CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on May 16th, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, May 16th, 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
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 7:08 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL
All Commissioners present.

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.

APPROVED

5. APPROVAL OF THE MINUTES – May 2nd, 2016

MOTION
A motion was made by Commissioner Rob to approve, supported by Assistant Secretary Smith. 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 (3rd).**

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

PETITIONERS PORTION:
Mr. Ted March – I'm here representing Kyle Jenney who is unable to attend because he's in active duty right now. Mr. Jenney purchased the property, he contacted me to take a look at the property and get my opinion on what I thought would be best there. Going around the neighborhood I noticed the neighborhood behind the property which is residential which is very nice and I notice apartments across the street as well as commercial all the way down Hoover. A lot of the commercial buildings were empty and for lease. So it was my opinion that we should do an urban setting as a Brownstone a true Brownstone. Something where the units aren't stacked up on each other each Brownstone units are individual residences. Looking at the property we figured it would be a great addition to the neighborhood behind it and it would be owner occupied units. Which then would get activity to the commercial property on Hoover as well.

This particular Brownstone I developed in the City of Wayne, there's pictures of the Brownstone units in the City of Wayne itself. Each unit consist of a two car garage, three bedrooms, two and a half baths, study, living room, and kitchen. The garages are on the rear of the property and in the front it's a true brownstone look, that's how the look would be on Hoover. It would be a common red brick which is commonly used on authentic Brownstones with dimensional architectural shingles on top. The maintenance of the property will be by a management company so it will always be prestige as well as landscaped professionally.

APPROVED

Secretary McClanahan reads the following correspondence:

TAXES: No Delinquent Taxes.
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.
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 ft. 6 in.

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

1. All existing and proposed utilities and corresponding easement shall be shown on the plan.
2. The drive approach from Irene Drive does not meet the minimum requirements for two-way traffic for a multiple family development. All drive approaches shall be constructed in accordance with current City of Warren specifications.
3. 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.
4. All drainage shall be maintained on the site and the perimeter elevations along the property lines shall match or be below existing adjacent elevations.
5. If the area of imperviousness is increased on the site, detention will be required and pretreatment may be necessary.
6. Additional water main and/or hydrants may be required to ensure adequate fire protection coverage of the proposed buildings.
7. Individual water and sanitary sewer services will be required for each unit. Indicated the proposed locations for each service on the plans.
8. A dumpster/trash enclosure may be required for this site. If one is desired or required the proposed location shall be shown on the plan and the concrete pad for the enclosure shall not be located within the influence of the utility trenches.

Mr. Ron Wuerth reads the recommendation of the Staff:

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

APPROVED

COMMISSIONERS PORTION:
Secretary McClanahan – We need this kind of development in the City and I think this will be great.

Assistant Secretary Smith – You said a 30% open space is a requirement and we only have 18% and that's where it goes from the north side of the one Brownstone to Irene Avenue that green space there?

Mr. Ron Wuerth – The 30% is 30% of the land area that's where the calculation comes from. Then we have calculated the area that will be used for grass, trees and shrubs so we came up with 18%.

Commissioner Rob – Just wanted to clarify, are we just doing rezoning right now then later it will come as a site plan right?

Mr. Ron Wuerth – That's correct, the rezoning being a planned unit development does include the site plan that is part of approval but not in a true site plan approval way. It will be part of the agreement that is related to it so that's why you have this PUD and the site plan before you.

Chair Howard – We also have Assistant City Attorney Murphy here who was responsible for the plan unit development agreement between the petitioner and the city. There were some modifications so I would ask that she speak to those as well at this moment.

Ms. Caitlin Murphy – So I did hand you a new working draft, as of today so just for clarification and a few changes from the draft that you got on Thursday. I did play with the language, with the expired site plan, for some more added flexibility and conforming to the ordinance. Also, it is a working draft so I haven't discussed this with the petitioner yet so there might be changes up until City Council passes it assuming you recommend approval now.

Vice Chair Kupiec – Have you received this new document from the Legal Office regarding the revision of the agreement?

Mr. Uldis Vitins – Yes we did receive the document.

Vice Chair Kupiec – Are you familiar with all the recommendations now that came from the Planning Staff regarding your development and are you in agreement with them?

Mr. Ted March – Yes we are. As far as the size of the site it's roughly a half acre site so we will not be disturbing an acre of

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property so that storm water management ordinance won't be applicable. It is a small site. We're going to also look at trying to increase the landscape area a little bit. We have parking in the back above what's needed all of our parking we comply with that's inside the garage we provided a little extra for visitors. So we will look at eliminating a few parking spots and increase our landscape area that way.

Vice Chair Kupiec – The units that you're proposing here are they for sale units or are they going to be rentals?

Mr. Ted Marsh – They will be ownership, individual ownerships.

Vice Chair Kupiec – You have professional landscaping company that will take care of the landscape and make sure the irrigations is done properly?

Mr. Ted Marsh – Yes.

Vice Chair Kupiec – As far as the moving of traffic on Irene Street are you in agreement with that being northbound only just exiting?

Mr. Ted Marsh – Yes in fact I encourage that.

Vice Chair Kupiec – And obviously it's going to require adequate signage.

Chair Howard – We have a two part vote on this item. The first vote we will take is for the rezoning and then the second part of the vote would be for the 2/3 vote from this Commission for the waiver of the open space. Currently our ordinance indicates 30% currently based on Mr. Wuerth's recommendation it's 18% so we do need to vote on that as well. To the petitioner, I believe it's a very attractive site, I think it's something that's very progressive for the City of Warren. I actually reminds me of the Brownstones that are in Royal Oak and I think that's going to be great for the neighborhood. I would also suggest that you work quickly and as closely as you can with our Planning Staff, we'd love to see this development happen as soon as possible. Thank you. That was a motion by Secretary McClanahan, supported by Assistant Secretary Smith this is a rezoning request to rezone from C1 to a PUD.

APPROVED

ROLL CALL:
The motion carried as follows:

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

Chair Howard – We will also take a second vote, and this to have the waiver from 30% to 18%.

