

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on February 8th, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, February 8th, 2016, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair
Edna Karpinski
John Kupiec, Vice Chair
Jason McClanahan, Secretary
Charles J. Pryor
Syed Rob
Warren Smith, Assistant Secretary
Nathan Vinson

Also present:

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

1. CALL TO ORDER
Chair Howard called the meeting to order at 7:04 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Chair Howard – I did receive correspondence from Commissioner Robinson asking to be excused on this evening.

MOTION:

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

4. APPROVAL OF THE AGENDA

MOTION:

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

5. APPROVAL OF THE MINUTES – January 25th, 2016

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR RELIGIOUS FACILITY: Located on the south side of Nine Mile Road; approximately 280 ft. west of Masch Avenue; 4616 & 4620 Nine Mile Road; Section 32; Barbara A. Williams (Ministry of the Watchman). **Tabled. Request to table to March 21, 2016**

Chair Howard – We did receive a request to have this remain on the table until March 21st, 2016.

MOTION:

A motion was made by Assistant Secretary Smith to remain on table until March 21st, 2016, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OPEN STORAGE FOR BROKEN CONCRETE AND GRAVEL STOCKPILES: Located on the west side of Sherwood Avenue, approximately 525 ft. north of Braun Street; 25501 Sherwood; Section 21; Robert J. Tobin. **Request to table to March 21, 2016**

Chair Howard – We did receive a request to have this remain on the table until March 21st, 2016.

MOTION:

A motion was made by Commissioner Pryor to remain on table until March 21st, 2016, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

City of Detroit proposed amendments to the Detroit Master Plan of Policies.

MOTION:

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

8. BOND RELEASE

- A. SITE PLAN FOR PARKING LOT EXPANSION: Located on the south side of Chicago Road and 1,980 ft. west of Van Dyke Avenue; 6750 Chicago; Section 9; Todd Droulliard. Release of a Surety Bond for \$19,350.00 paid on 9/25/15.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

Commissioner Pryor..... Yes
 Commissioner Rob..... Yes

- B. SITE PLAN FOR A NEW DRIVEWAY ENTRANCE WITH GUARD HOUSE TO THE GM TECH CENTER: Located on the east side of Mound Road approximately 540 ft. south of Thirteen Mile Road; Section 9; 30800 Mound; GM (Jason Harris). Release of Surety Bond for \$30,000.00 paid on 10/21/15.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN APPROVAL FOR SEASONAL OUTDOOR RETAIL SALES: To be located on the north side of Eight Mile Road, approximately 128 ft. west of Van Dyke Avenue; 7657 Eight Mile Road; Section 33; Leonardo South, LLC (Michael J. Gordon, RA). Release of \$100 cash bond paid on May 24, 2013.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

9. OLD BUSINESS

A. AMENDMENT TO THE REQUEST TO REZONE PROPERTY:

Located on the east side of Schoenherr Road; approximately 180 ft. north of Ten Mile Road; 25058 District to C-3, Wholesale and Intensive Business District; Christopher Morisette. The amendment would be from the zoning classification C-1; Local Business District to M-1, Light Industrial District.

Chair Howard – We did receive a request, from our office, for this to be tabled until the March 7th, 2016.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

B. MINOR AMENDMENT TO APPROVE SITE PLAN FOR NEW TRUCKWELL ADDITION:

Located on the south side of Tobsal Court, approximately 541 ft. east of Dequindre Road; 2006 Tobsal Court; Section 19; Steven Sollish (Joseph Guido). The minor amendment is for the addition of a covered outdoor storage area.

Tabled. (This was the 2nd tabling)

MOTION:

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

Chair Howard – Can you give us any information on this particular item?

Mr. Ron Wuerth – Well when the petitioner initially came in they had a site plan approval for a truck well addition and some outdoor storage, it was a truck well, scale. They changed their ideas after a

while and decided to eliminate the truck well addition, that was outside the building and change it to one inside the building. Then they decided not to do the scale and they changed the outdoor storage area.

Chair Howard – Is the petitioner here?

Mr. Wuerth – They are not and they were notified, usually they are here to give a presentation. It's up to you but you could make it the last item after the next three, to see if they come. Or I can just read the recommendation and you can make a decision.

Chair Howard – How about we read the recommendation and we'll go from there.

Mr. Ron Wuerth reads the recommendation of the Staff:

Chair Howard – I'm going to ask the Commission, since the petitioner was notified, if we could suspend the rules and move this item down to item 9F, to give the petitioner a few moments to get here.

MOTION:

A motion was made by Secretary McClanahan to suspend the rules and move to 9F, supported by Assistant Secretary Smith. A voice vote was taken and the motion carried unanimously.

