

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on April 18<sup>th</sup>, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, April 18<sup>th</sup>, 2016, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Jocelyn Howard, Chair  
Jason McClanahan, Secretary  
Charles J. Pryor  
Syed Rob  
Claudette Robinson  
Warren Smith, Assistant Secretary  
Nathan Vinson

Also present:

Ronald Wuerth - Planning Director  
Judy Hanna – 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 7:03 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

MOTION:

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

4. APPROVAL OF THE AGENDA

MOTION:

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

5. APPROVAL OF THE MINUTES – April 4<sup>th</sup>, 2016

MOTION

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

6. PUBLIC HEARING ITEMS:

- A. REQUEST FOR PUD REZONING AND SITE PLAN FOR NEW CONDOMINIUMS: Located on the southwest corner of Hoover and Irene Roads; from the present zoning classification of C-1, Local Business District to PUD, Planned Unit Development; Section 10; 29465 Hoover; William Kyle Jenney. **Tabled (2<sup>nd</sup>) Requested to table to May 16, 2016.**

MOTION:

A motion was made by Secretary McClanahan to table until May 16<sup>th</sup>, 2016, supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN FOR OPEN STORAGE OF TRAILERS: Located on the south side of Maxwell Avenue, approximately 146 ft. east of Sherwood Avenue; 6732, 6746, 6752, 6756, 6764 and 6772 Maxwell; Section 33; Ron Gerst (Robert J. Tobin). **Tabled.**

MOTION:

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

PETITIONERS PORTION:

Mr. Robert Tobin – Gooding evening ladies and gentlemen. This project was initiated by the Zoning Department who found 4 trucks standing to the east of the existing building and were identified as requiring outdoor storage approval. It was determined to rezone the

property on Maxwell Street to C3 to M1 which allows for outdoor storage. We were zoning it C3 and you couldn't have outdoor storage in C3 so we had to rezone it. We came last October and you gave us approval, then we went to City Council and got their approval, now we are back again to get the approval for outdoor storage. We first appeared before this board October 5, 2015 and you received your approval for rezoning to have 1. We are here tonight for your approval to allow 3,600 square feet of outdoor storage on the site that would be the yellow 60 x 60.

The existing building is a cold storage warehouse building which has no toilets, no heating, and no employees, so it's a cold storage warehouse. We are required because we have some vehicles outside to get outside storage. We've provided outdoor storage which will contain a storage unit, two storage trailers and three delivery trucks. So the only thing that will be remaining here during the day will be these three storage units, the three trucks will be moving out every day.

The owner is planting 12,650 square feet of grass and two trees on the remaining site. Right now it's partially covered with grass and we are going to cover the whole site as suggested by the Planning Department and put a couple trees in there so it's a nice looking site. It was half asphalt we are planning to do the whole thing in grass. We are removing all existing decrepit wood and chain link fences along the south property line and we are providing 280 linear feet of 6 foot high chain link obscuring fencing which will provide a visual screening of the limited business operation that was not previously provided. In other words we are providing 280 linear feet along here to screen the property which is required by outside storage from the neighbors. We will also provide 85 linear feet of 6 foot high obscuring chain link fence along the east property line. We are putting a screen fence that will be covered with fabric so it will be obscuring, it's got a 10 year guarantee, it won't blow away or rip it's pretty tough stuff.

The business owner is an Industrial Equipment Repair Business and this outside storage area is very necessary for the conducting of his adjacent business. If there are any questions we'd be happy to answer them.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

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

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1. It is recommended that parcels 13-33-203-004 through 13-33-203-008 be combined.
2. All existing utilities and corresponding easements shall be shown on the plan.
3. Portions of the existing sidewalk along Maxwell appear to be in poor conditions. It is recommended that the property owner be required to remove and replace any concrete sidewalk or pavement that is in poor condition. Additionally, the owner may want to investigate the condition of the private sanitary lead.
4. All parking areas concrete curb and gutter around the perimeter.
5. The drive approach as shown does not appear to match existing conditions. The plans shall indicate any proposed improvements or change within the Maxwell Avenue right-of-way.
6. All drive approaches shall be constructed in accordance with current City of Warren specifications.
7. The proposed acreage of earth disturbance shall be shown on the plan. If there is over an acre of disturbance the site will be required to comply with the recently adopted Storm Water Ordinance.
8. A storm water collection system is required. All drainage shall be maintained on site.