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

ROLL CALL:
The motion carried as follows:

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

B. SITE PLAN TO DIVIDE TRI-CITY PLAZA WITH FENCING TO ELIMINATE ALL INGRESS AND EGRESS BETWEEN EACH PROPERTY: Located on the southwest corner of Thirteen Mile and Hayes Roads; 15078 Thirteen Mile Road; Section 12; Phillip Tayah, Jacques Chaptini (Kem-Tec Anthony T. Sycko, Jr.,) **TABLED.**

Chair Howard – We did receive correspondence from the Petitioner asking for this item to be tabled until the June 20th meeting according to them they are close to a resolution on this item.

MOTION:
A motion was made by Commissioner Rob to table until June 20, 2016, supported by Assistant Secretary Smith.

APPROVED

ROLL CALL:
The motion carried as follows:

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

C. 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 (3rd).**

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

PETITIONERS PORTION:
Mr. Robert Tobin – This project was initiated by the Zoning Department who found four 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 from C3 to M1 which allows for outdoor storage, that's why we are here tonight. We first appeared before this board on October 5th, 2015 and received your approval for the rezoning to M1. So here we are tonight for your approval to allow 36,000 square feet of outdoor storage on the site.

The existing building is a cold storage warehouse with no toilets, no heating and no personnel. It's really to store parts and equipment that the owner uses in his business. We have provided an outdoor storage area which will contain a storage unit, two storage trailers, and three delivery trucks. We have provided three car spaces for the employees who use this equipment occasionally. The owner is planning 12,650 square feet of grass and 2 trees on the remainder of the site along with an existing four large trees will provide a visibly

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improved site for the neighbors. We are providing 280 linear feet of 6 foot high chain link fencing which is obscured fencing which will provide a visual screening of the limited business operation and 85 linear feet of obscured fencing along the east side.

What we are doing is not putting that fencing on the property line we're giving the neighbors another 6 feet where the neighbors will have six feet of the easement for their use. As long as we put our fence up that's all we care about and we'll give the neighbors another 12 feet that they can use, they don't own it but they can use it. By providing a large grass lot with trees and landscaping along with a small area of outdoor storage and off street parking we will have a minimum impact on the neighborhood to the east and the south. All truck traffic will exit on Maxwell Street and then to Sherwood and we will also provide no impact to the neighbors.

At the Planning Commission of April 18th, members of the neighborhood voiced concerns regarding this project. The owner of the company visited some of these neighbors to help alleviate some of these concerns. I'd like to introduce Ronald Gerst the property owner who will bring you up to date on his personal contacts with the neighbors.

Mr. Ronald Gerst – First thing I'd like to do this evening is apologize to the Committee and to the residents, some things were said that were completely out of character for who I am. I would like to explain that this was due to my personal frustration of the situation it was uncalled for and embarrassing and I'd like to put this behind me and move forward as being a good neighbor and a product business here in Warren.

It's important for me that we continue to provide a clean safe environment for my 15 employees to work at and enjoy the growth we've had over the last 11 years, while continuing to grow, succeed, and bring more opportunities here within the City of Warren and our specific neighborhood. I spent time over the last few weeks talking with the neighbors and going over what some of their concerns were and see what kind of conclusion we can come up to that would be beneficial for all parties involved.

A few of the specific concerns I would like to single out. While putting up the fence some of the neighbors were concerned we were going to be taking away their easement. They were concerned about that based on emergency vehicles. I explained to the neighbors that we have no intentions of taking away the easement we're going to put the fence on our property line, which would leave

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the easement available for them, for emergency vehicles, for utility vehicles and for them to utilize for themselves as well as potentially extend their personal yards. An additional concern I have is one specific neighbor about their personal shed for their property. I explained I had no intentions of taking down the shed I was grateful that they were able to utilize the property and use the shed and we would help them in way we could.

Another concern I had was a specific resident had discussed that there was a rat problem. While I certainly agree that there is potentially a rat problem in the City of Warren I cannot say that the problem is generating from my facility. We do no food, we do not produce garbage or trash in that manner so we don't have any food source for rats. We also have a monthly extermination system that visits our facility. If there is a situation that we are missing I would work with the DPW or whatever division it would be to rectify that situation.

There is also a concern about potential flooding in the easement and again while I'm concerned about that and will work with the neighbors and the city any way we can to rectify that situation I certainly cannot say that's generating from us. In one of the flyers that we passed out, and I apologize that I didn't have enough for everybody, I pulled that from Warren's Engineering website stating that they are aware that there's a problem with flooding in backyards of the neighborhoods and to contact the Engineering Department. I am looking forward to working with them to rectify the situation.

The majority of the neighbors I spoke with appreciated the hard work we put into the property to clean it up and keeping it clean. Please see the list of neighbors that I provided you and I spoke to with verification of my follow up with the neighbors. I've offered them all an open door policy to come and talk to me and a method of contact for myself so they can discuss any concerns they have with me at any given time.

In closing if I'm allow to put the fence up with the storage as with everything else we've already done we have properly maintained it we will keep it in fine operating matter. I'm just looking to protect my vehicles and my property on my yard and keep the neighborhood safe.

Secretary McClanahan reads the following correspondence.

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

1. It is recommended that the parcels 13-33-203-004 through 13-33-203-203-008 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 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.
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 improvement 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 recommendation of the Staff:

PUBLIC HEARING:
Mr. John Tracey – I live at 6781 Cadillac just away from the lot there. To me I think you should go ahead with the plan Ron has been nice enough to enhance it a little bit so we don't have to look at the trucks and debris laying around, so to me it sounds like a good plan.

Mr. Ron Lowery – I live at 6745 Cadillac I've known Ron for 11 years since he's been there and he's done nothing but work on the place and keep it up, he's doing everything he possible can. I think he's been real good if you can get that fence up I'd appreciate it.

Mr. Tim Vanneste – I've expressed my concerns before this was tabled. I'm one of the property owners, I own several houses to the south of this development. I'm not real clear on the drawing as it's shown here exactly where the proposed partition whether it be fence or poured brick wall will be with respect to the easement and my

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property. I would like to ask that it be clarified how wide the easement will actually be.

There is a concern, is that fence going to be in the swale or up at the existing parking lot which is about two feet higher than the easement as it exist. So at this point the main things I'm concerned about is the preservation of the easement itself is it wide enough so that we can remove trees if necessary, in other words I've got two large maple trees that eventually going to come out.