- C. SITE PLAN FOR NEW CONDOMINIUMS: Located on the south side of old Thirteen Mile Road; approximately 330 ft. east of Washington Blvd; 8320 Thirteen Mile; Section 10; Angelo Sbrocca (Daryl Gaphes). Request to reduce bond amount of \$21,000.00

PETITIONERS PORTION:

Mr. Angelo Sbrocca – This is a request to have the bond reduced because it's become difficult to get an insurance company to provide a surety bond. And it's been a little conflicting because the infrastructure has already been put in place like seven or eight years ago the street and the sanitary sewer. So with the hope of getting it reduced it may be easier to get a surety bond or we could put up the cash amount ourselves.

Chair Howard – What was the dollar amount that you were looking for?

Mr. Angelo Sbrocca – Six thousand or five thousand something along that.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – I would like to recommend that we accept the petitioners request and I'd like to recommend \$5000 cash bond.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN APPROVAL TO CONVERT A FORMER VFW HALL TO A CHURCH: Located on the south side of Nine Mile Road approximately 140 ft. east of Sherwood Avenue; 6782 Nine Mile Road; Section 33; Eric Lloyd (Jeffrey Graham). Expired Site Plan on December 9th, 2015. Approval given December 9th, 2013.

MOTION:

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

- E. SITE PLAN APPROVAL FOR LOADING DOCK/TRUCKWELL ADDITION TO COMMERCIAL BUILDING: Located on the southeast corner of Fourteen Mile Road and Davy Street; 6340 Fourteen Mile Road; Section 4; Art Van Furniture Inc., Mike Zambricki. Expired Site Plan on September 30th, 2015. Approval given September 30th, 2013

MOTION:

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

- F. MINOR AMENDMENT TO APPROVED SITE PLAN FOR NEW TRUCKWELL ADDITION: Located on the south side of Tobsal Court, approximately 541 ft. east of Dequindre Road; 2006 Tobsal Court; Section 19; Steven Solish (Jospeh Guido). The minor amendment is for the addition of a covered outdoor storage area. **TABLED. (This was the 2nd tabling)**

PETITIONERS PORTION:

Mr. Steven Sollish – Sorry for missing my earlier spot.

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.

DTE: Approved.

FIRE: Approved.

ENGINEERING: Preliminary review yielded the following comments:

1. All drive approaches shall be designed to accommodate two-way-traffic. The minimum approach opening width for two-way traffic is 26'.
2. Indicate all proposed and existing utilities.
3. The proposed outdoor storage area is in close proximity to a storm sewer catch basin. This area may require containment to ensure that the storm sewer structure and collection system is not adversely impacted.
4. Any enclosed or interior truck well shall have a drainage outlet to the sanitary sewer system.
5. Show all existing and proposed easements required for this site. An easement may be required for the storm water collection system outlet for this site.

Chair Howard – We do want to recognize our Ex-Officio Councilwomen Kelly Colegio, who is with us this evening.

PETITIONERS PORTION:

Mr. Steven Sollish – I'm asking to move my previously granted uncovered outdoor storage to a different site in the backyard of my commercial building. In addition to moving it, cover it with a carport like cover. With regard to your concerns about the sewer and the catch basin I was already granted outdoor storage that was not going to be covered. I'm covering it in an attempt to avoid any sort of drainage from my containers. I thought I was being more helpful than less helpful under the circumstances.

Chair Howard – This is a two part recommendation. The first would be a minor amendment to recognize this as being a minor amendment. Then the 2nd part would be for the reduction of the bond

amount. I would first take a motion to recognize this as a minor amendment.

MOTION:

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

Chair Howard – Now I will need a motion to approve this minor amendment.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – You say you're asking for the outdoor storage area to be covered and you're concerned about not having to put drainage there around it because you are coving it?

Mr. Steven Sollish – I think the notes made by the Engineering Department, if I'm reading this letter correctly, made some mention about a storm sewer catch basin. That I guess implies that there might be some runoff into the storm sewer. And by covering my storage I'm attempting to avoid that altogether.

Assistant Secretary Smith – Now is this storage going to be totally covered or is there going to be open sides. You said it was like a carport so it's just the top that is covered.

Mr. Steven Sollish – Actually the only open side would be the area that I can drive into with a high-low.

Assistant Secretary Smith – What's stored in this open storage area?

Mr. Steven Sollish – Empty steel drums.

Assistant Secretary Smith – Did they have liquid or something in them before?

Mr. Steven Sollish – No, at some point there might have been liquid in them when I get them they are dry.

Assistant Secretary Smith – And they stay dry during this whole process?

Mr. Steven Sollish – No, I can't say that they would be 100% dry.

