

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on October 24th, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, October 24th, 2016, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair
Edna Karpinski
John Kupiec, Vice Chair
Jason McClanahan, Secretary
Syed Rob
Claudette Robinson
Warren Smith, Assistant Secretary
Nathan Vinson

Also present:

Ron Wuerth – Planning Director
Michelle Katopodes – Planner I
Judy Hanna – Senior Administrative Secretary
Elizabeth Saavedra – Planner Aide
Caitlin Murphy - Assistant City Attorney
Megan O'Brien - Communications Department

1. CALL TO ORDER

Chair Howard called the meeting to order at 7:06 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Chair Howard – We did receive correspondence from Commissioner Pryor that he is ill this evening. I do need a motion to excuse him.

MOTION:

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

Chair Howard – We do want to welcome Commissioner Vinson, we are so happy that he is back with us tonight we have been missing you. We do have a card for you, you have been truly as our Parliamentarian thank you so much.

4. APPROVAL OF THE AGENDA

Chair Howard – I do have one adjustment on item number 6A we've heard this item, I would like to move this to Old Business, so from New Business to Old Business. I would need a motion.

MOTION:

A motion was made by Assistant Secretary Smith to move 6A to Old Business, supported by Commissioner Robinson. A voice vote was taken and the motion carried unanimously.

Chair Howard – So that will move to item number 9A and everything else would move down.

Chair Howard – Approval of the agenda all in favor, the vote carried unanimously.

5. APPROVAL OF THE MINUTES – October 10th, 2016

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SPECIAL LAND USE FOR TOTAL SPORTS FITNESS BOYS AND GIRLS CLUB & GYMNASTICS: Located on the east side of Dequindre Road; approximately 1,345 ft. south of Fourteen Mile Road; 32556 Dequindre Road; Section 6; Caren M. Burdi (Jack W. Runkle, Jr.). **TABLED. TO BE WITHDRAWN.**

Chair Howard – Thank you so much we did receive correspondence that this item was to be withdrawn. We'd ask you to read this into the record please Mr. Secretary.

Chair Howard – First of all let's do a couple of things, first let's vote to remove this from the table.

MOTION:

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

Chair Howard – Now Mr. Secretary if you could read the letter for the withdrawal, please.

Secretary McClanahan – Please withdraw the above noted item for Special Land Use from the agenda with the Planning Commission as the business has moved out of the City of Warren. Thank you for your assistance. Sincerely, Caren M. Burdi.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OPEN STORAGE OF PLATE MATERIAL AND PALLETS: Located on the north and south side of Kiefer Avenue; approximately 400 ft. west of Ryan Road; 3807, 3808, 3821, 3822, 3831, 3832, 3845 and 3846 Kiefer Avenue; Section 19; David Jacks (John R. Monte). **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Eric Flinn – Good evening my name is Eric Flinn I’m an attorney my office address is 12900 Hall Road Suite 350, Sterling Heights. I represent Marix Industries which through another entity owns the property on Kiefer Street. They’ve been in business and they’ve owned the property since 1986. The buildings on site were built, one in 1959 and one 1960, they’ve pretty much been operating at that location in the same manner.

It wasn’t until the City’s Building Inspector came out where it was indicated that they needed some site plan approval to bring up what they’ve been doing for the last 30 years to meet the current ordinances of the City of Warren, which they are happy to do. Some of the things that were presented on the original recommendation

have been corrected and they continue to work that way. For instance a barb wire that's referenced in both the original and in the amended recommendation has already been removed. They've signed a wall contract to place a concrete separation wall as required in the recommendations, they've also installed the parking blocks which were mentioned.

They have 25 employees they're doing very well at this point and time they'd like to continue to be a good corporate citizen here in the City of Warren. We're prepared to move ahead to the Board of the Zoning Appeals with regard to the variances that were pointed out that are required as well as to the City Council to vacate some easement areas underneath buildings that have been there for 50 years or so. If there's any questions I'd be happy to answer.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

ENGINEERING: The parcels should be combined.

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

1. The open storage area must be hard surfaced.
2. Parking spaces must be minimum of 22 feet on the exterior property line.
3. Parking area calculation should be on the site plan.
4. Opens storage allowed in M zones, not allowed in R-1-P, this area should remain grass and no storage in the R-1-P.
5. Setbacks for existing buildings not in accordance with ordinance, including off premises.
6. Loading spaces shall not be construed as supplying off-street parking space.
7. Parking shall be hard surfaced.
8. Lots should be combined.
9. Open storage in an M-2 shall not exceed 50% of the building area.

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

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

Mr. Ron Wuerth reads the recommendation of the Staff:

**Eliminate 1A the barbwire has been removed.

Chair Howard – To our petitioners we are down one Commissioner, Commissioner Pryor, if you would to have your item heard before a full body you can have your petition heard before a full body otherwise you would take the decision of this Board on this evening.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – I'm referring to 4A are you purchasing or relocating?

Mr. Eric Flinn – With regards to 4A we requested some documentation from the City under the freedom of information act it all hasn't come in yet. From the documentation that we were able to locate one of the things was a survey from 1986. That survey showed that when we bought the property the other half of the alley along those three parcels was already being utilized. So it's a position we think we'll take when we get the rest of the documentation that we already own that under the doctrine of adverse possession, which basically says if you control property for 15 years continuously you can claim ownership with it. What we suspect is if we take that position we'll have to work with the Planning Department and the Warren City Attorney's Office to make sure everybody's on board.

Commissioner Rob – But was there any option did you try and communicate with the owner of the south property line?

Mr. Eric Flinn – No we haven't but I mean for the last 30 years that walls been there and nobody's ever made any claim to their half of the alley. We will do one or the other. If in fact it's determined that we don't have adverse possession rights we'll either move the wall if we can't negotiate something with those other owners.

Commissioner Rob – Now I'm going to 4B because those were the most issues talked by Planning Department. The survey was done for building number 2 or are you submitting alley vacation application?

Mr. Eric Flinn – What our plan is is that building has been there an awful long time I forget if that's the building that was built in 1959 or

1960, how it ever was built over the easement area how they got their permits I don't know. But we went to Engineering and there doesn't appear to be anything installed in that easement area underneath so we are going to submit the application to vacate that area of the easement where the building is physically located.

Commissioner Rob – So that means if they submit an alley vacation it will come as a minor amendment if it's approved today?

Mr. Ron Wuerth – No it's a separate action, it's a requirement of the site plan approval but it's not a minor amendment. This is just a condition that they have to fulfill. They'll have to come to us and get an application and run it through like we normally do for vacating easements.

Vice Chair Kupiec – I take it you had a chance to review the recommendation, are there any recommendations that you do not agree with?

Mr. Eric Flinn – No.

Vice Chair Kupiec – You will agree to comply with everything there and do the best you can to get your variances?

Mr. Eric Flinn – Yes.

Vice Chair Kupiec – I see you've put forth some effort that's a good sign. I'd like to recommend to the maker of the motion to be a cash bond.

Secretary McClanahan – Yes that's fine.

Assistant Secretary Smith – Yes that's fine.

Chair Howard – Alright then we'll make that change for the \$1500.00 dollars to be a cash bond.

Vice Chair Kupiec – Thank you.

Chair Howard – Sir are you comfortable with the \$1500.00 dollar cash bond?

Mr. Eric Flinn – Yes that's fine.

Chair Howard – I did visit the site yesterday in terms of the gravel versus actually asphaltting that location what are your thoughts on that sir, what is your client thinking in terms of that?