**FIRE:** Approved.

**DTE:** Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:

Add 1B – Portions of the existing sidewalk along Maxwell appear to be in poor condition. It is recommended that the property owner be required to remove and replace any concrete sidewalk or pavement that is in poor condition. Additionally, the owner may want to investigate the condition of the private sanitary lead.

**PUBLIC HEARING:**

Ms. Violet Anchor – I live at 6759 Cadillac. My property is exactly behind his property and I would like this to not be approved. I do not want to have to walk out my back yard and see this fence. If there was an emergency and I had to get out from the back where would I even go? I've lived there for over 30 years and I've lived on Maxwell right by his place for the other 22 years of my life. I'm asking that this does not get approved. We've had rat problems, we've had problems with him in the past on things. All of you just ask yourself would you want to have walk out in your yard and see a fence.

Ms. Barbara Blarek – I live at 6798 Maxwell, which is on the same street where they are planning to do this. There's a rat problem very bad, the rats are chewing through concrete and I believe these trucks are bringing them in and how do you get rid of them once they

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are being carted in through these trucks. The Inspector came out to the house and said there's a mound of dirt on this property where the rats are all residing, that's from the rat person from the City.

Mr. Tim Vanneste – I own the existing wooden fence as well as six other properties on the south side of this area. In other words its saying remove my fence. Would you like this in your backyard? From the residence its 25 feet to that fence so we are going to have idling trucks, you know what comes with idling trucks and open storage trailers, in your backyard.

I also want to make note of one of the recommendations with respect to drainage. Has anybody in this room walked that area in the last month because you would need boots up to your calf, there's a significant drainage problem the City has refused to address it over the years and Engineering Department has been out. A simple drain could be put in in this easement here which is now being encroached on, I'm going to say on the east side which would solve a lot of drainage problems.

The water from this alley that comes off the parking and the building has to go into the alley. Same is true with all the residents on the south, every bit of water comes into this alley it gets to be a foot deep. It cannot go out to Sherwood because there's a building in the way it's got to flow through 7 backyards those are the only ones that are showing there's more. I have photographs with me if you'd like to see them. Because the acreage is too small we probably don't have to put in drainage but I'm going to say why not all the water from this parking lot, all the water from the building, and all the water from the roofs of my homes all has to go somewhere and it's got to go out to the east. Would you like this in your backyard and since it's already recommended to be approved I'm going to say all of the recommendations that were attached need to be enforced, including drainage whether it's required by the ordinance or not.

MOTION:

A motion was made by Secretary McClanahan to table with discussion, supported by Commissioner Rob.

COMMISSIONERS PORTION:

Commissioner Rob – Is the petitioner here?

Mr. Robert Tobin – He's right there, I brought the owner so he could respond to some of these comments.

Commissioner Rob – Providing you with the table option allows you to address those issues and talk about these things. Did you have the opportunity to talk to them at all?

Mr. Ron Gerst – I spoke with one of the residents when we met with City Council about rezoning the property. Her and I spoke after the fact and unfortunately we didn't have an opportunity to go back into City Council. She had been very confused with some of the things that she had made statements about based on a previous business being at this location and not myself.

To address the issue with rats I can't control what goes on in the city, that's very unfortunate and it's a widespread problem not just within the City of Warren, I live in Royal Oak and it's everywhere. However we're not a food organization there's nothing we do that attracts rats we don't generate garbage or trash we are a mechanical repair facility. I have delivery trucks that is correct, unfortunately they don't idle for any extended period of time, they get parked and they are shut down. During the day they're gone, if the trucks aren't moving I'm not making any money. So it doesn't make any sense for me to let them sit and idle. Those pieces of equipment are used to deliver the equipment that we repair back to our customers.

As far as rats go the property that she's talking about it's a berm and when we had cleaned up some of that parking lot that is existing we were asked by the Zoning if we could create this berm with this left over dirt and we did and we planted grass on it to help beautify the situation and not leave it as just one big mound of dirt. So if there are rats living in there this is complete news to me. We do maintain that property, I pay one of the neighbors, helps us maintain the yard he cuts the lawn, cleans up all the tree debris, and things of that nature.

In regards to the flooding of the alley, completely confused on that situation as I walked down that alley today and one of the members of this Board visited my site today. With that being said I don't believe you saw any flooding in said alley so again I'm complete confused why you say a foot of water in an alley that is just not there. So I will be happy to address anybody's issues and complaints and as I said to the lady prior, please, I have an open office at any point and time anybody can come to me with any concerns that they have and I will be happy to work with the community and correct the problems.