Assistant Secretary Smith – I'm just concerned about if any containers are put in there, they usually have a curb or something going around those kind of areas to contain anything that might be in those drums in that particular area so it doesn't run off into the other areas.

Mr. Steven Sollish – I guess as I said earlier I've already been granted outdoor storage that didn't require any of that. Now all I'm doing is moving my outdoor storage to a different location and it sound like you're trying to put additional requirements on this.

Assistant Secretary Smith – No it's just that when you move one storage area to another storage area depending on the location of the 2nd storage area there may be a drainage issue at the 2nd storage area and that's all we are concerned about.

Mr. Steven Sollish – If you look at the drawing of my lot the original area where I was granted outdoor storage is where the parking spots are directly behind my building.

Assistant Secretary Smith – So you just turned it 90 degrees basically?

Mr. Steven Sollish – Yes turned it 90 degrees and moved it to one end of the yard instead of right in the middle of my yard. I'm as close to any sewer that is there, I'm not any closer to any sewer.

Assistant Secretary Smith – I noticed that the truck ramp, truck scale was supposed to be removed?

Mr. Steven Sollish – When I originally moved in I had an idea of installing a truck scale and when I went to site plan approval they suggested that anything that I wanted to do I should do at site plan approval because I have a couple years to decide whether or not I want to do it. I'm not doing the truck scale, it's not part of my site plan anymore.

Assistant Secretary Smith – I noticed that the bond at the time of the site plan approval was \$4500.00 and that was September 8th, 2014 and that bond had never been posted. According to the different improvements that you are looking at now they are looking at a reduction in the bond, was there a reason why the original bond was never posted?

Mr. Steven Sollish – I after the fact discovered that the contractor that I hired was not the contractor that I thought he was and things didn't get done in the proper fashion. And part of the reason why this was tabled from a couple meetings ago was to give me a little more time to get caught up to speed. Things weren't done properly when the original project was being done.

You're right, the bond wasn't posted, the permits that were required to be paid for are now paid for. I feel like I'm up to speed with where I need to be. But now the scope of the project is much smaller than it was a year ago and I think that's why there's a request for reduction in the amount of bond. I've gotten one quote so far and it's for \$22,000.00 dollars.

Commissioner Rob – If we are planning to reduce the bond I would proposed to the maker of the motion to make a cash bond.

Chair Howard – The maker of the motion was Secretary McClanahan and Vice Chair Kupiec, do you support a cash bond?

Secretary McClanahan – Yes.

Vice Chair Kupiec – If we finally agree to that being the estimated bond then I would agree with it yes.

Chair Howard – Thank you.

Vice Chair Kupiec – What other type of materials other than the drums will you be handling in your overall operation?

Mr. Steven Sollish – I'm a scrap metal recycler. I'm not proposing to leave any of my commodities outside, outdoor storage is strictly for empty storage containers.

Vice Chair Kupiec – When you say you're into scrap metals what type of scrap metals are you handling?

Mr. Steven Sollish – Only non-ferrous, no steel, aluminum, cooper, brass, vacuum alloys, but no steel.

Vice Chair Kupiec – So it comes in as miscellaneous scrap and you bundle it and dispose of it?

Mr. Steven Sollish – That's not exactly our process but I think that's kind of an accurate description of it. We are just a middle man we

service industrial accounts we sort the metal, we package it into the boxes or steel drums and we ship it to mills.

Vice Chair Kupiec – And the reason for your not including a truck scale in our operation is what again?

Mr. Steven Sollish – We don't have a need for it. There's actually a truck scale down the street that we are able to use, we pay by scale weight.

Vice Chair Kupiec – Do you handle your business like a weigh in weigh out is that how you determine your load?

Mr. Steven Sollish – Yea we put things on a scale. All of the scrap that we buy is containerized in boxes or drums and they are weighed on a small scale not a big truck scale like your envisioning.

Vice Chair Kupiec – I notice you also noticed that you're also eliminating a trash enclosure how do you intend on handling the trash that you accumulate in your business?

Mr. Steven Sollish – I have a trash enclosure, I replaced the doors on it it's probably nicest trash enclosure on the block. I keep the container inside the enclosure and the doors are closed until the guy comes and picks it up.

Vice Chair Kupiec – So the existing trash enclosure is what you intend to use. You're not doing away with a trash enclosure you're just going to use the existing one?

Mr. Steven Sollish – Yes.

Vice Chair Kupiec – When I was there the gates were closed and I couldn't get in so I really didn't have a chance to see it.

Mr. Steven Sollish – I don't like unwanted visitors I suppose, but come by during business hours you're more than welcome to come in and take a look at what we are doing.

Vice Chair Kupiec – I guess I concur with the recommendation for the \$1500.00 cash bond.