Mr. Eric Flinn – Well what my client would like to do is to appear before the Zoning Board of Appeals and see if we can continue maybe upgrade the gravel but not place the asphalt down. What they store there are steel they primarily make steal for assembly lines for Chrysler, Fords and General Motors. There's no doubt that the asphalt would be destroyed in a short period of time with the things that are stored there.

Chair Howard – Alright then and you are going to go to Zoning for that variance. Excellent, we do have the information before us and we do have some modifications. We are striking 1A with the fence because that's been taken care of and it will be a \$1500.00 dollar cash bond.

ROLL CALL:

The motion carried as follows:

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

- C. **SITE PLAN FOR PERMANENT OUTDOOR RETAIL SALES:**
 Located on the north side of Eight Mile, approximately 625 ft. west of Ryan Road; 3807 & 3855 Eight Mile; Section 31; Vicken Baklayan.
TABLED.

MOTION:

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

PETITIONERS PORTION:

Mr. Andre Woodley – First I'd like to say that I am not an attorney and I probably got in over my head a little bit trying to do this, I am an employee just trying to save my job. As of last year we were in jeopardy of closing so I came up with an idea that we should hang some rugs outside and maybe that will attract more business, it kind

of turned into something else and we were getting fined. So I figured that if I went this way through these channels that maybe it would be possible to save my job and save this business.

I work for a guy his name is Murad Hajmohammed, a good guy. He employees currently about 15 people some full time, some part-time, and some students and this is a main source of income for a person like me.

So with that being said we have made some adjustments to try and meet all of these recommendations but we haven't had the resources to do so. But in particular, as far as the baskets, and the buggies and stuff being in the way we moved them into a different place. The parking we really haven't been able to fix it, the sidewalks have been maintained and that's pretty much all we've been able to do so far.

Chair Howard – First of all I applaud you for trying to save your place of employment is the owner of the business here?

Mr. Andre Woodley – Yes.

Chair Howard – Could you come up sir, good evening could you state your name for the record?

Mr. Murad Hajmohammed – Murah Hajmohammed.

Chair Howard – Alright sir tell us what you do at your facility, tell us about your business.

Mr. Murad Hajmohammed – We have a furniture store, my language is not very well that's why he's helping me, I apologize, can he help me?

Chair Howard – Alright, so what type of business is it?

Mr. Murad Hajmohammed – It's like a retail store, we have furniture, bedding and that type of thing. We give away school clothes for the kids, coats, hats, and gloves during Christmas time and the holidays, but mainly it's like a small department store.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

FIRE: Approved.

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

1. The proposed site plan indicates use of the greenbelt of the East Eight Mile Road right of way. Michigan Department of Transportation (MDOT) approval and permits will be required for this activity.
2. A portion of the raised sidewalk display along the building appears to be located within the Eight Mile Road right of way. Revise plans to show that the display will be located within private property only.
3. Per the site plan, the dumpster approach and the alley will have a combined curb cut along Bach Avenue. A separate drive approach for the proposed dumpster area shall be provided.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – To the City Attorney just want to clarify will it be legal for an employee to present?

Ms. Caitlan Murphy – Yes he can present.

Commissioner Rob -So going back on item number 1I did you already submit any evidence for an alley vacation to the Planning Department or are you going to have a survey what is your plan?

Mr. Andre Woodley – You asked are we going to have a survey?

Commissioner Rob – Yes, because you have to submit evidence that you have vacated the alley, what is your plan?

Mr. Andre Woodley – Yes we are vacating the alley, are you saying I need to submit a survey plan?

Commissioner Rob – You need to send the evidence to the Planning Department did you do so?

Mr. Andre Woodley – No, sir.

Commissioner Rob – Did you already vacate the alley or are you in the process?

Mr. Andre Woodley – No we already did yes sir.

Commissioner Rob – Is there a length of time for them to submit that evidence because alley vacation is important, so did they submit anything to you yet or not?

Mr. Ron Wuerth – If they can provide due diligence if they can go and find proof that it's been vacated then they won't have to do the change.

Commissioner Rob – Ma'am Chair I went to the site also and because there is a lot of maintenance work if it's approved, I would request a cash bond.

Chair Howard – Assistant Secretary Smith do you support a cash bond?

Secretary Smith – Yes.

Assistant Secretary Smith – Do you understand all the requirements in the recommendations?

Andre Woodley – To be honest with you I don't, one in particular the bond issue I think it's \$43,000.00 dollar I think that the architect came up with that number we did not come up with that number. Maybe because he saw that I was inexperienced at it so he just threw a number out there. Like I said the initial idea was just for us to display the rugs across the front. It's snowballed into something much bigger than that but that wasn't the initial idea that we had in mind when I started this, it was just to hang the rugs outside.

Assistant Secretary Smith – There's a couple things that have to be done with the dumpster in the back, you have to have a proper pad for a dumpster and proper enclosure for the dumpster those are good size expenses that have to be done. The parking lot repairs are expense that have to be done so all that adds up to the money that it came to, he didn't just throw a number out there. The other thing that bothers me is you've gotten notice before of having items in the right of way on the Eight Mile right of way. I was by there Sunday and you had like a stereo system and some luggage sitting between the sidewalk and the street and some racks out there. That stuff cannot sit from the sidewalk, out to the street, you have to keep it back up underneath the canopy.

Mr. Andre Woodley – Okay.

Assistant Secretary Smith – Like I said I did notice a few things I noticed the light wires, but I notice the wires to that pole in the Bach Avenue parking lot were cut up at the top so that light is not working those, there's a meter box and a disconnect box so I don't know if you're going to repair that or replace it. My thing is you need to understand all the recommendations and be able to at least work on them to try and get the information needed for this to go through.

Mr. Andre Woodley – Yes sir I understand that, I do understand that. I wasn't really clear about where the right of way was but now I know what you mean as far as not putting things on the actual concrete in front of the store. We do have like you said that padded area that raised area along the building where we normally display things I'm not sure what the issue was the other day but that's where we normally display things where you see the chairs and stuff like that.

Assistant Secretary Smith – Does the petitioner understand this also?

Mr. Murad Hajmohammed – A little bit yes

Vice Chair Kupiec – The gentleman with you is he your boss or does he own the property?

Mr. Andre Woodley – Yea he's my boss.

Vice Chair Kupiec – Does he own the property?

Mr. Andre Woodley – No he doesn't own the property, he leases the property.

Vice Chair Kupiec – Do you have an attorney that you are working with?

Mr. Andre Woodley – No we don't.

Vice Chair Kupiec – You mentioned an architect do you have an architect that you're working with?

Mr. Andre Woodley – Yes.

Vice Chair Kupiec – Because some of these items on the recommendation are going to require some legal assistance. It's something that's going to take a lot of leg on somebody's behalf so you're going to have to hire an attorney to help you do some of this work.

Mr. Andre Woodley – Yes I do understand that part, like I said I did get in over my head. The whole plan and idea was to if we can at least get here and then any other recommendation that you do have for me if it's at all possible for us to hire an attorney and take it from there. I wanted to at least do the first leg myself and see.

Vice Chair Kupiec – I appreciate all the effort you're putting forth. What you really need to do is get a good understanding of these recommendations and make sure you sit down with your boss and explain to him what has to be done so he can explain to the landlord and whoever else he's dealing with about getting some finances together and hiring some legal help because you're going to need it.

You said you opened up a can of worms, all you wanted to do is hang up some rugs but in the City of Warren there are certain regulations you have to follow and obviously you're in violation of those regulations so you have to comply with these regulations in order to continue operating. Also as far as the bond the \$43,000.00 that's an estimate of the repair the bond is actually \$1300.00.