I've got to be able to get equipment in there and I have to service my properties I am a landlord, real estate investor. My daughter lives in one home at 6779 Cadillac, I own 6751 Cadillac which I spoke of with the wooden fence. My office and workshop is at the very end of Cadillac Street 6819 I also own 6811 Cadillac and 6789 Cadillac which are all affected by this easement. That easement is an area that I need to service these properties.

Be advised, each of the residents that are adjacent to this on the south side are connected to each other much like the Brownstones you saw a little bit earlier, they're physically connected to each other. You can't get your mower through the front to the back trash and otherwise, that easement is required. If it's only 6 feet wide that is likely to be a problem. There is a drainage concern that was brought up before, it's a share drainage concern the Engineering Department of the City of Warren has refused to deal with it. Although we do have flooding and I do have evidence of it is totally the responsibility of RSJ. All I'm concerned about with respect to the drainage is that we not exasperate the problem.

Our ordinances are written pretty good in terms of the materials used for fences and in terms of the easement being preserved. The recommendations of Mr. Wuerth are suitable, but I would like to get some clarification of the exact location of that fence with respect to the property lines.

Ms. Violet Anchor – Ron did come to my home the other day we did discuss things and he did assure me that my shed will stay where it is that it will not be taken off. We did have a good conversation I hope all of that does stand still and things will keep going well and that I will be able to keep my shed.

<u>MOTION:</u>
A motion was made by Commissioner Rob to approve, supported by Commissioner Vinson.

APPROVED

COMMISSIONERS PORTION:

Commissioner Rob – I personally just wanted to thank you for your beginning statement where you have expressed your realization and how you have changed from the last meeting. You have a lot of positive inputs in this meeting, I was at the last meeting so I saw how it was. Our ultimate goal was not to table it so that you could talk to the neighbor it's creating a relationship which you have done in a nice way. I really appreciate that.

Assistant Secretary Smith – I don't really have concern with the nature of the businesses operating there, the major concern that I have is that you have an M1 light industrial zone abutting a residential zone. So I went through the zoning ordinance today and section 15.03 talks about the greenbelt and it says all non-residential uses when adjacent to an existing residents or residential district or adjacent to an alley which abuts a residential district shall provide and maintain a 20 feet green belt or decorative wall in compliance with section 2.26 of this ordinance. Section 2.26 says a 20 foot wide greenbelt shall be planted, stripped, composed of two rows of evergreen trees spaced and not more than 20 feet apart. Not less than three rows of evergreen shrubs spaced not more than 8 feet apart which are at least 5 feet more in height after one full growing season of planting. Which the shrubs will eventually grow to a height of not less than 12 feet at maturity, which shall planted and maintained in a healthy growing condition by either the occupant or the owner of the property. So those are two variances that the City is dealing with.

Most of our commercial properties have a 6 foot concrete brick emboss wall that separates the commercial from the residential, this is industrial which I feel is more important. I understand you have your business there, I understand that it's mostly storage but it's an M1 classification which is light industrial. For some reason and another qualified business comes in there may affect the residents different from what you do. So that's my concern, I personally think that the wall should go up because you don't have room to do the 20 feet wide easement. I'm concerned about the future.

Commissioner Robinson – The estimate of cost as it relates here for the trash enclosure and the greenbelts east and south of the property but I'm wondering if this $20,000.00 is enough for the pavement, the sidewalk, and the pavement that are in poor condition. Has any consideration been given to that and also there are a number of other items that Engineering cited. Is consideration being done for the condition of the private sanitary lead, I'm not sure

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what the private sanitary lead is or what the cost is if it's in poor condition to repair or replace that.

Mr. Robert Tobin – We will not have to refer that because we don't have a toilet so we don't have a sanitary lead. That's an old lead nobody knows anything about it but we don't need it because we don't have any toilets in the building. Your concern about the cost which provides the $600.00 dollar bond, I think Mr. Wuerth is very good with his $20,000.00 estimate of cost.

Commissioner Robinson – Does that include for the concrete and the pavement that's in poor condition?

Mr. Robert Tobin – Just a few pieces of pavement, I was there this morning and there's a few pieces of the sidewalk that needs replaced and we'll take care of that to.
Vice Chair Kupiec – You mentioned about six feet of property that you were going to make available I didn't understand what you were offering there?

Mr. Robert Tobin – We have a 12 foot easement and we own six and they own six but we are going to give them our six so they will have 12 feet of additional property. We'll put our fence on the north side of the 12 foot easement. We talked to the folks and they liked that idea and we don't mind as long as the fence is there which we are required to do. So the fence will not be on the property line it will be on the north part of the easement so we are giving the folks another six feet.

Vice Chair Kupiec – Is this on the south side of this property where you currently have that fence with the slats in it?

Mr. Robert Tobin – Yes, sir.

Vice Chair Kupiec – What do you intend to do with the fence?

Mr. Ron Gerst – The fence does not belong to us the fence belongs to the resident. What we plan on doing is, once we get approved we'll put the fence up instead of putting it in the middle of the easement we are going to put it physically on our property line and give up that six foot of easement. So the neighborhood would have six foot of easement and the six foot of easement that comes from our property that gives them the full 12 foot of utilization for that easement. We are not going to be blocking any of the easement off so the existing fence that was a concern will stay there because we

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are not touching that. The existing shed is going to stay there so the fence is going to be back within the property line.

Vice Chair Kupiec – What type of fence are you proposing?

Mr. Robert Tobin – It's a six foot chain link fence and we have the option of providing a screening of black material which has a 10 year guarantee or we can put the plastic slats in. We'll ask the neighbors what they'd like to see.

Vice Chair Kupiec – When you talked to the residents did you talk to them about this six foot area that you'd make available to them?

Mr. Ron Gerst – Yes sir.

Vice Chair Kupiec – And they were receptive to this?

Mr. Ron Gerst – Absolutely yes sir.

Vice Chair Kupiec – So they'll maintain it?

Mr. Ron Gerst – We presently maintain it and I will continue to maintain it while they'll be able to utilize it.

Vice Chair Kupiec – Mr. Smith when you were referring to the wall is that not on the south side of the property where you were talking about the wall.

Assistant Secretary Smith – It would be the south end east side wherever it abuts the residential.