We are there as a business we've been here now 11 years we have no legal issues, as you see my taxes are paid, we have no tickets with zoning or blight, we are doing everything we can to be a good neighbor to the community and I will happily discuss anything with any of the neighbors. If I don't know about the problem I can't correct it and I'll be happy to help.

Commissioner Rob – How many trailers will be there at the same time?

Mr. Ron Gerst – There will be three trailers that will be positioned on the property for storage. These three trailers that are going to be next to the building they are going to be there specifically, that's what we are here for to ask for the outdoor storage. The other three are my delivery trucks and those move on occasion they may be parked there but for the most part during the day those three pieces of equipment will be gone.

Secretary Smith – I have a concern because usually when we go from a M1 zone to a residential we are required to put up concrete wall. I think that would give more buffer than the fence that you're proposing but I'm concerned if there's a drainage problem would water be trapped in that area?

Mr. Ron Gerst – With a concrete wall absolutely it would. And if there's a drainage issue then by all means let's work together with the community, I mean I can't 100% take on that financial responsibility I'm just a small business trying to make it. But I will be more than happy to handle my fair share to address that issue if there is an issue that exists.

Secretary Smith – The one concern I have also is that the Planning Staff recommended either the green belt or the concrete wall. I think the wall is a problem because it is dividing the residential from the M1 zone because the M1 zone is light industrial.

Mr. Ron Gerst – As I said I'll be more than happy to discuss this with the board and with the neighbor's and anything we can do to come up with a fair resolution to this, that's why I'm here. I'm taking the proper channels, I'm doing everything that's asked of me, we've worked with the Zoning Commission, we've done everything that has been asked to this point and this has been going on for some time. You can see by what's on record we've not run from any of this, everything that has come up we have addressed and taken on head on and I will continue to do the same. From a financial aspect, a wall I don't know what that would cost. Obviously it's something we

can look at I can't guarantee it can happen financially. I'm just a small business trying to pay our taxes, pay my employees, and keep the building as clean and as orderly as we can.

Chair Howard – Because we have a motion to table if we continue the discussion we are still holding a public hearing. We have definitely heard some of the concerns of the residents and we've also heard your concerns as well as the business owner. What we are going to do is table this until May 16<sup>th</sup>, 2016 that will give you an opportunity to speak to this gentleman who has six properties also to the other residents that are here and to help resolve some of these issues. If there are some issues that are not your concern that are outside of the scope of your business then you'll be able to address those head on. In the meantime you can come back, speak to our Planning Staff, and see if there's any adjustments or something that we can do in terms, this Board and also the community, to come to some resolution as to what's going on with the property.

Mr. Gerst – By all means I'll be happy to speak with him in regards to the draining issue. I have offered to speak to the other lady prior and that apparently fell on deaf ears because whatever concerns she may have she completely bypassed me and came here with them. So I feel that I've extended that invitation to her, she choose not to bring whatever concerns she may have to me. Again I'll be more than happy to discuss things with her.

Chair Howard – So I would ask that the residents, as well as the business owner, find some time between now and May 16<sup>th</sup> to discuss the pending issues. We will revisit this issue on May 16<sup>th</sup>.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR CO-LOCATION OF LTE ANTENNAS TO EXISTING COMMUNICATIONS FACILITY AND TOWER: Located 650 ft. north of Nine Mile Road and 420 ft. west of Sherwood Avenue; 6485 Nine Mile Road; Section 28; Frank Mancina (AT&T).

PETITIONERS PORTION:

Mr. Frank Mancina – My address is 30150 Telegraph Road, Bingham Farms. I am here on behalf of AT&T to seek site plan approval for the three additional antennas that we will be adding to the cell tower located at 6485 Nine Mile Road.

Secretary McClanahan reads the following correspondence:

**ENGINEERING:** Approved.

**FIRE:** Approved.

**DTE:** Approved.

**TAXES:** Approved.

**ZONING:** Approved.

Mr. Ron Wuerth reads the recommendation of the Staff:  
Eliminate number 1 on this recommendation it referred to the removal of barbed wire and there is no barbed wire to remove.

