

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on September 12th, 2016, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, September 12th, 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
Syed Rob
Warren Smith, Assistant Secretary

Also present:

Ron Wuerth – Planning Director
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
Chair Howard called the meeting to order at 7:10 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
Chair Howard – I did receive correspondence from Commissioner Robinson indicating that she would not be present on this evening.

MOTION:

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

Chair Howard – I also received correspondence from Commissioner Pryor that he would not be present on this evening.

MOTION:

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

Mary Clark CER-6819
September 12th, 2016

Chair Howard – I did also receive notification from Commissioner Vinson that he would not be at the meeting this evening.

MOTION:

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

Chair Howard – And last I did have correspondence from Secretary McClanahan indicating he would not be in the meeting on this evening.

MOTION:

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

Chair Howard – To our petitioners this evening I believe this is the first time since I've been Chair and since I've been on the Commission that we've had four members of the Commission absent. You do have the right to have your item heard before a full body of nine members. If you so choose on this evening to have your issue heard by the body of five you would take the opinion of this Board on this evening. However, you need five votes in order for your item to move forward if one vote is given then that item would be denied and that item would also be tabled going forward. We will have our City Attorney speak as to what the ordinance says and then you can make your decision going forward.

Ms. Caitlin Murphy – Under the bylaws section 7.4 you need a concurring vote of five seated Commissioners. That would be as the Chair indicated, it would be a unanimous vote by the Commissioners. If you don't get the vote basically you would be tabled to the next meeting.

4. APPROVAL OF THE AGENDA

MOTION:

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

5. APPROVAL OF THE MINUTES – August 22nd, 2016

Vice Chair Kupiec – I have a correction on the minutes, under roll call item three (3) it states Chair Howard called the meeting to order when Vice Chair Kupiec called it to order, Chair Howard was absent. So there should be a correction on the call to order.

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SPECIAL LAND USE AND SITE PLAN FOR HOTEL (HOLIDAY INN EXPRESS): Located on the south side of Eleven Mile Road; approximately 150 ft. west of Hoover Road; 11570 Eleven Mile; Section 22; Victor Saroki (United Hospitality Group).

PETITIONERS PORTION:

Mr. Victor Saroki – We are the Architects for this proposed hotel. As stated it is south of Eleven Mile west of Hoover and with me this evening are some of the owners from the ownership group of United Hospitality. These owners currently own and operate the adjacent Holiday Inn Express Hotel directly adjacent to this proposal and essentially this proposal is to purchase the Wright and Phillips Building for the purpose of constructing a brand new Holiday Inn Express Hotel. Which would be a new prototype, four stories and they would maintain and operate the existing hotel and rebrand it to another flag and update it.

As you know the property is zoned C1 for the Wright and Phillips Building and also for the existing Holiday Inn Express Hotel. You may know from your information and your package that back in the mid 1980's a use variance was granted for this existing hotel and we would be also going to the Zoning Board of Appeals asking for a variance. In fact you will see in your package that there are a handful of smaller variances that we are requesting as well and we are going to the Zoning Board of Appeals this coming Wednesday evening hopefully with a favorable recommendation from the Planning Commission. We realize also that the City Commission also has to approve a special land use for the site.

I would also like to mention that our ownership group, United Hospitality, is an experienced hotel operator. As I said they own the existing hotel and many other hotels in the area and they also own a full service Holiday Inn Hotel next to City Hall on Van Dyke. They've

had that hotel for almost 20 years and they've done a good job in fact they recently done a substantial renovation to the property and they've owned the existing Holiday Inn Express a little over eight years. The proposal is to build a brand new state of the art Holiday Inn Express Hotel. The new hotel will be 93 rooms, an express hotel does not have a full service restaurant nor does it have a big ball room. When we say express it's what we call a limited service hotel. So it has a nice breakfast bar, a lobby on the ground floor, lounge area, and a small meeting room. For the most part it's a business oriented hotel with 93 rooms. There are some rooms on the first floor there's an indoor pool on the first floor, there's a fitness room and then the common areas, the upper three floors are all hotel guest rooms.

For your information the existing hotel has 124 rooms this is actually a little smaller with 93 rooms. The existing hotel has a much larger footprint it's a very tall two stories this will be four stories on a smaller foot print. We actually exceed all of the parking requirements, the combined parking requirements per the ordinance of both hotel properties would be 75 cars and actually we have 269 so we are well beyond what is required. Even if you looked at it individually the new hotel would require 32 cars and we have provided 81 on site. So whether you're looking at it combined, which is the way I would look at it or individually both properties meet the parking requirements. The building overall in height is 45 feet 8 inches we've provided our own trash enclosure as well for this property, the existing property has its own trash enclosure.

It is intended that the ownership group is going to maintain and own both hotels. There are some dimensional variances that we will be asking for in addition to the use variance. And I know you've got that in your package and I'll be addressing those Wednesday evening at the Board of Appeals. In our opinion most of those dimensional variances are minor and when you look at the combined properties together this hotel fits comfortably on the site. We are using the same traffic patterns of the site, we are using the same approaches off of Eleven Mile. There are currently two approaches we are using both of those approaches, there's also access off of Hoover and we will use that same approach off of Hoover. We will certainly put in all the necessary engineering, underground requirements, and the landscape requirements, we think it will be a very attractive hotel. It is a prototype hotel and this is the smallest of the Holiday Inn Express standard prototypes which is, our ownership is fine with developing.

There were some comments in the package this evening from Staff and we've had several meetings with Mr. Ron Wuerth and they've been good meetings. We have no problems with the comments on the staff report we will accept them all and make sure to accommodate them in our site plan. With that I'm happy to answer any questions if you have any questions of ownership they are here as well.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. There shall be no utility within the influence of the proposed building envelope. Any such utility shall be removed and/or relocated.
2. Identify what is proposed for fire suppression and domestic water service. The site may require the installation of a water main loop or extension.
3. Any storm water sewer that carries flow from adjacent parcels requires an easement through the site to discharge point of that sewer within a public right-of-way or other easement.
4. Identify the amount of proposed earth disturbance. If the proposed earth disturbance is over one acre, additional storm water measures may be required. Detention may be required.
5. The written legal description shall match the plan view description as well as matching City and County records.
6. Sidewalks adjacent to parking spaces should be 7' wide to allow for 2' of vehicle overhang.
7. Any work within the Eleven Mile Road (I-696) right-of-way will require approval from the Department of Transportation.

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

1. Must meet 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 NFPA13. Fire Department connection threads shall be national standard type and a fire hydrant shall be provided within 150 feet of the Fire Department connection.
3. Maintain existing Fire Department access roads. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
4. Provide fire alarm system of required by code.

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

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

1. Appears that no work is being done at MDOT right-of-way, if that changes a permit will be required.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – To the representative of the petitioner, did I hear you correct you said that the original ownership intends to maintain the old facility under a new name with the intent of maintaining it and owning it?

Mr. Neb Mekani – Yes.

