

CITY OF WARREN
PLANNING COMMISSION
PUBLIC HEARING

Regular Meeting held on June 13th, 2022, at 7:00 p.m.,

A Regular Meeting of the Warren Planning Commission was called for Monday, June 13th, 2022, at 7:00 p.m., in the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan 48092.

Commissioners Present:

Jason McClanahan, Chair
Warren Smith, Secretary
John Kupiec
Claudette Robinson, Assistant Secretary
Merle Boniecki, Vice Chair
Michelle Tutt
Rustico Teodoro

Also present:

Michelle Katopodes – Planner I
Mark Gorbett – Assistant Planner
David Crabtree, Office Assistant
Mary Michaels - Assistant City Attorney
Patrick Conlin - Communications Department

1. CALL TO ORDER:
Chair McClanahan calls the meeting to order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

MOTION:

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

MOTION:

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

4. APPROVAL OF THE AGENDA:

MOTION:

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

5. APPROVAL OF MINUTES: May 23rd, 2022

Secretary Smith – I’d like to make a correction on the minutes. On page two it states that item number 6A was tabled until 2023 it should be tabled until 2022.

MOTION:

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

6. PUBLIC HEARING ITEMS:

- A. SITE PLAN FOR OUTDOOR STORAGE: Located n the east side of Groesbeck Highway; approximately 907.89 ft. north of Frazho Road; 26220 Groesbeck Highway; Section 24; PGL Building (Imad Potres). **TABLED FROM 5/9/22**

MOTION:

A motion was made by Vice Chair Boniecki to remove from the table, supported by Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....	Yes
Secretary Smith.....	Yes
Commissioner Kupieck.....	Yes
Assistant Secretary Robinson.....	Yes
Vice Chair Boniecki.....	Yes
Commissioner Tutt.....	Yes
Commissioner Teodoro.....	Yes

PETITIONERS PORTION:

Mr. Imad Potres – Thank you for allowing us this opportunity to come back to the Planning Commission. I believe from the last meeting there was a recommendation from Mr. Wuerth for approval, but we asked to table it so we could add more items and get further approval. I did revise the site plan, the one you have in hand now,

and we met Mr. Wuerth again and addressed all the comments from the last Planning Commissioner requirements. I think one item needs to be addressed here which was, he was a little concerned about the gas tanks that they have inside and the owner is aware, he's going to remove them. We talked to the Fire Marshal he said take them out and everything else looks okay they have nothing against the containers of mulch. These are removal, there's no permanent building in the backyard it's all containers of mulch they stay until they load and unload them and leave.

What we are asking for is just for those containers and the trucks that do the loading to stay overnight and they can move the second day. They needed just the storage, most likely during the summer time, the winter time will not have so much landscaping so everything will be clear. Just keep in mind all the gas tanks will be removed other than that everything we presented on the site plan that's what the owner is asking for approval on. Thank you.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING: Engineering Division has no conditions for approval.

FIRE: After review of the site plan at 26220 Groesbeck I would be in favor of denial of the three above ground storage tanks on this property. It doesn't meet the City of Warren Municode Section 17.02 Industrial Standards. All tanks shall be located not less than one hundred fifty (150) feet from property lines. The property in question is not wide enough for the tanks to be allowed. In the Municode there is a provision for underground storage tanks on this zoned property.

DTE: DTE Electric Company has no objection to the above request. 26220 Groesbeck Highway; Section 24, per the site plan provided.

MDOT: The applicant's site plan doesn't appear to have work in the MDOT right of way.

AT&T: AT&T does not object to the outdoor storage plan for 26220 Groesbeck. We have facilities in the Groesbeck ROW, but I do not expect they will be affected.

Ms. Michelle Katopodes reads the recommendation of the Staff: Originally we didn't have any plans for revisions but based on what was just discussed we want five revised plans that indicate the gas tanks will be removed from the site.

Remove 3C from recommendations.

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – I'm sorry I didn't hear what you said, what did you say we are removing?

Ms. Michelle Katopodes – We originally didn't ask for revised plans because they did make all the revisions but in light of the Fire Marshals comments they are going to remove the gas tanks and they are going to resubmit the plans showing they will be removed from the site.

Commissioner Kupiec – So they have removed the tanks they are going to backfill the hole where the tanks came from and then put a surface over it?

Ms. Michelle Katopodes – They'll have to work with the fire department to make sure it's done properly.

Commissioner Kupiec – And they are aware of this?

Ms. Michelle Katopodes – They are aware of it yes, they are above ground.

Commissioner Kupiec – Okay thank you. You received a copy of the recommendations I was wondering do you have any additional comments about them?

Mr. Zaid Hanna – I do not sir.

Commissioner Kupiec – You're in favor of everything?

Mr. Zaid Hanna – Yes I am.

Commissioner Kupiec – The tanks you're talking about those are strictly gasoline tanks?

Mr. Zaid Hanna – Yes they are gasoline trucks.

Commissioner Kupiec – And you’re not going to fuel your trucks there?

Mr. Zaid Hanna – No, we’re going to have to find another source.

Commissioner Kupiec – You have a couple gas stations in here that you can use. At one time it was cheaper to store your gas but the liability involved is very dangerous. So if you agree with everything that’s on the recommendations and you’re going to move them tanks I guess it looks to me like it’s going to be okay. Thank you very much.

Mr. Zaid Hanna – Thank you sir.

