particular facility decides that they are going to be defunct or they are going to go out of business you mentioned under the ordinance that they need to dispose of these items in a particular manner. Do we have the capacity or is there utilities or facilities available for proper dumping and closing out of these marijuana plants?

Ms. Caitlin Murphy – I assume there is a procedure as with other industrial waste we did put in here that they aren't to store any hazardous chemicals of anything of that sort on the premises. Just because we are concerned with the heat lamps and the potential for explosions and that kind of thing. I wouldn't be that knowledgeable on the actual disposal process but I imagine that it would be something similar to our other codes and regulations relating to disposing of various substances in the city.

Commissioner Robinson – When these guidelines were drafted how does it compare with the surrounding cities to Warren, like Sterling Heights, Center Line, or Roseville. And also is there a limit for the City of Warren as to how many of these facilities we would have in the City?

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Ms. Caitlin Murphy – To answer your first question we are not trying to reinvent the wheel here we did use various ordinances. Southfield, I believe Ann Arbor, varies other municipalities in the State, we did a pretty thorough search of them. We pulled a lot of language so that we are covering all of our bases.

It is an evolving area of the law. A lot of municipalities have decided not to try and regulate and let it go until there is more case law or State Laws regulating telling municipalities how far we can go and what we can regulate. We did a lot of legal research as far as the case law that's out there and the State Law to determine what we can and can't do to the best of our ability. Because it's such a difficult area of the law an evolving area of the law it's a difficult thing to write at this point without more information.

Then to address your second question, there are no limits on the number of licenses, there are limits about geographically where they can be so that will limit the number. Are main concern is keeping it away from residential where odor, traffic and various other nuisances could occur to the residence to the city.

Commissioner Robinson – How often will these inspections take place. I'm sure we will have to hire more inspectors if this get approved to make sure that they are in compliance.

Ms. Caitlin Murphy – I can't speak to how many inspectors or what we'll need, however we do know that there are actually businesses of this nature that are operating in the city. It's in a legal limbo because there's the State Law and we don't have anything on the books today about it. That's why we are very concerned about the odor and the effects on the residents.

Chair Howard – This is a recommendation to before City Council I believe within our comments we did indicate that the licensing be as a regular business license that it be a 1 year and that it would have to be renewed. That was a motion by Assistant Secretary Smith and supported by Commissioner Pryor, roll call please.

ROLL CALL:
The motion carried as follows:

Assistant Secretary Smith……. Yes
Chair Howard……. Yes
Commissioner Karpinski…….. Yes
Vice Chair Kupiec……. No
Secretary McClanahan……. No

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Commissioner Pryor……. No
Commissioner Robinson……. Yes

C. SITE PLAN FOR OUTDOOR STORAGE OF SALVAGED EHICLES; Located on the east side of Schoenherr Road; approximately 462 ft. south of Ten Mile Road; 24660 Schoenherr Road; Section 25; Designers Group, Inc.; Ali Jizzini (Ali Raichouni). **TABLED – TO BE TABLED TO 9-14-15.**

Chair Howard – We did receive correspondence from the petitioner that he would like to have this item tabled until September 14, 2015.

MOTION:
A motion was made by Vice Chair Kupiec to remain on table, supported by Assistant Secretary Smith.

ROLL CALL:
The motion carried unanimously as follows:

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

D. SITE PLAN FOR NEW BUILDING ADDITION AND REMOVEL; Located on the west side of Hoover Avenue and approximately 670 feet south of Hupp Avenue; 22001 Hoover; Section 34; Jack Campo (Michael Van Loon). **TABLED.**

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

PETITIONERS PORTION:
Mr. Michael Van Loon – I'm the Architect. Just to refresh everybody memory this is Metro Sanitation and I'd like to point out once again that they deal in construction debris not in garbage. This project is to basically rebuild their site which partially burned. We have three components to the building that's being constructed that's being proposed. The first is the transfer station where the debris gets dumped and then transferred into semi-trucks. The second portion

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is their repair shop where they repair the trucks and the dumpsters. The third portion is their offices.

When we started designing this in trying to solve some of the current problems that they have we did several things. One of the things was we also put in compliance the backyard setback, we've moved the building 60 foot off the west property line which puts us in compliances with the code and also puts a buffer between us and the adjacent street that's back there.

Typically what they do right now is lift the garbage up and they dump it into the semi's that creates a lot more noise, dust, and some other problems that they have. What we are currently proposing is that the trucks will go down below the slab into two truck pits or wells and the debris will then be pushed into the trucks which will cut down on some of the noise and also contain the dust in that below grade.

The third issue that we were dealing with was some traffic flow problems on the site. So we had proposed keeping the trucks to one portion of the site and some of the smaller trailers in the public to another portion. We had originally designed it so that the back or the west elevation was wide open and the trailers and the public would pull in there back up and drop their loads and then pull out. Part of the recommendation that the Site Planning Department had was to close that elevation up and not have any openings in the west elevations. So we have since redesigned some of the projects we took some space out of the repair shop, we took one of the bays out, we also took some space out of the office building. That shortened the building up giving us a little more room at the back end of the transfer building.

So what we are proposing now is to totally close up the west end of the building, have the public in the small trailers enter the building from the south end actually dump their loads inside the building then pull back around and out and around the back of the building. We are trying to take the recommendations into account and work with Mr. Wuerth. We wanted to make sure we had that covered. The second part of that is it will also cut down even more so on any of the noise or dust that might occur.

Secretary McClanahan reads the correspondence as follows:

TAXES: $15.49 as of 7-16-15
ENGINEERING: Preliminary review of this site yielded the following comments:
1. An accurate legal description shall be displayed on the site plan.

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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 additions 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. Ron Wuerth reads the recommendations of the Staff:
**Just a few comments the petitioners were a pleasure to work with they listened and certainly came back with one of the best plans I've ever seen. They certainly addressed the neighbors concern and I think they have a great plan there.

**As far as taxes are concerned I'd like to remove that as a requirement. And in Engineering remove items 1, 2, 3.

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

COMMISSIONERS PORTION:
Assistant Secretary Smith – At the last meeting we planned on having the people with the smaller percent go behind the transfer building, you said you relocated that. Is that behind the repair office building now?

Mr. Michael Van Loon – No it's still basically in the same spot. What we did was we split the two pits apart, they were together originally. We split them apart and created an area in between the two pits big enough for these trailers and the private people to pull inside drop

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the load between the two pits and then there's a ramp if you look at it toward the east pit that they would go out go down the ramp and then they will circle around behind the building and exit the same way they came in on the same road.

Assistant Secretary Smith – I don't think I'm seeing where you're talking. I see the short ramp, I see the repair office building and then there's a long ramp.

Mr. Michael Van Loon – What we would do is come down the south side of the building pull in between the two pits back up drop their loads and then pull off around this way. I know it's hard to see it.

Assistant Secretary Smith – Very good sir thank you.

Commissioner Pryor – There was talk about a pit, to drop the truck beds so that you can scrape the material into the truck?

Mr. Michael Van Loon – Yes the material would be pushed into the truck, the truck would be below grade and it will just push it into the truck. We have lips, a little edge that comes up and it pushes over into the truck.

Commissioner Pryor – So that you have a way to keep the material from dropping down into the pit?

Mr. Michael Van Loon – Yes we have an edging that goes around that helps guide it into the truck.

Commissioner Pryor – I've had some experience a long time ago with trucks and pits in the winter time and I was wondering if there was a drain in the pit?