Vice Chair Kupiec – So you're not proposing to put the wall up you're talking about putting a cyclone fence up with mesh in it.

Mr. Robert Tobin – We will go to the Board of Appeals and try and get that waived.

Vice Chair Kupiec – So you have not been to the Board of Appeals for anything since your last meeting here?

Mr. Robert Tobin – We have not, we waited to talk to you folks first and we wanted to get along with the neighbors first.

Vice Chair Kupiec – That's good, we are glad to see that, we like a good relationship between the neighbors and the industry that's what it's all about. I would like to make a recommendation to the maker of

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the motion if we stay with the $20,000.00 dollar bond to make the $600.00 dollar cash portion to the petitioner.

Chair Howard – That motion was made by Commissioner Rob, are you in agreement with the $600.00 dollar cash bond based on Mr. Wuerth's recommendation of the services needed to complete this?

Commissioner Rob – Yes, I accept that.

Chair Howard – Commissioner Vinson do you support that?

Commissioner Vinson – Yea.

Chair Howard – So the amendment to the motion would be that the bond would be a $600.00 dollar cash bond.

Mr. Ron Wuerth – I just want to remind the petitioner that they are going to have to amend their site plan to show the fencing that's going to be six foot north of their south property line. So that would be one of the conditions. We'll call it 1C, they're going to have to amend that show that on their site plan when they take that plan to the Zoning Board of Appeals because these plans need to be consistent between what we have and what they take to the Board of Appeals to ask for a waiver.

Chair Howard – And that's the fencing on the north property line?

Mr. Ron Wuerth – No this is six feet north of the south property line. I do have a concern on it creating kind of if you will a dog run. Because you are going to have fences that are already existing there and then this gentlemen is being very kind to give away the use of six feet of his property, but you're still going to have the old fences there. So the owners to the south may want to look at whether they really need those. If this all goes through he gets approval for his fence they should look at whether they still need theirs or reconnect between the units type of thing.

Vice Chair Kupiec – Mr. Smith brought up a good point in the event that the ownership of the existing business was to leave now we have an agreement between the neighbors and the existing ownership for the use of the six foot if a new owner comes in and he doesn't agree there's nothing in writing or officially agreed to is there, it's just a verbal agreement.

Mr. Ron Wuerth – The site plan itself is the agreement, because they will take that before the Zoning Board of Appeals and that's what

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ZBA if they want to will agree upon and right here it appears to me that we are agreeing with it.

Assistant Secretary Smith – I know you say the wall is expensive we have a wall ordinance where you have to have a concrete wall between commercial and residential. This is industrial and residential, I know I'm repeating myself, I'm trying to look into the future to eliminate any future problems of this being a cyclone fence. Not only that, but if we have other areas of the city where we run into the same situation are we going to be allowed for them to do the same thing verses put a wall up. You start letting one person do something other then what's in the ordinance then you run into the problem of other people being allowed to do it and you're going against what's stated in the ordinance. So personally I would like you to rethink the idea of the wall I know it's expensive but I think in the long run it's going to be the best for the property. Thank you.

Vice Chair Kupiec – I have to support what Mr. Smith is saying 100%, I agree that we could be setting a precedent her for the future and I don't think it's a good idea. I personally am in favor of a wall I know they are going to go for a variance but like Mr. Smith I think we should insist on getting a wall and if they get a variance then so be it.

Chair Howard – Yes we definitely understand that we don't want this to be the boat that sets a precedence. I know they will be going before the Zoning Board of Appeals. I'm going to ask Mr. Wuerth to come back just briefly. What is your professional opinion in terms of the wall and this variance sir?

Mr. Ron Wuerth – It could be a wall or greenbelt that's the requirement. We like to see that type of application there but the owner can ask for any other type of application as in this chain link fence with the sheeting. Part of our recommendation if you read it does say that we prefer seeing a wall or seeing the greenbelt. Mr. Smith was referring to section 15 but you have to look at section 18 where it requires an eight foot wide greenbelt as opposed to a 20 foot wide greenbelt. So that's a little less expense, so my recommendation stands.

One other comment I will make and it has to do with that sheeting that is being used Michelle Katopodes went and took a look at M97 site for site plan approval over on Groesbeck where that same sheeting has been used. Unfortunately there are several areas there where that sheeting is cut and we've got pictures that we could pass around and show. I don't know how they got there, I don't know if someone cut them with a knife or if that stuff just didn't work

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out that well, but I am concerned about that. If the Board of Appeals approves something like that then that needs to be inspected probably every five years and if it's damaged it needs to be replaced. Out there it hasn't been replaced so when we get them before a site plan approval it will be replaced.

Chair Howard – Let me first echo the sentiments of Commissioner Rob. At our initial meeting it was a different temperature in the room I thank you now that there is definitely some amenability between you and the neighbors. Thank you for the list of residents that you have contacted. The biggest part of our job is to make sure that there is some continuity between the neighborhood as well as the business and that both parties are working in harmony. One of the owners of the property there on Cadillac indicated that he had six properties there and there was some concerns that he had. He wanted to know the difference between his property line and yours are we still working with that 12 foot property line there?

Mr. Ron Gerst – Absolutely and that was what we had discussed, when we're going to put the fence within our property line which will basically forfeit our six foot of easement section, which will allow a full 12 foot for the neighbors.

Chair Howard – To the concerns of my fellow Commissioners Mr. Vice Chair Kupiec and also to our Assistant Secretary Mr. Smith, by far we don't want to set any precedence but we do respect the fact that you have options and we're hopeful that you'll be at this property a long period of time so we don't have to revisit this item in the future. We do want you to hold closely to the recommendation that Mr. Wuerth had because we are looking at them for longevity sake and also for consistency of a neighborhood.

Mr. Robert Tobin – We do agree with what Mr. Wuerth has proposed except we are going to go to the Board of Appeals on the fence that's all.

Chair Howard – And again I do want to thank you again for working with the neighbors and even your opening comments and your apology. That was very manly of you and I thank you for that sir. That was a motion by Commissioner Rob, supported by Commissioner Vinson. We do have two amendments one being that it would be a $600.00 dollar cash bond versus the $195.00 and also item 1C from Mr. Wuerth concerning the north property line with the fencing.