Vice Chair Kupiec – You're not going to just disband it and walk away from it?

Mr. Neb Mekani – Yes we are going to continue operating it.

Vice Chair Kupiec – Do you have anybody in mind yet to come in there?

Mr. Neb Mekani – We are bouncing a couple things around maybe a Best Western Comfort.

Vice Chair Kupiec – But your intentions are to continue owning it and maintaining it?

Mr. Neb Mekani – We will continue owning it and operating it as a hotel.

Vice Chair Kupiec – And as far as all of Mr. Wuerth's recommendations you agree with them?

Mr. Neb Mekani – Yes.

Assistant Secretary Smith – Mr. Wuerth, I noticed on the site data chart it said that the parking spaces were 9 feet x 19 feet parking spaces are usually 9 x 20 is that going to be a problem?

Mr. Ron Wuerth – I thought that was addressed in some way and I can't think of how it was addressed. We measured the plans with the dimensional part I think that's what we looked at I don't recall looking at the site data chart. Just to state for the record they should be 20 feet in length or 22 feet in length if they abut a property line so I'll state that.

Mr. Victor Saroki – Mr. Commissioner we did modify it, that did come up in an early review and the parking spaces are all a minimum 9 x 20 and that's reflected on the plan.

Chair Howard – You intend to operate both facilities concurrently?

Mr. Neb Mekani – Yes.

Chair Howard – And that's not going to cause a conflict?

Mr. Neb Mekani – No, absolutely not.

Chair Howard – In terms of your parking you're going to have shared parking?

Mr. Neb Mekani – Yes.

Chair Howard – And that's not going to cause a conflict?

Mr. Neb Mekani – No ma'am.

Chair Howard – Are Wright and Phillips currently empty or are you acquiring them soon?

Mr. Neb Mekani – They are not empty they're going to require roughly a year to a year and a half to relocate and that's part of our agreement we are going to let them stay there.

Chair Howard – So we are looking at 2018 before you'll break ground on this item?

Mr. Neb Mekani – Hopefully sooner if they leave soon we are going to try to do it sooner.

Chair Howard – Thank you so much. This is going to be a two part approval first will be for a special land use and second will be for the site plan approval. Vice Chair Kupiec we are going to take your

recommendation for approval for the special site plan first and then we'll come back for the site plan approval.

Vice Chair Kupiec – That's fine Madame Chair.

Chair Howard – Alright then that was a motion by Vice Chair Kupiec supported by Assistant Secretary Smith, roll call please.

ROLL CALL:

The motion carried as follows:

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

Chair Howard – Now we are going to take a motion on the site plan approval.

MOTION:

A motion was made by Commissioner Rob to approve the site plan, supported by Vice Chair Kupiec.

ROLL CALL:

The motion carried as follows:

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

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

Chair Howard – We did receive correspondence on this item from the petitioner's representative indicating that they would like to have this item tabled until 10-24-2016.

MOTION:

A motion was made by Commissioner Rob to table until 10-24-16, supported by Commissioner Karpinski.

ROLL CALL:

The motion carried as follows:

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

- C. SITE PLAN FOR OPEN STORAGE OF EMPTY CONTAINERS:
 Located on the southwest corner of Stephens Road and Amber Avenue; 12400 Stephens; Section 26; Richard Shetler (Tim Zawodny).

Chair Howard – Now sir as you know we only have five Commissioners this evening, do you want to go forward or would you like to have your items tabled.

Mr. Richard Shetler – We’d like to go forward this evening please.

Chair Howard – Excellent go right ahead with your item.

PETITIONERS PORTION:

Mr. Tim Zawodny – Good evening I’m with Process Results the Architectural firm that’s assisting with the review of the open storage item. This is for doing outdoor storage on an existing facility that Shiloh Industries has occupied for approximately 15 years on 12400 Stephens Road. This would be in the rear lot of the facility and the proposal to do this would include screening that area by providing a slatted chain link fence in compliance with the ordinance. The existing parcel is approximately 4.37 acres and the existing building approximately 52,556 square feet.

Some key items in terms of compliance on this is the amount of parking, basically proposing that the existing 56 parking spaces are sufficient to accommodate the number of employees on the largest shift, which is 30. And also to accommodate the requirements of the ordinance relative to area of parking. The site has been previously granted two variances one in January of 1986 for approximately 26,900 square feet and one in March 1997 for an additional 20,000 square feet totally 46,900. The calculations basically support that the amount of parking variance that’s required is approximately

25,536 so the existing variances that are in place will accommodate that and the plans illustrate the parking has been stripped in accordance with the ordinance.

A brief review of the commentary from the Planning Commission, just to help you simplify a few things. The first item is under item one that the five copies of the revised site plans will be submitted indicating the following. That the property identification number will also be identified near the property description on the site plan sheet AS101 that will be complied with. Required front yard setback of 50 feet shall be changed to 25 in accordance with the section of the ordinance, that will be changed the originally 50 feet was left from an earlier site plan approval back when Shiloh initially occupied the building and modified the truck dock area. Other buildings along Stephens vary in setback from 50 to 45 to whatever so we looked at the majority and at that point and time identified 50 so we were trying to be consistent but we will modify the technical language.

The outdoor storage information relative to 50% building area at 26,278 square feet we are seeking only for 12,000 square and located in the southwest corner leaving 20 foot lanes for fire access to the building and for clear area. That would be as I said screened with the existing fence being equipment with the slats both along the west side at the south edge for the length of that storage, completely along the south side of the property and along the east side where the setback is for the truck drive entrance as it comes north and goes just past the edge of the truck dock. The truck dock and operations from there providing additional screen to that back area.

Item D no stop, stand, park signs located on the west side of Amber Avenue shall be indicated on the site plan. Before this meeting those were all surveyed and measured those will be added and indicated because they typically coincide with utility pole locations along the western side of Amber Avenue. Item E handicap parking signs will be identified on the plan and provided. Item F basically identifies a typo that was unfortunately carried forward through some of the calculations that has been corrected and all those numbers comply with the commentary from the Planning Commission Staff. A couple other items, notes, providing all lighting to be shielded and not encroached upon abutting properties that will be added to the drawings. We'd like to note that the existing building lighting and site lighting is done from building mounted lights there are no pole mounted light fixtures on site. We will investigate and review the shielding requirements for those fixtures.

Item H both drives shall have widths provided as measured at the property line. The north driveway is indeed 18 feet, it has been in existence in that configuration since the building property was acquired. The south drive is 26 feet that's the truck entrance and exit drive so that is in compliance. The request we would have relative to the north drive especially after re-verifying utility poll locations, if drive is widened the additional 8 feet to the south the apron will basically impinge upon the existing utility pole that's there. If we go to the north we'll be infringe upon one of the parking spaces that's provided. If we may ask for consideration perhaps a solution to this, when the lot becomes due for replacement in terms of the life of the asphalt that at that point and time the driveway could be addressed and the lot reconfigured.