Mr. Michael Van Loon – Yes there will be drainage in the pit. The pit is inside the building, we have drainage down below in case someone hits the ramp going out.

Commissioner Pryor – Do you have ice problems in the area?

Mr. Michael Van Loon – We've made the slope on the driveways coming out as minimal as we could just for that reason and we are going to put some gripping segments on it so that it will help.

Commissioner Pryor – So you are already aware of what happens in the winter time.

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Mr. Michael Van Loon – Oh yes, unfortunately we all have to deal with that in Michigan.

Vice Chair Kupiec – The debris dropped by the public coming in it will just sit on the pad until they pull out and then you'll push it into the hopper or into the pit?

Mr. Michael Van Loon – Yes, the trailers that people rent have a mechanism in them and what happens is when they pull in this thing is pulled off so all the debris is pulled basically to the back real close to the edge of the pit and then there is a bobcat that pushes it all the way in.

Vice Chair Kupiec – So they will leave it on a pad the truck will pull out with their box and then they'll push it in once the truck moves out.

Mr. Michael Van Loon – The bobcat pushes it in, yes.

Vice Chair Kupiec – And secondly I'd like to thank you for your cooperation with the neighborhood as far as redesigning your plan to conform with what Mr. Wuerth recommended and also, with what was recommended by some of the neighbors. So thank you very much.

Chair Howard – Again I'd like to commend you as a business in the City of Warren your willingness to work with Mr. Wuerth and what you have designed here is impeccable all of the concerns have been addressed I think it's going to be state of the art it's been a pleasure doing business with you.

ROLL CALL:
The motion carried unanimously as follows:

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

E. SITE PLAN FOR NEW COSMETOLOGY SCHOOL LOCATED AT THE NORTHEND OF RETAIL PLAZA; Located in the south east side corner area of Eleven Mile and Ryan Roads; Section 20; 4100 Eleven Mile; Michael Deutsch. **TABLED.**

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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:
Mr. Erik Heiderer – Erik Heiderer representing Michael Deutsch. Mr. Deutsch has owned Mr. Bella's Cosmetology School a local business in Warren on 12 Mile just west of Van Dyke. They are a private school for hair and nails they are expanding their business and they are outgrowing their existing space so we are moving from existing space into this new retail center.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Approved.
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 have a minimum width of 20 feet.
3. Provide Fire Department lock box (Knox Box) as required by local ordinance.

DTE: Approved.

Ms. Michelle Katopodes reads the recommendations of the Staff:

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

COMMISSIONERS PORTION:
Chair Howard – I think it's in a great area the strip mall there needs a little activity.

ROLL CALL:
The motion carried unanimously as follows:

Assistant Secretary Smith……. Yes
Chair Howard…….. Yes
Commissioner Karpinski……. Yes
Vice Chair Kupiec……. Yes
Secretary McClanahan…….. Yes

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Commissioner Pryor……. Yes
Commissioner Robinson……. Yes

Mr. Erik Heiderer – I have one question, on item 2A getting the variance for the driveway approaches since this is an existing complex that's been there from the 90's and we are a tenant should there have already been a variance for those existing approaches from prior tenants in that exact same space?

Chair Howard – That's a very good question, I will direct you to Mr. Wuerth and he can help and if there were variances he will be able to make you aware of those things.

F. SITE PLAN APPROVAL FOR BUILDING ADDITION TO CONVENIENCE STORE AND EXISTING BP GAS STATION; Located on the south east corner of Fourteen Mile and Ryan Roads; Section 5;4040 Fourteen Mile; Dave Jajjoka (Scope Data).

PETITIONERS PORTION:
Mr. Avis Choulagh – I am the Attorney representing the petitioners. Today's hearing is up for site plan approval for the 14 Mile Road BP Gas Station 4040 E. 14 Mile Road. We are seeking site plan approval with respect to everything recommended with a couple of items in dispute. The petitioners have been present in the City of Warren for over 15 years operating a family owned business serving the community, citizens, and the residents of Warren and outside of Warren. I know I've been going there for years. We are here today to answer any questions this Commission may have. We do seek approval again, contingent upon certain requirements.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review of this site yielded the following comments:
1. A system of internal drainage is required.
2. Any improvements within the Fourteen Mile Road right-of-way will require approval of the Macomb County Department of Roads.
3. The storm sewer outlet for this property is a County Drain. Approval from the Macomb County Public Works Office will be required.

FIRE: Approve.
DTE: Approved.
MCDR: Per voice message, Engineer George Melistas, indicated that the two (2) driveways nearest the intersection of 14 Mile and

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Ryan Roads shall be removed according to the State of Michigan Access Management Guidelines.
ZONING: Preliminary review yielded the following comments.
A review of the proposed site plan and field inspection has been performed. Several property maintenance issues were observed during the site visit and enforcement actions will be initiated for those items. In addition, outdoor storage/outdoor items for sale were observed (2 ice chests, propane tanks for residential use, firewood & windshield washer fluid).

Mr. Ron Wuerth reads the recommendation of the Staff:

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

COMMISSIONERS PORTION:
Commissioner Robinson – I patronize that gas station a lot I live right off of Ryan so I have a question. Here it indicates the State of Michigan Access Management Guidelines that the two driveways nearest the intersection of 14 and Ryan shall be removed I'm not understanding that. What driveways are they making reference to because there's only two ways you enter there either off of Ryan or 14 Mile?

Mr. Ron Wuerth – And to address that particular document it's a document that was put together in the State of Michigan in 2001 by 50 professionals in transportation. It's a guideline document that's been used and is used throughout the State and people follow it. George Melistas is the Engineer for the County and as you can see in the documentation I had a voice message from him and he has the control of 14 Mile Road, the City has Ryan Road. He simply said to me Ron we've been working together for years that will be what the requirement is on 14 Mile Road it's a safety issue a complete safety issue. Safety not only for vehicles but also for pedestrians and you've seen pedestrians there.

Commissioner Robinson – Yes.

Mr. Ron Wuerth – So they have to negotiate their way around that corner and they've got four driveways to walk past, so what this effectively does is reduce it down to two driveways so they don't have so many to entrances. What we are allowing the petitioner is a 30 foot wide drive that can create a one way in they are about 10 foot wide and then the other 10 footers coming out will be either for a

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left hand or right hand turn. So we've used that type of design work here in the City many times.

Commissioner Robinson – So essentially what you're doing is widening it?

Mr. Ron Wuerth – Well we widened the two driveways that are the farthest away from the intersection in our opinion it's much safer and that's what we are looking for is the safety.

Commissioner Robinson – Okay thank you.

Mr. Ron Wuerth – May I, I have one comment. I think Mr. Choulagh he's going to need to provide a notarized document to represent the petitioner so I would appreciate that.

Chair Howard – How would you like that to be stated sir?

Mr. Ron Wueth – It could be in the recommendation I don't see it in the beginning in the affidavit or in the site plan application so it's just a matter of protocol.

Chair Howard – Can you provide that for us sir?

Mr. Avis Choulagh – I absolutely can Madame Chair I apologize I was hired in just a few days ago so I will provide that notarized document. Will I be allowed the opportunity to dispute the recommendations not in accordance with Mr. Wuerth, if I may speak?

Chair Howard – Go ahead sir.

