

CITY OF WARREN  
PLANNING COMMISSION  
PUBLIC HEARING

Regular Meeting held on July 25<sup>th</sup>, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, July 25<sup>th</sup>, 2016, at 7:00 p.m. in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners present:

Edna Karpinski  
John Kupiec, Vice Chair  
Jason McClanahan, Secretary  
Charles J. Pryor  
Syed Rob  
Warren Smith, Assistant Secretary  
Nathan Vinson  
Kelly Colegio, Ex-Officio

Also present:

Michelle Katopodes – Planner I  
Judy Hanna – Senior Administrative Secretary  
Elizabeth Saavedra – Planner Aide  
Caitlin Murphy - Assistant City Attorney  
Christine Laabs - Communications Department

1. CALL TO ORDER  
Vice Chair Kupiec called the meeting to order at 7:04 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL  
Secretary McClanahan – We did receive correspondence that Chair Howard and Commissioner Robinson would not be here tonight.

MOTION:

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

5. APPROVAL OF THE MINUTES – July 11<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. SITE PLAN FOR NEW RETAIL CENTER AND RESTAURANT:

Located on the northwest corner of Thirteen Mile and Mound Roads; 5843 Thirteen Mile; Section 5; Nicholas Shango. **TABLED (2<sup>nd</sup>)**.

MOTION:

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

PETITIONERS PORTION:

Mr. Nicholas Shango – Good evening Nick Shango 5847 Thirteen Mile Road. What I'm trying to do is place three lots on my property. Three drive thru buildings by taking away the flower sales on my property. The property is pretty beat up, it needs to be updated and renovated and this is the way to do it. I have a lot of extra parking and I need to bring some life to this plaza, it's been abandon for so long. We were moving in another direction that didn't work out so we went to plan B and this is a pretty good plan. If you also notice I created an outdoor sitting area, some shrubbery, benches, and outdoor eating area there in the middle in between the two buildings. Most tenants, and franchises these days want drive thru that's why I'm asking for it and I do have the space. I'll be coming back here next month to apply for a gym. A gym wants to come there so that will be some nice traffic for the plaza so big box guys in the back little retail guys in the front and that's how it will work out.

Assistant Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

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

1. The main address for parcel 13-05-476-006 is 5823 Thirteen Mile Road.
2. All existing and proposed utilities and any corresponding easement shall be shown on the site plan. The plan shall also clearly define the proposed and existing conditions and improvements.
3. Any existing utility located within the proposed building envelopes shall be removed and relocated. There shall be no permanent structure constructed over an existing easement.
4. The proposed acreage of disturbance shall be shown on the plan. If the area of disturbance exceeds one acre, then this site shall comply with the storm water ordinance of the outlet is under the jurisdiction of the City of Warren.
5. A system of internal drainage is required. The jurisdiction residing over the outlet shall determine the allowable rate of discharge. All drainage shall be maintained on this site. Detention may be required.
6. Proposed pavement section(s) shall be provided on the plan. All parking areas shall be hard-surfaced and shall have concrete curb and gutter around the perimeter unless a variance has been granted. Continuous use of bumper block shall not be installed along the south side of the vacated alley.
7. The existing Mound road right-of-way appears to be shown inaccurately. All proposed work within the Mound Road right-of-way is subject to approval from the Macomb County Department of Roads.

**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. If required by the building code, the building must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13. Fire department connection threads shall be national standard type and a fire hydrant shall be provided within 150 feet of the fire department connection.
3. Maintain existing fire department access roads. Fire department access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
4. Provide a fire alarm system if required by code.
5. Provide fire department lock box (knox box) as required by local ordinance.

Ms. Michelle Katopodes reads the recommendation of the Staff:

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PUBLIC HEARING:

Mr. Joseph Hunt – Good evening I'm Joseph Hunt 8306 Stanley, homeowner and tax payer here in the City of Warren, residing at 12 and Van Dyke in section 15. One of the things I want to point out to the Planning Commission as I've seen in the past and I believe it's according to your bylaws and rules of procedure. If you don't have a complete Planning Commission that you offer the petitioners the option of either being heard or tabling it until a full commission is available.

As far as this petitioners site plan I am in full recommendation and the reason being is this section of the city has always been a big parking lot with stores all the way in the back and of course when they closed down the Secretary of State a long time ago that sort of reduced the amount of traffic that goes into the existing stores within the shopping plaza. Of course I go every year to buy flowers at the corner there however that's a seasonal issue and I think that the petitioner's plans are stellar. That was a long list of items that was read by the planning department however I don't believe that there's an necessity for a chain link fence to go around the drive thru. So hopefully the petitioner will go to the Zoning Board of Appeals to have that waived because that's the last thing we want to do is put up barriers in an open space. From what I see everything sounds good for this corner. The one thing I do want to bring up that was read in the recommendations and in the correspondence is that anything over an acre that the soil and erosion control act has to comply with the City of Warren storm water ordinance. According to the soil and erosion control act anything over an acre is handled by the County Public Works Commission Office. I'm in full favor of this I don't see any reason that there be a delay in this.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith - I noticed in the recommendation that item 1 D and 1 E they both are saying the same thing so is it a possibility to eliminate D because E has a little more literature on it.

Ms. Michelle Katopodes – Yes, I do agree, it was some reputation.

Assistant Secretary Smith – Going over the drawings on drawing A3 which deals with the elevations of the project the word dumpster is spelled dumbster so that needs to be changed, it's done on A3 and C3. There was also a note on L1 that was put in there where Mr.

Shango talked to you and Mr. Wuerth about the details of the property and detail was spelled wrong on that too. Another question I have is on the notes that you mentioned earlier it says that the Planning Staff will require that all parking spaces along Mound and Thirteen Mile Roads be removed and the area be returned to 15 to 20 feet scape setback area, but then at the bottom of the same paragraph it says that the planning staff supports the variance for parking spaces along Mound and Thirteen Mile, at least 122 spaces along the roadway. So are we saying that we're going to let them get a variance to keep the spaces there?

Ms. Michelle Katopodes – We were saying we would support a variance to not have to put as many parking spaces to eliminate some of them along the frontage.

Assistant Secretary Smith – So the parking spaces that are being shown on our drawing now some of those may be eliminated?

Ms. Michelle Katopodes – Yes, that was our recommendation.

Assistant Secretary Smith – And the other thing that I thought was good was moving the driveway over to where you have less congestion as far as making decisions of getting in and out, so I thought that was a good addition to the recommendation.

Commissioner Rob – Mr. Shango are you going to have the same tenants or is it going to be different?

Mr. Nicholas Shango – They are going to be different tenants I'm keeping everybody where they are. I'm also going to facelift the shopping center to match whatever this looks like. So the people that are there can stay where they are these are going to be smaller maybe like 2000 square feet or less.

Commissioner Rob – Because I think this parking lot in its prior history has a lot of outdoor sales approval so do you think that will impact a lot of the tenants because you may not have outdoor sales as you did before?

Mr. Nicholas Shango – Not necessarily, I want something better looking to bring people to the center. I put my store there I have a Dunkin Donuts there I just did that within the last 2 years. So I'm looking for something sleeker and some more components like a burger shop, a sub shop, or jewelry I want to bring something that completes the center and makes it more of a destination since I don't have grocery.

Commissioner Rob – Can you comply with all the recommendations provided by the Planning Director?

Mr. Nicholas Shango – Yes.

Assistant Secretary Smith – Mr. Shango there was one more item I forgot to mention. On the one elevation that it showed the dumpsters for the project it's got two separate spots where they are showing the dumpster locations, there's no detail on the dumpsters. As far as the construction there's no mention of the construction of the dumpsters it just shows that the wall is 8 feet high there's no detail or anything as far as the dumpster configuration of what the requirements are for the dumpster.

Ms. Michelle Katopodes – It is on one of the elevation sheets.

Assistant Secretary Smith – On the elevation sheet it just shows the walls it shows the gates in the front and it shows the wall being 8 foot high but that's it. It doesn't say anything about whether its brick emboss walls or angel cap it doesn't even give dimensions on the side it just says its 8 feet tall, there's no dimension on how wide it is or anything.