The last item is item I, a trash enclosure provided on the site with the following note stating a trash enclosure measuring a minimum of 10 x 10 shall be constructed in accordance with ordinance requirements. The site operations did not use exterior trash dumpsters, what they have is a compacting system so the compacting device is just outside the building just immediately to the west of the truck dock. It's a fully enclosed compactor and compactor trailer that is unlinked from the compacting device and then hauled off so that the truck maneuvering capabilities are pretty significant, it's set back inside the site. There are not as I said no exterior dumpsters per say that a typical enclosure would accommodate. Anything larger then that is maintained and kept within the building at the eastern most truck overhead door in the truck dock and then periodically is removed from the site via the docks so nothing is put outside for trash storage at that point. So at this point the request is that we don't have a need for a dumpster enclosure per say and with that we'd request that item be considered to be removed if possible. The performance bond in the amount of \$36.00 which is for the slating of the fence in terms of the overall cost for the fence improvements a little bit of repair and including the screen, the fence, and the gate depending on the decision of the Planning Commission we would look then to work with staff and adjust that item accordingly.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Approved.

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

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

Mr. Ron Wuerth reads the recommendations of the Staff:

**Item I could be removed the petitioner indicated that they have a compactor on the site that will suffice. So that particular item could be removed and I would suggest that.

**Then I'm going to add one extra item and that would be in regards to the open storage area, I'll read what I found. An inspection of the proposed opened storage area found that empty containers, steel racks, steel parts retained in the racks, wooden pallets, and other items were there. Also the height of the items appeared to be over 25 feet in height. A note, and this is the part that would be in the recommendations, a note shall be provided stating these items included within the storage area are to be as follows and please list those, that's what I want the petitioner to do is list those items. Then state no items shall be stacked any higher than 25 feet.

**Just a comment on the estimate as you can see the trash enclosure now is not part of that estimate so I'd cut the \$30,000.00 in half to \$15,000.00 in regards to the driveway.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I was by there and looked at the site today also and I did notice that the containers were stacked kind of high and my concern was if you have a six foot fence and you put slats in it to screen it from the rest of the area then you're stacking things 25 feet in the air so is it really doing a lot of screening?

Mr. Tim Zawodny – That's a fair question, the six foot fence is in compliance with the ordinance there is a need because of containering that's required by the automotive industry for them to maintain on site and limited site surface that it will get higher. The petitioner I believe is in agreement with the recommendation of the Planning Department that it will be maintained less than that in height and that it would be listed in terms of what those items would be.

Commissioner Rob – So what are the empty containers used for?

Mr. Richard Shetler – The containers are returnable containers owned by our customers, Chrysler by far is our largest customer followed by General Motors as well as Ford and some of the other OEM's so they are all customer owned containers that we have to maintain on site none of them are ours.

Commissioner Rob – And how many containers at a time will be there?

Mr. Richard Shetler – We could have upwards of maybe 2000 different containers.

Commissioner Rob – And what is the average weight for each container?

Mr. Richard Shetler – Average weight if some are plastic and some are metal the metal bins probably average 300 pounds apiece, a plastic bins would weigh maybe 180 to 200 pounds.

Commissioner Rob – Have you done any type of survey where you have the confidence that the ground will support that much weight?

Mr. Richard Shetler – Yes the entire surface area is a parking lot built for trucks so it's got I believe about a 12 or 14 inch cement base reinforced by rebar.

Commissioner Rob – We are doing a \$15,000.00 dollar estimate am I right?

Chair Howard – Yes Mr. Wuerth indicated that \$15,000.00 would be appropriate.

Commissioner Rob – So I'll propose a \$450.00 cash bond.

Assistant Secretary Smith – That would be fine.

Vice Chair Kupiec – I'll support that.

Chair Howard – So we'll make the modification that it would be a \$15,000.00 dollar estimate with a \$450.00 dollar cash bond.

Mr. Ron Wuerth – I called attention to the fact that the two way drive, the north one, is only 18 feet in width Engineering in their review just

said approved to the site plan. So what I would like to do is expand that sentence that the petitioner go to the Engineering Division and have them take a look at that width and let the Engineering Division make the decision on whether that driveway should be widened or not. I bring it to everyone's attention but that's the common width but I'd rather that the petitioner work it out with Engineering.

Chair Howard – So do you want to remove it as a recommendation or do you want to have it as a note?

Mr. Ron Wuerth – It would be part of the recommendation that the petitioner visit with the City Engineer whatever they decide upon that's what we'll see on the revised site plan.

Chair Howard – Are you in agreement with that?

Mr. Richard Shetler – Yes ma'am thank you.

Chair Howard – Now in review of your review, which was very thorough, I believe we have everything in place. Mr. Wuerth the petitioner did indicate that there were no poles in item number G as far as the light poles.

Mr. Ron Wuerth – Well it's a standard statement if they ever put any up in the future it will apply to it.

Chair Howard – Is the petitioner good with that statement?

Mr. Richard Shetler – Yes.

Mr. Ron Wuerth – Then you're going to remove item I?

Chair Howard – Yes sir we are going to remove I from the recommendation and then we are going to put a caveat to item number H indicating that the decision of the Engineering Department would be on the site plan.

Mr. Ron Wuerth – Okay thank you.

Chair Howard – This is what we currently have in the modified recommendation we are removing item number I, we are modifying item number H that the petitioner will hear the response of the Engineering Department regarding the driveway, we are also adding another I in terms of the listed items that will be stacked and that stacking can be no higher than 25 feet. We will also adjust the bond

to \$15,000.00 dollars with a \$450.00 dollar cash bond. With that being said we will take the vote.

ROLL CALL

The motion carried as follows:

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

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

Chair Howard – We are going to table this item for the following reasons. First we only have a five member Board today and I am a member of this particular assembly. So we don't have enough votes to actually render a decision on this item. With that being said I would have to recuse myself from the vote and we still don't have enough votes to actually hear the item. So we are going to table this item until September 26th and then we'll have a full member Board and we'll be able to hear this item. I need a motion to table this item.

MOTION:

A motion was made by Assistant Secretary Smith to table until September 26th, supported by Vice Chair Kupiec.

ROLL CALL:

The motion carried as follows:

Commissioner Karpinski.....	Yes
Vice Chair Kupiec.....	Yes
Commissioner Rob.....	Yes
Assistant Secretary Smith.....	Yes

Mr. Jeffrey Curle – Can I speak?

Chair Howard – The item is closed, it's tabled until September 26th feel free to come back on the 26th and we'll hear all of the comments.

Mr. Jeffrey Curle – I would just like to know if I could get this tabled to a later date then the 26th.

Chair Howard – Sir no we've already tabled the item we don't have enough votes for it so we can either have you give a comment, write a letter to the Commission, or we will see you on the 26th.

Mr. Jeffrey Curle – I'm just asking that you table it a little longer then September 26th because I need a little more time I'm trying to get a petition signed to stop this plan and I would like to have a little more time please if I could.