Mr. Avis Choulagh – Though I respect Mr. Wuerth opinion in all aspects I would like to point out to the Commission the primary focus as far as what we are here today to do. The site plan approval, without having to eliminate two of these four driveways. I understand safety concerns I understand any issue that may occur, but to address some items individually number one, per the voice mail of George Melistas as stated, there's allegedly a statement stating that according to the Michigan Access Management Guidelines this is unsafe or hazardous entrance and exit. I haven't had the opportunity to look at that and I don't know where that's sited from or how that's documented. But leaving that aside and taking that for what it's worth and the truthfulness of it, what the petitioners are doing is they are simply expanding an existing building.

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This building has been here for years and what you can see by what we are looking to do is we're going to making this just more of an appealable structure enhance the look for the City. Fourteen Mile and Ryan, in my opinion, is considered a corner stone of our city. It's the entrance way from Oakland County to Macomb, to me, this is vital. The appearance and the look says something about who we are as a community. To change this and better this to what they've already done, to me, means so much.

We are not adding a car wash, we are not adding a mechanic shop, we are not adding an extra convenient store that will initiate more traffic flow. Nothing is changing we're simply expanding a small amount of square footage to allow more room within the store for the patrons and the customers who are already there for gas. When I go into a gas station I go in to pump gas the purpose for me to go into a convenient store is to get something just because I'm already there. Most of their customers come there to pump fuel they are not adding extra service.

I'd like to note something that in my opinion is very significant. Just from what I know from being in the city for so many years and taking drive around this past weekend I personally noticed 9 other gas stations and if I can note them for the record. Thirteen and Schoenherr there's a Mobil and a Shell all with four entrances, 12 and Schoenherr a Marathon and Sunoco all with four entrances, 13 and Hoover not only is there a very busy Walgreens, which I'm sure we are all familiar with there's a Valero, Marathon and the BP and I think it's crucial to note that this BP just up and till two or three years ago, don't quote me on the dates, had an expansion themselves and actually went through site plan approval and kept their four entrances and driveways 13 and Ryan Marathon four entrances, Chicago and Ryan Marathon four entrances.

I'm not trying to compare other things to justify the petitioners case, but I look to see around at the other business that have what they have and to me it would almost be prejudicial to eliminate this. This is detrimental to their business we are willing to compromise and add signs that display to the customers where they can't exit or enter from the certain ones that Mr. Wuerth has in question today. But to make them go through this monetary damage, in my opinion, from what I know things have been okay there, I haven't heard of any detrimental issues, any police fatalities I'm in the court system a lot and I haven't heard rumors about issues there. I'm just asking for the opportunity for them to provide this expansion give this city a nicer look and make that cornerstone on 14 Ryan something we can all appreciate.

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Assistant Secretary Smith – Good evening, I had a chance to look at the site today and I looked at the concern that Mr. Wuerth had about the driveway about the two driveways. I also looked at a couple other gas stations in the area which have the extra driveway like you're saying my concern is 14 Mile and Ryan both are very heavily traveled routes. When that gas stations were built those driveways probably sufficed for the amount of traffic that was in that area. You've got more traffic in that area now, more congestion, you've got a speed limit of 40 miles per hour on both roads if somebody is coming down Ryan or coming down 14 Mile at 40 miles per hour and all of a sudden the person in front of them decides to turn into the gas station in that first driveway there's a possibility of an accident. So I can see the safety part of eliminating those first two driveways. I understand their point but the traffic is not going to get lighter as the years go on the traffic is going to get heavier and heavier because more and more people are driving and as that happens there's more chance of an accident. So I would still like to stick with the recommendation of Mr. Wuerth to eliminate those two driveways for that reason.

Mr. Avis Choulagh – I completely understand your position and I respect it I would just like you to consider the fact that 13 and Hoover is a 45 miles per hour.

Vice Chair Kupiec – Madame Chair are we opening this up for a debate?

Chair Howard – No, it wasn't a debate I think he was responding.

Vice Chair Kupiec – Well that would be a debate wouldn't it.

Mr. Avis Choulagh – I apologize for speaking out of order.

Vice Chair Kupiec – To the petitioner I have to concur with Assistant Secretary Smith I happen to be in this area for 55 years and I remember when Ryan was a dirt road it was two lanes most of the way. I travel that area quite a bit I live within a mile and half of there and it's a highly traffic area. At any given time there can be a pedestrian traffic or a car accident because of the volume of traffic.

Normally when you expand a business or the size of a store it's to get more people in to spend more money. Well obviously to bring more people is going to cause more traffic and that area right now is overly traffic for the size of that driveway and the location and the proximity to 14 Mile and Ryan. I have to concur 100% those two

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driveways should be shut off and the two driveways further back should be expanded, but those two driveways should definitely be shut off it's an accident waiting to happen. By expanding the store business obviously he'll get more gas business and more store business and it's going to bring in more traffic. And I agree 100% that those driveways should be shut down.

Chair Howard – Mr. Wuerth, thank you so much and I do understand the comparison going forward. As you have indicated Mr. Melistas oversees the 14 Mile Road, correct.

Mr. Ron Wuerth – Yes that's correct, assuming they go through with this expansion they will have to get a permit for the driveways and in that case that's when they get to meet Mr. Melistas, if they haven't already.

Chair Howard – Did you want to add anything else you heard all the concerns did you want to add anything else to that sir?

Mr. Ron Wuerth – Actually yes, it occurred to me and I think Mr. Kupiec will remember this that on the other corner there was a transmission shop there it had four driveways. So when all the pharmacies that came to town and a lot of them took out a lot of the gas stations that were located in town, if you noticed every one of them has their driveways to the end of their site and away from the intersection. So it wasn't just gas stations that we worked with it was also pharmacies and other types of uses on corners and that happened to be one of them. If you notice their driveways are located away from that intersection.

Chair Howard – To the petitioner we have a lot of recommendations were there any other items that you had any questions about sir?

Mr. Avis Choulagh – Not at this time.

Assistant Secretary Smith – On item P the concrete base for a pole light exist at the driveway to Ryan Road either the concrete base for the pole light needs to be removed or installed. There's actually four of those there's two on Ryan and two on 14 Mile. What do you plan to do with those are you going to put lighting on those or are you going to eliminate them?

Mr. Avis Choulagh – From my understanding we'll be putting nice new lights.

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Assistant Secretary Smith – And you know the regulations for the lighting can't encroach no more than 20 feet height, you understand all that right?

Mr. Avis Choulagh – I believe they are familiar with that specification.

Chair Howard – And we also have the issue of the outdoor storage those items on the outside we are going to be able to address those items am I correct sir?

Mr. Ron Wuerth – My recommendation was that the outdoor sales should be removed. That was the recommendation and there's a note that should be on the plan. However, it's obvious that other gas stations have outdoor sales so in order to have outdoor sales there you incorporate in the square footage the calculation for the parking. Whoever is doing the site plan if that's your intent to put outdoor sales on the sidewalk they need to incorporate it or they need to eliminate it.

Chair Howard – Now is that something that you would like to have a part of your existing business the outdoor sales?

Mr. Avis Choulagh – Yes they do.

Chair Howard – Mr. Wuerth would you consider us tabling this to make those modifications and bring those back to you or can we just make that as an amendment to this current recommendation?

Mr. Ron Wuerth – That can just be an amendment, I don't see a tabling in this case for that particular item. If they put it on the plan then we won't have a problem with that as it comes back to the office. The site plan that comes back to us will have all the changes and on the site plan it would show some outdoor sales areas.