Mr. Andre Woodley – Yea I understood that part, I wasn't sure about the \$43,000.00 part.

Vice Chair Kupiec – Well someone put that as an estimate of the repair they thing might be needed.

Chair Howard – By far I applaud you for your tenaciousness and also your ingenuity trying to keep your job. As Mr. Vice Chair has mentioned, there are a lot of items here that need to be done, you definitely want to give this information to the landlord so that they are aware. Let me be clear this approval, if this Board grants you an approval, it's a two year approval process so you have two years to get everything up to code and up to the recommendations. What you want to do is work diligently with the Planning Department and things that you don't understand go into the office and then they can assist you with that so that there is no confusion about what the City requires from you. That way you don't have to go around blind in the dark trying to figure out what's going on. In terms of the bond as we indicated that is cash bond that would be submitted to the City whatever professional assistance that you would need definitely secure that. You do have two years if this Board were to approve this item on this evening.

In terms of the right of way, of where you're going to store stuff it cannot be on the sidewalk so you want to definitely talk to the

Planning Department as well as far as what things you can actually have stored. Mr. Wuerth, based on their business can they have any open storage at all or is that not permissible or have they even applied to have things displayed?

Mr. Ron Wuerth – Yes they can have the outdoor sales while they're working on this, they can do that yes.

Chair Howard – They can do the outdoor sales but they have to do it within the confines of the City Ordinance.

Mr. Ron Wuerth – They do need to come into the office, I want to have a meeting with all the parties. They need to come in and meet with us so that everything is detailed and they understand what this all entails.

Chair Howard – So you are allowed to have some of your outdoor sales but you're going to work with the department so that they can identify what you can and what you cannot do.

Commissioner Rob – Doesn't Andre Woodley's name need to be listed on the application because he's representing the company.

Ms. Caitlan Murphy – I believe it's permissible for him as long as he gives his name on the record and especially because the petitioner is actually here too with a language barrier. He can get with the Planning Department and they can take care of that after.

Commissioner Rob – Can I put it on the condition because we are specifically talking to him and he is not the decision maker the decision maker is somebody else who is not understanding what we are talking about. I'd rather have his name listed to have as a record.

Ms. Caitlan Murphy – You can certainly do that.

Chair Howard – So we'll make an amendment that Mr. Woodley's name can also be on the application on behalf of your employer because of the language barrier.

Mr. Andre Woodley – Yes ma'am.

Chair Howard – So to the makers of the motion Commissioner Rob and Assistant Secretary Smith do you support that as well?

Assistant Secretary Smith – Yes.

Chair Howard – We do have the modification in terms of it being a cash bond that this petitioner will work with the Planning Department very intently on making sure that these items are done correctly. That they will not have any outdoor storage in the right of way and that Mr. Woodley’s name can be put on the application.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR PARKING LOT ADDITION AND CHILD PLAY AREA TO EXISTING RELIGIOUS FACILITY: Located on the west side of Ryan Road; 24703 Ryan & 24688 Romano; Section 30; Islamic Center of Warren (Waliur Rahman).

PETITIONERS PORTION:

Mr. Waliur Rahman – Good evening, we have an existing parking lot and we are expecting to increase to a few more members and would like to add additional parking spaces for those additional members. Also I would like to add a playground area for the kids that come to the facilities.

Chair Howard – And you are going to do this on your existing facility am I correct?

Mr. Waliur Rahman – Yes.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. The plan shall show the locations of the existing utilities and any corresponding easements. There shall be no permanent structure over an easement.
2. The proposed acreage of disturbance, the site shall comply with the storm water ordinance.

3. The increase in impervious area may impact the existing storm water collection system. Detention and pretreatment may be required.
4. Sidewalk will be required along the west edge of the property within the Romano Street right of way.
5. A radii encroachment agreement may be required for the new proposed Romano Street drive approach. Additionally, the proposed radius does not meet minimum City of Warren requirements. This approach and the sidewalk across it shall be concrete, and shall be a minimum of 8" thick.
6. The property currently has two gates on either side of the existing building leading to the parking lot. Please show these on the plan as either staying or removed.
7. All parking areas shall have concrete curb and gutter around the perimeter.
8. As shown, the new driveway directs traffic directly to the existing trash area. Provide appropriate pavement striping to improve traffic circulation.

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

1. Must meet all the requirements of the 2012 Edition of the Michigan Building Code for A-3 use group.
2. Maintain existing Fire Department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (Knox box) as required by city ordinance.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I was by there Sunday taking a look at the property and I see the need for the play yard out in back because there was some kids already playing out there, utilizing the space for the play yard. So the addition I think would be beneficial. One of the concerns I had was the driveway on Romano Street. Noticing what's on either side of the driveway up and down the street I didn't really see where there would be any problems as far as where you would have neighbors having problems with the driveway or traffic. That street really doesn't have any through traffic because I came in off of 10 Mile and it's a dirt road on the other end down by the school.

Vice Chair Kupiec – Are you aware of all the recommendations from the Planning Department and you're familiar with them?

Mr. Waliur Rahman – Yes we are.

Vice Chair Kupiec – Do you agree with them?

Mr. Waliur Rahman – Yes as far as the south side from the previous plan that we submitted we had a conference with both Planning and Zoning Board and the recommendation from both Boards that we should have a hearing for that particular spot and we are going to do that.

Vice Chair Kupiec – To the Zoning Board of Appeals?

Mr. Waliur Rahman – Yes.

Vice Chair Kupiec – You currently own the property all the way from Ryan Road to Romano?

Mr. Waliur Rahman – Yes.

Vice Chair Kupiec – You have to legally join the property together?

Mr. Waliur Rahman – Yes.

Vice Chair Kupiec – I'd like to make a recommendation that we ask for a cash bond.

Chair Howard – Secretary McClanahan and Assistant Secretary Smith do you support a cash bond on this?

Secretary McClanahan – I have no problem with that.

Assistant Secretary Smith – Yes.

Chair Howard – Alright this will be a cash bond then.

Commissioner Rob – I went to the location and it looks very clean so I think it will be a good addition to the location.

Chair Howard – I also was by your facility on Sunday, very clean you're going to need more space I see there's growth. So yes we welcome what you're doing there in the community and again it looks very, very good.

Mr. Waliur Rahman – Thank you and we’ll always continue to keep the place clean and we welcome everyone to visit.

Chair Howard – One modification to this is will be a \$2250.00 dollar cash bond, are you comfortable with that sir?

Mr. Waliur Rahman – Yes.

ROLL CALL:

The motion carried as follows:

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

- E. GM INFOTAINMENT ADDITION TO ALTERNATIVE ENERGY CENTER: Located approximately 3,000 ft. north of Twelve Mile Road and 1,268.38 ft. west of Van Dyke Avenue; 30003 Van Dyke; Section 9; Robert Grant (GM)

PETITIONERS PORTION:

Mr. Patrick Doher – You’re used to seeing me on behalf of General Motors along with Jason Harris are General Motor’s Representative I’m happy to say that he is a brand new dad with a beautiful little baby girl. We are representing today from General Motors as listed in the agenda with Mr. Robert Grant, in case you would like to ask any questions of General Motors. I’m here on behalf of them and the design build team to present yet another project that’s part of the transformation, it’s a project that’s a small addition to an existing building on campus that we’ve already come to this Board to add to in the past. It’s a project that’s called infotainment. The building is approximately 3000 feet north of Twelve Mile Road and about 1270 feet west of Van Dyke. It’s about 30,150 square feet of new space that’s being added to the new building, it’s a single story, less than 24 foot in height. It’s existing in proper zoning within the campus of M-3 zoning and I’m here on behalf of General Motors to help you deliberate this and hopefully get approval so we can continue to move forward.