Chair Howard – Well sir the tabling is not for the neighborhood as much as it is for the petitioner.

Mr. Jeffrey Curle – I understand I'm just asking if you can table it and give me a little more time.

Chair Howard – We have already taken the vote until the 26th.

Mr. Jeffrey Curle – Well you didn't allow me to speak before you made the vote.

Chair Howard – It wasn't an open item for discussion sir, I do apologize thank you.

- E. SITE PLAN FOR OPEN STORAGE OF TOWED VEHICLES:
 Located on the east side of Groesbeck Highway; approximately 510 ft. north of Frazho Road; 26160 Groesbeck Highway; Section 24; Robert J. Tobin (TGM Properties).

PETITIONERS PORTION:

Mr. Robert Tobin – Good evening ladies and gentlemen of the Planning Commission. This is a very narrow site of 37,560 square feet the front 30 feet is zoned P and the balance of the site is zoned C3. We previously received site plan approval on February 28th, 2013 for a beauty shop and a towing yard so we already have been here back in 2013. The site plan expired on February 2016 so we are back here tonight.

We are here tonight to renew the approval with an office building and the original vehicle towing yard. We intend to renovate this former beauty shop with a 1 story 1008 square feet of office space, that's parcel A. The unfinished attic will not be used. We will make the

first floor compatible to meet the handicap code and provide five car spaces that are required. The house currently sits back 95 feet from the front property line with a large area of grass and occupies about 40% of this site. Because the existing towing business was expanding he needs approval to convert the rear half acre parcel into a towing yard which is allowed in C3 that's parcel B in the back. This yard has a 6 foot high screened in fence that separates it from the front parcel and is virtually invisible from Groesbeck Highway. There's a small 425 square foot office at the entrance. The site is enclosed with a six foot fence on the north and south side and a six foot concrete wall along 100 feet of the east property line.

This is how the operation works. A vehicle is towed into this lot for cars that are broken down or have been involved in an accident. After the insurance adjustor establishes a claim amount the vehicle is then towed to a repair facility or removed elsewhere at the owner's request. The owner indicates that no more than 15 or 18 vehicles will occupy the site at any time. This proposed towing yard consists of 30% asphalt paving and the balance of the site is crushed asphalt and a very hard packed gravel. The yard has three existing catch basins and is therefore properly drained. We therefore request a nonconforming residential house to be used as an office building and allow open storage of 22,425 square feet to be used as a vehicle towing yard.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. Any proposed improvements within the Groesbeck Highway right-of-way shall require approval from the Michigan Department of Transportation.
2. Parking areas shall be hard surfaced with curb and gutter.

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

1. Maintain existing Fire Department apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the storage areas. Fire apparatus access roads must have a minimum width of 20 feet and a minimum vertical clearance of 13 feet 6 inches.
2. Provide Fire Department lock box (knox box) as required by city ordinance.

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

1. Work in MDOT right-of-way will need a permit. The permit plans will require maintaining of traffic operations, when lane and shoulder closures are required, due to the proposed driveway work. MDOT will review the project, once the permit is applied or the petitioner asks for a kickoff meeting.

Mr. Ron Wuerth reads the recommendations of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – Mr. Tobin when it was approved in 2013 for a beauty shop and towing storage has the beauty shop ever been in place?

Mr. Robert Tobin – Yes it was in business but he owner decided that it was a poor idea and he decided it would go better now as a office to be rented out, the beauty shop was a failure.

Commissioner Rob – So the beauty shop is out of business?

Mr. Robert Tobin – It's out of business yes.

Commissioner Rob – It expired three years ago why didn't you come before?

Mr. Robert Tobin – Yes it has expired.

Commissioner Rob – The office will be in the same place where the beauty shop was?

Mr. Robert Tobin – We have drawings prepared already for Mr. Wuerth, of the office and the way it's supposed to be and how it's going to be renovated to meet the handicap code. So we are bringing that office up to date even though it's a non-conforming house we want permission tonight to get it into a conforming office area.

Commissioner Rob – Do you have the exact time when the beauty shop when out of business?

Mr. Robert Tobin – I haven't asked the owner that but the owner is here tonight, this is the owner Mr. Todd Middleton.

Mr. Todd Middleton – I'm not sure of the exact date but at least within the last probably two years ago.

Commissioner Rob – So you've had this place empty for two years?

Mr. Todd Middleton – Yes.

Commissioner Rob – Now you want to have an office in the same place?

Mr. Todd Middleton – Our plan is to rent it out as office space.

Commissioner Rob – Is your towing company still active?

Mr. Todd Middleton – Yes.

Commissioner Rob – Do you own the towing business or do you rent it out?

Mr. Todd Middleton – It's my property yes.

Commissioner Rob – The towing business is also yours?

Mr. Todd Middleton – Yes.

Commissioner Rob – I'm trying to clarify this, there was a beauty shop it went out of business. When you got approval was it a approval to have a new beauty shop?

Mr. Todd Middleton – Our intent was to run it as a beauty shop, my wife was going to do that, we found that it didn't function so we had to change our business motto. So our plan is to now rent it to some other business something like an insurance company, something along the lines of office business.

Commissioner Rob – Thank you for the clarification.

Assistant Secretary Smith – Being when it was the house it was a nonconforming use, right?

Mr. Ron Wuerth – It was yes.

Assistant Secretary Smith – Now because they are changing what it originally was is that going to be a problem as far as the use?

Mr. Ron Wuerth – No it isn't, it's going to change it from a nonconforming use to a conforming use.

Assistant Secretary Smith – So they are still going to have the other office building and the tow yard in the back, it looks like its two buildings?

Mr. Ron Wuerth – Yes.

Assistant Secretary Smith – So that one will still be there also as an office?

Mr. Ron Wuerth – Yes that's how the site plan reads and that was my assumption unless you'd like to talk to the petitioner.

Assistant Secretary Smith – Yes, so the small office building in the back where the tow storage is going to be that deals with just the tow storage?

Mr. Todd Middleton – Yes.

Assistant Secretary Smith – So the other one in the front is the one you're going to lease out to someone else?

Mr. Todd Middleton – That is correct.

Vice Chair Kupiec – Do you have any intention of selling vehicles from that location?

Mr. Todd Middleton – No we do not.

Vice Chair Kupiec – The vehicles parked out there on Groesbeck Highway are they parked there for a reason?

Mr. Todd Middleton – We don't have any vehicles for sale on Groesbeck Highway.

Vice Chair Kupiec – Because I was by there last week and I was by there again this morning and the same two vehicles seem to out there I don't know if they are stuck in the mud or what. They are two grey colored vehicles there's a picture of them in our packet they seem to be there for some time. I didn't notice any for sale signs on them but since you are in the automotive salvage business.

Mr. Todd Middleton – That could be somebody from our other business maybe parking over there and they shouldn't have been.