Mr. Avis Choulagh – Madame Chair if I may address one issue as far as the parking spaces go, 1 N. I believe that will not be an issue so I don't know if Mr. Wuerth would recommend to table or not. I think this site plan the way it was drawn failed to recognize two spaces that would eliminate the issue of having to retain a zoning variance as far as parking.

Mr. Ron Wuerth – Exactly, if the petitioner can find other places on site to have parking space then do so, as long as the maneuvering lanes are good. I did show him a couple of locations or places where two spaces could go I don't know if you'll need a third with the

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amount of outdoor retail sales. I don't see a tabling needed for that either.

Vice Chair Kupiec – I think if we get a commitment from the petitioner to close off those two driveways then we could move forward with the site plan as Mr. Wuerth indicated with some additions to it and get this thing completed. We need to get a commitment on these driveways because I think this is a big issue.

Chair Howard – To the petitioner, you have both the findings of the Engineering Department and also from the Planning Department do we have a commitment to closing off the two driveways?

Mr. Avis Choulagh – At this time Madame Chair I don't think I've explored that yet with the petitioner as far as them wanting to make that decision. I just need to research as far as other legalities that may be different options for them if they want to pursue the four driveways or I was hoping to meet with Mr. Wuerth if this matter were tabled to see if there was a meeting ground of eliminate one instead of both. But at this time I don't think that they are able to make that commitment to get rid of those two contingent upon the site plan approval.

Chair Howard – Then let's do this why don't we take a motion to table so that you can meet with Mr. Wuerth and also have a chance to meet with your clients to come to a decision. Would you be in an agreement for a tabling to August 10th?

Mr. Avis Choulagh – That looks perfect.

Chair Howard – We are going to take a motion to table this to August 10th, 2015. That was a motion by Commissioner Robinson and supported by Assistant Secretary Smith.

ROLL CALL:
The motion carried as follows:

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

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G. SITE PLAN FOR PRE-MANUFACTUREDE LUBRICANT STORAGE BUILDING IN GENERAL MOTORS CORPORATION SOUTH CAMPUS; Located approximately 513 ft. south of Twelve Mile Road; approximately 1,320 ft. east of Mound Road; 6400 Twelve Mile; Section 16; Todd Drouillard.

PETITIONERS PORTION:
Mr. Bob Porter – I'm Bob Porter I'm an Architect. I'm representing General Motors this evening seeking approval for the Pre – Manufactured Lubricant Storage Building. They have that function presently right now, within the existing building. Processes are taking place, we are doing work within the interior of the building, which is meriting us to have to locate that function elsewhere and we'd like to take that lubricate storage area and put it outside so that we can make room for the new processes that are going on and taking place within the interior of the building.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review of the site yielded the following comments:

1. A complete topographic survey shall be provide. The size and location of all existing utilities shall be verified. All existing utilities within the proposed building envelope shall be relocated outside the influence of the building foundation.
2. Provide the proposed pavement section.
3. Provide a legal description for the parcel.
4. The existing sidewalk along Twelve Mile Road appears to be outside the limits of the right-of-way. If an easement for sidewalk does not exist across the Twelve Mile Road frontage then one shall be granted to the City of Warren.

FIRE: Approved.
DTE: Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:

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

COMMISSIONERS PORTION:
Vice Chair Kupiec – What type of lubricants will you be storing there?

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Mr. Bob Porter – Oils, cutting fluids, those types of fluids for machining operation.

Mr. Dominic Galia – I represent G.M., I'll note they use some mineral spirits to wipe down some of the metal parts and dies so I'm expecting to have a few drums of that as well.

Vice Chair Kupiec – Nothing that's highly explosive?

Mr. Dominic Galia – Not explosive, but classified flammable, no gasoline.

Chair Howard – In terms of the survey that you are asking for on item 2 you don't have that currently sir?

Mr. Ron Wuerth – No we do not.

Chair Howard – And you don't have anything for the south campus?

Mr. Ron Wuerth – Nothing that's up to date, no.

Chair Howard – Sir, can you provide that as quickly as possible to Mr. Wuerth?

Mr. Dominic Galia – I expect I could get that to him in approximately two to three weeks.

Chair Howard – Does that's sufficient.

Mr. Ron Wuerth – That's sufficient.

Mr. Dominic Galia – One other comment just curious relative to keeping the modular building within an existing fence line, a secure perimeter that's now used for die storage. Just curious, the need for the parking lot, it's not effecting any parking spaces at all it's within an area that's not used for parking currently, could you clarify?

Mr. Ron Wuerth – It's a matter of statement what we require on that site. It's a site plan specification, it's informational, and indeed we need it. Once these plans move through the system they also move to the building division, the Chief Zoning Inspector who was here tonight she checks those thing to make sure everything is in compliance it's as simple as that.

Commissioner Pryor – The mode of storage is it in barrels or fixed tanks?

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Mr. Bob Porter – Typically barrels, 55.

Commissioner Pryor – 55 gallon barrels that are moveable by truck it isn't permanent so you've got a pad that you put the barrels on.

Mr. Dominic Galia – I too have shared some concern with the accessibility and we are looking to revise, to recess the building so that a forklift would not have to go up a ramp for stability. So it would be as level as we could make it for an ease of a skid mounted barrel to be placed in and out of the building

Commissioner Pryor – So the barrels are not being tapped there the material is not being removed from the barrels it's a storage area that you get trucks bringing in barrels leaving them there until they are disbursed to where the Tech Center where do they go?

Mr. Dominic Galia – For the most part it's going to serve the processes that are adjacent inside the building either milling or press operations or support for the try out equipment.

Commissioner Pryor – So it's more manufacturing of parts and material turnings like that?

Mr. Dominic Galia – We're classified as Preproduction Operations Tryout it's really not manufacturing as much as prototype operation.

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

ROLL CALL:
The motion carried unanimously as follows:

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

H. SITE PLAN FOR MONOPOLE TOWER AND ANTENNAS; Located 361 ft. west of Ryan Road; approximately 727 ft. south of Eleven Mile Road; 26601 Ryan; Section 19; New Par dba Verizon (Melissa Brofford).

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PETITIONERS PORTION:
Ms. Melissa Brofford – Good evening, Melissa Brofford 24242 Northwestern Highway, Southfield, Michigan. Verizon is proposing to build a 100 foot monopole tower which will be fenced into a 30 x 50 fenced in area to increase their network here in Warren. Currently the area is fairly residential with a small strip of commercial that fronts Ryan on either side and with the needs of towers these days we came in and requested that we place the tower here. We did come before the ZBA in May and get the necessary variances including a use variance. We have submitted our plan to the Planning Commission for review and approval.

Secretary McClanahan reads the correspondence as follows:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review of this site yielded the following comments:
1. The plan shall indicate all existing and proposed utilities. If utilities exist within the proposed equipment shelter area, they shall be removed and replaced outside the influence limits any permanent structure.
2. A system of internal drainage shall be provided. Detention may be required.

FIRE: Approved.
DTE: Approved.
ZONING: Several property maintenance issues were observed during the site visit and enforcement actions will be initialed for those items.

Ms. Michelle Katopodes reads the recommendation of the Staff:

PUBLIC HEARING:
Ms. Donna Dudek – I'm right behind the Ukrainian Center I can't tell by that picture how close it is. It does look like it's right at the lot line can anyone tell me because that's my backyard.

Ms. Melissa Brofford – It's 310 feet from the nearest dwelling that we were to the west from the center of the tower.

Ms.Donna Dudek – Well how many feet from that easement line?