Chair Howard – So the infotainment will be doing what sir?

Mr. Patrick Doherty – Yes Madame Chair, north is towards me on this plan that you're looking at and the infotainment expansion is about in the middle of the campus. For your information what they do in this new expansion infotainment is all of the dash electronics and entertainment systems within the automotive cockpit. So they will be doing things like looking at new technologies for the screens and working with On Star. There's also a small space that has to do with Cyber security that has to do with your infotainment systems

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

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

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (knox box) as required by city ordinance.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTIONS:

Assistant Secretary Smith – I see that they are adding this to the Alternative Energy Center because they are dealing with the computers, radios or whatever they are dealing with, is that going to interact with the alternative energy part, how is that correlating the two together or is it?

Mr. Patrick Doherty – There is some interaction between the two facilities which is why it made sense and mostly it has to do with the electrical engineering associated with what's required for the infotainment systems and the Alternative Energy Center where there is some of the electrical research that occurs on the campus.

Chair Howard – I think you are pretty thorough sir you've been doing a great job over there at GM, how many more projects to we have currently?

Mr. Patrick Doherty – I'm not at liberty to say right now but we will be in front of you on several more occasions and we are looking forward to it.

Chair Howard – Again we thank you for what you are doing there and we thank you for the expansion and you're doing it expeditiously so we thank you again. And that was 30,000 square feet?

Mr. Patrick Doherty – 30,150 square feet. Madame Chair if I could on a couple things just briefly. I want to be clear on the eight foot fence it's required for us because of the screening requirements for the trucks that deliver materials there so it's something that we should have known from the six foot height requirement in the Zoning ordinance. We are planning on meeting with the Zoning Administrator to be able to get to the ZBA as quickly as possible and to be able to resolve that on behalf of General Motors.

As it relates to the environmental assessment we do have to go through the channels of General Motors Environmental Division. There has been environmental work that has been done. The intent initially for this project was that those fuel storage tanks which were approved by the city approximately a year ago would have been removed by now. But because of some programmatic activities that have occurred on campus it was delayed a little bit but they will be removing, we will deal with the environmental assessment and meeting with the Planning Department.

The last thing I just wanted to make sure that I mentioned was we are meeting with the Fire Marshall this week in order for us to continue those discussions. I thought it was important for you to know that we were moving forward with those discussions.

Chair Howard – Thank you so much for putting that on the record. And to that point Mr. Wuerth if you could come forward please sir. We have discussed in the past as far as General Motors having their own footprint their own zoning how are we coming with that on those discussions?

Mr. Ron Wuerth – We are supposed to have a meeting sometime in the future here, Pat, your part of the team who is to work on that it's coming up soon.

Mr. Patrick Doherty – It’s actually coming up in November.
 Chair Howard – So maybe we can put those types of requirements in place as part of their footprint and then they won’t have to go back and forth with those particular items.

Mr. Patrick Doherty – That is what the hope is Madame Chair. We have been working, starting to create the language for the zoning and certainly, as you know, the Planning Department and your Attorney’s as well as Zoning have to be a part of that process as well.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

None at this time.

8. BOND RELEASE

None at this time.

9. OLD BUSINESS

Chair Howard – Item number 9A was moved from New Business to Old Business. This item was before us previously and we have to revote on this item because it was a four to two vote that’s why this item is back before us today, so we need to vote again on this item. As I’ve indicated in the past I’m a member of this assembly so I’m going to recuse myself. This is for us to revote on the item that was before us two weeks ago. With that being said I’m going to give the Chair to Vice Chair Kupiec who will chair this portion and then I will be returning quickly.

- A. SITE PLAN FOR BUILDING ADDITION TO EXISTING RELIGIOUS FACILITY: Located on the southwest corner of Schoenherr Road and Masonic Boulevard; 31731 Schoenherr Road; Section 2; Andre Cast, Life Application Ministries (Tiffany J. Lenman, Neikirk Engineering).

MOTION:

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

PETITIONERS PORTION:

Mr. Dorian Cast – As we have stated the last couple of times we've been here we are looking to complete the facility that we have begun construction on, Family Life Center, that will allow us to continue serving our faith community as well as the surrounding community of Warren.

Vice Chair Kupiec – Okay has there been any changes as far as your inter-relationship with the Planning Department since our last meeting?

Mr. Dorian Cast – No there has not been any changes. We are asking that the site plan that has been submitted, considered, and approved by the previous commission when we initially submitted these same plans three years ago be approved by the Commission.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

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

1. The City has adopted a new storm water ordinance since the last site plan approval. Pretreatment of storm water along with a storm water management plan may be required.

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

1. Must meet the requirements of the 2012 Edition of the Michigan Building Code for an A-3 use group.
2. If required by the building code, the building must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13. Fire Department connection threads shall be national standard type and a fire hydrant shall be provided within 150 feet of the Fire Department connection.
3. Maintain existing Fire Department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
4. Provide fire alarm system if required by code.

5. Provide Fire Department lock box (knox box) as required by local ordinance.

Mr. Ron Wuerth reads the recommendation of the Staff:

Vice Chair Kupiec – I was just advised by our Attorney since it was moved to Old Business there will be no Public Hearing tonight and we will move on to the Commission for a vote.

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – Since the last approval of this site plan there has been some Engineering changes, have you had a chance to read the recommendations?

Mr. Dorian Cast – We are aware of the recommendations that Mr. Wuerth made and we are willing to comply.

Vice Chair Kupiec – You're aware of the recommendations regarding the storm sewer and the possibility of a change since the last site plan has been approved?

Mr. Dorian Cast – Yes.

Vice Chair Kupiec – Okay, as long as you're aware of what's going on then we will proceed.

Assistant Secretary Smith – I noticed you said you were going to go with the same site plan as three years ago, but the community has been meeting with the Church over the different changes that they suggested. So I want to make sure that any implementation of their changes were not forgotten and they are also included in this site plan.

Mr. Dorian Cast – Please be certain, and hopefully if we haven't over the times that we've been before the Commission previously, our intent has not changed. To continue to be good neighbors, to continue to be in constant communication with our neighbors and with the entire community so that our site plan is beneficial to them as well as meeting our needs. So by no means is this something that we have forgotten or intend to forget in our building process.

Commissioner Rob – Thank you so much for taking the time and working on it. I look forward to it moving forward and I wish you will continue to work with the residents and make it a better place.

Mr. Dorian Cast – Thank you sir.

ROLL CALL:

The motion carried as follows:

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

Vice Chair Kupiec – Thank you and good luck and let's hope things work out. God Bless you.

****A lot of yelling from the audience****

Vice Chair Kupiec – We will take a five-minute recess until we can get the room cleared and get organized.

At 8:23 p.m., meeting in recess.

At 8:29 p.m., meeting resumes.

Chair Howard – Thank you so much for your patience we are coming back from our five-minute break. All parties are here so we'll move forward to item 9B.

- B. MINOR AMENDMENT TO SITE PLAN FOR NEW CIRCLE K GAS STATION AND CONVENIENCE STORE: Located on the northeast corner of Van Dyke and Vermont Avenues; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; Kevin Baker/Otis Carter, VD Warren Investors (Robert Wellert). Minor amendment requesting the use of bollards in front of the building instead of concrete curbing. **TABLED.**

MOTION:

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

PETITIONERS PORTION:

Mr. Robert Wellert – I'm with Wellert Corporation representing Circle K. What I'd like to do is take a minute or two and describe the history of the project and get us to where we are at today.