Vice Chair Kupiec – It's right alongside your gate entering into your used parts area and the house. Two years ago we had the same conversation and it has to do with housekeeping. One of the things that the Mayor's trying to do clean up the area with blight and yours is one of the older yards in the area it's been around for a long time and it's got a good name. But for some reason you have a hard time with housekeeping. I know you put the slats on the fence so it's hard to see through but if you peek through the gate it looks like a real old fashion junkyard and that's totally not acceptable we'd like to see you clean it up a little bit.

Mr. Todd Middleton – Okay, and we have demolished that house that was in the center so that will make it look much more conforming with everything else around. At the recommendation of the Commission we got rid of some semi-trailers and things like that and a couple months ago hired some people to clean up around the perimeter of the yard. So we aren't perfect but we are working little by little so we are all on the same page.

Vice Chair Kupiec – Are your plans eventually to get your used parts in the rack area on racks or just lying on the ground?

Mr. Todd Middleton – Our motto will be where the vehicles will be all up in nice rows we are not going to be racking many parts so with tearing down that house we are going to be able to have the vehicles in neat storage. So I think it's going to look better and better as we go along.

Mr. Robert Tobin – You folks have approved the property to the south which is a used car lot and an auto parts yard. That approval was reached this year I forgot the date.

Vice Chair Kupiec – For auto parts and used cars also?

Mr. Robert Tobin – Yes he has a license it goes back to 1975 I believe.

Vice Chair Kupiec – So you do sell used cars there?

Mr. Todd Middleton – Not on the 26160, that we are asking for now, that's a separate business and a separate piece of property.

Vice Chair Kupiec – Well it would be nice to get the place cleaned up and looking a little bit more presentable. When people drive by and look through the gate they can see all the junk laying around it doesn't give it a really good appearance. I also would like to recommend that the bond is a cash bond \$1250.00 per Mr. Wuerth's recommendation.

Chair Howard – We need to address the bond issue. Vice Chair Kupiec would you like to make a motion that the bond will be \$1250.00 versus \$630.00

Vice Chair Kupiec – Yes I would.

Chair Howard – Okay so that will be \$1250.00 cash bond, Commissioner Karpinski do you agree?

Commissioner Karpinski – I agree.

Chair Howard – So that would be a \$1250.00 dollar cash bond versus the \$630.00 dollars.

Commissioner Rob – The reason I was asking more questions is we don't want to see a used car lot there. So you clarified you have a license but you're not selling cars there?

Mr. todd Middleton – That is correct.

Chair Howard – You do see all the concerns that you have before us by far. You do have two businesses I think that's why it was confusing, the house and also the yard to the north. With that we do have these issues before us you've agreed to take care of them that was a motion by Assistant Secretary Smith, supported by Commissioner Karpinski with one modification of the \$1250.00 cash bond.

ROLL CALL:

The motion carried as follows:

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

F. SITE PLAN FOR OPEN STORAGE FOR EXCAVATING EQUIPMENT AND TRUCKS: Located on the east side of Ryan Road; approximately 500 ft. south of Toepfer Road; 21412 Ryan & 21446 Ryan Road; Section 32; James Carden (Kerm Billette).

PETITIONERS PORTION:

Mr. Kerm Billette – I’m here with one of the owners of the property Mr. James Carden and we’ve reviewed the recommendations there seems to be a couple questions that we have.

Mr. James Carden – We would like to table this for a later date.

Chair Howard – Alright then sir, we can look at tabling this item to October 10th.

Mr. James Carden – Okay that sounds good.

MOTION:

A motion was made by Commissioner Rob to table until October 10, 2016, supported by Commissioner Karpinski.

ROLL CALL:

The motion carried as follows:

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

G. SITE PLAN FOR BUILDING ADDITION AND PARKING LOT EXPANSION: Located on the northeast corner of Nine Mile Road and Pinewood Street; 5663 Nine Mile & 23225 Mound; Section 29; Flex-N-Gate (William Beistline).

PETITIONERS PORTION:

Mr. Trevor DiPierdomenico – I’m here on behalf of the company Flex-N-Gate who is seeking to move forward with an approval for a 4300 square foot office expansion along Nine Mile. This office expansion would allow 20 to 25 new employees coming into the City of Warren. We feel that it is necessary for our company who is continually growing and we are currently looking for areas to do this expansion and this seems like the best suit for our needs.

Flex-N-Gate is an automotive industry, we deal with the big three we are a major supplier to the big three, we deal with chrome, plating lines, weld lines, mechanical assemblies, lightening facilities. We are a global facility and one of our headquarters is located on the corner of Nine Mile and Mound which we would like to propose this expansion to bring in roughly 20 to 25 new employees.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. A variance and/or City Council approval may be required for parking lot surface within the public right-of-way.
2. The concrete approach and sidewalk through the approach shall be minimum of 8" thick.
3. Identify the existing right-of-way or easement for roadway and sidewalk purposes over the easterly 226.58' of the frontage. If there is not an easement or right-of-way existing, the additional right-of-way shall be granted.

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

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

Ms. Michelle Katopodes reads the recommendation of the Staff:

**Change number one to 15 copies of revised site plans.

**Add C – Remove general barb wired notes since this site has received variances in the past to allow for the barbed wire on the property.

MOTION:

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

COMMISSIONERS PORTION:

Assistant Secretary Smith – I looked at the drawing and I saw where you are putting the parking spaces along the front of the new

addition. And then I looked at where the door opening was at in the new addition and it was by the parking lot so I guess they have to go around the building to come into the addition?

Mr. Trevor DiPierdomenico – Correct.

Vice Chair Kupiec – You heard the recommendations, do you have any problems with the recommendations?

Mr. Trevor Dipierdomenico – No I do not, I agree with all the recommendations.

Chair Howard – By far it’s a very clean facility and also we welcome the additional employees you are going to be brining to the City of Warren so we definitely applaud you on that.

Assistant Secretary Smith – Michelle you said you needed 15 copies of drawings?

Ms. Michelle Katopodes – yes.

Chair Howard – We did have the one additional item that would be item C that will be added to the recommendations, the removal of the general barbed wire.

ROLL CALL:

The motion carried as follows:

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

7. CORRESPONDENCE

Letter from the Historical Commission – A historical plaque will be placed at the Fitzgerald Recreation Center on Saturday, October 1, 2016 from 2-5 pm to commemorate that the building served as a USO facility during WWII.

MOTION:

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

8. BOND RELEASE

- A. Cash Bond No. 89319T in the amount of \$1000.00 for site plan for relocation of existing modular offices and parking lot expansion to hospital; northwest corner of Ten Mile and Schoenherr Roads; Section 23; The City of Warren Planning Commission approved the site plan on March 9, 1998.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- B. Surety Bond No. 12-0120-23607-98-5 in the amount of \$10,000 dollars for a site plan for emergency room expansion to the existing hospital; northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile Road; Section 23; The City of Warren Planning Commission approved the site plan on June 15, 1998.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- C. Cash Bond No. 639664 in the amount of \$10,000 dollars for site plan for surgical room addition to the existing Bi-County Hospital; northwest corner of Ten Mile and Schoenherr Roads; 13355 Ten Mile Road; Section 23; The City of Warren Planning Commission approved the site plan on April 7, 2013.