Ms. Melissa Brofford – 218 from the rear of our property line, I don't know where your property line is ma'am I just know where our property line is and we are 218 feet from that west property line.

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Ms. Donna Dudek – So where is the south tower going and how tall is it going to be?

Ms. Melissa Brofford – 100 feet tall.

Ms. Donna Dudek – Can we decorate it, why are you laughing, there's a lot of them that are decorated really nice so that they are not an eyesore.

Chair Howard – What we are going to have you do is sign in and then the Commissioners will address some additional concerns that you may have. Thank you so much.

Ms. Donna Dudek – Is it being okayed today?

Chair Howard – We are going to be taking a vote on that in just a few moments. So feel free to stick around for the vote and the questioning as well.

MOTION:
A motion was made by Commissioner Pryor to approve.

Chair Howard – At this point because we cannot get a second on this item this motion is being denied for a lack of inactivity. We don't have a second on that and we've opened up the floor.
Assistant Secretary Smith – I know Commissioner Pryor motioned to approve I'd like to make a motion to deny with discussion if I could do that.

MOTION:
A motion was made by Assistant Secretary Smith to deny, supported by Commissioner Robinson.

COMMISSIONERS PORTION:
Assistant Secretary Smith – With the ordinances in the past we had to be so many feet from residential areas and my concern is as you start to get more and more towers you start to move more into the residential areas. And the closeness even though you're two hundred and something feet from Ms. Dudek's property you're within a 100 feet of the condo's.

My concern is when you start to put towers in residential areas then I think, even though they say it meets all the regulations and it shouldn't affect anything, I just think it's out of place. There is another tower I don't know if it is Verizon or not it's at 10 Mile and Ryan. Because there's more cell phones and electronic equipment

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so they are putting more and more towers it seems like they try and design something a little bit better to where they've got a better range and still not lose the efficiency to eliminate the number of towers that have to be placed at different places. When you start getting into the residential area you start infringing on the people's space.

To me they have a place where they need to be and if you're running out of places to put them you might want to look at alternatives to redesign your antennas to where they can be a little more efficient to go a little bit further so you don't have to put up as many poles.

Commissioner Karpinski – Assistant Secretary Smith you voiced my opinion miraculously. We went over there and I think it's just too close to residential.

Commissioner Robinson - I had the same opinion I'm familiar with that area too and it's just to conjected with the Ukrainian Village and the condo's and then to have this obstructive tower it takes away from your living and the view that you want to have.

Vice Chair Kupiec – I have to concur with what Commissioner Smith said I'm of the opinion that we are encroaching too much on residential area. The requirement is for 450 feet even though on the 13th of May you went before the ZBA and they gave you some kind of an approval to put this tower up. I don't read in the findings where they offset the 450 foot mark. I do not like these towers in residential area. And as Commission Smith said and I'm not a Telecommunication Engineer nor do I claim to know much about telecommunications other than the fact that I use them on a daily basis. But I think there's a lot more places that area appropriate away from the residential area and away from Churches, schools and playgrounds where children play on. I just don't agree with the tower being in that area at all.

Chair Howard – And again reading over the notes from the Zoning Board, of course you were there or your counterpart was there and the line of questioning there I think it resembles what the residents and also what the Commissioners are saying in terms of the distance and also for public safety and for the health and benefit of the neighborhood. We have a motion to deny that was presented by Commissioner Smith.

Ms. Melissa Brofford – Can I address any of those comments?

Chair Howard – Yes please I'm so sorry.

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Ms. Melissa Brofford – I was just waiting for you to stop talking. So as you know we did go before the Zoning Board of Appeals not only for the variance from the 450 feet that is required from residential districts, residential uses, as well as health care, day care, and other educational institutions. We did go forward and ask for that. We provided extensive radio frequency engineering data to the Board.

The first aerial that you see that's all colored that's probably the best one to look at it shows all the existing towers in the area and where we are at. We are basically on every tower that we can be around here they are all about a mile or a little bit more apart from where we are at. We currently have an area where our capacity is not sufficient in this area. In order to be a FCC Regulated carrier we are required to prove a certain level of service and Verizon's Engineers have indicated that we are not meeting our obligations under our FCC License. Only the first 50 feet on either side of Ryan Road is commercial, Mr. Wuerth can correct me if I'm wrong. Unless you get up to 696 and those corners are commercial but the existing development of the buildings on the lots prohibit the tower to be in another location.

So we picked a location that was on a big enough property not a postage stamp lot. The Ukrainian Cultural Center is one of the larger properties in there where we did have a willing landlord that was interested in working with us. We can be right at the back of the building due to the way that the traffic comes around it so we did pick right behind the bar in order to maximize our setbacks so we came back 50 feet or so, I can get you the exact number, back from those lines to maximize it, to keep away from residential as much as we could.

Again, we did go through the Zoning Board of Appeals they did address the fact that we weren't in there. Cell phones aren't just when you have an accident going down the road people in their homes are getting rid of their land lines and they are using these devices not just to make calls but to stream. My son is here he's always on that device constantly on something playing or You Tube everyone is always connected to some network. The towers have gotten shorter we used to build about 195 to 150 foot towers now 100 feet is about what we do now in order to be able to maximize our coverage to the surrounding sites because they are a mile away from us to be able to reach above the urban clutter to connect appropriately with those sites. If that's a concern we can table and bring this back and I can bring back our Engineer. Those concerns

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were addressed by the Zoning Board of Appeals and I thought we were just reviewing the site plan of that approved use.

Chair Howard – Thank you for being thorough. One of the concerns's that I have and naturally having two cell phones right here presently with me my mother on the third cell phone on my plan we know that we are using them daily. My concern again is what the other Commissioners have brought up as well as the varying affidavits and statements that are recommended here. In some of your other presentations the level of scrutiny wasn't as intense but I do have some concerns. Assistant Secretary Smith are you comfortable with a vote?

Assistant Secretary Smith – I want to deny it, I don't like it being in the residential area. Verizon is a big company, I'm with Verizon I have three or four phones I've had issues in the past with getting signals. This is going to become more and more of a problem so their Engineering Department needs to try to redesign the system to handle the future load because the loads not going to go down it's going to get more and more, which means you're going to have more towers unless you figure how to redesign your antennas to be able to handle the extra capacity.

Ms. Melissa Brofford – I would request to have this tabled. I can bring back an Engineer at the next meeting who can discuss the different options and what they do they try to get one where they can keep their admissions of those antennas with a FCC limits while maximizing their coverage and capacity in the area. We did provide those affidavits to the Planning Department today the only thing that is missing is the tower design fall zone letter from the Engineer. Monopoles are actually one of the better design towers as opposed to guy towers or self supports and that they are designed to collapse on their selves. The towers that we build and design would collapse in and on a radius, in the highly unlikely event of a failure, of half of the height of a tower which would be 50 feet, which would be all contained within this property. If we can table and I can bring back my Engineer that can discuss the alternatives and why they would or would not work at this time they could address some of those concerns.

Chair Howard – Assistant Secretary Smith and Commissioner Robinson the petitioner is asking for a tabling?

Assistant Secretary Smith – I still don't think that bringing an Engineer in and trying to get something to work, being in a residential area is what's bothering me. If you can find another spot

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more commercial I'd be willing to go along with that. I just have a problem with it being in a residential area. I doesn't matter what you do, you can put flowers on it or make it shorter just being in that area is the problem.