APPROVED

ROLL CALL:
The motion carried as follows:

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

D. SITE PLAN FOR RELIGIOUS FACILITY: Located on the northeast corner of Ryan Road and Marlow Drive; Section 8; 29500 and 29550 Ryan Road; Robert J. Tobin (Akrim Saddawi, Mandaean Association of Michigan). **TABLED (3rd).**

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. Robert Tobin – This is a large well-kept site of 1.3 acres on Ryan Road just north of 12 Mile. It has a 31 foot setback on Ryan that is grass covered with large trees. It also has a 28 foot setback along Marlow that is grass covered and has three trees. This is site entirely asphalt paved and has a complete storm water drainage system with catch basin and contains two identical brick face buildings belonging to the church. Building A contains a small church of 1210 square feet that seats 50 church members and adjacent to the church are the church offices of 2430 square feet. Building B contains a church meeting hall of 2344 square feet that again seats 50 people and in an area of 1296 square feet that leads to a dentist. The property is zoned O which is the proper zoning for a church and dental office. The property to the north and south are also zoned O so the zoning is right and the property around there is right also. Except to the east the property is zoned R1C because it's R1C we already have a six foot high brick and bose wall along the property line between the O zoning and the R1C zoning. The site requires 67 parking spaces and we have provided 83 spaces in excess of 16 spaces so we are well covered with the parking. The church has a small congregation of 50 people who meet on Sunday morning only so that's providing little impact on the existing neighborhood. Most of the vehicles will be entering and exiting on

APPROVED

Ryan Road so we won't be impacting the neighbors with cars on Sunday or even with the population on Sunday. We will comply with the Planning Departments recommendation but we will go to the Board of Appeals to waive the setbacks. We only have 12 foot 8 setbacks and we are required to have 20 feet so that will be one of the items that we will go to the Board of Appeals and we will waive the concrete curb.

Mr. Bashra Darwish – I am the President of the Church and the President of the Board of Directors of the Mandaean Association of Michigan. I heard from Mr. Tobin that at the last meeting Dr. Bohay had some comments and I tried my best to meet with him but I failed. I had three attempts to meet with him all documented by date and time but I failed to meet with him, I'm still willing to meet with him to listen to his comments and requirements. We are glad to have him there as I've heard he's been a good tenant for the last 22 years. He had comments about the cleaning services and those are pictures I took them yesterday at 8:30 p.m., the grass is being cut and it's very clean. I hired somebody to take care of all the cleaning services and the keep the grass cut. We are very willing to cooperate with Mr. Bohay and I will consider all his requirements I would like to satisfy his needs.

Mr. Robert Tobin – Mr. Bohay made comments that there were bottles and cans around what we think happened is if you look carefully you'll see that behind the building the young kids are drinking and throwing their cans and bottles around. So they have decided to put up flood lights so the kids can't come in here and hide.

Secretary McClanahan reads the following correspondence:

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

1. All parking areas shall have concrete curb and gutter around the perimeter.
2. The Marlow Drive approach, as shown, does not appear to meet minimum City of Warren requirements for a two-way commercial drive. All drive approaches shall be constructed to meet current City of Warren requirements.
3. 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 Storm Water Ordinance.

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

APPROVED

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 to NFPA 13. Fire department connection threads shall be national standard type and a fire hydrant shall be provided within 150 feet of the Fire Department connection.
3. If the basement will be used for storage, the basement shall be equipped with an automatic sprinkler system or separated from the floor above as required by The Michigan Building Code.
4. Maintain existing fire department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet, 6 inches.
5. Provide fire alarm system if required by code.
6. Provide fire department lock box (knox box) as required by local ordinance.

Ms. Michelle Katopodes reads the recommendation of the Staff:

PUBLIC HEARING:

Dr. Ihor Bohay – Good evening I'm a tenant Ihor Bohay I'm in that facility and my interest is really the upkeep of that area. The very day the Commission met there was a second notice on the code violation on the door of the Directors at that site. The next day I did receive an invitation to meet this is after over a year that I asked to meet with them including having our attorney send letters to their attorney asking for that meeting. Last Wednesday the debris was removed from around the building unfortunately it was piled outside of the garbage bin and it still sits there. Yesterday there was a meeting and I was at the office because I had some work to do, the meeting was in progress when I was there at three and when I left at seven it was still in progress. That didn't bother me but the next morning there was gun, cigarette butts and tissue paper in the parking lot. There's also trucks parked obstructing the handicapped parking area. My concern is really the lack of hygiene that's reflecting on our practice for over thirty years and we've been at that location for 23 years. It also reflects on the Warren Community and it provides and appears of an unkempt lot which encourages the added additional littering.

There's a great need for a qualified maintenance company because I can't believe that after a year and four months that site is at the state it is. I don't believe that can be maintained superficially it can be there for a week or two until the Commission decides but then I worry about our practice that has over a year yet of a lease there. It's the neighbors that actually have petitioned for the code or

APPROVED

violations to be enacted, it wasn't I. I tried to communicate with the Mandaean Representatives. I think the Commission should consider that sight and the hygiene of that and monitor that area before it makes a decision regarding the inclusion of this religious community as it's respectfulness and caring of its neighbors. I am a little frustrated we never had liquor bottles or water bottles on the vicinity. We've never had overgrown grass and our patients have mentioned that I think, they are a little leery of an office that is in an intercity kind appearance. So that's my concern.

Ms. Irene Bohay – I am the Business Administrator and the wife of Doctor Bohay and I just want to also underscore what Doctor Bohay has mentioned this evening. I'm a little concerned that both Mr. Tobin and the representative of the Mandaean Association they come in today and say how well kept the property is. Also the representative shows us tonight what he managed to do last night to maintain that property. Also it is only through our efforts right from the get go that each time we wrote a letter saying please pick up the garbage it's been there for weeks or you need to clean up the property they were clueless on how to maintain this property and truly they do not give us any consideration as a health profession and tenant. When you're going to the doctors do you reflect on what the environment is in the parking lot as you're going into the doctor's office. So please think about what what's happening here tonight this very superficial what you're hearing from the rep. It is not a consistent maintenance by any means please take that into consideration on our behalf. Thank you very much.