Chair Howard – This is going to be a two part approval first one to have this as a minor amendment.

ROLL CALL:

The motion carried as follows:

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

Chair Howard – Second I would need a motion to reduce the bond to \$1500.00 cash bond.

MOTION:

A motion was made by Commissioner Rob to reduce the bond to \$1500.00 cash, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS

None at this time.

11. CITIZEN PARTICIPATION

Mr. Joseph Hunt – I do want to point out to the Planning Commission that recently I was noticing in the Macomb Daily Newspaper that there were several other lawsuits that were filed against the City of Warren regarding the marijuana facilities, rezoning classifications, and I just wanted to go on record to make you aware of that thank you.

12. PLANNING DIRECTOR'S REPORT

I did attend a used car lot meeting, with our City Attorney Caitlin Murphy to discuss regulation language. Where it's to be placed in

the code and that sort of thing. We have some new additional ideas on how to handle used car lots. I attended a Block Grant Meeting.

From there I had a meeting with the two owners of the Shopping Center at 13 and Hayes. They are going to come in for site plan approval they are not liking each other so one of them is going to put up a fence that will clearly cut off access between the two of them, which means cutting off access for anyone that goes to the shopping center, and this is on the south side of 13 Mile Road.

I attended a DDA subcommittee meeting, there was discussion regarding several items one having to do with the sale of Majestic Plaza. The City owns Majestic Plaza and they had two buyers that we are working with, so it's getting closer. I did attend a meeting with Human Resources and we were talking about the Bouchard lawsuit that was 2 ½ hours of discussion. We also had our Master Plan Meeting we had assignments given by the Chair, she's very strict about this. Craig Treppa did attend, he's the Purchasing Agent, and gave us a lot of great information on how to get started with our RFP, so that was an excellent meeting.

Finally we received some information from the Council Office and I think you have copies of that, it has to do with the Michigan Citizen Planner Classroom Series. This particular one will take place in Macomb County in Clinton Township beginning March 16th, it runs for 7 weeks, we highly encourage our Planning Commissioners to attend. It's my understanding from a discussion I had today from the Council Office that if we have more than four participants from the City of Warren and that could include Council Members, ZBA Members, and Planning Commissioners, that we will get a discount. I still need to find out about the funding aspect of it all and see where that's coming from. Take a look at that and I'll pursue the funding part. I want to encourage everyone who isn't a Citizen Planner to make an effort to attend these and become one.

Vice Chair Kupiec – I was wondering, have we sent any notifications out to the surrounding communities of what we are doing as far as our Master Plan?

Mr. Ron Wuerth – No, it's too early to discuss it with other communities. When we have a plan to share with them that's when we will contact our neighbors.

Vice Chair Kupiec – This whole thing started back in September of 2008 and we've had a lot of fundamental meetings and preliminary meetings. I know we are not advanced far enough to discuss in

stages what we are doing but we could let people know we are doing something.

Mr. Ron Wuerth – It's not common to communicate with other communities at this stage of the procedure.

13. CALENDAR OF PENDING MATTERS

Commissioner Rob – As we've had the changes from Stevens to Colegio. Can we propose that Kelly Colegio's name as a assigned person for the Master Plan Committee, because our system shows the old Ex-Officio name. Right now we don't have Council Kelly Colegio as a named person for our Master Plan.

Chair Howard – She is part of our Master Plan Subcommittee.

Mr. Ron Wuerth – Madame Chair, the Ex-Officio can attend any of these subcommittee meetings.

Commissioner Rob – She can attend but she's not assigned, am I right?

Mr. Ron Wuerth – Council Secretary Colegio is a member of any of those committees it just goes without saying. It's not an official act at this point but later on she'll be brought in to the RFP Committee and named at that time.

Chair Howard – And again, we are moving forward as Mr. Wuerth has indicated. Craig Treppa came in and gave a wonderful presentation and Michelle is sending out all of our assignments in rapid order and we will be working on that expeditiously. Mr. Wuerth just one request from you, at our last meeting you gave us quite a few dates in terms of Budget Hearings and things of that nature both with the Mayor and also City Council and also Commissioner Vinson indicated some dates. Can we please get them in an email so we can lock them in?

Mr. Ron Wuerth – Yes, I will send them out tomorrow.

Chair Howard – As soon as Michelle sends us our template to work with then we will schedule our next meeting for our Master Plan Subcommittee.

14. ADJOURNMENTMOTION:

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

The meeting adjourned at 7:48 p.m.

Jocelyn Howard, Chair

Jason McClanahan, Secretary

Meeting recorded and transcribed by
Mary Clark - CER-6819

E-mail: maryclark130@gmail.com