Ms. Melissa Brofford – Forgive me for sounding a little crass but, this Board is to review the site plan there is requirements on this Board that if you do have a denial that it is written evidence of record. In order to be able to deny it the telecommunication code that we be allowed to come in and put towers where we have a gap in coverage or capacity, which we did prove to the Board for the City that approves those things. We went and got the use variance and the setback variances for those Boards. I would really request that you table us and when we come back you have some evidence other then you just don't like it and it's to close. I didn't believe that this is what this Board was looking at that's why we went to the Zoning Board of Appeals.

Chair Howard – Commissioner Robinson you seconded the motion?

Commissioner Robinson – Yes.

Chair Howard – The petitioner is asking for a tabling, the maker of the motion is saying that he is not willing to table it, what are your thoughts?

Commissioner Robinson – I stand firm in my decision I just feel that it's too close to the condos and the residential area over there.

Chair Howard – Based on our procedures for land use and approval one of the items that I can see is the proposed use is not compatible with the natural environment. What it is proposing is not consistent with the public health, safety, or welfare of the City, as well as the welfare of the natural resources, and also the neighbors and the social and economic wellbeing of those who use the land, or the activity, or the residence, or the land owners immediately adjacent to the proposed land or use of activity and as a city as a whole in this particular case.

Assistant Secretary Smith – Ms. Brofford I noticed on the side plan that it shows it's got a natural gas generator that powers it in case the power goes out?

Ms. Melissa Brofford – Correct.

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Assistant Secretary Smith – On all generators they have a certain run time they have to run every so often to make sure that they continue to operate when there is a problem and you're going to have some noise from that generator. That's another issue I had even though they don't run for a long period of time every so many weeks or days they have to come on and run it's just something that's part of the operation.

Ms. Melissa Brofford – Correct, we could bring documentation that shows those things are isolated in and they are less than the noise that you would generate from a commercial lawnmower. They cycle during their testing periods for less then what someone's going to come out and mow those areas and we can provide documentation to that fact.

Chair Howard – Thank you so much Assistant Secretary Smith. Ms. Brofford thank you for all of your information in which you brought to us this evening. We have a motion to deny that was proposed by Assistant Secretary Smith supported by Commissioner Robinson, roll call sir.

ROLL CALL:
The motion carried as follows:

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

I. SITE PLAN FOR BUILDING ADDITION TO WALTONEN ENGINEERING; Located on the east side of Mound Road; approximately 608.26 ft. north of Thirteen Mile Road; Section 4;31330 Mound; L.B. Associates (Lloyd Brown).

COMMISSIONERS PORTION:
Mr. Charles Earl – Good Madame Chair, Members of the Commission Charles Earl at Law, I represent Lloyd Brown and L.B. Associates. Anybody who drives around Mound Road and 13 Mile Road knows where this building is. Waltonen Engineering just north of the PNC Bank and the Gazebo they are on the east side of Mound Road north of 13 Mile. They would like to construct about a 10,000 square foot building addition at the east side of their building they have included in that a mezzanine of something a little less than

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5000 square feet. If you've been by the site you know it's well maintained it looks good. I go along with Mr. Wuerth's recommendation I'm thankful that it's a brief one, meaning the plan is in pretty good shape.

The only thing I comment on in Mr. Wuerth's recommendation and I'm sure there's a formula for it is the bond of $22,500.00 dollars. I'd ask you to consider something less than that. All the landscaping is in, all the driveways are in, all the asphalt is in and we are going to put up three walls at the back of this building. With that I allow you to open the public hearing and hear Mr. Wuerth's recommendation.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review yielded the following comments.

1. The written legal description does not match City records.
2. The driving lane widths shall be identified north and south of the proposed addition. The width shall meet minimum maneuvering lane width.
3. If there is over an acre of disturbance proposed, the site must comply with the City of Warren Storm Water Management Plan.

FIRE: Pursuant to your request of June 25, 2015, this department has reviewed the above-captioned request and has determined the following provisions will be required:

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.

Mr. Ron Wuerth reads the recommendations of the Staff:

<u>MOTION:</u>
A motion was made by Secretary Smith to approve, supported by Vice Chair Kupiec.

<u>COMMISSIONERS PORTION:</u>

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Assistant Secretary Smith – I was by the building today and I was able to go around back, the lady inside allowed me to go around to the back so I could see the backside of the building where you are proposing the addition. There are three trailers like containers back there, are those there permanently or are they going to be moved inside the addition, what's going on with those three storage containers behind the building?

Mr. Charles Earl – The plan is that once this is complete what's in there will go inside the building. As a matter of fact I've talked to Debbie Wenson about getting an approval for a temporary structure out there that she said we could have for a year if we submitted an application and had those remain there while this was under construction. So those should be gone once this is done.

Assistant Secretary Smith – And your question on the bond amount did you submit an estimate of the work to be done?

Mr. Charles Earl – Yes sir.

Assistant Secretary Smith – Usually the bond amount is 3% of whatever the estimate is and that's how they came up with that.

Mr. Charles Earl – It's exactly 3%.

Assistant Secretary Smith – So that's our normal bond amount.

Mr. Charles Earl – I understand that and all I'm saying is that this is a little bit of abnormal circumstance. The site plan bond is to support the fact that you put in your landscaping, you do your greenbelts, you irrigate the grass, you put your shrubs in, you complete your asphalt and the place is standing tall when you're done. All of that is already there and you wouldn't be concerned about that. It was just something to consider we will live with whatever you decide.

Assistant Secretary Smith – Well the main question was if all that other stuff has been done then the stuff that's left to be done the estimate would be lower right?

Mr. Charles Earl – Well the estimate for the construction for the 10,000 square foot building is $750,000.00 dollars for the bricks and mortar that would be part of this. And it's not including site plan work because all that site plan work is complete.

Assistant Secretary Smith – So then the bond would just be for the $750,000.00?

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Mr. Charles Earl – That's what the formula reads.

Vice Chair Kupiec – I would just like to commend this company for their professionalism. I pass by there quite a bit and I frequent the bank next door it amazes me how clean they keep their environment and how well they upkeep their building along with the heavy security force they have. I can understand Mr. Earl's consideration on the bond so as a result I would like to recommend to the maker of the motion that we reduce the bond to $15,000.00 dollars.

Chair Howard – The maker was Assistant Secretary Smith do you agree with a $15,000.00 dollar bond?

Assistant Secretary Smith – Yes.

Chair Howard – Alright it will be a $15,000.00 dollar bond versus $22,500.00 dollars. Again actually eco the same sentiments as Vice Chair Kupiec it's an amazing property it's very clean it's a great property there and I know this is going to be a great addition to the City of Warren.

ROLL CALL:
The motion carried unanimously as follows:

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

7. CORRESPONDENCE
None at this time.

8. BOND RELEASE

A. SITE PLAN FOR AUTO PARTS STORE; North side of Eight Mile Road, approximately 289 ft. east of Van Dyke Avenue; 8077 Eight Mile Road; Section 34; City of Warren, Nicholas Lavdas (Frank Henke). Release of Surety Bond for $5,000.00 POSTED ON 2-2-2000.

MOTION:

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

ROLL CALL:
The motion carried unanimously as follows:

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

B. SITE PLAN FOR BUILDING EXPANSION ADDITION TO WALMART (TECH PLAZA); Northeast corner area of Van Dyke Avenue and Twelve Mile Road; 29176 Van Dyke Avenue; Section 10; Walmart Real Estate Business Trust (Michael McPherson, Atwell LLC). Release of Surety Bond for $175,000.00 posted on 11-14-12.