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

COMMISSIONERS PORTION:
Assistant Secretary Smith – I know you heard the concerns of your tenant and hopefully you two can work together to handle the situation that's going on between you two. I was by there today and I've been by there a few times and visited the site and I did notice that the grass was cut and I noticed that the site looked a lot cleaner but I also noticed that the dumpster inside the trash enclosure was overflowing there was garbage all over the ground. I don't know what the pickup schedule is but the last few times that I've been there it still had the garbage on the ground. There were branches next to the dumpster enclosure last time, which were gone last time so somebody had gotten rid of some of the debris that was there.

APPROVED

The other thing that I noticed on the lightening is the lightening has to reflect on the abutting properties and I noticed that there's a light on top of building A which focuses down in the east parking lot where the residential is at. I don't know if that light provides glare for the residential area or not but if it is it may have to be adjusted down so it's not shining right on the residents. One other correction I just wanted to address in the findings also it says that the shingles on the roof are black and they are actually a reddish brown. Thank you.

Commissioner Rob – So we are addressing the driveway issue on 4B am I right, so they are getting variance to use it two ways?

Ms. Michelle Katopodes – There's a variance to use it for the religious facility because it states that all of the access has to be from a major thoroughfare so it's a variance to use that driveway for ingress and egress.

Commissioner Rob – Because of all the maintenance issues I will recommend to the maker of the motion to make it a $600.00 cash bond do to the maintenance issue.

Chair Howard – Maker of the motion was Assistant Secretary Smith do you agree with a $600.00 cash bond.

Assistant Secretary Smith – I agree

Vice Chair Kupiec – Likewise I was by there last week Wednesday or Thursday and again today and as it's shown in your picture you need to talk to your maintenance people because yes they did cut the grass but they cut right over all the plastic bottles and all the debris that was in the grass and now it's all thrown about the area, you can see it in your pictures. It appears that area has a grass pick up of Thursday and most of the people in that area bag their grass and have it at the curb side for Friday pickup. It must be a Friday pickup because it was out there Thursday when I was there. So I would suggest you get with your maintenance people and tell them to keep up their beautification of the area. It used to be a very prestige looking corner so they need to start doing a better job picking up the debris before you cut the grass and go over it after you cut the grass to make it look decent.

Likewise, the rubbish pick up area where you have your enclosure needs to be done, I don't know what your schedule is for pick but as Mr. Smith indicated there was debris stacked on the outside of it so obviously the can was filled. It's right across from a nice looking facility well maintained, well lit, well groomed, well-mannered. I don't

APPROVED

know who does his lawn, trees, and shrubbery but compared corner to corner right across the street his is in A1 condition and you're has a lot to be desired. So I would appreciate if you spend some time and effort in monitoring who is doing your work and ask them to do a little better job so you don't let the neighborhood down because it is a pretty good looking neighborhood. Other than that hopefully you get with the tenant and work some things out with him and come to a good working agreement where you guys have a good relationship. It's important to have a good relationship with your tenant obviously he's paying rent and he's entitled to these things.

Chair Howard – First of all I heard in the findings from Mr. Tobin that there are only 50 members in your congregation currently?

Mr. Bashra Darwish – Yes there are.

Chair Howard – And how many times per week is your assembly having service?

Mr. Bashra Darwish – At 11:00 o'clock on Sunday we pray and sometimes we have meetings with the Association and the members.

Chair Howard – I'm just concerned in terms of the amount of trash that's being accumulated. Are you on a weekly schedule with the trash pickup?

Mr. Bashra Darwish – Every two weeks. I was elected less than a month as the President of the Church so I will do my best and I promise Mr. Bohay and you, the Commission, that everything will be done properly, I like things to be well organized also.

Chair Howard – We respect you for that but definitely when you have a doctor's office or another business that has clients that are coming in on a daily basis you may want to look at changing that schedule to a weekly pick up so there's not so much trash accumulation. I didn't that there would be that much trash with 50 members but if it's every two weeks then that would cause a large accumulation of trash. So I would suggest that you would do that on a weekly basis. In addition I definitely would ask that you speak to the Doctor and work things out. We want you to have a good working relationship with your neighbors especially since you are in a business community.

We don't have any problems with your religious order or anything of that nature we just want the esthetic's to be proper. In terms of the bond that would be a $600.00 dollar cash bond and then you would

APPROVED

have to go to the Board of Appeals for these variances that are indicated within the recommendation. As Commissioner we do take site visits to the local properties and some things are pretty noticeable to us if there are bottles on the grass that meant the bottles were there when they cut it.

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

E. 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, VD Warren Investors (Robert Wellert).

PETITIONERS PORTION:
Mr. Kevin Baker – I'm VD Warren Investors LLC, 27995 Halsted Road, Farmington Hills, Michigan and with me tonight is Robert Wellert.

Mr. Robert Wellert – I'm with Wellert Corporation, I'm an Engineer representing Circle K, and our office address is 5136 Beach Road, Medina, Ohio.

Mr. Otis Carter – I'm with Circle K, at 28334 Walcott Drive, Novi, Michigan.

Mr. Robert Wellert – This project is located at the north east corner of Van Dyke and Vermont Avenue in Warren and it's an existing bank building that's now vacant. Circle K has identified it as a potential project for them to build a new convenient store and gas station at that location. We would remove all items on the property all the paving, the existing buildings, I think there's an outbuilding and a trash enclosure and construct a new 5200 square foot convenient store. They would sell general food items and refreshments inside that store and they would also have automotive gasoline sales out front. The project would increase the green area

APPROVED

the property is just under 2 acres it's like 1.9 acres right now most of that if not all of it is paved and we would increase the grass area on the east side of the property. Recently there was rezoning request for a portion of the property to accommodate this development that rezoning was approved. The eastern portion of the property would remain as a P zoning but the western half from essentially the back of the building from that point out to Van Dyke is zoned C1.