Ms. Michelle Katopodes – The standard trash enclosure note, okay, if it's not on the cover sheet we can have that added as well.

Commissioner Pryor – Mr. Shango, right now the parking spaces facing the Mound and Thirteen Mile Road are those the only parking spaces that are going to service these buildings or are there parking spaces on the other sides of the buildings?

Mr. Nicholas Shango – Yes, so the way this works is you can enter from both sides that's how I've designed it. So yes you can park on both sides but I put the parking along Thirteen Mile and along Mound because it's not enough parking if I don't put parking there. So that's why I added another row in front of each building.

Commissioner Pryor – Does each of those buildings have service entrance for back and front?

Mr. Nicholas Shango – Yes I'll have doors on both sides, you can enter from both sides. But the main entrance will be facing Mound and Thirteen Mile but you can enter from the back. It will wrap around it won't have block on the back I'll have brick and stone all the way around so it looks good from all sides.

Commissioner Pryor – So there are seats available inside as a restaurant should be?

Mr. Nicholas Shango – Yes.

Commissioner Pryor – And you'll have drive thru also?

Mr. Nicholas Shango – Yes.

Commissioner Pryor – So there are service windows in the back or to the other side?

Mr. Nicholas Shango – There's only one service window on each building.

Commissioner Pryor – It looks like the order board is half way through it?

Mr. Nicholas Shango – I didn't want to put it at the start because I didn't want a car sticking out in the middle of the driveway.

Vice Chair Kupiec – Are you familiar with all the recommendations?

Mr. Nicholas Shango – Yes.

Vice Chair Kupiec – Have you had a chance talk them over with Mr. Wuerth or the Planning Department?

Mr. Nicholas Shango – Yes, it's still a work in progress I'm trying to introduce as much landscape as I can at the same token there's a lot of components. We came up with this little landscape connector thing that you can try to make a cross walk from top to the bottom. I have a rendered site plan that shows this a lot better, do you have the colored version of this?

Vice Chair Kupiec – No.

Mr. Nicholas Shango – I'm working with the Planning Department.

Vice Chair Kupiec – I noticed on the southeast corner about 150 or 160 feet in from Mound Road there's a brand new driveway a concrete driveway that has just been put in recently. It's on the Thirteen Mile side it's west of Mound Road, it's a brand new driveway.

Mr. Nicholas Shango – Yes they did that when they did the street.

Vice Chair Kupiec – In the recommendations Mr. Wuerth suggested to terminate that driveway and landscape that area and move the driveway back to about 350 feet from Mound Road, do you have any problems with that?

Mr. Nicholas Shango – My only problem is I don't want to spend the money to move the driveway, because they actually just poured it last year when they did the road. I tried to first make it work with what I had first if that's going to be detrimental to Mr. Wuerth and Ms. Katopodes then I don't have a problem with it. What we are trying to do with that driveway is keep a straight line, when you come in you have a straight driveway. So if I move the driveway then that plan will change a little bit, I'll have to play with it a little bit.

Vice Chair Kupiec – As Mr. Wuerth pointed out in his very lengthy recommendations is the confusion of cars coming and going, making right turns the island is right out there in front when you leave the facility you can't make a left there because the island is right there in front of you so the only way you can go is to the right. The island extends back about 300 hundred feet from Mound Road so he suggested 350 feet to put a driveway there, that way people could exit your corner and go left or right wherever they choose to go. But right now they can only go to the right going west.

Mr. Nicholas Shango – You're talking on the south?

Vice Chair Kupiec – On the south side, on Thirteen Mile Road heading to the west. There's no way to go east people are going to try and make a U-turn right there at the island and that's going to cause congestion. Plus the fact of where that first driveway is at that median in the center of Thirteen Mile it goes back just over 300 feet and he suggested 350 feet would be an appropriate place to install the driveways. That way you'd have cars coming and going midway through your facility and it would eliminate some of the stacking problems you might develop on Mound Road during busy hours. You get people coming in making a right turn onto Thirteen Mile going west wanting to turn into your facility it won't take too many cars to stack up out onto Mound Road. As you know from the car wash they generally have Mound Road messed up pretty good. So the further you move that driveway down the road the better.

Mr. Nicholas Shango – Now that you mentioned that I do remember, yes it will be better.

Vice Chair Kupiec – Unfortunately did they put the expense on your taxes or did you ask for it because the driveway looks brand new.

Mr. Nicholas Shango – It's brand new that's the thing and I just did the other driveway when I built my store there, the Dunkin Donuts. It's okay the biggest thing I want is parking and I didn't make the whole thing like I did the first time. I left some nice good size islands in there. Right in the middle where that sitting area is I'll have a nice 30 foot section of landscape too it will look nice.

Vice Chair Kupiec – It will look real nice, the question is the traffic flow and the congestion to develop from the location of the driveway. So hopefully you'll give that a lot of consideration and follow the recommendations as given.

Mr. Nicholas Shango – That's fine I can do that.

Vice Chair Kupiec – Very good thank you. Is it possible to share with us any idea who might be going in there as far as your tenants or is it to early to tell?

Mr. Nicholas Shango – I have a big box guy going in the back, I can't say anything until I get a lease signed, but I need this to get my lease signed.

Vice Chair Kupiec – And you're looking to have a drive thru sit down restaurant and also a family restaurant?

Mr. Nicholas Shango – Either or, the drive thru is just a means to bring these new franchises in everybody is looking for a drive thru. My first thought was drug store but that's taken, they are already on Ryan and on Mound. The undecided is the corner spot which is the prime spot right on the corner there.

Vice Chair Kupiec – Thank you very much for your time and explanation I appreciate your consideration on moving that driveway. Good luck to your investment and your development.

ROLL CALL:

The motion carried as follows:

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

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

Vice Chair Kupiec – To the remaining petitioners in the audience I apologize I neglected to announce the fact that we only have 7 of 9 Commissioners available tonight so if you decide you’d like to have a full Board of Commissioners just ask for an adjournment. Thank you.

- 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 (2<sup>nd</sup>)**.

MOTION:

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

PETITIONERS PORTION:

Mr. Phillip Tayah – Good evening Commission at this point I would like to withdraw my petition to put a fence up at that location.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. AMENDMENT TO APPENDIX A, ARTICLE XIV: An ordinance amending Article XIV entitled C-2 General Business District, Sections 14.01 and 14.02 of the Zoning Ordinance relating to the Pawnbrokers. **TABLED**.

MOTION:

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

Secretary McClanahan – There are no correspondence.

Ms. Michelle Katopodes reads the recommendation of the Staff:

PUBLIC HEARING:

Mr. Joseph Hunt – There's been a lot of discussion over the years regarding pawn brokers and specifically I know that the Mayor has mentioned several times over that we don't want to become pawn broker city or a used car lot city. The issue does come down to the use creating an ordinance or adopting an ordinance that basically is creating a discriminatory class against pawn brokers.

Pawn brokers by virtue of their nature are businessmen who take items and goods and provide funds to either customers in exchange for those pawn goods. And the issue here is the tone I've been hearing over the last several years is that pawn brokers clientele are basically criminals that are trying to hock stolen goods. I don't believe that to be the case many of the pawn broker shops that exist in the City of Warren are on Eight and Nine Mile and Van Dyke, I've been to several of them to speak to the business owners about the way that the City of Warren treats them. In light of the fact of the issues associated with the pawn brokers I think that there's change as far as 750 feet is going to basically alienate this class of business from the City of Warren. Well you might say that's a good thing but at the same time I say if it's not broke don't fix it. The idea behind that is that the issue associated with the existing pawn brokers here in the City of Warren is that there have been several law suits that have been paid for by the City of Warren taxpayer dollars because of the heavy handed approach by Mayor Fouts and his administration to alienate certain business such as pawn brokers, used cars lots and things that he does not like.

I'm definitely against any of these adventitious and changes because I realize that pawn brokers provide a valuable service to their clientele, basically to the citizens of the City of Warren. Pawn brokers provide a service and by changing the zoning ordinance you are preventing pawn brokers from coming into the City of Warren. And more so with the zoning change it may all of a sudden discriminate against those existing pawn brokers. Like I said I'm just going on record to be against it because I know that your Mayor if for this change. Thank you.