We appeared before planning earlier this year and received conditional approval for a site plan. On that plan we did propose bollards and these are a steel bollard that would protect the front and sides of the building. We were in the process of addressing the conditions of the site, which included clarifying parking spaces, screening walls and outdoor sales areas are the things that I remember. During submittal of that final site plan it was noted by the Planning Department that bollards were proposed and it hadn't been detected in the first review. So we've had some correspondence back and forth about the bollards, I've given some details to the Planning Department and it was determined that we need clarification from the Planning Commission that this would be acceptable. So I brought with me tonight some extra photographs to hand out.

The purpose of the bollards from Circle K's stand point is twofold. One to protect the building from the occasional erratic vehicle operator and vehicle that would visit the store. Probably more importantly then that is so that we can remove a front curb. That six inch high curb which is common at many stores and many other businesses is a trip hazard to the users and the pedestrians at the business. I don't know for fact what percentage, but Trip and fall hazard lawsuits and costs are I've heard from other retailers a highly expensive and difficult situation where pedestrians are falling and they are subject to lawsuits. So the method to remove that curb was to make this flush between the parking lot and the building it's all the same elevation there's a slight slope away from the building. But then to protect the cars because this site plan has what we have drive in parking straight towards the front of the building. To protect the building we would construct these bollard post both on the front of the building and on the side wall.

The Planning Department has reviewed it and the current recommendations are that the bollards along the front could remain but it was recommended that a curb six inch high be constructed along the south wall on the side of the building. Additionally one of the recommendations in item 1 is that the bollards have a department of defense rating or classification of K4 and K8.

To give you an understanding of what that means we are proposing a six inch diameter steel bollard filled with concrete it would be four

feet, four inches high buried three and half feet below grade. The general user at the Circle K would be an automobile maybe a pickup truck, those vehicles weigh 3000 to 4500 pounds. The K4 rating that's being asked for is for a 16,000 pound vehicle at speeds of 30 to 40 mile per hour impact. These bollards that are being asked for would be, don't quote me, but I'm going to say 12 to 18 inch diameter, I don't know the depth three, four, five, six feet burial depth. These are significant bollards that are being requested. I find it unnecessary for this application, again our intent is to prevent the minor impact. Normally what we would see and this is common in other gas stations, not necessarily Circle K, an operator would make a mistake they'd jump the curb go through the front glass and hit the candy dispenser in the front part of the store. There is a significant amount of glass in these buildings and we have found that the six inch bollards do a pretty good job at protecting that. If they are impacted there is a need to replace them they don't stand stout they'll be bent over, it will do damage to the concrete, it requires cutting of the concrete, removal and replacement of the bollards. That's a summary of where we are at with the bollards.

What we would prefer to have for this project would be a flush walk way, flush with the parking lot and to install bollards on both places of the building as shown on our site plan. We could increase the spacing so that there would be a fewer number of bollards but we need to maintain the spacing such that it is narrow enough that a small car couldn't fit through, I'm thinking for example like a mini-cooper I think they are about 70 inches wide which is just about six feet. So we need to make sure that we don't have our spacing any more than six feet. Additionally what I look at from an engineering stand point is the end location of where those bollards are at, I really don't want them at the parking stripe. If you would get out of your vehicle your path is along that parking stripe at the front of the building so I try to make sure that the spacing is in the five foot range so that those bollards are more centered on each parking space and that we have pedestrian access between them. It's a long explanation but it's pretty important to Circle K and pretty important to this project.

Chair Howard – We thank you for bringing clarity to it and also being able to explain that.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

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

Mary Clark CER-6819
October 24th, 2016

1. The note D5, which is located southeast of the building, should be relocated to the east.
2. It is recommended that the number of bollards be reduced in conjunction with constructing a six inch high concrete curb and gutter around the sides of the building. The curb and gutter along with the pedestrian sidewalks should also extend across the frontage of the building except directly in front of the building where it should ramp down to match the asphalt pavement near the A.D.A. parking spaces.

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

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (Knox box) as required by city ordinance.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – One of the concerns we had about the bollards in the front was the snow removal. Because if snow gets in

between them it's hard to remove it. I can understand that you didn't want the six inch curb in the areas where the people would be walking in the front door of the store. One of the concerns was the snow removal between the bollards because if you're in the same level and I don't know if it's like other stores where they try and get approval for outdoor storage and they set things out in front of the store, but I can see a problem with that all being on the same level. Even though you said you're going to have a slight decline in pavement from that point out I still say if we get a lot of snow it's going to be hard for people to walk through those and stepping through piles of snow. It's going to be hard to remove the snow in between them easily is what I'm getting at.

Mr. Robert Wellert – I can appreciate that concern frankly I'm not at these stores every day to watch the maintenance but what I envision is most plowing would be done by a truck at a time when there's limited traffic. So this truck is going to do one of two things it will either pull forward and drag that snow back or push it parallel with the bollards. There will be shoveling required by the store operators and the store managers. There's just no way around that they'll have to shovel the front walk whether there's bollards there or not and they'll have to shovel between those bollards to remove that snow.

There will be some outdoor sales, there's two areas one is an ice chest probably not used a lot in the winter time and propane storage in the front of the building. If I recall the front is about 12 feet from the front doors to where these bollards would be. The snow removal will have to happen, it's just a maintenance activity that will have to happen whether there's bollards there or not.

One other thing I'd like to add. What's important to Circle K at this point is timing so we have a bollard issue which we hope to gain approval on but most important to them is to start construction. What we can't afford to see is to let a bollard prohibit the approvals because if that happens it sets this project back likely a month and we are ready to start construction. As soon as we obtain approvals with this we'll submit the five plans, the plans have already been submitted for building permits we can obtain those comments get our permits and start construction as early two, three or four weeks but the contractors are ready to go and Circle K wants to start. Come January the start date just doesn't seem feasible it would be delayed until the spring.

Assistant Secretary Smith – He was explaining the difference between the K8 and K4 bollards the six inch ones that he's talking about putting in are those the K4?

Mr. Ron Wuerth – I believe so yes.

Assistant Secretary Smith – What is the purpose of having the K8, it's a higher ratings I know you're not going to run into the doors but wouldn't the K4 do the same because they are not going to be flying through there at 60 miles per hour?

Mr. Ron Wuerth – Well if you're going to do a snatch and grab yes you will and that's what that's all about. To put in some bollards in front of the store where the doors are a vehicle of that sort that want to do that sort of thing they won't get a chance to. So that was the purpose for requesting that those type of bollards be placed in front of the doors and then from there out the K4.

Assistant Secretary Smith – What kind of dimension diameter wise do the K8's have?

Mr. Ron Wuerth – I went according to industry standard, he probably knows more, he mentioned something like 18 inches. Take a look at Target they have bollards that are that large.

Vice Chair Kupiec – Last meeting we talked about these bollards and we were talking about the recommendations of 6 inch curbing and the bollards on the outside of the curbing. Have we changed our opinion on that now, are we just going to go with a flat surface of bollards?

Mr. Ron Wuerth – No, there was no curbing involved.

Vice Chair Kupiec – I thought curbing was involved originally in the site plan?