We have submitted both site development plans, grading plan, underground utility plan, and landscaping plans, as well as construction details for the project. We understand there may be some final engineering to complete the construction documents but their pretty far along and we are pretty confident that this project will be an improvement to the corner and will make good use of an existing vacant parcel. We did receive recommendations from Administration, a couple of things I'd like to point out because they may be questions later. Item number one A.8 there was a question about the dimensions of the building during the design of this project, Circle K is actually in the middle of designing a new building and this will be one of the first locations with this new look and feel. I will verify this but I'm pretty certain that our dimensions are wrong and it's not 57 x 95 feet however the square footage of the building I believe is pretty accurate. The reason I bring that up is it will affect the parking count, I think we'll end up needing 34 parking spaces which would be an increase of one from what we have on our site right now. If it would please the Commission, I would propose to count anyone of the fueling positions as a temporary parking spot so that we don't have to increase paved area on the property, but there is adequate room to add another paved parking space there.

Another item in the review comments was a question about picnic tables on the north end of the building. Those are not necessarily a requirement for Circle K, we added them arbitrarily to the site to avoid a variance or a change to parking, I guess we would remove those from the plan. Signage we did not identify in our application, we would come back to the Planning Commission in the future for signage presentation or if that's reviewed through Administration we'll accommodate signage application as a separate process.

Secretary McClanahan reads the following correspondence:

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

1. 36 off street parking spaces required. 33 spaces provided. Amend plan to add three (3) parking spaces or obtain a variance to waive 3 parking spaces.

APPROVED

2. Insufficient data to determine if ground sign at “C6” will comply with ordinance.

MDOT: Preliminary review yielded the following comments:
After further evaluation of the development, it was determined that a traffic impact study would not likely provide much meaningful information due to the high development in the corridor and it is recommended to waive the requirement of the traffic impact study.

FIRE: Preliminary review yielded the following comments:

1. Build to the requirements of the 2012 Edition of the Michigan Building Code.
2. Fire hydrants shall not be closer than 40 feet or further than 400 feet from any point on the exterior of the building. Distances shall be measured along the shortest feasible exterior route around the building.
3. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
4. Provide fire department lock box (knox box) as required by local ordinance.

ENGINEERING: Preliminary review yielded the following comments:

1. Provide a written legal description for the parcel(s) involved with the proposed project. The address 27248 Van Dye is associated with parcel 13-15-351-003. This parcel is only 200’ in length along the Vermont Avenue right-of-way line. The plan shows the boundary length as 322’. If multiple parcels are involved it is recommended that they be combined.
2. Any improvements within the Van Dyke Avenue (M-53) right-of-way is subject to the approval of the Michigan Department of Transportation.
3. The site shall comply with the City of Warren storm water ordinance.
4. Provide the locations of all existing and proposed utilities along with any corresponding easements within the site. No permanent structure shall be built over or within the influence of an underground utility.
5. The concrete drive approaches and sidewalks shall be constructed to City of Warren standards.

DTE: Preliminary review yielded the following comments:
DTE, AT&T and cable television have facilities in conflict with the new structure. Major utility relocation would be required at the expense of the customer if Warren Planning Department approves the site plan.

APPROVED

Mr. Ron Wuerth reads the recommendations of the Staff:

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

COMMISSIONERS PORTION:
Assistant Secretary Smith – I found a couple of discrepancies on your drawing. The site plan drawing C1.0 shows A3 as a propane tank north of the entrance and A5 is a ice chest south of the entrance. On the drawing it shows the building layout inside the store the ice chest and the propane tanks are reversed. So you need to have clarification of which drawing is correct as far as the position of those two things. Also on your C1 drawing there's a note to construct a masonry trash enclosure and it says see detail in sheet C6.5 but I didn't have that sheet so I couldn't look at the detail. According to Mr. Wuerth's recommendations it needs to be a brick emboss poured concrete wall and not a masonry enclosure for that trash enclosure.

Mr. Robert Wellert – I understand that, I was not aware of that until this but we will revise it to meet the requirements.

Assistant Secretary Smith – On your findings Mr. Wuerth on page 4, section 5, it talks about permanent outdoor retail sale areas will consist of a red box machine measuring 3 foot x 3 foot. Containing 9 square feet located on the west elevation, and an ice chest measuring 4 foot x 4 foot containing 16 square feet located on the west elevation and a retail sales area measuring 4 foot x 4 foot containing 16 square feet to be used for seasonal items. A total of 41 square foot where outdoor retail sales will be provided there's nothing on there that talks about the propane tanks and where they are located on the west elevation as far as outdoor storage of items.

Mr. Ron Wuerth – I didn't see it, well I missed it.

Assistant Secretary Smith – I just wanted to have that included in there because this may change the 41 square feet that they are showing for total for outdoor retail sales.

Mr. Ron Wuerth – We will take care of it.

Chair Howard – Thank you Assistant Secretary Smith and you're making that note also Mr. Wuerth?

Mr. Wuerth – Yes.

APPROVED

Vice Chair Kupiec – Will you have diesel fuel available at this location?

Mr. Robert Wellert – We would propose diesel but it's more for automotive and they would be on the outside islands not the interior so there would be four locations.

Vice Chair Kupiec – So the facility will not be open to overroad tractors?

Mr. Robert Wellert: That's not the design for this, no, I mean if an occasional truck came in we probably can't stop them but it's meant for automotive fueling. The fueling rates are too slow for large trucks.

Vice Chair Kupiec – If you have diesel fuel obvious that's always an opportunity for them to come wheeling in there to get it, obviously this facility is not big enough to handle them, big trucks anyway. There's a lot of truck traffic right there that's why I asked.

Mr. Robert Wellert – Right it's not designed for that.

Vice Chair Kupiec – The two tables that Mr. Wuerth mentioned on the plan what is the purpose of those picnic tables?

Mr. Robert Wellert – It's more just for the occasional pedestrian traffic if they wanted to stop in and grab something to eat and if it was a sunny day they could sit outside and eat, it's not a requirement from Circle K.

Assistant Secretary Smith – Based on the comment that Vice Commissioner Kupiec made he said it's not designed for truck traffic what about the trucks that have to come in and fill the tanks for the fuel.

Mr. Robert Wellert – Well I wanted to clarify that as part of our application there is a truck routing plan and it shows the route for the transport truck and how it would get through the site. So it can accommodate a semi-truck for dropping the fuel, it's not meant to accommodate 18 wheel truck traffic. And I think just by the design of a normal gas station most truck drivers would not use that they would have dual tanks and would only be able to fuel one side at this location. It would be extremely tight for an over the road driver to use that on a regular basis.