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR APPROVAL FOR A BEAUTY SHOP AND OPEN STORAGE FOR TOWED VEHICLES: Located on the east side of Groesbeck Highway; approximately 509.25 ft. north of Frazho Road; 26160 Groesbeck; Section 24; TCM Properties LLC (Robert J. Tobin and Associates). Release of a cash bond in the amount of \$1,500 dollars posted on January 12, 2015. The City of Warren Planning Commission approved the site plan on February 11, 2013.

Chair Howard – Mr. Wuerth this was the item that was just before us?

Mr. Ron Wuerth – Yes.

Chair Howard – Did they remove the site plan?

Mr. Ron Wuerth – No this site plan expired, it's a cleanup type thing and returning the bond to them.

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

9. OLD BUSINESS
- A. MINOR AMENDMENT TO SITE PLAN FOR OPEN STORAGE OF TRUCKS AND TRAILERS: Located on the southwest corner of Toepfer and Hoover Roads; 21601 Hoover Road; Section 34; Adrian L. Leica (Robert J. Tobin). The minor amendment is for the addition of a small office building. **TABLED (2nd).**

MOTION:

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

PETITIONERS PORTION:

Mr. Robert Tobin – This is a very unusual situation here the property was purchased by Logistics One a large trucking company on Frazho Road in Warren and then needed additional property to store 50 empty trailers. On March 7th, 2016 we received site plan approval for this site so we've already got the approval, this is a minor amendment.

We applied to ZBA but they would not permit us to apply since we did not have a building on this site. We had many locations for the proposed building but because there were no adjacent water or sanitary sewers we had to locate the building in the 50 foot setback on Hoover Road where there are existing utilities. In other words, we have a very large site we tried to find a spot where we could put the building at in here but it was \$50,000.00 dollars to bring the sanitary sewer so we moved over to here that was another \$40,000.00 so we moved the building site up to the front of the property facing on Hoover Road. It will be a 12 x 44 1 story prefabricated building with a brick façade and asphalt shingle roof, we've also provided 3 car spaces for employees parking. It will provide an office on this site that will oversee the operation of the business. We need this Boards approval of this building to satisfy the ordinance which requires a building for every site to be developed.

It was a surprise that we all got, that no site can be developed without a building on it so we are providing the building tonight and we need your approval.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

Mary Clark CER-6819
September 12th, 2016

DTE: Approve.

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

1. The existing pavement appears to be in poor condition. It is recommended that the property owner be required to remove and replace any portion of the existing pavement that is in poor condition.
2. For all existing drive approaches proposed to be removed along Hoover and Toepfer Roads, the existing concrete curb and gutter shall be removed and replaced with full height concrete curb and gutter and noted on the site plan.
3. All existing and proposed utilities shall be shown along with any corresponding easement.
4. The proposed acreage of earth disturbance shall be shown on the plan. The site shall comply with the Storm Water Ordinance. Detention and pretreatment may be required.

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

1. Meet all the requirements of the 2012 edition of the Michigan Building Code.
2. Maintain all existing Fire Department apparatus access roads. Fire apparatus access roads must extend to within 150 feet of all portions of the exterior walls, as measured around the exterior of the facility. Fire apparatus access roads must have a minimum width of 20 feet.
3. Provide Fire Department lock box (knox box) as required by City Ordinance.

Mr. Ron Wuerth reads the recommendation of the Staff:

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

MOTION:

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

ROLL CALL:

The motion carried as follows:

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

- B. MINOR AMENDMENT TO SITE PLAN FOR KITCHEN ADDITION, TWO BBQ COOKING AREAS AND OUTDOOR DINING AREA FOR THE VICTORY INN: Located on the southeast corner of Twelve Mile and Mound Roads; 28950 Mound; Section 16; Beverly Suida (Jim Shneider). The minor amendment is for changes to the building addition and outdoor seating area.

PETITIONERS PORTION:

Mr. Jim Shneider – Good evening, compliments to the Chair for moving this along, when I saw the agenda I was a little alarmed of how long we might be here. I’m Jim Shneider, with Shneider, Smith Architects. We were brought in following the previous site plan approval and we made some adjustments to that, we just made some improvements to the way the original plan was laid out. We are in agreement with the Planning Departments recommendation, we’ve met with Mr. Wuerth and his staff to review what we were proposing so we’ll be happy to answer any questions you may have.

Assistant Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

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

1. Any improvements within the Mound Road or Twelve Mile Road right-of-way are subject to the approval of the Macomb County Department of Roads.
2. The site shall comply with the storm water ordinance. Detention and pretreatment may be required.
3. Sidewalk adjacent to parking should be minimum 7’ wide to allow for vehicle overhang.
4. A sidewalk easement may be required for the site.
5. The large existing sign on parcel A should be removed to allow for use of the parking spaces shown in the area.

6. Provide dimensions for the proposed alternations to the west approach of parcel B.
7. Show all existing and proposed utilities along with any corresponding easements. There shall be no permanent structure built within an easement.
8. Standard handicap accessible and van accessible parking space dimensions shall meet A.D.A. standards.
9. Provide the maneuvering lane width between the building on parcel A. Dimensions shall also be provided for all parking spaces including the single and double spaces adjacent to the buildings.
10. The six parking spaces in the northeast corner of the parcel appear to decrease the maneuvering lane width and approach width. Additionally, the vehicles backing out of these spaces may cause conflict with vehicles entering or existing via the nearby drive approach.
11. The trash enclosure on parcel B may not be accessible to sanitation vehicles if the adjacent parking spaces are occupied.

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

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

Ms. Michelle Katopodes reads the recommendations of the Staff:

MOTION:

A motion was made by Commissioner Rob to recognize as a minor amendment, supported by Vice Chair Kupiec. A voice vote was taken and the motion carried unanimously.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Rob – Because we are doing a minor amendment do you know what was the original bond amount?

Ms. Michelle Katopodes – This is the bond based on the overall cost of the projects so we haven't received the bond on the project as of yet. It stayed the same as last time.

Commissioner Rob – So this is just a continuation of the old bond of \$6000.00?

Ms. Michelle Katopodes – Yes so this is for the whole project.

Commissioner Rob – I remember we did approve that one a long time ago so why wasn't the bond clear at that time wasn't it submitted at that time to \$6000.00?

Ms. Michelle Katopodes – No, this is amending that original site plan that was heard before the Planning Commission last August. It was approved last August but this is the revised plan it's an amended plan for that same site plan that was brought before you.

Commissioner Rob – So we approved it in August so I thought the bond should be clear at that time when we approved it, why are we approving the old bond right now, did you pay the old bond amount?