Mr. Ron Wuerth – We should get something straight here I don't know if anyone asked them whether they were going to accept this recommendation it does not sound like they want to, I think they want to keep their plan the way it is. I said that typically curbing there will be some bollards on top of that raised concrete area that's typical throughout the City and State. However you will see other establishments that are designed the way these gentlemen are designing the Circle K with the flush driveway and flush sidewalk. The water drains away and then they put those bollards right where they want to right on that line where the parking vehicle's line is. So

that's what they proposed and it was something that frankly we hadn't seen in this town and that is why we decided to table it look at it again and review what they were proposing and sort of what we responded with.

So the response is that yes we don't mind having the pavement that's flush leading into the front of the building. We are proposing larger bollards just because we've seen a lot of these snatch and grab things that go on, plus it might not look all that bad. He was focused on a minimum between the bollards and I said they needed to be a minimum four feet between the outside edges of the bollard. So if you keep them there no vehicles like mini coopers or any type of vehicle like that is going to be able to drive between them. Now how those are laid out in front of the parking spaces I'm not sure I didn't go so far as to see what the layout would be. The other part was that we wanted curbing along the side of the building we didn't anticipate a lot of foot traffic coming in from the side those people parking there walking around. Most of the foot traffic in our estimation comes from the front. So you see our recommendation. Michelle, Otis and myself did have a meeting we talked about this and this is what we came up with as an alternative to what they have originally proposed.

Vice Chair Kupiec – So with this proposal here we will have curbing around the building but not right in front of the building?

Mr. Ron Wuerth – No you will not. You won't have curbing in front of the building you would have curbing along the south side of the building.

Vice Chair Kupiec – So along the south side there are no entrance doors?

Mr. Ron Wuerth – So along the south side there's a required parking area and I'm saying we'll use some curbing there and through that separate parking area. But right at the corner there's a pedestrian walk way and that would be flush mounted where the pedestrians want to walk out in the parking lot and come in that way. Then entirely along the front there would be no curbing it would be flush mounted, flush concrete and asphalt there. And that's where the bollards would be placed.

Vice Chair Kupiec - And where did we get our bollard specifications from the K8 and the K4 rating?

Mr. Ron Wuerth – That was through some research on line. And when I said DOS that's Department of State and Department of Defense ratings. Mr. Wellert talked about the size they are quite a bit larger.

Vice Chair Kupiec – And the K8 would be right in front of the entrance area and along the window area where your snatch and grab area would take place?

Mr. Ron Wuerth – That's the concept and that's where I would put them in front of the doorway maybe two on each side.

Vice Chair Kupiec – We appreciate your effort trying to get this project going as quickly as possible and I think we are in the same boat we'd like to get this thing done with. Do you understand the recommendations as he recommended them and do you accept them as they are?

Mr. Robert Wellert – I do understand them, I do have some issue with them. I don't think you received some other print outs that I have. I'd like to pass these out to you and share them with you just as a matter of reference.

Vice Chair Kupiec – Have you had a chance to explain your issues to Mr. Wuerth?

Mr. Robert Wellert – We have not, I received this recommendation on Friday so I have not had the opportunity to talk to him about that. And primarily the two things that I see are the curbing on the south side we feel that it's important to have flush mount accessible walkway from the parking area to the building on the south side. My concern as an engineer is the cost and what happens with these bollards. The K4 and K8 I can't tell you what the rating is for the 6 inch diameter that we are proposing I don't know, not that I can't figure it out I just don't know it today. I do feel comfortable in saying that both of those ratings are probably higher then what we are proposing. Again a K8 is a 16,000 pound vehicle at 40 miles per hour, a K4 is a \$16,000 pound vehicle at 30 miles per hour that's a pretty significant impact. We wouldn't anticipate that type of impact here, we wouldn't for that type of impact at a convenience store. Money is kept within the safe there's really not much money in the gasoline station anyway. I can appreciate the Planning Department and Mr. Wuerth's concern and I think it's a legitimate discussion but maybe we could compromise and come up with an opportunity to determine the appropriate rating outside of contents of Planning Commission. Maybe I could demonstrate to the Planning

Department and Engineering Department what these 6 inch bollards might withstand and see if it seems reasonable for the site. Our experience would say that it has been.

Vice Chair Kupiec – Do you have ATM's inside of your service stations because that's the big snatch and grab item.

Mr. Robert Wellert – There are yes. They would come through the masonry wall of the building they would have to penetrate the bollards and then the masonry wall except right at the front doors where it's only the glass doors. Here's a photograph of a Circle K this is an actual site in Madison Township, Ohio it was constructed about a year ago. An area of heavy snow fall it's operated through one winter and I heard with absolutely no problems, doesn't mean there was never an issue but I've never heard of any problems with snow build up or snow maintenance at this location. As an FYI this is an outdated version of the building the new architecture that we are proposing for Warren is, in my opinion, nicer. We have another example here, this looks to be a Walmart these are pretty significant bollards I don't know the diameter but this is larger than a six inch diameter bollard I couldn't tell you the rating of that. It's just another example of a flush walkway with bollards in the front. This is a Get Go Gas Station, my home office is south of Cleveland, Ohio Get Go is a gas station that's owned and operated by Giant Eagle which is a large retail grocery store. These I know for a fact are 6 inch diameter bollards they are put across the front of the store and they've got 200 or more locations in Ohio and Indiana.

This photograph happens to be in the City of Warren and there are bollards at the library with a flush mounted walk way. One of the things I'll point out in admission this isn't drive in parking, the route is parallel with the front of the building, and the spacing is pretty wide. You can see by looking at the photographs that the diamond are the target I would image that those are pretty heavily reinforced and more along the lines of Department of Defense K4 and K8 ratings. The last page are the reasons that we have them and these are all true life situations with the vehicles driving through the front of the store. Maybe for theft more often than not from driver error.

Vice Chair Kupiec – This picture here with the canopy in front of the convenience store is that typical of what our Michigan installation looked like?

Mr. Robert Wellert – Some of the graphics have changed but the columns are brick wrapped for this.

Vice Chair Kupiec – The reason is the position and location is to further reinforce what Mr. Wuerth is saying, if you have a situation here like a health failure to a senior citizen behind the wheel of a car in gear with his foot on the accelerator his shot is right in line with the front entrance to the store I think that's the reason for the larger bollards that Mr. Wuerth is suggesting.

Mr. Robert Wellert – They've got about 70 feet, whether they can hit 30 miles per hour I'm not sure but it's about a 70 foot distance thru there. The parking spaces themselves are 18 feet that would be 60 feet from the bollard to the first dispenser, so it might be 80 feet from the dispenser furthest from the store. There's not a lot of distance now if somebody comes from the road straight in but I think on this site the driveways are off set so there's not a way to come straight from the road into the store. Ultimately I think we all recognize the need to protect it I just don't want to cost my client, I've heard prices of \$1500.00 dollars per bollard just for the six inch diameter and I don't know how many we have, here there's a lot of bollards. I'd really like to just show what impact these have maybe work with the City Planning and try to come up with an engineered solution for the size that doesn't require 40 mile per hour impacts.

Vice Chair Kupiec – Mr. Wuerth I think we all agree here that there's a need for the bollards and obviously we'd like to get this plan underway wouldn't it make sense for us to go ahead and proceed with this get this thing approved in motion. Then you along with the people from Circle K and engineering department can work out the details on the bollards. I think they've agreed to the need of the bollard the question is the size, location and the number of them. We've agreed that the bollards have to be there so I'd like to see this thing move on.

Mr. Ron Wuerth – Okay, so I guess you're approving their plan?

Vice Chair Kupiec – No I'm saying in my opinion I'd like to see this thing move on, do you have any problem with that?

Mr. Ron Wuerth – Do I have a problem with the Planning Commission approving their plan, is that what you're asking because I have a recommendation that's different from their plan.