Ms. Karen Spranger – I guess my concern is the structure of State Law. In my opinion would have some kind of jurisdiction as far as merchandise was reported to be stolen and it was received in their possession? I don't know how that would be legal problem with that to be existing furthermore into the city with the jurisdiction of its powers. The service is a duality because citizens do become in a situation where money becomes an issue so they have possessions to take to the pawn shop. Over the years it seems like it was a fairly reasonable exchange of business deals. Now today there's more crime being done in the city of breaking into people's homes so I feel there's a fine line between if the ordinance is fair on how the business runs their paperwork and if the police do their job to recover items that may be found in their shop to be stolen what would happened to the pawn shop, would it be shut down. That is not covered in the agreement or the way that people do business today usually honesty and integrity always been my rule. I don't use those services so I can't answer those questions but if the ordinance in favor of not giving the business adequate rights to exist with good intentions we don't know that. The intentions in my mind would be honorable it has in the past and there's no stories that I heard of complicated from the police department saying they've been raid for illegal goods. So if the ordinance is good so far and has substance to it why change it. So if it's in good standing let's keep it as is without being restricted to be fair to the citizens who use this service and it is in good faith of its intentions.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

Vice Chair Kupiec – It was a 5-2 vote therefore it will be passed onto Council for their review.

- D. ACREAGE PROPERTY SPLIT REQUEST: Downtown City Center property located on the east side of Van Dyke Avenue, between

South Civic Center Road and Kennedy Circle; Seven acreage parcels split and combined to conform with proposed legal description; 29500 Van Dyke; Section 10; Lark Samouelian (City of Warren DDA).

Secretary McClanahan – I have a letter I will read into the record.  
 RE: ACREAGE PROPERTY SPLIT REQUEST: Downtown City Center property located on the east side of Van Dyke Avenue, between South Civic Center Rod and Kennedy Circle; Seven acreage parcels split and combined to conform with proposed legal description; 29500 Van Dyke; Section 10; Lark Samouelian (City of Warren DDA).

Upon reviewing the above mentioned request to create parcels for marketing and sale in the Downtown City Center, several questions were raised regarding the procedure and process for the acreage property split request. An internal administrative meeting was held to review the concerns about the proposed acreage parcel split. It was found and verified by Acting City Attorney, Mary Michaels, that an acreage parcel split in the Downtown City Center does not require City Council approval. The survey that was completed for the City by Hubbell, Roth and Clark Inc. is an acceptable document that may be recorded as is with the Macomb County Register of Deeds as verified by City Engineer, James Van Havermaat.

The request before the Planning Commission is therefore withdrawn from the Planning Commission Agenda for the July 25, 2016 meeting.

The Planning Staff will process the recorded document as an acreage parcel split and forward the document to the Assessing Department so that parcel identification numbers may be assigned by Land File of the Macomb County Register of Deeds for taxation, zoning, and marketing purposes.

MOTION:

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

- E. SITE PLAN FOR NEW TRUCK TERMINAL FACILITY: Located on the east side of Dequindre Road; approximately 152 ft. south of Michael Avenue; 21600 Dequindre Road; Section 31; Trans Terminal (Robert Tobin).

PETITIONERS PORTION:

Mr. Robert Tobin – This is a 3.86 acre site on Dequindre just north of Eight Mile Road. It contains a vacant bowling alley of 30,000 square feet and a large parking lot. The west half of the site is zoned M2 and the east half of the site is R-1-P. Before the present owner completed the purchase he went to the Board of Appeals to make sure they would allow truck repair adjacent to residential zones. It was pretty clever and it was a good idea he did that to. On November 8<sup>th</sup>, 2015 the ZBA approved the request to allow truck parking adjacent to residential zones on the northeast and south areas. This site will be a new facility for Trans Terminal which currently is located on Nine Mile Road in Warren. The owner plans to develop the site as a storage area for their trucking operation and to renovate the existing building with a new office area, a staging area for the drivers, a parts storage area, and four new service bays. So he's going to renovate that big 30,000 square foot building to accommodate his needs. The site will be secured with a six foot wall and an obscuring perimeter fencing with vertical plastic slats, that's also required for outside storage.

We have reviewed the recommendations we received from the Planning Department and in a conversation with Michelle today we revised our site plan for this meeting as per plan that we presented at the initial meeting at the ZBA Board. This was presented on November 18<sup>th</sup>, 2015 and approved at this meeting. What happened was we were not aware exactly what the perimeters of the approval was but we have revised our site tonight to accommodate that approval that was received back here on November 18<sup>th</sup>, 2015. We also comply with all the other requirements that are required by the Planning Commission. Except item 1B which we hope can be clarified tonight. The owner is planning to spend a considerable amount of effort and cost to develop this vacant site and therefore we seek this Planning Commission's approval so we can go on to the next step to the Board of Appeals. Thank you.

Secretary McClanahan reads the recommendation of the Staff:

**TAXES:** No Delinquent Taxes.

**DTE:** Approved.

**ENGINEERING:** Approved.

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

1. Meet all requirements of the 2012 edition of the Michigan Building Code.
2. If required by the building code, the building must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13. Fire department connection threads shall be national

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standard type and a fire hydrant shall be provided within 150 feet of the Fire Department connection.

3. Provide fire alarm system if required by code.
4. Maintain existing fire department apparatus access roads. Fire apparatus access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.
5. Provide Fire Department lock box (knox box) as required by City ordinance.

Ms. Michelle Katopodes reads the recommendations of the Staff:

\*\*Add 1E – The brick emboss poured concrete wall shall be labeled a new wall.

\*\*Strike number 3, it is not necessary for this application.

PUBLIC HEARING:

Mr. Joseph Hunt – I'm very familiar with this property I've probably been by it at least 300 times in the last 5 years, it's always vacant. I think that this is great that the petitioner is going to spend money in the City of Warren to basically create a trucking facility. And as Mr. Tobin had indicated every time there's the talk of an 18 wheel truck there's always the question of residence a ½ a mile away hearing it and such but because the variance was granted that takes that question out of the equation. The only thing I heard by the petitioner and by Michelle is the issue that's associated with the existing plan as is. I think the fences are great because what it will do is give a little bit more of an industrial feel. I didn't hear anything regarding the Macomb Department of Roads as Dequindre is still a County Road on whether or not that there was any correspondence that was necessary with the County regarding any changes that might be made on Dequindre Road. And of course because we are talking 18 wheel trucks I also question on whether or not there's going to be any configuration to the existing driveway that would expand the ingress to egress because these are big trucks. I think it's great because you go from a vacant bowling alley where nothings happening to a truck facility that will put commercial and industrial onto the tax roads it's a win win situation and as long as no neighbors complain I'm for it. Thank you.

Ms. Renee Konarzewski – Good evening my name is Renee Konarzewski 2104 Garrick I'm two blocks north of this facility and I don't agree with it. We have nothing but blight in our neighborhood and I do not want any more truck traffic, and I do not want any more blight. Also we have a lot of neighborhood issues that this contribute to. Thank you.

MOTION:

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

COMMISSIONERS PORTION:

Secretary McClanahan – Mr. Tobin, you heard the residents speak about the concern about the trucks and everything for the neighborhood is there anything you can say to alleviate that for the neighbor?

Mr. Robert Tobin – I will have the owner come up and answer that question for you, they are here and they are in the trucking business.

Mr. Anatoliy Tretyak – I am the owner of the property we just bought it and Trans Terminal the company located in Warren, Michigan. We've been working there already five years and we would like to stay in this area. What I can say about the trucks and the noise we are working with new equipment and it doesn't make the noise like it used to 10 or 20 years ago.

Secretary McClanahan – The neighbor had concerns about crime and blight in the area there is there any security on the lot?

Mr. Anatoliy Tretyak – We are going to put the fence around and we are going to put the gate so it's automatically going to close and lights to try and keep it safe. The trucks are not going to be there all the time, they always travel. We are not local we go to other states so a couple of trucks could be there.

Assistant Secretary Smith – I know along the residential street they are putting up the 6 foot high brick emboss wall and then the other fencing that goes around the lot is going to be obscuring fencing, so how many trucks do you expect to have in there at any particular time?