Mr. Chris Callender – No, the project itself was held up with all the clerical issues we were working out for the scope of the project. Are you stating that is now due, that percentage of the \$200,000.00 the \$6000.00 is due now?

Commissioner Rob – My concern is you didn't know that you needed a minor amendment so I thought it would be natural to pay the bond at that time it should not continue when we are doing a minor amendment. So I would request that you clear up the bond because it should not be continued on the minor amendment.

Vice Chair Kupiec – Since the original site plan have you done any improvements at all on the site since the original approved site plan?

Mr. Chris Callender – No.

Vice Chair Kupiec – You've done nothing?

Mr. Chris Callender – Correct.

Vice Chair Kupiec – That's why you never put up a bond yet.

Mr. Chris Callender – Right.

Vice Chair Kupiec – That’s what I thought because when I visited it I couldn’t see any new improvements since the plan was approved last time. Do you agree with the bond?

Mr. Chis Callender – Yes.

ROLL CALL:

The motion carried as follows:

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

- C. Letter submitted by Kerm Billette on behalf of Hussam Shamaya for 3200 Ten Mile Road requesting a waiver of the \$1200 cash bond.

COMMISSIONER PORTION:

Mr. Kerm Billette – I’m asking to get the Planning Commission to waive the \$1200.00 dollar cash bond for the property at 3200 Ten Mile Road. The owner of the property has completed all of the requirements, he’s paved the parking lot totally, got approval from the Board of Appeals of the area that was to be in asphalt millings, he’s cleaned out the catch basins, he installed a 6 foot fence, chain link fence around about 325 feet of property or more. Put bumper blocks for the trucks, planted the trees out in front that were required, he added the landscaping in the front yard that was required. I filed the application for his fence, he’s putting in 24 feet of fence and two gates on the side of the property at the southeast corner of the building to put his trash bins in and that was approved by the Board of Appeals and with slats in the fence.

All of the requirements I think are completed. He still has to get the permit for the building addition that was put on the property which was an addition to the southeast corner of the building. He cut the building off that was in the side yard and the only part remaining already has the architectural approval and it will be submitted at the building department I’d like to get that in tomorrow. That’s the only thing that has to be done to the property.

Mr. Ron Wuerth - You don’t see it in the packet today that’s because I went out and inspected the site itself today and reviewed it. At this

time, I cannot recommend that this be waived, the site is not completed yet I have five reasons and I'll read them.

1. The concrete bumper curbs shall be provided for the eight (8) repaired truck spaces along the west property line.
2. The chain link fencing with screening slats do not exist around the trash dumpster. And you heard from Mr. Billette that he just got a permit for that today so that's an item that's not completed.
3. A handicap parking sign should be placed in front of the parking space, that's by the building.
4. The concrete bumper curbs shall be provided for the nine (9) repaired truck spaces along the south property line.
5. The catch basin that's located within the area that's compacted with asphalt millings that needs to be uncovered and probably cleaned because there's water sitting there.

So with that my recommendation is that the petitioner submit and provide the \$1200.00 dollar bond and move on like most people do in this process. They have quite a few things to do and I'd like to see that bond in about two weeks. So that is my recommendation.

MOTION:

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

COMMISSIONERS PORTION:

Vice Chair Kupiec – Like Mr. Wuerth I made a brief look through the property and I seen some items that were in completed and I was wondering he'd be requesting the bond release if we've not completed the site plan yet. So that is the reason why I will vote not.

Chair Howard – Yes it's very interesting to have a petitioner ask that the cash bond be waived if the site is not complete. And in addition you've never even submitted the bond. Based on the observation of our Planning Director I myself will have to deny this request.

ROLL CALL:

The motion carried as follows:

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

- D. SITE PLAN FOR APPROVAL FOR A BEAUTY SHOP AND OPEN STORAGE FOR TOWED VEHICLES: Located on the east side of

Groesbeck Highway; approximately 509.25 ft. north of Frazho Road; 26160 Groesbeck; Section 24; TCM Properties LLC (Robert J. Tobin and Associates). The site plan has expired.

MOTION:

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

- E. Letter submitted by Metro Sanitation in regards to 22001 Hoover requesting to reduce the performance bond from \$54,000.00 to \$25,000.00.

PETITIONERS PORTION:

Mr. Jack Campo – Good evening Madame Chair and the Board. We seek to reduce the bond we've made significant changes to the site plan and reduced a lot of pavement

Mr. Ron Wuerth – I did go out and look and inspect the site and verified the site plan and the improvements that we should be counting as opposed to the amount of the bond that was initially placed. The amount of the bond that was placed had to do with the entire plan and the building especially that was put in there so we have a \$54,000.00 dollar bond. When I looked at it I found that the improvements that we should be considering would be the new site lightening that would be put out there. They are going to relocate some utility poles. There's going to be a 10 foot high concrete wall along the south property line and they are going to be working on some retaining walls in the ramp area but aside from that there's nothing else. So with that said my recommendation is, I recommend to agree with the petitioner that \$25,000.00 dollars is far more reasonable then the previous said amount. So that is my recommendation.

MOTION:

A motion was made by Assistant Secretary Smith to reduce the bond from \$54,000.00 to \$25,000.00, supported by Vice Chair Kupiec.

COMMISSIONERS PORTION:

Commissioner Rob – So once we approve a site plan what is the time line that they have to submit the bond?

Mr. Ron Wuerth – It can be the last day before the site plan expires, almost two years. It just depends on how people work with it some people come before the Planning Commission and they are ready to

submit site plans they'll have their bond ready in a month or in a week and they'll want their permit within a couple of weeks. Others have concerns that they are still trying to work out on their site plan so it might take a year like you saw with one of the previous petitioners and so they are not in a rush to get that money out there when they're not ready to go forward.

Commissioner Rob – But this doesn't fall into our standard process am I right?

Mr. Ron Wuerth – Yes it does. This is not unusual to have someone get ready to submit their bond this late in the game. And the petitioners had some work to do, he could tell you plenty I'm sure, but at this point and time getting the bond reduced will help him and then we can get that from him and he can go for his permit and start putting that building up, the transfer building.

Commissioner Rob – I just wanted to see that it doesn't become a part of a process that people will get a bond amount and then down the road come up with the request like we had today.

Mr. Ron Wuerth – Well in this particular case from experience I've seen petitioners come before the Planning Commission with that kind of bond and realize that a lot of that amount had more to do with the actual building and that's not considered an improvement it's the other items that are considered improvements and that's what the bond relates to. I anticipated they didn't understand that so they just accepted this \$54,000.00 dollar bond when it should have been lowered.

Commissioner Rob – Alright so you're comfortable with it, thank you for the clarification.

Vice Chair Kupiec – A couple of items were mentioned by Mr. Wuerth now that we are approaching the winter months lighting is obviously a concern because you do entertain some business towards the evening hours into to the night so lighting is obviously a concern. One of the concerns with the original site approval was that wall, the 10 foot concrete wall, how far away are you from doing that wall?