PUBLIC HEARING:

Mr. Dave Domas – Gooding my name is Dave Domas my address is 7416 Ledgewood, Fenton, Michigan. I'm here representing the interest of the property owner, who happens to be my sister, sitting over there in the corner. We only became aware of this on Friday, we received an e-mail from Crown Castle and I have a copy of that correspondence requesting that we be at this meeting this evening to find out more details about what's going on. So I attempted to get ahold of Crown Castle who are the people with whom we have a lease on the property on which these towers sit and we have no objection to additional antennas being placed on the towers but we didn't have any time at all to react to this requirement for site plan approval and all of the issues that go along with that. So I'm here requesting that we table this issue until we are able to contact and connect with Crown Castle. I've made several phone calls and we made one here just before we came to this meeting this evening but unable to contact Crown Castle. And the purpose of that contact would be to work out some sort of agreement with them as to these additional conditions so that their clients can put towers on. I don't think that's an unfair request.

Mr. Frank Mancina – I need to address that issue. Madame Commissioner in the fact of we are not a party to the agreement with Ms. Tucker we are only a party to the agreement with Crown Castle, we are essentially just a renter. The issue with regards to the site plan approval should be between Ms. Tucker and the City of Warren. We don't have anything to compel the prime landlord to seek and secure site plan approval. That should be a separate condition

between the property owner and Crown Castle. All we are asking for site plan approval just to add the three additional antennas.

MOTION:

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

COMMISSIONERS PORTION:

Chair Howard – Mr. Wuerth we are having discussion regarding this gentleman here regarding his relationship to Crown Castle and their notification regarding site plan approval and also their ability to actually look at the conditions of the site plan and the recommendations. Seeing that they just received notice on Friday being the business owner or lease, are you the owner?

Mr. Dave Domas – I'm representing the owner who happens to be my sister.

Mr. Ron Wuerth – Madame Chair that's the proper notice, everyone gets that notice and it's my understanding that he received that notice Friday.

Chair Howard – Yes and he hasn't had ample time to actually respond to that being the business owner. Has the correspondence been with AT&T and not with the property owner itself?

Mr. Ron Wuerth – No, we didn't notify the property owner we assumed that the Zoning Bureau would do that. The Zoning Bureau was notified that there is the current parking of semi-trucks and trailers on this property without approval. So that's why we moved forward to indicate that they indeed needed to do this as a condition of them getting approval for the antennas.

Chair Howard – And sir in terms of your prior antennas with AT&T have you been in conversation with the property owner in advance or has it just been with the Zoning Bureau or with the Planning Department?

Mr. Frank Mancina – Just with the Zoning Bureau. There's no reason for us to have direct contact with prime landowner of the parcel because we are not a party to any financial agreement or lease agreement. We are only a direct party to Crown Castle so there's no reason for us to have any discussion with them.

Chair Howard – And in terms of your correspondence with the City, has it been with the Zoning Department or with our Planning Department?

Mr. Dave Domas – We've had no contact other than at the counter early this morning and at that time received some information on the requirements for this approval. But with all due respect to Counsel, I'm not trying to practice law without a license, I'm an Engineer and we don't know your work, but we do have that common thread we both have that strong connection with Crown Castle. We give up any kind of leverage that we might have to bring them into this requirement for site plan approval. Once that's gone then we are kind of like on our own and AT&T is able to put up their antennas.

Chair Howard – Attorney Murphy if you could weigh in on who we should be corresponding with and what is the rightful transaction between the two. Zoning has been in conversation with AT&T, the landowner or the lease owner has not had any conversation besides earlier today and they weren't notified, so what is your opinion regarding this?

Ms. Caitlin Murphy – Well they would be required to get site plan approval either way, so it is linked to the AT&T site plan but since you need site plan approval as well that will be a different step. You'll come to us more notice received this is just having to do with AT&T we've conditioned their site plan on you getting site plan as well, which you have to do anyways. And that is a standard procedure that we do for the City of Warren as we'll attach site plan approval to colocations on occasion.

Mr. Dave Domas – So is that something for us to work out ourselves?

Ms. Caitlin Murphy – You'd have to come to the City of Warren to get the site plan approval separately.

Mr. Frank Mancina – And you're stating that's a standard procedure for the City of Warren?

Ms. Caitlin Murphy – That is correct.

Mr. Frank Mancina – From a legal perspective that our site plan approval is contingent upon his site plan approval?

Ms. Caitlin Murphy – Yes, that is our standard procedure unless you give me something to the contrary. I didn't have the time to research it but at this point yes that would be our standard procedure.

Mr. Frank Mancina – Even though we are not a party to any form of agreement, we are a party to the Crown Castle agreement but we have nothing to compel nor any basis of legal standing to compel the property to move forward with their site plan approval.

Ms. Caitlin Murphy – Well I think that there is that you can then stop paying your lease fees to the lessee Crown Castle and then they could presumably put pressure on.