Mr. Anatoliy Tretyak – We own 49 trucks and about 70 trailers, it all depends it's going to be around 30 trucks.

Assistant Secretary Smith – Are these trucks mostly in there for repair or are they in there to spend the night?

Mr. Anatoliy Tretyak – It's going to be a terminal.

Assistant Secretary Smith – So they'll do repair also on them?

Mr. Anatoliy Tretyak – Yes we are going to do our own repair in the inside of the building so it's going to be quiet and no noise. But like I

said not all of the trucks will be there at the same time on the property because they are going to come and go.

Assistant Secretary Smith – What are your hours of operation?

Mr. Anatoliy Tretyak – Eight to five-thirty, Saturday it will all depend but mostly eight to two or maybe nine to two, nothing on Sunday.

Assistant Secretary Smith – According to the plan that was presented to the Board of Appeals you said you revised this one so the fence along the east side of the property that's going to be turned into landscaping so there's not going to be any parking there?

Mr. Robert Tobin – I've been talking to Michelle about this, I've been talking to Steven in Zoning and what happened is when they got this approved back last year in November they had no trucks parked here. We had trucks parked around here but we revised this thing based on my conversations with Michelle tonight hoping to show you that we are meeting the requirements that we got approved in the zoning and we're only going to park here and we are not parking on the east property line. We have gone and improved everything and went along with everything that is recommended by the Planning Commission except item 1B. We'd like to get that clarified tonight, Michelle is that correct that you and I have talked about this?

Ms. Michelle Katopodes – Yes we did discuss the plan and he's made the changes to match the approved plan from the Zoning Board of Appeals so that should be fine. You want to go forward with the same plan correct?

Mr. Robert Tobin – We have complied now with what was submitted to the Board of Appeals back in November and we have talked to both Michelle and Steve.

Assistant Secretary Smith – In regards to that then my question would be on the site data chart it shows 71 parking spaces for trucking that needs to be revised to the number of spaces?

Ms. Michelle Katopodes – Yes there will need to be changes to the current amount of spaces, there will be changes to the site data chart.

Commissioner Rob – Michelle I'm still not clear on 1B, the original plan was approved and then the plan has been changed?

Ms. Michelle Katopodes – They went to the Zoning Board of Appeals in November of last year, we can put up what they submitted there, and now they are coming before Planning Commission and when we received it we saw that there was a different configuration of the trucks. The variance stated they received approval per the plan so it's stated per the plan. So we stated that either they need to match the configuration to the plan that was approved by the Zoning Board of Appeals or they would have to go back to the Zoning Board of Appeals to change what they would like to request. But instead they are going to match it to the same configuration that was approved by the Board of Appeals.

Commissioner Rob – My second question to you, don't they have an Engineering survey or something to support that many trucks in that parking lot because that wasn't originally built as a truck storage or a terminal facility. So don't they have to go through the Engineering Division to find out if the grounds are able for that many trucks?

Ms. Michelle Katopodes – Well Engineering reviewed our plans but there will be permitting process going forward through Building for like I know at least for the renovations of the building and I'm sure there will be additional steps that they will review.

Commissioner Rob – So when the renovation goes through will it come through another site plan or this site plan?

Ms. Michelle Katopodes – I'm sorry I didn't understand the question.

Commissioner Rob – I can't understand this, we are using a parking lot specifically for trucking and Engineering doesn't have any recommendations on it?

Ms. Michelle Katopodes – They just stated approved.

Commissioner Rob – So you said you're not local so where are you guys based out of?

Mr. Anatoliy Tretyak – No we are located at 6485 E. Nine Mile Road, it's on Nine Mile between Sherwood and Mound. The trucking operation will be going all over the states. It's not like the trucks go out in the morning and then come back they are going between states.

Commissioner Rob – So your dispatch will be located there also in that location?

Mr. Anatoliy Tretyak – Yes, we are going to build an office building there. That's what we have now on Nine Mile an office building but it needs to be bigger.

Commissioner Rob – So are you shifting from old place to this new place or is there going to be an addition to the old one?

Mr. Anatoliy Tretyak – The one we have now it's rented and this one we own it.

Commissioner Rob – Because it's close to residential area have we sent out letters so residents are aware of the situation?

Ms. Michelle Katopodes – Yes 300 feet regardless of residential or commercial anything we send it out 300 feet radius.

Assistant Secretary Smith – Mr. Tobin on the revised drawing that was submitted to the Board of Appeals it shows gates on Christopher Street on the back side it shows a gate coming in, what is that gate going to be used for?

Mr. Robert Tobin – I'm referring now to a Board of Appeals approval back June 8<sup>th</sup>, 1994 where we had permission to waive the required greenbelts or masonry walls along the north, south and east property line. So that greenbelt has been waived and it goes with the land of 1994.

Assistant Secretary Smith – I'm saying a greenbelt in the revised plan that we are seeing here but there's also a gate there. There's not going to be any truck traffic coming through that date into that parking lot is there?

Mr. Robert Tobin – The previous architect engineer who submitted this to the Board of Appeals improperly showed the site plan here but when we did the survey we included half of Christopher Street, which he did do. So now the site plan does not have that greenbelt any more it's gone, but if you want us to put it in we will put it in.

Assistant Secretary Smith – The greenbelt is not the question I'm just concerned about if there's a gate there?

Mr. Robert Tobin – No, it's all gone.

Assistant Secretary Smith – But this is the drawing that was submitted to the Board of Appeals and it shows a gate there.

Mr. Robert Tobin – A continuous fence an obscuring fence along the east property line, the south property line and this will be a six foot wall along here. We kept the wall back 3 feet so we don't interfere with all the lovely plants and trees along the property line.

Ms. Michelle Katopodes – When we were referring to the Board of Appeals plan it was just for the configuration of the trucks. There's not going to be a gate and there was the waiver for the greenbelt so we were just referring to the configuration of the truck parking. The variance was approved per that plan for the truck parking.

Assistant Secretary Smith – So is there going to be a greenbelt there or not?

Ms. Michelle Katopodes – There's not, and there was not going to be a gate either.

Assistant Secretary Smith – I was there today and I drove around in that area and I agree with him that we may have to do something with the pavement in that area to support the 18 wheelers that are going to be in there because the present asphalt may not be supportive enough for the weight. So that may have to be changed but that could be done when they are designing their operation because it's probably going to have to be hard-surfaced anyway which is going change the strength of the concrete or whatever they use.

Mr. Robert Tobin – We will be doing that yes. Right now it's broken up asphalt we are putting asphalt millings in there to solidify it and make a good surface and we'll go to Board of Appeals to try and get that approved.

Ms. Kelly Colegio – Good evening Commission. I might suggest the same concerns regarding the heavy trucking on the ground in that area as well and with Engineering just giving you an approved recommendation without any detail. I might suggest with some of the confusion going on tonight with the site plan that you were given and with what the Zoning Board had recommended maybe you should just table it and ask for a more detailed recommendation from Engineering and have the petitioner come back with a site plan for you that gives a detailed picture of what Zoning gave in their variance. Thank you.

Vice Chair Kupiec – Mr. Tobin you say you agree with all the recommendation and you'll concur with all of them except B and

Michelle indicated you met today and everything is acceptable now the way it's recommended?

Mr. Robert Tobin – Yes as far as we're concerned that's why we revised it so we can get approval tonight. That is why we have the documents here to show that we are complying with whatever was approved by the Board of Appeals back in November.

Vice Chair Kupiec – Are you currently the Architect on the job, you mentioned the previous architect?

Mr. Robert Tobin – The previous architect who is now gone and I took over he's the one that went to the Board of Appeals but it was a good idea because they weren't going to purchase the site until it got approved. They got it so that trucking repairs can be approved in the R-1-P area.

Vice Chair Kupiec – The question seems to be is the maneuvering of the trucks in that facility that was designed for cars for a bowling alley in your expertise has anybody looked into the depth of your millings and the depths of your sub base and how much ground support you're going to have to support these trucks?

Mr. Robert Tobin – Well you have to understand that this part of the site is all paved.