Mr. Jack Campo – Sir soon as we post the bond we are going to start construction so we are looking at October 1st. Concrete is a major concern for us to get in before the winter so that will be an item that we will do soon.

Vice Chair Kupiec – So we have your word that before the winter we'll see some improvement on that wall?

Mr. Jack Campo – Yes sir, for sure.

Chair Howard – Your arm seems to be doing a little bit better?

Mr. Jack Campo – Thank you so much, well I've done an iron man and two half iron man after it so thank you.

ROLL CALL:

The motion carried as follows:

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

10. NEW BUSINESS
None at this time.

11. CITIZEN PARTICIPATION
None at this time.

12. PLANNING DIRECTOR'S REPORT
Mr. Ron Wuerth – First I worked with our City Attorney Caitlin regarding a native vegetation and landscaping ordinance that was interesting. I'm involved with a deposition regarding the rezoning of property at Nine Mile and Warner, the deposition was adjourned but they'll line me up in the future. I did attend a staff meeting. I believe tomorrow night there will be revisions to the marijuana ordinance in which there was discussion about that mostly clarification on some of the section that were not right. I also have made an effort to set a meeting with General Motors and the Administration to set up a new General Motor's District as opposed to just going to ZBA and doing all these things that we typically do with them. This was something that was brought up practically a year ago. We've had some meetings they've worked on it and now they are ready to go so we will get that meeting in line.

Next it is finally confirmed that we'll have an Assistant Planner position filled and that is Amanda Mika and she will begin work on Friday, right away, we need the help. Especially for the Master Plan

we will need all the help that we can get. So anyways she's coming on board and we are excited about that.

Vice Chair Kupiec – Mr. Wuerth is she an existing employee currently with the city?

Mr. Ron Wuerth – She is.

Vice Chair Kupiec – So she currently works for the city?

Mr. Ron Wuerth – Yes.

Vice Chair Kupiec – Okay because I don't recognize the name so I was just wondering, what area does she work in?

Mr. Ron Wuerth – She works in the Mayor's Office.

Vice Chair Kupiec – And she has qualifications to meet this?

Mr. Ron Wuerth – Yes she does, she does have a Master's Degree in Urban Planning, so that's one of the qualifications. She met all of the qualifications and she was offered the job.

Vice Chair Kupiec – So are you looking forward to working with her will she do a good job for you?

Mr. Ron Wuerth – We expect that yes. So onward here, I mentioned the marijuana ordinance here earlier however I met with someone for the first time who wants to build some buildings for a marijuana grow. So you'll come to expect this as we move on into the future so don't be surprised. There was a meeting with some gentlemen and it has to do with a new MJR Theatre at that will be at the Universal Mall Center and the theatre that's there is now going to be transformed into a MJR Grand Theatre. The whole interior is going to be renovated, totally upscale just what you see throughout the area.

I had a meeting with Meijer's they are working on dismantling the old Bi-County Hospital. They came in to talk about they have a new what you call a green initiative for water quality and so I expect after our discussion with them of what they want to do they want to change their site plan to address water issues and incorporate when they say green we are talking landscape. So just some basic things they are looking to put a bio swale along Schoenherr Road, it's a long one but that's where the water can drain into to. There will be

some islands incorporated into the parking lot that faces Schoenherr Road in which water can get into that, the water then all drains to the detention pond that's already on site. Then the flat roof they want to collect the water in some ways so it's going to be pitched to the west come off the roof onto the pavement. Well the pavement now they want to change to brick pavers so that the water then can go through the pavement as opposed to impervious type of pavements and that gets drained into the detention pond. So it should be pretty interesting. They are doing this with their new sites all over the United States since this is very new this is sort of the tail end but they decided to put the investment in for this particular site. So that should be coming down the pipe line.

Vice Chair Kupiec – Is that similar to that retention pond area they have there at 13 Mile at Meijer's in Madison Heights?

Mr. Ron Wuerth – I think the one we approved is a little larger than the one at Madison Heights.

Vice Chair Kupiec – I'm talking as far as the pond concept that is a real nuisance over there. It's a harboring place for the geese and geese are not friendly.

Mr. Ron Wuerth – They do like it there.

Vice Chair Kupiec – They love it there 24-7 and it's a real mess. They are going to have to put in crossing signs for the geese because they impeded traffic they think they have the right of way. I'm a nature lover don't get me wrong I hunt and fish and do all kinds of things, to me that's getting a little out of control. I hope it's brought to their attention before they do something like that because it's not a very good site.

Mr. Ron Wuerth – I clearly understand that our detention pond isn't right out there on the edge of the road like that one is so if we get geese hopefully they stay back off the site and away from the road ways.

Vice Chair Kupiec – We will get them.

Mr. Ron Wuerth – We did talk to Kroger's and the Advance people regarding site plan approval at 13 Mile and Schoenherr more discussion about that. One thing that they have that's rather new that will be new to us is it's called a new advanced order system. Where you can call in and you give them the list of items that you

want and they'll have them ready and waiting at the grocery store it's like a drive thru we'll be looking at that and how that operates. People can go there pick up their stuff and they don't have to get out of the car. They feel it's a good service more than anything, frankly they want the people inside the building but this is unique and they are incorporating it into everything they do nationwide.

Vice Chair Kupiec – Which Kroger's is this at?

Mr. Ron Wuerth – This will be a new Kroger at Schoenherr and 13 Mile where the old Kmart building that's there, they'll tear that building down and build a new one.

Vice Chair Kupiec – And maintain the existing Kroger at 14 Mile?

Mr. Ron Wuerth – My opinion is I don't believe so, it's only a mile north, so I don't think so.

Vice Chair Kupiec – Okay it looks like it will be a good improvement.

Mr. Ron Wuerth – I attended one Block Grant Meeting and then we got a call from a Semcog Representative a Tyler Cliffmen and he represents that group that is pushing to have this bike path called the Iron Bell go through our town. I think perhaps some of the Board Members have heard of a few rumblings about the current bike path that's on Van Dyke Avenue and that's what we are talking about. We need to speak to the Administration about that and we'll have a meeting with this person from Semcog to discuss that. Just thought I'd let you in on that development. So thank you very much I had a lot to do in these few weeks.

Commissioner Rob – When you talked about that deposition for Nine Mile and Warner is that the produce one that was approved by us then went to the City Council?

Mr. Ron Wuerth – It was denied by City Council.

13. CALENDAR OF PENDING MATTERS

Chair Howard – Any news with Craig Treppa on our Master Plan?

Mr. Ron Wuerth – No, and that was running through my mind today, obviously we've got to keep pushing at it. So we'll look at it I think Michelle has put some information on my desk that I have to look at right away. We need a meeting and maybe this information we can move onto him.

Chair Howard – Alright we'll get it done as soon as possible.

14. ADJOURNMENT

MOTION:

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

The meeting adjourned at 9:21 p.m.

Jocelyn Howard, Chair

Warren Smith, Assistant Secretary

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