MOTION:
A motion was made by Assistant Secretary Smith to release bond, supported by Commissioner Karpinski.

ROLL CALL:
The motion carried unanimously as follows:

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

C. SITE PLAN APPROVAL FOR A TRUCK DOCK/WAREHOUSE ADDITION AND PARKING LOT EXPANSION TO EXISTING WAREHOUSE; Located on the west side of Guenther Drive approximately 810 ft. north of Ten Mile Road; 25295 Trust; John Crow (Douglas R. Necci, DRN Architects P.C.). Release of Surety Bond for $30,000.00 posted on 5-30-14.

MOTION:
A motion was made by Assistant Secretary Smith to release bond, supported by Commissioner Pryor.

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ROLL CALL:
The motion carried unanimously as follows:

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

9. OLD BUSINESS

A. MINOR AMENDMENT TO APPROVED SITE PLAN FOR PARKING LOT REHABILITATION; Located on east side of Dequindre Road; approximately 793 ft. north of John B Avenue; 21230 Dequindre; Section 31; Southeast Michigan Surgical Hospital; Richard Hofsess; (Yvonne Kughn). Minor Amendment is for the addition of a Mobile MRI Pad in the existing parking lot.

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

PETITIONERS PORTION:
Ms. Yvonne Kughn – We are just asking for a minor amendment to a previous parking lot rehab plan that was submitted and approved. This is to add a concrete pad in the I think it is the northeast corner for an addition of a mobile MRI Unit knowing that needs to set on concrete as to opposed to the asphalt.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Approved.
FIRE: Approved.
ZONING: Preliminary review yielded the following comments.

1. Section 4.32 (h) 18. Off-street parking requirements for the existing uses are not stated on the proposed site plan.
2. Section 17.02 (b). Industrial standards. Side yards and rear yards, M-2: 20 ft. each. The MRI pad is only 15 ft. from the property line.

A Zoning variance will be required for the item listed above.

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Additional Notes:
1. The parking lot needs to be re-striped to code.
2. Illegal signage was observed (enforcement actions have been initiated)

Mr. Ron Wuerth reads the recommendations of the Staff:

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

COMMISSIONERS PORTION:
Vice Chair Kupiec – Since the petitioner has to go back for a ZBA approval for the 20 foot requirement on the pad shouldn't this be a conditional minor amendment.

Ms. Caitlin Murphy – Yes you can make it a condition, but I think it is in Mr. Wuerth's recommendation.

Mr. Ron Wuerth – It is.

Ms. Caitlin Murphy – So it would be conditioned on ZBA approval.

Vice Chair Kupiec – So based on the recommendations it would be a condition of the recommendation to get the 20 foot ZBA approval.

Ms. Caitlin Murphy – Yes.

Vice Chair Kupiec – To the petitioner, do you understand you have to go back to the ZBA?

Ms. Yvonne Kughn – Yes.

ROLL CALL:
The motion carried unanimously as follows:

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

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B. MINOR AMENDMENT TO APPROVED SITE PLAN FOR WALKWAY AND DRIVEWAY TO EXISTING GASOLINE STATION/CONVENIENCE STORE/VIDEO STORE; Located on the northwest corner of Eleven Mile and Ryan Roads; Section 18; 4001 Eleven Mile; Nicholas Shango. Minor Amendment is for outdoor retail sales.

PETITIONERS PORTION:
Mr. Nicholas Shango – In order for me to get my bond released I need a minor amendment for the wood and the propane tanks outside. I've had them out there I had to formally come here and ask you to allow me to store them outside. There's also an old ice machine in the back of my property, I don't use it, I've been lazy, I haven't taken it out of there. It's big, I need to get somebody to haul it out of there.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
ENGINEERING: Preliminary review yielded the following comments: Any outdoor sales facility and/or associated parking shall be prohibited from encroaching on public right-of-way.
FIRE: Approved.
ZONING: None.

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:
A motion was made by Assistant Secretary Smith to recognize as minor amendment, supported by Secretary McClanahan. A voice vote was taken and the motion carried unanimously.

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

COMMISSIONERS PORTION:
Assistant Secretary Smith – Mr. Shango I understand the ice machine hasn't been used for two years July of 2013 it was supposed to be removed and it's still sitting there. I don't know who you have working for you but I'm sure somebody could have moved it in a two year period.

Mr. Shango – It's too heavy, I have to call somebody to take it out of there. That's just me being lazy, I know.

DRAFT

Assistant Secretary Smith – But that's something that needs to be done because it should have been done two years ago.

Mr. Shango – I agree.

Vice Chair Kupiec – One of the problems I have with your request here due to the narrow sidewalks when you place the wood out there, which you've got already and the windshield washer fluid, which you have already and the propane the people have to walk in the traffic area in the street in order to get around the product you're trying to sell and to me that's somewhat of a problem and with the narrow sidewalks.

Mr. Shango – The sidewalks were there when we bought the shopping center over 10 years ago. You can't fit through there anyways we have structural poles holding up the canopy. So if one were to walk through that sidewalk they wouldn't be able to it's too close to the building. In some areas it's shallower then three feet so you can't fit in there anyways.

The other thing is, who would be traveling on the sidewalk, nobody, really it's customers going from the pumps to the building so they are going straight to the building. It's a curb it's just deeper than a foot or two so that's been obsolete for many years nobody travels through there.

Vice Chair Kupiec – I beg to differ with you I frequent your facility a lot in the restaurant area and I see people constantly parking on Ryan Road walking pass the restaurant and going to the party store or the donut shop, so they do frequent the area. I understand what you are talking about the narrow space and it was there when you originally designed it. I don't really agree with this but I agree with the concept of what you're trying to do. From a liability standpoint you're forcing the people to walk in the street.

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

ROLL CALL:
The motion carried unanimously as follows:

Assistant Secretary Smith……. Yes
Chair Howard……. Yes
Commissioner Karpinski…….. Yes
Vice Chair Kupiec……. Yes
Secretary McClanahan……. Yes

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Commissioner Pryor…….. Yes
Commissioner Robinson…….. Yes

C. SITE PLAN FOR COLLISION SHOP AND 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. To let the Commissioner's know the correct measurement is approximately 167 ft.

Mr. Ron Wuerth – This was just to answer a Commissioner's question as to whether the property measurement from a certain point was 167 or 165 and we found to be 167.

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

D. SITE PLAN APPROVAL FOR A STAND ALONE BUILDING ADDITION TO A NEW RETAIL SHOPPING CENTER; To be located on the northeast corner of Twelve Mile Road and Panama Avenue; 5365 Twelve Mile Road; Section 8; Leonardo North, LLC (Michael J. Gordon). Expired Site Plan – approved on April 8, 2013.

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

E. SITE PLAN APPROVAL FOR MINOR AMENDMENTS TO SITE PLAN FOR GASOLINE PUMPS, CANOPY AND DRIVE-THRU WINDOW ADDITION; Northwest corner of Eleven Mile (west bound I-696 Service Drive) and Ryan Road; 4001 Eleven Mile Road; Section 18; Masoud Shango. The amendments include walk way, greenbelt and driveway modifications. Extension for Site Plan for Minor Amendment approved on July 8, 2013.

Chair Howard – This is for an extension for one year on this site plan.

MOTION:
A motion was made by Assistant Secretary Smith to extend the site plan for one year, supported by Vice Chair Kupiec.