Vice Chair Kupiec – It's broken up pretty bad.

Mr. Robert Tobin – This is where we are going to put the millings otherwise this is all paved in here. That was the old road that's the old Toepfer Road that goes through the site. It's a very strange site but it's perfect.

Vice Chair Kupiec – It's perfect for what?

Mr. Robert Tobin – I think the whole complex makes sense because it has a huge building here that will be a truck terminal with offices, repair facility, a place for the driver's to come in to rest, there will be a parts area, there will be 4 repair bays, it's almost a perfect situation for a trucking firm. We have outside storage and we have approval now from the Board of Appeals already to provide trucking in this area.

Vice Chair Kupiec – What type of trucking business are you actually in?

Mr. Anatoliy Tretyak – Everything is dry freight.

Vice Chair Kupiec – Are you going to have any terminal facilities on the property that will house the freight are you a cross dock operation where you bring your freight in transfer it and move it out?

Mr. Anatoliy Tretyak – No.

Vice Chair Kupiec – You're not going to store any freight on the facility?

Mr. Anatoliy Tretyak – We are not doing it now and we are not planning to do it no.

Vice Chair Kupiec – So the only freight would be that that's in the trailers?

Mr. Anatoliy Tretyak – Yes.

Vice Chair Kupiec – Nothing in the building at all?

Mr. Anatoliy Tretyak – No.

Vice Chair Kupiec – Your building would be strictly for housing your driver's for a rest area, a loft area, a recreational area, and maintenance and repair of the trucks along with your office and dispatch, is that correct?

Mr. Anatoliy Tretyak – Yes.

Vice Chair Kupiec – No freight on the property at all?

Mr. Anatoliy Tretyak – Just what's in the trailer.

Vice Chair Kupiec – Again approximately how many trucks do you have any your fleet right now?

Mr. Anatoliy Tretyak – We own 49 trucks and 70 trailers. The trucking business we do it's a drop trailer it's not all those trailers sitting in the yard. Like I said not all the trailers and the trucks are going to stay there.

Vice Chair Kupiec – Are you currently servicing the automotive industry is that what you're business is all about?

Mr. Anatoliy Tretyak – Yes, we are doing some.

Vice Chair Kupiec – Now do you actually store automotive parts in loaded trailers on your premises?

Mr. Anatoliy Tretyak – Mostly we do not store, maybe over the weekend not a week or two.

Vice Chair Kupiec – So you'll house mostly empty trailers, repair trucks and trucks waiting to be dispatched hooked up to a trailer and go with a empty trailer?

Mr. Anatoliy Tretyak – Yes, most of the trailers in our yard are going to be empty like 30% or 40% maybe will be loaded but most of them are light loads some of them like 2000 pounds some 5, 10, or 15.

Vice Chair Kupiec – So you don't get up to 80,000 pound capacity?

Mr. Anatoliy Tretyak – Just for fuel, we can get to it, it's about 10% maybe.

Vice Chair Kupiec – Are most of your tractors the tandem type?

Mr. Anatoliy Tretyak – Yes.

Vice Chair Kupiec – How about your trailers?

Mr. Anatoliy Tretyak – Tractor's it's just semi, I don't know, it's 18 wheeler semi-tractor five axels truck and trailer.

Vice Chair Kupiec – But you don't have any six and eight axel trailers that haul freight?

Mr. Anatoliy Tretyak – No, we don't have that big equipment.

Vice Chair Kupiec – I take it you've spoken to Mr. Tobin about the recommendations and you understand them and agree to do all this work?

Mr. Anatoliy Tretyak – Yes absolutely.

Vice Chair Kupiec – And you're going to make it a good working environment where the exhaust for the mechanics keep the fumes out of the building and not spread out through the neighborhood?

Mr. Anatoliy Tretyak – Oh yes absolutely we want to make the place work again. We've talked to some neighbors and they were happy that somebody was moving in.

Vice Chair Kupiec – How long have you been in business?

Mr. Anatoliy Tretyak – I started in 2006 it will be 7 years in December.

Vice Chair Kupiec – I'd like to make one recommendation to the maker of the motion that on approval of this that we have a cash bond.

Commissioner Vinson – I have no problem with that.

Commissioner Pryor – No problem.

Vice Chair Kupiec – Okay we will go on record as having a \$7500.00 cash bond. Mr. Tobin has agreed that he's accepted all the recommendations and item 1B was talked over with Michelle and she agreed that it's okay to accept it as their discussion today. So it sounds like we should be able to move with this project.

Assistant Secretary Smith – I'd like to make a recommendation also to add Engineering be required to do an assessment of the pavement because they are going for a variance to waive the hard-surface paving in the parking area and I would like Engineering to do an assessment of the parking area just to make sure that the trucks that are going to be there are going to be able to handle the surface area.

Commissioner Vinson – I concur with that.

Commissioner Pryor – That's fine.

Commissioner Rob – I'm just trying to get clarification, an Engineering assessment will be done prior to this so is that a contingency to this approval?

Vice Chair Kupiec – With the recommendations that are made before the site plan is put out to the departments for permits everything has to be submitted in writing and approved correct?

Ms. Michelle Katopodes – Yes conditions would have to be met before we forward this on to the building division. So I can anticipate

they would have to contact Engineering to go and take a look at the site and provide something in writing.

Commission Rob – Yes that would be something that I would prefer we need something that clearly states that this pavement right now the way it is will it support that many trucks and trailers, so it has to be a condition.

Ms. Michelle Katopodes – We will get a letter from Engineering Division.

Vice Chair Kupiec – So is that acceptable Mr. Tobin?

Mr. Robert Tobin – That’s fine with us we want to follow all the procedures that’s why we are here tonight.

Vice Chair Kupiec – With that being said we will leave it up to the Commissioners.

ROLL CALL:

The motion carried as follows:

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

F. SITE PLAN FOR PROPOSED INDUSTRIAL BUILDING ADDITION:  
 Located on the southwest corner of Stephens Road and Regency Park Drive; 23895 Regency Park Drive; Section 26; Steve Tunison (Robert E. Fraley).

PETITIONERS PORTION:

Mr. Charles Earl – My name is Charles Earl, Attorney at Law, my address is 31851 Mound Road, Warren. I’m happy to be here on behalf of R&M Machine Inc. on Regency Park drive I think its east of Hoover and almost on the corner of Toepfer. We’ve been in business for about 30 years and what we want to do is build an industrial addition affectively adding three walls to our existing building. It would be done if approved by you on a grassy space right now so we are not changing anything to do with landscaping, parking, approaches, or pavement, none of that is going to be changed adding this building addition.

There are a couple of things in the recommendation that I want to chat with you about a little bit after the recommendation is read. One of those things relates to the bond I'd like to address after discussion by Michelle and the second thing is the issue of the, I guess we'll call it the large red container that we use for recycled metal shavings I'd like to talk to you about where we'd like to put that.

Assistant Secretary Smith reads the following correspondence:

**TAXES:** No Delinquent Taxes.

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

1. Meet all the requirements of the 2012 edition of the Michigan Building Code.
2. If required by the building code, the building must be equipped throughout with an automatic sprinkler system in accordance with NFPA 13.
3. Provide fire alarm system if required by code.
4. Maintain existing Fire Department apparatus access roads. Fire apparatus access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.
5. Provide Fire Department lock box (knox box) as required by City ordinance.

**ENGINEERING:**

1. Any existing utilities and/or easements located within the footprint of the proposed building addition must be relocated.

**DTE:** Preliminary review of the site plan yielded the following comment:

1. DTE Electric Company will have to relocate a utility pole at the expense of the customer if Warren Planning Department approves the site plan.

Ms. Michelle Katopodes reads the recommendations of the Staff:

**PUBLIC HEARING:**

Mr. Joseph Hunt – Good evening, this is in an industrial complex area and specifically I don't see any reason for you not to approve this. I always talk about the revitalization of the industrial district and the building is already maintained, the petitioner wants to invest more into the City of Warren. And what that does is it basically increases the square footage, it all of a sudden increases the tax base and so I'm strongly for it. Mr. Earl is representing the petitioner and he knows his stuff so I think it's a win, win situation for the taxpayers. So I think approval should be recommended.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – About the red dumpster I was by the site today and the site looked very clean from what I noticed when I was there. You had some comments on the red dumpster?