Mr. Dave Domas – We are not trying to put pressure on AT&T or Crown Castle. We'd like to work in a partnership, which is what we have right now, but these things should be worked through our partnership.

Ms. Caitlin Murphy – Absolutely and what I was saying to this gentleman was that if it came to that because he's asking about legal standing to compel you, basically, to comply.

Mr. Ron Wuerth – I just want to make sure that it's clear in that item that it say submitting a request for site plan approval not final site plan approvals. So if you came in two weeks later submitting your application for site plan approval that would release AT&T of this recommendation. You're submitting the application, it will be processed and we'll run it through for site plan approval but that takes about a month. So my point is upon receiving it we can release AT&T.

Mr. Frank Mancina – I appreciate that I understand the objective here but it still puts an undue burden on my client AT&T and that they're still at the mercy and contingent upon, if by some chance there's no agreement between Crown Castle and the property owner. Then to state that we can just stop lease payment is something that could turn this into something even more impactful and more of a legality between AT&T and Crown Castle.

We are just a renter as just somebody who rents a house from the landlord. The renter doesn't seek approval from the mortgage company to do something of this equivalence if it was regarded to residential. And what we are being asked to do is seek approval from this mortgage holder for the fact that we are just the renter and we are paying our monthly lease to the landlord who is Crown Castle.

Mr. Ron Wuerth – Just for historical significance about a year or so ago we were working with a gentleman on Mound just south of 10, it may have well been AT&T who wanted to put a tower up at that particular site he had a problem also with site plan approval. There was someone who was leasing part of his property there was outdoor storage there and we said you're going to have to go through site plan approval, it was a condition and the Planning Commission approved it. Same thing, no difference here whatsoever, in this case.

Ms. Caitlin Murphy – The City can attach reasonable conditions especially now that Ron's clarified it's a request for site plan approval. So I certainly would say that's a reasonable condition that the Planning Commission can choose to add.

Mr. Frank Mancina – And I appreciate that but ultimately we're still at the behest of the prime lease holder and Crown Castle. If the prime lease owner decides to go to Crown Castle and state I'll be more than happy to submit the site plan approval however though it's contingent upon I want x amount of dollars as in increase from monthly rent.

Mr. Dave Domas – You're not suggesting that I'm suggesting that?

Mr. Frank Mancina – That is a potential possibility. Then it becomes the position of Crown Castle and we don't know what his request is from a financial perspective that it's going to be reasonable or not, so that could potentially delay this for months, years.

Ms. Caitlin Murphy – I think we are getting into hypotheticals, but I think you can come back to the Planning Commission for an amendment if that was necessary, if that became the case.

Mr. Dave Domas – We've had a long and very pleasant working relationship with Crown Castle and both the tower leases have changed and we've always had no difficulty working out reasonable arrangements. And I want to assure you Madame Chair my interest and the interest of my sister that we deny nobody any access to the tower and that we don't want to stand in the way, we just want to resolve this. We realize this is going to cost us something to make this happen, so far we just don't have a partner to work with here that's all.

Mr. Frank Mancina – Would Counsel accept a condition of potentially a letter on behalf of Crown Castle with the prime lease holder that they will submit for site plan approval within a specified date.

Chair Howard – Would 30 days give you enough time sir to have an opportunity to review the documentation, have a conversation with AT&T and return here within 30 days?

Mr. Dave Domas – We can do it in 30 days.

Chair Howard – If we go out 30 days we're looking at a date of May 16<sup>th</sup> that will give both of you an opportunity to speak and have an opportunity to speak with your sister and also Crown Castle. So you two can come together and come to an amicable agreement between the two of you and also a letter, I believe, would suffice.

Mr. Frank Mancina – Just a clarification point the 30 days is 30 days for him to submit the site plan application?

Mr. Dave Domas – The site plan application.

Chair Howard – That is correct.

Mr. Frank Mancina – I was viewing it as a letter stating that he will submit a site plan application.

Chair Howard – I'm hoping we can encumber all of that within 30 days, is that fair Mr. Domas?

Mr. Dave Domas – I think it is yes.

Chair Howard – Mr. Wuerth is that amiable to you as well?

Mr. Ron Wuerth – I think the petitioner was hoping to get a letter from the company right away and be able to then move forward almost immediately. Then that letter ideally is good and we can accept this gentleman to come in with his site plan in 30 days.

Chair Howard – So we are going to vote to obtain both the letter and the site plan by the 16<sup>th</sup>?