Vice Chair Kupiec – I'm saying to approve the recommendation as you recommended it. And then move on with them, Circle K, yourself, and Engineering Department on the size, shape, and numbers of bollards to be used.

Mr. Ron Wuerth – Excuse me sir I didn't hear the first part.

Vice Chair Kupiec – Does that make sense to you?

Mr. Ron Wuerth – Well it's certainly what my recommendation is, we can talk further, I suppose have another meeting once, after this, to discuss the size of these bollards and anything else they want to talk about.

Chair Howard – Thank you so much for being so thorough Mr. Vice Chair.

Commissioner Rob – So the bollards that you are putting in what is the resistance because we have a specification from Planning Department after research and this is something new to us. I hate to table but you are talking about cost efficient which is a major issue so wouldn't it be better having one more extension and then you'll have enough time to come up with some sort of negotiations because it mostly sounds like cost for you.

Mr. Robert Wellert – You're right I don't have the impact resistance at hand. I can calculate that, I can provide it to the Planning Commission and the Planning Department, just not tonight. If this bollard issue tonight that we are discussing weren't on the table we had received a conditional approval before earlier this year, is there a way to continue with that final conditional approval. What if bollards weren't even a question what if I just had a raised curb along the building?

Chair Howard – I believe what Mr. Vice Chair and also what Commissioner Rob are saying is that you already have a site plan this is a minor amendment to your site plan that's already been approved so we should move forward if this Commission approves and Mr. Wuerth and yourself can work within the guidelines of these bollards to make sure that Mr. Wuerth's conditions or his concerns are addressed.

Commissioner Rob – The minor amendment is only for bollards?

Mr. Ron Wuerth – It's bollards but then there was the issue of the curbing. Those two things we thought there was a curb line and these little circles and we misinterpreted and then we found out they were bollards so it was different from what we are used to. Their plan shows a line of bollards in an area where the pavement is the same and that's on the front of the building and that's on the side of the building. That's what they showed and that was conditionally

approved until we realized before we were going to approve this in the office that we hadn't noticed the bollards and what they were. That's when we indicated that this needed to be looked at in detail and that's what we've done here. So we had a meeting we came back here I have a recommendation and all these things can be modified. The one thing that I always remember it's my recommendation but it's not my approval, it's the Planning Commission's approval. So whichever way the Planning Commission goes is what the final outcome is. I'm not trying to give you any messages here you can table this again and we'll have another meeting in two weeks from now.

Commissioner Rob – That is what I was actually planning to do because this is something new. We do have something from you from your research, of course the petitioner can sit with you one more time and come up with some common ground that way if something new comes up we know where we are standing. I know it's a time sensitive thing.

Mr. Ron Wuerth – Gentlemen I don't know what you're going to do. I think you need to make a decision here or to table it and we'll go back to my office and we can talk about it. Because this isn't the place to make that kind of decision, in my opinion.

Commissioner Rob – I would rather go for a table and let them have an opportunity to talk with Planning.

Chair Howard – Mr. Wuerth can they not proceed with where they are, is this minor amendment going to hold them from starting their constructions?

Mr. Ron Wuerth – That's correct.

Chair Howard – It's time sensitive Mr. Rob because they need to get started and they can't get started without the minor amendment to the curb they can't start construction.

Mr. Robert Wellert – We are at a stalemate we would accept the recommendations as they are today only because we need to start this project. It's not necessarily what we desire but we need to get started otherwise this project doesn't get constructed. So if it's in the interest of the Planning Commission we can accept these recommendations and move on. In my mind, I'm not saying we'll do this, but there's the possibility to then spend some time while construction starts before we install the bollards we can meet with the Planning Department talk about a revision and come back here.

But at least we have building permits and we are under construction at that time. It's probably the most reasonable.

Commissioner Rob – We want you to move forward we are talking about something that you don't have answers to right now. Of course we can move forward and then you guys can work out something but you need to know what you're proposing in order to negotiate with Planning.

Chair Howard – Because Commissioner Rob has made a motion to table to the next meeting so we need to entertain this motion and see if there's a second. So we have a motion to table this for 2 weeks is there any support. I'm sorry Commissioner Rob you didn't get a second to support you. So we'll open it back up to the floor.

Secretary McClanahan – My motion is still on the board to approve.

Assistant Secretary Smith – I just want to make a point here, we already accepted that we will allow the bollards on the front the issue seems to be the concrete on the side. From all the pictures I've seen I've seen nobody run through the side of the building everything has been on the front of the building. If the bollards are \$1500.00 dollars apiece to put in and you have 15 bollards going in you can pour concrete less than that for a 6 inch curb.

Mr. Robert Wellert – You can but remember when I said that it's building impact and trip and fall problems, trip and fall is a major problem at these stores.

Assistant Secretary Smith – But you've got nobody entering the store from the side.

Mr. Robert Wellert – You have people parking there walking to that sidewalk tripping at that interface, that's just the truth that's the concern of this operator and many others that I worked for. I think it may be a trend that you'll see in the future and it's certainly happening in the retail gasoline industry that I specialize in its very common.

Chair Howard – We definitely have a lot of discussion here on the table but we don't want to hold up this petitioner. As you've indicated you're going to have further discussion with Mr. Wuerth as we get closer to the bollards being actually put into place. Perhaps we'll come back and we'll have another minor amendment to the number of bollards, the size of bollards, and the width of the bollards but for now this recommendation from Mr. Wuerth will stand. We

had a motion from Secretary McClanahan, supported by Vice Chair Kupiec, we'll take a roll call.

ROLL CALL:

The motion carried as follows:

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

- C. MINOR AMENDMENT TO SITE PLAN FOR NEW CIRCLE K GAS STATION AND CONVENIENCE STORE: Located on the northeast corner of Van Dyke and Vermont Avenues; approximately 351 ft. north of Eleven Mile Road; 27248 Van Dyke; Section 15; VD Warren Investors LLC (Otis Carter). The minor amendment is for the relocation of the trash enclosure.

PETITIONERS PORTION:

Mr. Robert Wellert – There are currently overhead utility lines, power lines that run through this site those are being relocated as part of this project. One of those relocated poles will be along the north property line between the property line and slightly forward or west of the trash enclosure. In order to provide clearance when we lift the dumpsters out and to make sure we don't have an electrical arcing the power company has asked that we move the trash enclosure south. We had some room on our first site plan so we said yes it's a great idea we are moving it about five feet further south both for the potential hazard from overhead lines it also increases some green area between the trash enclosure and the property line.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approve.

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

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

Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.

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

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

A motion was made by Assistant Secretary Smith to recognize as a minor amendment, supported by Vice Chair Kupiec.

ROLL CALL:

The motion carried as follows:

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

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – The only question I had about your dumpster area is I saw on the details of the drawing the size of the dumpster is a double?

Mr. Robert Wellert – It is.

Assistant Secretary Smith – There were no dimensions there showing that’s why I was questioning the size.

Mr. Robert Wellert – We have a detail sheet as part of the construction plans that show the actual sizing of that trash enclosure it wasn’t part of the site plan it’s a separate sheet dedicated to that trash enclosure.

ROLL CALL:

The motion carried as follows.

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

- D. MINOR AMENDMENT OT SITE PLAN FOR NEW MEIJER: Located on the northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile; Section 23; Meijer (Mike Kinstle). The minor amendment is for the implementation of Green Infrastructure, such as permeable pavers and bio-swales; increase of the gross area of Convenience Store from 2,509 sq. ft. to 3,409 sq. ft.; Relocation of the smoking shelter and bicycle rack to the east side of the store; relocation of the air and vents next to the underground tanks; extension of the sidewalk from the convenience store to the main parking lot; Increase of the turning radius at outdoor sales area located at the pharmacy drive-thru.