Mr. Charles Earl – I do thank you. Actually I prefer to use the word container it isn't really a dumpster it's a roll off 20 yard container that they use recycle the metal millings that come off their die process. So this is picked up by metal recyclers, it's not trash and if you take a look at the existing site plan that you have, if you look down in the very lower southwest corner you can see that there is a trash enclosure that is there today. So that is where the dumpster is enclosed that encloses the trash. Immediately to the north of that dumpster enclosure in that space that's about 20 feet in depth that's where this red container sits and the hi-lows bring out the smaller metal containers of metal shaving and dump them into that container for removal by the recycling people. We would like to keep that right there we think it is mostly out of site from passersby. Regency Court Drive is a effectively a cul-de-sac that has about I think 5 or 6 industrial buildings on it. This is pretty much hidden from view of anybody and we'd like you, in your discretion allow that container for recycled scrap metal to sit out there next to the dumpster enclosure that is for the trash.

One other comment is I would offer this for your consideration we are not making any other site changes it's not like we're building a new building with new driveways, parking lots, landscaping, irrigation, curb cuts, and that kind of thing so I'd ask you to consider reducing the bond in half and making it a cash bond rather than an surety bond. Because what we're really doing is building three walls to add space to our building so I'd ask you to consider that.

Assistant Secretary Smith – Mr. Earl is the cost of the estimate going to change or is it going to be the same?

Mr. Charles Earl – It's about the same.

Assistant Secretary Smith – Because the bond is related to the cost of the estimate.

Mr. Charles Earl – I understand that the bond is exactly 3% of the proposed cost, but I guess my point is from a site development stand point the things that usually end up being a concern of the Commission rather than the Building Department. The Building Department is concerned about have you built the walls to match up with the architectural plans. But the Planning Department seems to be more concerned about did you plant your grass, did you put in your irrigation system, have you paved your parking lot, and put in your curbs so we feel like since that's all done the planning bond really doesn't have that much meaning.

Assistant Secretary Smith – What is your take on what Mr. Earl said?

Ms. Michelle Katopodes – I believe it's up to the Planning Commission if they'd like to accept the reduced bond but he suggested making it a cash bond I think that could be sufficient but it's up to the Planning Commission to reduce it.

Assistant Secretary Smith – What about the red dumpster?

Ms. Michelle Katopodes – We just basically want it shielding it from site but this is an industrial location, once again it is up to the Planning Commission on whether or not you'd like to waive any sort of requirement to have it enclosed or inside.

Commissioner Rob – The only recommendation you have is the red dumpster's so is there a way we enclose it on three sides have it moved onto one side to mitigate his needs and also comply with the City. Because we cannot have the dumpster there alone by itself, what is your input in this to resolve this?

Ms. Michelle Katopodes – Well it does also need to be shown on the site plan if they do want to have it on the site they do need to have it located on the site plan the parking waiver may actually increase slightly if we are going to remove those parking spaces. So that might be a consideration so it would have to be located on the site plan and on the site. When we went out there it was more in the middle of the lot not so much against that back area.

Commissioner Rob – I'd rather see it in a specific location and come up with some solution where he also can work with it. Mr. Earl can you tell us a little bit of what can be done on that section if you really want to keep it?

Commissioner Charles Earl – Well we would certainly draw it into a specific spot and I think that spot right next to the exiting trash enclosure makes sense. It would be then shielded in on the south side of the enclosure. Maybe I would ask this, with the Commission's discretion, that we allow this to be resolved administratively between the architect that drew the plan and Michelle's office as to where they think this might be and what the solution might be. Rather than us just arbitrarily picking a spot or a method of hiding the container let's let the staff and architect come up with a plan that puts it in that corner and provides it in that space.

Commissioner Rob – So you're not removing the conditions that it will be removed it will be based on the architect plan to come up with an alternative solution?

Mr. Charles Earl – If that would be acceptable to the Planning Staff.

Commissioner Rob – I would leave it to the Commission to see what they say.

Vice Chair Kupiec – How many times a week do you have the container dumped?

Mr. Charles Earl – At the most once.

Vice Chair Kupiec – The roll off container is dumped once a week?

Mr. Charles Earl – At the most.

Vice Chair Kupiec – And they do the exchange program they bring one in and takes one out?

Mr. Charles Earl – Exactly.

Vice Chair Kupiec – Well I think it makes good sense your recommendation for your architect to sit down with the Planning Department and come up with a good agreeable position for where it should be located and I think your suggestion was a good one. You need to have a good hard surface for the truck to get underneath it lift it and drop it. It's a pretty good size container so I imagine even though it's got shavings in it it accumulates some weight in a week's period of time so obviously it's a concern with the foundation that it's setting on. And I also think it was a pretty good recommendation to reduce the surety bond to a cash bond in the amount of \$5625.00 which is 1 ½% of the 3% of \$11,250.00. If all the recommendations

are acceptable to you Mr. Earl and to the petitioner I think we can move on.

Mr. Charles Earl – Yes sir.

Vice Chair Kupiec – One more thing before we go to a vote, Assistant Secretary Smith do you agree with the changes as we discussed them?

Assistant Secretary Smith – Yes I agree with the changes as discussed the bond and the architect meeting with the Planning Department on the location of the containers.

Vice Chair Kupiec – Commissioner Rob do you agree?

Commissioner Rob – Yes.

Vice Chair Kupiec – Did you get your questions answered?

Commissioner Rob – Yes we agreed on the cash bond and a architectural review of that trash?

Vice Chair Kupiec – Correct.

ROLL CALL:

The motion carried as follows

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

- G. SITE PLAN FOR NEW PARKING DECK AND PEDESTRIAN BRIDGE TO THE EXISTING VEHICLE ENGINEERING CENTER BUILDING WITHIN THE GENERAL MOTORS TECHNICAL CENTER: Located approximately 3,000 ft. north of Twelve Mile Road and 430 ft. west of Van Dyke Avenue; 30003 Van Dyke Avenue; Section 9; Jason Harris (Smith Group JJR).

PETITIONERS PORTION:

Mr. Jason Harris – Good evening my name is Jason Harris I’m actually with General Motors at 30200 Mound Road, Warren,

Michigan. Presenting on our behalf tonight is Mr. Patrick Dohar with Smith Group JJR.

Mr. Patrick Dohar – I know that there are a couple of new faces, I'm here today on behalf of General Motors and the Smith Group JJR to talk to you about the next generation of projects for General Motor's transformation of their campus in Warren, the global campus in Warren, Michigan. We've been before this Commission many time in the last year and we've also been before the Zoning Board of Appeals. The two projects that are coming before you are just another part of this transformation.

The first one, item G, the vehicle engineering center tower I wanted to make sure that you understood on the campus exactly where the project is. This is a vehicle engineering tower, it's a large office building that was built about 16 years ago and this project is located just to the north of the vehicle engineering tower. It is part of the transformation and it also is part of the expansion that's happening on General Motor's Campus they are taking their employee base from approximately 20,000 people to about 25,000 people in, roundabout the year 2020.

The tower itself sits about 428 feet west of Van Dyke right-of-way it's 6 stories, it's 68 feet tall which is a little taller than a normal 6 story parking structure, mostly because of the architectural features. It's going to house 2436 parking spaces and it is also going to be connected to the vehicle engineering center with a pedestrian cross walk and a covered walkway from its south end to the vehicle engineering center's north end to allow safe and secure connection between the parking and the office building.

There are some traffic modifications as you see on the site plan internal to the campus, those are shown on the site plan mostly as recommendations of our traffic engineering. Just so you understand the complexity of the site here. Again Thirteen Mile would be to your left and Twelve Mile to your right. There is a south pond it encompasses part of the vehicle engineering center and there's also an extension of the south pond which is called the north pond canal system where the north pond surrounds what's called the entertainment island. That entertainment island was actually created it's about 30 feet high it's been created with materials that were left over as part of some of the excavation that's happened on the site. The intent is that material is going to be removed from that mound and the canals on the north side will be filled in, in order for us to be able to provide a platform to build the parking structure and also for us to be able to access and egress the parking structure.