Mr. Ron Wuerth – We could get the letter earlier than that.

Mr. Frank Mancina – I'm going to talk to David after this meeting. My point was if we can, for example, if we can come to an agreement by the end of the week and have a letter drafted and he

signs the letter stating he will work with Crown Castle to submit that site plan. Then I will submit that to Ron and the site plan would be approved.

Mr. Dave Domas – Without any time commitment for the approval itself?

Mr. Frank Mancina – No time commitment for the time approval of your site plan approval because that’s ultimately still up to you, but you’re on record with a letter stating that you will submit for a site plan approval.

Mr. Dave Domas – If my sister approves it I think we can do that.

Chair Howard – Commissioner are we clear as to the process?

Assistant Secretary Smith – Yes.

Chair Howard – That was a motion by Assistant Secretary Smith, supported by Commissioner Vinson to approve with the condition that we receive the letter before May 16<sup>th</sup>, 2016. The substance of the letter will be that Mr. Domas will make application for site plan approval.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR NEW RETAIL CENTER AND RESTAURANT:  
 Located on the northwest corner of Thirteen Mile and Mound Road; 5843 Thirteen Mile; Section 5; Nicholas Shango. **Request to table to June 20, 2016.**

Chair Howard –We did received correspondence from this petitioner that he would like to have this item tabled until June 20<sup>th</sup>, 2016.

Assistant Secretary Smith – Madame Chair, you also received a letter stating that he would like to extend to a later date to be determined by himself or Ron Wuerth.

Mr. Ron Wuerth – The Planning Staff requested a tabling with a date certain based upon the conversation I had with Mr. Shango. Then Mr. Shango submitted his letter one day late but we had agreed on June 20<sup>th</sup>, 2016

MOTION:

A motion was made by Secretary Smith to table until June 20<sup>th</sup>, 2016, supported by Commissioner Rob.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

None at this time.

8. BOND RELEASE

A. SITE PLAN APPROVAL FOR TRUCKWELL AND LOADING DOCK ADDITION TO BUILDING: Located on the southwest corner of Hoover and Stephens Roads; 11550 Stephens Road; Section 27; Troy Design Manufacturing (Gala & Associates, Inc.). Release of cash bond paid on January 24, 2014 for \$2,700.00.

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

9. OLD BUSINESS

- A. MINOR AMENDMENT TO SITE PLAN FOR NEW BUILDING ADDITIONS AND PARKING LOT EXPANSION: Located on Van Dyke Avenue, approximately 1,500 ft. south of Thirteen Mile Road; 30007 Van Dyke; Section 9; Jason Harris (General Motors). The Minor Amendment is for modifications to the north parking area.

PETITIONERS PORTION:

Mr. Pat Doher – Jason Harris from General Motors is on vacation, he did send a letter to Ron's office indicating I would be representing General Motors. My name is Pat Doher with Smith Group JJR and I feel like I haven't seen you in a while, I'm glad to be here.

I want to be really brief here, this is I think the third time that you have seen this project and were on the throws of being able to complete this project sometime towards the end of June, which is not too far away. As you can imagine because of the type of construction that we've undergone there are things that are constantly changing and one of the things that has changed is how the loading dock on the northeast side of this building will operate and our desire to not block any of the streets that serve this facility on General Motors Campus. So we've reconfigured the loading dock you can see it's on the northeast corner of the site.

First off there were no changes to the building, so in August of last year we had parking in this area the trucks backing into this loading for some time would be blocking this because of the way the process has changed for the dock. So what we did was we actually took some of the parking out, we made it wider and longer in order for us to be able to turn trucks in and back trucks into the docks and then be able to exit the dock without impeding the surrounding streets.

There were a couple of questions that came up during the review of the staff that I'd like to touch on. One is a dimensional plan is needed and obviously that was something that was remiss in the submittal. We do have a dimension plan and we will be submitting those five sets with the dimensions to the Staff. The other thing I wanted to point out is the loading dock that we are talking about now is on the northeast corner of the building on this plan. We did make some minor modifications to this surface parking lot here we're not taking out any of the payment or anything. There are no accessible spaces, here we have an employee entrance that's located in this building now and there is the need for General Motors to provide some assessable spaces.