APPROVED

Chair Howard – This is definitely a very exciting project, enjoying the fact that that empty Huntington Bank will be removed and something more progressive will be in that location. How soon and how rapidly would you begin construction of the site?

Mr. Otis Carter – So depending on how long it takes us to get through the process, we would hope to start the project this year that's our hope, which would probably put us around early fall to try and complete it before the ground freezes.

Chair Howard – Now I don't remember the original design how many fueling stations are on each side?

Mr. Robert Wellert – There are ten dispensers 20 vehicles can fuel at one time.

Chair Howard – Four are diesel?

Mr. Robert Wellert – Yes.

Chair Howard – And the hours of operation?

Mr. Otis Carter – 24 hours.

Mr. Robert Wellert – To clarify one thing about the four diesel are not stand alone diesel it's a combination dispenser of gasoline and diesel. So it would generally be used for gasoline but you would have that option of another diesel hose at the same dispenser.

Chair Howard – Thank you for clarifying that. Are there any other items for outside sales or is it just the propane?

Mr. Robert Wellert – No it's just the stand alone, for your grill, the 5 gallon propane tanks.

Chair Howard – We are excited about the new development I think it's going to be a great site. There are a lot of recommendations and clarifications there regarding what Mr. Wuerth has put before you and then you indicated in your opening comments about the 34 parking spaces. Do you have to go to Zoning for those parking spaces or are you going to adjust the building size to accommodate that?

Mr. Robert Weller – We've been fortunate in some instances to count these spaces at the dispensers as a parking space. Because many customers do use it for both fuel and going in. If that does not

APPROVED

apply in Warren we would add one more parking space to our plan and it would be southeast side of the building, so we will adjust the plan accordingly.

Chair Howard – Thank you gentleman for your time I love your concept and I think it's going to be great for that side of our city.

ROLL CALL:
The motion carried as follows:

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

7. CORRESPONDENCE
None at this time.

8. BOND RELEASE

A. SITE PLAN APPROVAL FOR OPEN STORAGE TO EXISTING INDUSTRIAL BUILDING: Located on the north side of Ten Mile approximately 1,287 ft. west of Ryan Road; 3491-3519 Ten Mile Road; Section 19; Zahler Enterprises (Robert J. Tobin). Release of $1000.00 cash bond paid on November 13, 2014

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
Commissioner Karpinski……. Yes
Vice Chair Kupiec……. Yes
Secretary McClanahan…… Yes

APPROVED

Commissioner Pryor…… Yes

B. SITE PLAN FOR EQUIPMENT VAULT: 150 ft. west of Ryan Road and 111 ft. south of Ten Mile Road (public utility easement): Section 30; Michigan Bell Telephone Company. Release of $500 cash bond paid on November 18th, 1992.

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
Secretary McClanahan…… Yes
Commissioner Pryor…… Yes
Commissioner Rob…….. Yes
Commissioner Robinson…… Yes

9. OLD BUSINESS
None at this time.

10. NEW BUSINESS
None at this time.

11. CITIZEN PARTICIPATION
None at this time.

12. PLANNING DIRECTOR'S REPORT
Mr. Ron Wuerth – In the last couple weeks here I met with a few people who are looking to improve their sites, mostly that's what we end up getting. Through the week I did attend a required deposition that I'm involved with over in Royal Oak. I met with a gentleman whose last name is Borstein and he's looking at the Dequindre 11 Mile are south and east corner area. Behind the shopping center there's a building and a large parking area he'd like to look at putting some storage units back in there and some other types of units. He has some very good ideas and we are willing to listen.

I attended a Staff Meeting. Another person who is Pick-Wick Shopping Center he's one of the owners that's at 12 and Schoenherr

APPROVED

it's old so we are hoping with a few of our ideas and Michelle had some good suggestions for him in an email this morning on how to economically pick that back up so we'll see what happens with that. So that's the report.

Chair Howard – Thank you, are there any questions for our Planning Director?

Chair Howard – Myself, Commissioner McClanahan, Commissioner Pryor, and Commissioner Smith, along with Elizabeth, Nicole and our wonderful Planner Aides have been at the Citizen Planner Meeting at Michigan State. So it definitely gave us some good information regarding the RFP. Michelle put together a wonderful template for our RFP to give to Mr. Treppa. I have reviewed it, I do believe we have all of the necessary information to go forward with this have our next Master Plan Meeting, meet with Craig Treppa and start moving forward and looking at potential candidates to move forward with the Master Plan. I have reviewed it, there was only one area that I was going to add to and Commissioner Smith had put together a wonder assembly of questions and one of the questions were how familiar are you with the new concepts pertaining to the millennial population and I was just going to add also revitalized communities as well on that questionnaire. So with that we need to look at our next step going forward and getting this document ready to go and meet with our Master Plan sub-committee so we can get this process started immediately.

Mr. Ron Wuerth – Madame Chair it's my understanding that we'll look at that document to a point where we are satisfied beyond that it goes to the RFP Committee and it hasn't been formed yet.

Chair Howard – I thought that was two from Zoning, two from City Council, and the City Attorney.

Mr. Ron Wuerth – We don't know who they are, we haven't identified who those individuals are. So this document will go to them and then at that point we'll get it arranged through Craig and start the discussions, make finalization, and get it out to bid.

Chair Howard – And who should own that responsibility of getting those additional members?

Mr. Ron Wuerth – I would assume Planning unless Craig does, he did provide a list of those positions and the people who are supposed to attend, he mentioned that to Michelle this afternoon. So we're ready for it.

APPROVED

Chair Howard – What I will do is make sure everyone on the Commission gets a copy of this live document that you put together so the Commission can see what we've been working on with the Master Plan Committee. There is a document here that is requesting agencies to actually come to us and to design the Master Plan. During our Citizen Planner class it gave us great insight on what that should look like the current treads and what this city can look like in the next 15 or 20 years.

13. CALENDAR OF PENDING MATTERS
None at this time.

14. ADJOURNMENT

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

The meeting adjourned at 9:14 p.m.

_____
Jocelyn Howard, Chair

_____
Jason McClanahan, Secretary

APPROVED

Meeting recorded and transcribed by
Mary Clark - CER-6819

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