We have been working with the City of Warren as well as Macomb County on the permitting required for filling in the ponds that is actually on a separate track. That process is continuing we feel like that's going to happen very soon. Once we get approval from this Commission then our intent is to work through the Engineering, issues that have been addressed in the letter, in order for us to be able to start construction.

Let me just talk a couple minutes about the site plan itself. You can see that after we leveled down the mound we are building this parking structure on the east side of where the mound is. It is going to be exposed visually from Twelve Mile so architecturally it will have similar architecture to what you see on the campus today that will reflect the architectural character and esthetic that GM wants and wants to maintain from an imagine prospective. There is a space to the west of this deck that will be a future development site. Right now it's going to be stabilized green space and that development is still being considered through the master planning process on whether it will be parking, or surface parking, or another parking deck, or some other development. One of the things that we are challenged with and the reason why you'll see another parking structure here after this one is being considered is because the development is taking away parking. We're mostly building these buildings as expansions or in areas where there's existing parking so in order for us to be able to construct these new buildings we have to have parking to house our employees so the operation can continue.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**DTE:** Approved.

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

1. Provide proposed pavement cross sections.
2. Identify pavement radii for all roadways and drive approaches. The drop-off fire access roadway should be designated to accommodate the minimum turning radius of a fire truck.
3. Hydrant locations shall be approved by the City of Warren Fire Department.
4. The storm water collection and detention systems shall be designed to meet current storm water ordinances.
5. Accessibility to the proposed detention facility may be issue due to trees to the north and large seed/sod area to the west. Identify how this will be accessed for maintenance purposes.

6. All existing utilities shown as abandon within the influence of the proposed structure shall be completely removed.
7. Clearly identify what is proposed to accommodate storm water drainage between the proposed berm and the face of the parking deck.

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

1. Meet all the requirements of the 2012 edition of the Michigan Building Code.
2. Maintain fire department apparatus access roads. Access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.

**MDOP:** Approved.

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

The height of the parking structure cannot exceed 40 feet without a variance.

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – You said you were going to fill in some of the canals and the ponds?

Mr. Patrick Dohar – Yes sir.

Assistant Secretary Smith – How is that going to affect the drainage as far as what goes through there now as far as water detention and things like that?

Mr. Patrick Dohar – Well if you look on the utility plan we are providing some below grade storm water management facilities and we're also going to be adding storm water to the pond that's going to be remaining. It's a very large pond so we will be adding storm water to that pond as well as providing some below grade storm water management facilities on the north side of the proposed parking structure.

Assistant Secretary Smith – Will that be able to handle the storm water?

Mr. Patrick Dohar – Yes absolutely.

Assistant Secretary Smith – Like the storm we had in 2014?

Mr. Patrick Dohar – Yes onsite I can't account for what happens off site.

Commissioner Rob – What would be the actual height of the building?

Mr. Patrick Dohar – This parking structure is 68 feet and I did talk with Michelle today as well as members of Zoning and there's been some misunderstanding on the definition of office or lab structure that is in your zoning code section 19.02. It was our assumption that you were allowed the exception to building heights based on setback increases for not just the office buildings and labs but also the facilities that are associated with offices and labs. Now we do have other buildings that are on this site that exceed the 40 foot height some of which have had variances in the past some of which have not. So we need to work that through with Planning, Michelle had suggested that we meet with Zoning as soon as we can. A little challenge because of vacations this week Everett and Ron have both been out. I feel like we will be able to resolve this either way if we have to get a variance we will get a variance otherwise hopefully we can work it through what our interpretation is.

Commissioner Rob – What is the actual height?

Mr. Patrick Dohar – 68 feet.

Vice Chair Kupiec – The adjacent buildings to this building how high are they in that same area?

Mr. Patrick Dohar – The Vehicle Engineering Center is 8 stories.

Vice Chair Kupiec – And that is equivalent to how many stories?

Mr. Patrick Dohar – Approximately 120 feet, the parking deck floor to floor is much different than an office building.

Vice Chair Kupiec – How many parking decks will you have in there?

Mr. Patrick Dohar – Six stories.

Vice Chair Kupiec – You feel pretty comfortable with what you and Michelle worked out, have you met with ZBA also?

Mr. Patrick Dohar – We will meet with the zoning folks as early as we can, probably next week. Probably next week when Everett is back unless we can meet with others, but I think either way we are going to work it out.

Vice Chair Kupiec – Is your goal in working it out to make an amendment to the existing 40 foot ruling based on the interpretation or are you asking for a variance to go to 68 feet?

Mr. Patrick Dohar – From what I understand from Michelle, and I don't want to put words in her mouth, but an actual interpretation of the code may have to go to the ZBA. Not just trying to get it changed to an ordinance but an interpretation of an ordinance may have to go to a ZBA and that's the clarification we need first.

Ms. Caitlin Murphy – It goes first to Everett Murphy, he has the ability to interpret and then if you would have an appeal of some sort adverse ruling then you can go to the ZBA.

Mr. Patrick Dohar – We'll meet with him as soon as we can.

Vice Chair Kupiec – I think that's a fair assessment of the issue I think we can live with that and proceed with the vote.

ROLL CALL:

The motion carried as follows:

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

- H. SITE PLAN FOR NEW PARKING DECK WITHIN THE SOUTHWEST QUADRANT OF THE GM TECHNICAL CENTER:  
 Located on the northeast corner of Twelve Mile and Mound Roads; approximately 207 ft. north of Twelve Mile Road; 30100 Mound Road; Section 9; Jason Harris (Smith Group JJR).

PETITIONERS PORTION:

Mr. Patrick Dohar – As in the previous item we continue to transform the campus, we continue the need to mitigate parking. This particular project is actually on a site that actually came before the Planning Commission in November for a different piece of the same

project November of 2015. And at that time we were going to be building essentially a utility complex that was going to support the parking and the expansion of our design center. Through some design initiatives and some change in thinking of the project for the Design Studio the design has changed. What it allowed us to do is shift are parking to where the central utility complex was and allowed us to incorporate the central utility complex into both the existing and the expanded facility.

This project is actually in the southwest corner so it's right at the northeast corner of Twelve Mile and Mound. The disturbed area for this site is a little bit over four acres. It's minimum setback is actually off of Twelve Mile as was written of 207 feet. The building height is about 49 feet, this is a five story parking deck it doesn't have some of the same architectural features as the Vehicle Engineering Center deck, but it will have complementary architectural characteristics that GM would like to see on it as it's campus imagines continues to evolve. It will have about 1128 parking spaces. The Design Center expansion and the Studio expansion for the Design Center is actually north of this and these parking lots continue to the north. So in order for us to be able to come before you with a site plan that we are comfortable with we first need to make sure that the parking structure is acceptable to the Planning Commission in the city in order for us to be able to move forward in an appropriately planned process.

The parking deck will have landscape along the perimeter of it I do believe I said it was 49 feet tall. The building that was planned here, the Central Utility Complex Building was actually 45 feet. So this is a little bit taller mostly because of the things required for the top deck for the parking. We are managing the storm water, we are utilizing the existing infrastructure, there are some utilities that have to be relocated we understand the comments that were provided both from Planning as well as from Engineering and also with the Fire Marshall. We do have fairly regular meetings with Planning and Engineering quarterly meetings with all the departments with GM and our team so our staff continues to know how our project is evolving. So we are before you asking for site plan approval for this parking deck at the north east corner of Twelve Mile and Mound it's the southwest corner of our campus.

Secretary McClanahan reads the following correspondence:

**TAXES:** No Delinquent Taxes.

**DTE:** Approved.

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

1. All ramps and walks shall be in conformance with A.D.A requirements.
2. Provide proposed pavement cross sections.
3. Identify what is proposed for the loop road along the west side of the structure as well as the internal connector road along the east side of the structure. Both roadways appear to have proposed work which may impact the traffic flow around the site and through the campus.
4. Identify how the proposed gravel area north of the structure will enter the storm water collection system.
5. The proposed gravel area may require a variance due to the fact that all parking or storage area are required to be hard-surfaced.
6. The storm water collection and detention systems shall be designated to meet current storm water ordinances.
7. Provide a detail for the proposed water main valves (plans indicate P.I.V.S will be constructed). If these valves are above grade, they along with some of the hydrants may require protection (i.e. pipe bollards).
8. P.I.V. and hydrant locations shall be approved by the city of Warren Fire Department.
9. The location of the water service tap shall be clarified. If the service is proposed to be tap from within the adjacent building, it should be set at a location such that if the adjacent valve is turned off it will not impact the proposed serviced.