Another comment that was brought up in the letter was about the flood plan. And you may recall that we do have a permit with Department of Environmental Quality to impact some of the flood plain for this particular project, the flood plain for the Bear Creek. So we did show on this plan and this plan will be resubmitted with the five sets that are required. We are having a slight impact to the flood plain it's fairly negligible, in fact our permit with the Department of Environmental Quality gives us a 500 cubic yard buffer in order for us to be able to be in compliance still to the permit.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**MDOT:** Approved.

**FIRE:** Approved.

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

1. Any revisions within the Bear Creek Drain easement are subject to the approval of the Macomb County Public Works Office.
2. Proposed dimensions shall be provided for the new parking lot/truck maneuvering area in the northeast corner of the site and the parking area west of the south building expansion.
3. The existing flood plain shall be shown on the plan.

**DTE:** Approved.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I was going over your drawing and I noticed that in number 2 on the findings it talked about the elevation plans and I noticed when I got my drawings there was no elevation plans. You're showing the new warehouse on the south end of the building at 36 feet high and you're showing the other building addition as 30 feet high. That was just a concern I had, I just didn't know the elevation of the building. The other thing I noticed is that on the set back on the addition of the building at one point you're at 275 feet back off of Van Dyke but a little further up you're showing 280 feet setback and I didn't know why there was a five foot difference in the setback at that point. Another thing on that road that you have going along side of the building to go back to the parking lot you've got a 35 feet wide and in the findings it's showing it's 40 feet wide. So I'm just trying to get some clarification on the discrepancies on the drawing.

Mr. Pat Doher – It could be on the set back that the right of way varies but I'll have to check that just to be sure because I do note that on the drawings. That right away may move five feet one way or another as it goes along Van Dyke, but we'll have to confirm that. The 35 feet I apologize Commissioner I don't know where you were referring to?

Assistant Secretary Smith – It was the CS1100 drawing I believe. If you look at the road that goes along side it says 35 feet typical on the width of the road that goes along the side and in the revised plans it says 40 feet so I didn't know which was correct. See on item number 5F it says access would be by a new north south service driveway measuring 40 feet in width along the east side of the building. And then on your drawing it's showing 35 feet.

Mr. Pat Doher – That will be clarified, it should be 35 feet, the note is inaccurate.

Assistant Secretary Smith – Thank you sir. Mr. Wuerth I noticed that you had a note on here when they came before us before we approved the plans for the minor amendment for the new building and the parking lot expansion. You made a note that the revised plans hadn't been submitted to the Planning is this considered the revised plans?

Mr. Ron Wuerth – This is the newest amendment so this would replace them.

Chair Howard – How are we looking with the drain pattern?

Mr. Pat Doher – The flood plain, there is some impact to the flood plain and we do have a permit from the Department of Environmental Quality and it allows for x amount of cubic yards of fill within the flood plain. It's a balancing between how much you're cutting and how much you're filling actually within the roam of the flood plain. We are well under the allowable fill on our net of the cut and fill that we are doing within the flood plain. This has had negligible impact on that.

Chair Howard – And as you complete the expansion are you going to go in more of a positive nature or are you still going to be in the negative?

Mr. Pat Doher – All fingers crossed will be the last time that we will have modifications for this particular building which happens to be the only one that is in the flood plain area.

Chair Howard – Thank you so much. That was a motion by Secretary McClanahan supported by Assistant Secretary Smith.

ROLL CALL:

The motion carried as follows:

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

- B. SITE PLAN APPROVAL FOR TRUCKWELL AND LOADING DOCK ADDITION TO BUILDING: Located on the SOUTHWEST CORNER OF Hoover and Stephens Roads; 11550 Stephens Road; Section 27; Troy Design Manufacturing (Gala & Associates, Inc.). Site Plan Withdrawal. Approval was given on November 18, 2013.

MOTION:

A motion was made by Assistant Secretary Smith to receive and file, supported by Secretary McClanahan.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR NEW CELLULAR COMMUNICATION TOWER:  
 Located approximately 721 ft. north of Ten Mile Road and approximately 260 ft. west of Mound Road; 5775 Ten Mile Road; Section 20; City of Warren. Close out of file. Indefinitely tabled on February 25, 2002 and never finished.

MOTION:

A motion was made by Assistant Secretary Smith to close out file, supported by Commissioner Vinson.