PETITIONERS PORTION:

Mr. Juli Sala – I'm with Anderson, Eckstein and Westrick, we are the Engineer working for Meijer's so we are here representing them today on this minor site plan amendment. I'm going to try and go through really quickly on the changes as you read them. The Permeable pavers and bio-swales, we think those are an improvement to the plan. Meijer's is looking to be greener so that's why we are discussing using these things and they are only used at select areas. The increase in the convenient store as it was written it's in the growth area, meaning that floor space that was gained is really just in the rest rooms the rest rooms got bigger. Moving the smoking shelter and the bicycle rack I believe the recommendation says on the east but it's actually the north side we want hidden out in the back side, hidden from the street. The other thing relocation of the air vents that was as recommended by the manufacture of the underground tanks they would like those air vents closer to the tanks. They operate better, they don't trip their internal mechanism is for safety. Extension of the side walk for the convenience that was as recommended by the Planning Department when they reviewed this again we have issues doing that. Increase in the turn in radius again that just makes it easier for the vehicle to maneuver. I'm hoping it's very straight forward but we'll see I suppose.

I'll add one more thing, we have reviewed the recommendations as they are written here along with both Planning and Fire and we take no exceptions to those and we would be happy to comply.

Mary Clark CER-6819
 October 24th, 2016

Secretary McClanahan reads the following recommendations:

TAXES: No Delinquent Taxes.

ENGINEERING: Approved.

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

1. Meet all the requirements of the 2012 Edition of the Michigan Building Code.
2. Maintain existing fire apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
3. Provide Fire Department lock box (knox box) as required by city ordinance.

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:

A motion was made by Assistant Secretary Smith to recognize as a minor amendment, supported by Vice Chair Kupiec.

ROLL CALL:

The motion carried as follows:

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

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – That’s the first I’ve seen of these porous pavers I like the concept I guess it’s so water can drain through?

Mr. Juli Sala – Correct.

Assistant Secretary Smith – Are they able to park on those pavers?

Mr. Juli Sala – Yes, absolutely.

Assistant Secretary Smith – How much weight will they withstand?

Mr. Juli Sala – They will handle H2O loading which is standard for heavy vehicles, semis. We have two different types one is a porous concrete paver they are made out of concrete materials they just have bigger air bubbles in them it allows the water to drain through. That is actually rated for full semis and we are using that behind the store where we do anticipate semi traffic. They are rated for that they've done studies for that and it has passed that rating. One of the things that I'll add to this too is we are going in front of the Zoning Board of Appeals for approval for these materials because they are not currently allowed under the definition of hard surface but I assure you they are very hard, it's a concrete material.

Vice Chair Kupiec – In regards to these pavers are they a variable rough surface type paver, like a typical paver you have in a residential area?

Mr. Juli Sala – It depends on which ones we're talking about?

Vice Chair Kupiec – The ones where you support your trucks?

Mr. Juli Sala – No they are relatively smooth actually they will have that variable only when they are meeting other pavers as an interlock inside there's little grooves in them.

Vice Chair Kupiec – I was wondering how that's going to affect your snow blade with the snow removal?

Mr. Juli Sala – They've done studies on the snow removal as well all they do is just lift the snow blade a little bit higher. Actually with the studies what they've found was that because they are permeable they actually help melt the snow faster. It smooth enough where the blade does not really affect the snow plow.

Commissioner Rob – So have you already implemented that in other Meijer's in Michigan?

Mr. Juli Sala – No not as far as I know I believe this is part of Meijer's plan to try and utilize more and more green infrastructure. So we are doing it on select areas, although all the studies that we read and all the studies that were reviewed show that these are very

beneficial and they work just fine. This is also a testing for Meijer's specifically not just industry wide.

Commissioner Rob – So if it goes through you might think of it at the other Meijer's?

Mr. Juli Sala – Correct, if something does not work out properly we can always come back and replace it with standard pavement.

Chair Howard – By far you guys are doing an amazing job that building looked like it came down overnight, I saw three stories I drove back around I saw nothing. So I see that you're moving expeditiously there, I love the porous material I think it's going to be great. I think it's going to set a great tone and also for the neighbors in that area because it's going to be a lot of hard surface there. So with the drainage issue there that's going to be great as a comfort to them. Again welcome thank you for moving quickly on that project.

ROLL CALL:

The motion carried as follows:

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

E. MINOR AMENDMENT OT SITE PLAN FOR IN DUSTRIAL

BUILDING: Located on the east side of Dequindre Road; approximately 699 ft. south of Fourteen Mile Road; 32600 Dequindre; Section 6; Jonathan Wiltanger (Michael Motte). The minor amendment is for tire storage addition to the existing storage building.

Chair Howard – Yes we did receive correspondence from this petitioner that he would like this item to stay on the table until November 28th.

MOTION:

A motion was made Assistant Secretary Smith to table until November 28, 2016, supported by Vice Chair Kupiec.

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS

None at this time.

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

Mr. Ron Wuerth – I'll make this quick. In the last couple weeks several things came up we talked about our bikeway discussion, a bikeway running through the City of Warren. So we are getting closer to defining the Iron Bell half and we'll end up having a public hearing on that so we'll let you know when it is if you care to be in attendance. I also attended a TIFA Meeting, a CDBG Meeting, Kroger's stopped in to talk further about their financial ways and means to get their project going at Schoenherr and 13 Mile. I also, I don't know if you want to call it, conducted class for about an hour with some Wayne State students on a location here in town. We got to discuss everything there is to know, see and feel about a site plan so they were appreciative of that.

Finally just as a reminder if you haven't noticed in your information from MAP some of us our going to the one conference this week. There's a one day conference coming up I think it's called the transportation bonanza I think it's the 8th one that's December 1st so those of you care to look in and go to that let me know.

Chair Howard – That's a one day conference sir?

Mr. Ron Wuerth – Yes one day conference, I think it's on a Thursday all day it's in Lansing.

Assistant Secretary Smith – A little FYI information on the bike lane, if you get caught riding the bike lane it's \$150.00 dollar ticket.

Vice Chair Kupiec – Mr. Wuerth I noticed lately we are getting little or no recommendations from the Zoning Department is there a reason for it?

Mr. Ron Wuerth – I can't answer that question, we send them our information and our site plans for them to review. Then it's up to them to send us their response, they are extremely busy.

Vice Chair Kupiec – I know they're busy the reason why I'm asking is some of the things that came up tonight, they were brought up by Engineering. In viewing the site on Kiefer Street there were a lot of issues there that should have been discussed. We used to always enjoy their thoughts.

Mr. Ron Wuerth – I talk to them every day and sometimes they have time for it but it's difficult, but I'll mention it to them.

Commissioner Rob – Mr. Wuerth can you email us that Department of Transportation Seminar?

Mr. Ron Wuerth – We will get that to everyone.

Chair Howard – Again we just want to follow up with Mr. Craig Treppa about the RFP.

Mr. Ron Wuerth – Well have to address that after the conference.

Chair Howard – Today is Commissioner Rob's birthday so say happy birthday. And we do want to keep Commissioner Pryor in our thoughts and prayers.

13. CALENDAR OF PENDING MATTERS
None at this time.

14. ADJOURNMENTMOTION:

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 9:39 p.m.

Jocelyn Howard, Chair

Jason McClanahan, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

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