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

1. Meet all the requirements of the 2012 edition of the Michigan Building Code.
2. Maintain Fire Department apparatus access roads. Access roads must have a minimum width of 20 feet and a vertical clearance of 13 feet 6 inches.

**ZONING:** Preliminary review of the site plan yielded the following comment:

1. The height of the structure cannot exceed 40 feet without a variance.

Ms. Michelle Katopodes reads the recommendation of the Staff:

**MOTION:**

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

**COMMISSIONERS PORTION:**

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Commissioner Rob – Just for my knowledge I'm trying to figure this out. The previous one you had six stories and you went to 68, this one is five stories and you're at 49 why there is a discrepancy on it?

Mr. Patrick Dohar – Just because of the architectural characteristics of the two decks. There's additional extension that's required for screening because it will be exposed on the Van Dyke side.

Commissioner Rob – And the tower would be on the side?

Mr. Patrick Dohar – The tower for this structure, there's two towers two access points' pedestrian access points on this site plan.

Commissioner Rob – Can you elaborate what the Chief Zoning Inspector says on the note, this project will not qualify for height exceptions?

Mr. Patrick Dohar – Yes Commissioner it's the same issue as with the previous project, it's a matter of interpretation. We are going to sit down with the Zoning Administrator and have a discussion on both projects. If I may, I do want to clarify one comment from Engineering regarding the gravel on the north side. We will work through our Engineering approvals as we always have with all of these projects but one of the things that we want to keep in mind is that the Design Center Studio Building expansion is going to be on the north side of this. So our hopes are that we are going to be in front of you very soon after this with the Design Center Studio building project that will show what will actually happen between the interface of this particular project and that building. So on our site plan we didn't want to show you that we were going to be putting money into paving when we really feel like it's going to really march along in sequence therefore that's just shown there for stabilization.

Vice Chair Kupiec – So basically what we're doing here is you're taking a lot of the surface ground parking spots and putting them into a stacked parking structure which creates more working environment for more people which means you can hire more people hopefully?

Mr. Patrick Dohar – Correct.

Vice Chair Kupiec – Well that sounds like a win win situation for me. Let's hope when Mr. Murphy gets back you can sit down and get this thing organized so you can get underway with your project.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

Violation of agreement between Rima Investment, LLC and the City of Warren for a conditional rezoning for property located on the west side of Mound Road, approximately 170 ft. south of Martin Road; 27833 and 27849 Mound; Section 17; City of Warren.

MOTION:

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

8. BOND RELEASE

A. SITE PLAN FOR NEW GASOLINE AND CONVENIENCE STORE:

Located on the northwest corner of Nine Mile Road and Stewart Avenue; 14463 Nine Mile Road; Section 25; Metro Automotive Sale (Robert J. Tobin). Release of \$5,250.00 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
Assistant Secretary Smith.....	Yes
Commissioner Vinson.....	Yes
Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Secretary McClanahan.....	Yes
Commissioner Pryor.....	Yes

B. SITE PLAN FOR BUILDING ADDITION TO EXISTING INDUSTRIAL

BUILDING: Northwest corner of Nine Mile Road and Sherwood Avenue; 23031 Sherwood Avenue; Section 28; Cavaliere 9 Mile,

LLC (Thomas R. Kemp). Release of a cash bond for \$15,000.00 paid on November 15<sup>th</sup>, 2011.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR TRUCKWELL ADDITION TO EXITING INDUSTRIAL BUILDING: Northwest corner of Nine Mile Road and Sherwood Avenue; 23031 Sherwood Avenue; Section 28; Cavaliere 9 Mile LLC (Thomas R. Kemp). Release of cash bond for \$1200.00 paid on November 8<sup>th</sup>, 2010.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

9. OLD BUSINESS

- A SITE PLAN FOR NEW GASOLINE AND CONVENIENCE STORE: Located on the northwest corner of Nine Mile Road and Stewart Avenue; 14463 Nine Mile Road; Section 25; Metro Automotive Sale (Robert J. Tobin). Withdrawal of site plan.

MOTION:

A motion was made by Assistant Secretary Smith to withdraw site plan, supported by Secretary McClanahan.

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS

None at this time

11. CITIZEN PARTICIPATION

None at this time.

12. PLANNING DIRECTOR'S REPORT

Ms. Michelle Katopodes – Ron provided me with a list of some of the meetings he attended over the past two weeks. On June 11<sup>th</sup> he met with someone interested in developing another Holiday Inn in the place of where Wright & Phillips building is near the southwest corner of Hoover and Eleven Mile. On the 12<sup>th</sup> he had a staff meeting. He met with a George Champine who was here about a year ago for special land use for a recreational use and he is coming back to resubmit for that soon. That's near Chicago Road that's something that will be coming up in the next few months. He attended a Community Development Block Meeting, a DDA Real Estate Meeting regarding the lofts in the City Center area and marketing that Downtown Center Area. And finally meet with the petitioners from the Victory Inn who were before us a few months ago and they are going to come back soon with some amendments to their site plan. So that's what he provided to me.

Secretary McClanahan – Michelle the Holiday Inn at Eleven and Hoover there that going to be an expansion of the one that's there right now?

Ms. Michelle Katopodes – Yes it is an expansion like another hotel in the Wright & Phillips building so it would be like an additional hotel in that area.

Secretary McClanahan – But to continue with the old facility right there?

Ms. Michelle Katopodes – Yes that's what I believe they were proposing to do that will be before us in a few months as well.

Vice Chair Kupiec – Are they talking about vacating that Wright & Phillips?

Ms. Michelle Katopodes – I don't even know if it's open now it just says in place of Wright & Phillips in the southwest area of Hoover and Eleven Mile.

Commissioner Rob – Ms. Michelle just a question on number 7 it says that there's an attachment of two letters and photos, we don't have anything on our file.

Ms. Michelle Katopodes – I think that was meant for Everett and that the letter was just provided in the packet.

Commissioner Rob – Aren't we supposed to see the documents when we receive it? It says there's an attachment of pictures and a rezoning agreement there's nothing attached with this letter.

Ms. Michelle Katopodes – If you like we can provide that next time as well but I believe that's what he provided to Everett because the letter was to Everett and he was just providing the letter given to him, but it doesn't have the backup information that's stated, but that's what was provided to Everett, it looks like.

Commissioner Rob – For future I think we should have a copy of it because that's the purpose of review and receive. So we are reviewing the letter but when the letter is saying we have two attachments but are not attached.

Ms. Michelle Katopodes – We can have this resubmitted it at the next meeting.

Commissioner Rob – I would feel comfortable if we had the attachments when it's mentioned.

Vice Chair Kupiec – How long is Everett gone for?

Ms. Michelle Katopodes – I believe a week, but I'm not sure.

Vice Chair Kupiec – So you'll schedule your appointments to meet with the GM people?

Ms. Michelle Katopodes – They'll need to speak to someone in the Zoning Department. Either when Everett gets back or with someone else in Zoning to discuss the variance concern. They did review the plan and stated that a variance was required. They have different interpretation so he'll have to speak with most likely the Chief Zoning Inspector or somebody else who can make that decision.

Vice Chair Kupiec – And also the attorney that was going to talk about that red container you're going to wait for Everett to get back and talk about that?

Ms. Michelle Katopodes – We'll be sending out our letters on Friday, but if they contact the office we can discuss the red container where they would like to place it and that sort of thing prior to them getting back.

13. CALENDAR OF PENDING MATTERS  
None at this time.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 9:28 p.m.

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John Kupiec, Vice Chair

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Jason McClanahan, Secretary

Meeting recorded and transcribed by  
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Mary Clark CER-6819  
July 25<sup>th</sup>, 2016