ROLL CALL:

The motion carried as follows:

Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Chair Howard.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	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  
 I started out on the 5<sup>th</sup> of April there was concern and consideration of a New City Center lot split. We had to get that ready to go so that we could begin getting the proper acreage to our lofts that we are looking to approve. Then I met with the Representative of the former Prestige Cadillac over on 11 Mile, Harold Stallberg, and that was to discuss the use of that property. It's a commercial zoning, the

problem is it's situated and located in such an area that commercial uses may not thrive there. So we are thinking of a different more heavier intense type use. Around that area is this serpentine wall, they've already got the wall. He talked about several uses that may be a possibility that wouldn't necessarily be a harm to the neighborhood so we'll see how that turns out there may be a rezoning there.

Went to the State of the City Address as well as several of us here did and that was informative. I spoke to a real estate representative in regards to Kroger's going in at 13 and Schoneherr and he had three uses. Kroger being one and they would provide the large size their flagship grocery store, another one being Storage Units, the other was Value City Grocery Store.

Secretary McClanahan – Would that affect the 14 and Schoenherr Kroger?

Mr. Ron Wuerth – Yes it would, and how it affects that one is that it probably would be closed and hopefully a new use would go in there. Someone told me today we should contact Whole Foods and that would be a perfect store for them because it would not only serve Warren it would serve other communities in that area.

I also attended a Staff Meeting, attended the Mayor's Budget Presentation before City Council, that same night they passed the second reading of the marijuana ordinance. I spoke to Mike Tobin, I think you should remember him with Regency Apartments off of Hayes and Frazho. Anyway Mike has purchased more property and he now wants to continue to expand the apartments and townhouses into two and three bedroom townhouses. It will require another rezoning and another site plan approval and another trip to the Zoning Board. I know what he wants to do I think it will be worth its while here for the city.

That same day we had the PUD Meeting and that was for signage at Buffalo Wild Wings. Jocelyn we needed you there to run the meeting because I did a terrible job. The next day then I went to the Spring Institute that's given by Michigan Association of Planning and that particular one was on Housing Summit. They discuss all forms of housing affordable housing and what should be worked into Master Plans, it wasn't just that but they mentioned that so that was informative.

Finally Michelle is going to speak a little bit about the Budget Hearing on Saturday because I was unable to attend.

Mary Clark CER-6819  
April 18<sup>th</sup>, 2016

Ms. Michelle Katopodes – As Mr. Wuerth just mentioned I did attend the City Council Budget Hearing this past Saturday, Secretary McClanahan and Assistant Secretary Smith also attended and thank you Chair Howard for also checking in on us. Overall the meeting was positive Council did ask several questions regarding Office Assistant position, a position that we proposed but the administration did not recommend for approval. We'll know the Planning Commission and the Planning Department 2016-2017 budget once the City Council approves it.

Chair Howard – You did a wonderful I appreciate Secretary McClanahan and also Assistant Secretary Smith for being here so bright and early bushy tail and so alert and aware. I did have another assignment in the western suburbs but they gave wonderful reports and great e-mails to look at along the way, Secretary McClanahan especially.

I do want to apologize we were scheduled to get together this past week with Michelle so we could go ahead and put the final touches for submitting everything to Mr. Craig Treppa but I ended up coming down with the flu which put me off course again and I also missed the Citizen Planner Meeting this past week. So I will get with Michelle this week so we can go ahead and get back on there because that's one of the lessons and one of the major things, the Citizen Planner, is to get our Master Plan going I think we have a lot of great things going on in the city now that we definitely need to start moving in the right direction. I think with this class we have some great data to work with going forward. And I am excited about the Lofts going in.

Mr. Ron Wuerth – So am I. I see it as the first in maybe two more phases as it's working out. From there we'll get what I sort of call the center part of the retail, the three story construction work and then the last thing would be the hotel. That's going to take some work but it's my understanding people, as they say waiting in the wings.

Chair Howard – I think it will be a great visual for the city and the residents that they'll know we are going in the right direction with that downtown development going forward.

Commissioner Rob – Where is the mini-police station that he Mayor was speaking of?

Mr. Ron Wuerth – I know it's on the west side of Van Dyke it's the same location that's always been available which I think is Republic I think it's there.

Commissioner Vinson – The Commissioner's Dinner is May 23<sup>rd</sup> at the Ukrainian Cultural Center it's on Ryan south of 11 Mile Road, at 5:00 o'clock and I will get back to confirm that. The cost is \$20.00 dollars if you want to bring someone else. I need to know how many are going by the next meeting please.

13. CALENDAR OF PENDING MATTERS

None at this time.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 8:29 p.m.

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Jocelyn Howard, Chair

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Jason McClanahan, Secretary

Meeting recorded and transcribed by  
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Mary Clark CER-6819  
April 18<sup>th</sup>, 2016