ROLL CALL:

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The motion carried unanimously as follows:

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

10. NEW BUSINESS
Discussion of Planning Commission's Meeting Schedule.

Chair Howard – We have the Commissioners new meeting schedule. We knew with the additional work that is being supported in his office and the new businesses that we were going to have to look at additional meeting times.

Mr. Ron Wuerth – Well the additional meeting times come from the fact that our budget was approved by City Council that added, as we feel deemed necessary, additional meeting dates. So in this case and for this particular year we feel we can change August from the 17th which is a scheduled Planning Commission Meeting to add two meeting in August. Those proposed are August 10th and August 24th and delete the August 17th, 2015 date. And secondly add a second meeting in December and that is December 21st, prior to Christmas and allow another meeting at that time.

What's somewhat important about this is that it helps us be able to get our budget approved sooner than we normally do in January. So that's the primary reason to put the second one in there. What we are asking for is change in the schedule of Planning Commission Meeting Days and go forward. These were also researched by staff they are open dates so this facility is available.

Vice Chair Kupiec – I concur with the August additions but I have a problem with December. I'm very family orientated, as Mr. Wuerth is and it's a tough day to break away. So if we have a meeting then I won't be here.

Chair Howard – Thank you and that will be well noticed sir. I know there was an additional date of December 28th, and I know I'm typically traveling during that time so we'll take a look as that date comes closer and we'll make any adjustments that need to be made.

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Mr. Ron Wuerth – The 28th certainly is available but many times people want to utilize that time in between the holidays of Christmas and New Years for time off that's why we chose not to do that.

Chair Howard – Sir, maybe we can relegate that time for maybe just a budgetary portion for that meeting to be towards the budget.

Vice Chair Kupiec – Ron, I'm trying to think back, if my memory serves me right normally in December our meeting load has been very light, do you have any reason to believe this year it's going to be heavy?

Mr. Ron Wueth – I think it's called General Motors and they are going to continue to bring forth more and more projects. And it's not only GM, the economy is better, we expect more so that's why we are asking for these extra meetings. Next year we are looking at two meetings a month.

Vice Chair Kupiec – Looking at the schedule we've only got one meeting in September is there any way we could readjust this to have a double meeting September and one in December?

Mr. Ron Wuerth – I think there was a concern with the dates and also due to the holiday we couldn't add another one. If we go to the 28th then the following week on the 5th of October we are right back here.

MOTION:
A motion was made by Assistant Secretary Smith to approve August dates, supported by Secretary McClanahan.

ROLL CALL:
The motion carried unanimously as follows:

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

MOTION:
A motion was made by Assistant Secretary Smith to approve December dates, supported by Commissioner Robinson.

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ROLL CALL:
The motion carried as follows:

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

11. CITIZEN PARTICIPATION
None at this time.

12. PLANNING DIRECTOR'S REPORT
Mr. Ron Wuerth – It's running from June 23rd to present. On the 23rd I attended the Mayor's Staff Meeting. On the 24th we had our Master Plan Meeting, very interesting meeting with Dr. Jacobs from Macomb Community College. I could listen to him for hours actually in his opinions about what the future may hold here in the City of Warren. So I look forward to being with him, we hope here, in the future. I don't know if you want to say anything about that?

Chair Howard – He was out of town up until July 15th but he's also going to have the Master Plan Committee to come to the Wayne State Campus to view and to tour that facility to get a very robust look at what the county is going to look like and primarily what Warren is going to look like over the next few years. I'm very interested in what he has to say he's an amazing gentleman.

Mr. Ron Wuerth – So with that I will continue, on June 26th I did attend the meeting with General Motors it was what I consider a general type meeting many Directors from the City attended that. They specifically were talking about how things will proceed through the Building Division but also through Site Plan Approval building additions, buildings, and parking structures, that's just a little bit of what's coming. So we were able to meet our counterparts so that we can hopefully make the flow of approvals go through Planning Commission and Zoning Board if necessary.

Four days later General Motors comes in at the Power Train at Nine and Mound they want to use that large parking lot that no one is using at this point and time for solar panels. It's certainly going to look different once they come in so there was discussion regarding that. On the 2nd I was contacted by Scott Bergthold he's our Attorney who works with us regarding the sexually oriented business

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in this town. He's also our Attorney who is hired by the City to work with us against Jon Jon's and believe it or not we are still in court with Jon Jon's. So during that process Michelle Katopodes had to recreate the GIS work that Mr. Bouchard had done and that was a request and she did a marvelous job and the numbers were very close with minor changes since the first time a map was generated to the present.

July 7th, I was invited to a Special City Council Meeting in which Judy Hanna attended with me and it had to do with changes in our budget. First of all Judy was approved for her promotion.

Chair Howard – Congratulations.

Mr. Ron Wuerth – They also reiterated that the Planning Commissioners will move from $35.00 dollars a meeting to $50.00 dollars per meeting starting with this meeting. And finally as we need the funds we will continue to have our Planner Technician and if we need the funds in the future then the City Council will be open to a budget amendment to continue that funding for the Planner Technician who happens to be Dewan Hasssn.

Chair Howard – Can we have status with Tech Plaza status and Menards?

Mr. Ron Wuerth – Well Tech Plaza the east half of it is under construction it has been for a while. They are trying to get this roadway connection going between Tech Plaza, in the rear of the site, there is a condominium complex that is partially constructed there's a roadway back there. So we've been negotiating with that and getting that connection that goes right straight to City Hall and back looped around. So they are working on that and getting the buildings together, I suspect we will see things done in about six months.

As far as Menards is concerned I wish I could tell you they've been working a lot split with us. Maybe that's what they are waiting on there's a lot split and then there's the large propane tank that they want to construct out in the parking lot that was approved. So the lot split will be up front by their sign that exists and it's possible a small retail strip center will be placed in there. I've been talking to people who are interested in that site but we've got to straighten out the lot split now if that's what's holding them up then I don't see them opening probably until September, but don't quote me, that's my best guess for those two sites.

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Vice Chair Kupiec – This letter regarding the seminar on Thursday the 23rd we received it tonight.

Mr. Ron Wuerth – What letter?

Vice Chair Kupiec – We received a letter tonight a notice of a seminar Thursday, July 23rd here at the Warren Community Center.

Mr. Ron Wuerth – Yes I'm sorry, that's an invitation from City Council I believe it's in the evening and everyone is invited to it. That was given to us by Officer Manager Mary Kamp and she was hoping that Commissioners would attend.

Vice Chair Kupiec – Will we have the same two speakers as we had last time?

Mr. Ron Wuerth – I don't know.

13. CALENDAR OF PENDING MATTERS

Chair Howard – I'll be sending out an email this week regarding our next Master Plan Meeting I was hoping to have some dates from Dr. Jacobs officer regarding our travels over to Wayne State and if we can't get anything in the next couple of weeks before our August 10th meeting we'll try and do something without him so we can keep moving with our Master Plan. I think that Dr. Jacobs gave us a lot of vital information. I know that Assistant Secretary Smith was looking at some other items as well.

Mr. Ron Wuerth – On the medical marijuana ordinance I believe the vote was four to three and that vote has to be five votes to be sent forth to City Council. So it's going to come back to this body or it can be reconsidered, I'm not sure the path that gets it back here but yes.

Chair Howard – Thank you, so to the Commissioner we will revisit that item again.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 10:14 p.m.

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_____
Jocelyn Howard, Chair

_____
Jason McClanahan, Secretary

Meeting recorded and transcribed by
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