ROLL CALL:

The motion carried as follows:

Commissioner Teodoro.....	Yes
Commissioner Tutt.....	Yes
Vice Chair Boniecki.....	Yes
Assistant Secretary Robinson.....	Yes
Commissioner Kupiec.....	Yes
Secretary Smith.....	Yes
Chair McClanahan.....	Yes

- B. SITE PLAN FOR SECOND DRIVE THRU LANE WITH LANDSCAPE ISLAND: Located on the northeast corner of Van Dyke Avenue and Nine Mile Road; 23000 Van Dyke Avenue; Section 27; McDonalds USA, LLC (Joe Minorik).

Secretary Smith – We received an email from Mr. Minorik, his wife suffered a head injury in an accident this morning. He’s asking to table this until the meeting which is July 11th.

MOTION:

A motion was made by Commissioner Tutt to table until July 11, 2022, supported Assistant Secretary Robinson.

ROLL CALL:

The motion carried as follows:

Chair McClanahan.....	Yes
Secretary Smith.....	Yes
Commissioner Kupiec.....	Yes

Assistant Secretary Robinson.... Yes
 Vice Chair Boniecki..... Yes
 Commissioner Tutt..... Yes
 Commissioner Teodoro..... Yes

C. SITE PLAN FOR BUILDING ADDITIONS AND OPEN STORAGE

AREAS: Located on the west side of Groesbeck Avenue, approximately 791 ft. south of Eleven Mile Road; 26395 Groesbeck Avenue; Section 24; Frank Yousif (Joseph Rockwood).

Secretary Smith – We also have a letter for this item and it reads as follows:

We would like to table the Planning Commission Meeting until July 11, 2022. Our Architects are working on updating plans to reflect current conditions. We have recently had a new survey completed that reflects everything on site. No new buildings will be proposed at this time.

MOTION:

A motion was made by Commissioner Kupiec to table until July 11th, 2022, supported by Commissioner Teodoro.

ROLL CALL:

The motion carried as follows:

Chair McClanahan..... Yes
 Secretary Smith..... Yes
 Commissioner Kupiec..... Yes
 Assistant Secretary Robinson.... Yes
 Vice Chair Boniecki..... Yes
 Commissioner Tutt..... Yes
 Commissioner Teodoro..... Yes

D. SITE PLAN FOR NEW MULTI-FAMILY DEVELOPMENT AS PART OF APPROVED PUD: Located on the north side of Ten Mile Road, approximately 759.1 ft. west of Schoenherr Road; Section 23; 13041 Ten Mile Road; Lorenzo Cavaliere (Warren 10 Mile Residential LLC).

Ms. Michelle Katopodes – I do not see him here yet, but I do know he’s coming because we spoke with him this afternoon, maybe he didn’t anticipate the agenda moving this quickly. We do have Ms. Scot from 6E here.

Chair McClanahan – Do we have a motion to modify the agenda to move item 6D to item 6F and move up E.

MOTION:

A motion was made by Commissioner Tutt to move 6D to 6F and move 6E to 6D, supported by Commissioner Kupiec. A voice vote was taken and the motion carried unanimously.

- E. **SITE PLAN FOR PARKING AND TRUCK TRAILER STORAGE AND STORAGE GARAGE:** Located on the southwest corner of Toepfer and Hoover Roads; 21601 Hoover Road; Section 34; Cecelia Scot (Robert Lindh).

PETITIONERS PORTION:

Ms. Cecelia Scot – We started this project seven years ago we took a lot that was a pile of rubble from a torn down stamping plant we've been clearing it out and we put an office on site. It's all been approved and we are just trying to finish the parking lot along with putting a storage garage up because he keeps misplacing equipment from the lot. Even though it's fenced with security and cameras we still seem to keep missing things.

Friday afternoon I was notified on what was on the agenda for today and I got an opportunity to look over all the things Mr. Wuerth has requested we do and we don't have a problem with doing any of those things, it's pretty much everything that was on the original plan anyway. I was unable to get Bob Lindh to update the plan by meeting time today because he was out of his office Friday when we got it and today he said he just couldn't get it done. Hopefully I will have it in the next day or two and submit it to Engineering, we are not opposed to anything that they are asking for.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING:

1. This site shall comply with the storm water ordinance of the City of Warren including pretreatment of storm water runoff. All storm water runoffs shall be maintained on the site. Detention may be required.
2. The plan shall show all existing utilities and easements.
3. All parking areas shall be hard surfaced with concrete curb and gutter.

DTE: DTE Electric Company has no objection to the above request for 21601 Hoover; Section 34, per the site plan provided.

Ms. Michelle Katopodes reads the recommendation of the Staff:

MOTION:

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

COMMISSIONERS PORTION:

Commissioner Kupiec – This is quite an improvement to your location then it was five or six years ago, it looks good. Did you receive a copy of the recommendations?

Ms. Cecelia Scot – I did receive them Friday afternoon by email from Mr. Crabtree.

Commissioner Kupiec – Have you looked them over and are you in agreement with them?

Ms. Cecelia Scot – We aren't crazy about them, but we've worked very hard at this property and we are not willing to just say we'll stop here. We're not going to stop here, we need to be finished, we need to be a full parking lot. The building we constructed was completely approved, we did the electrical, we did the water, we've done everything. The last thing to do was to finish the parking lot and of course we need this garage because we can't keep having our backhoe disappear.

Commissioner Kupiec – Are you going to be doing your own repair work there?

Ms. Cecelia Scot – No, it's only going to be for equipment storage.

Commissioner Kupiec – So you farm out all your repair work?

Ms. Cecelia Scot – No, our site is on Frazho Road and we have our garage there, we have a repair shop there.

Commissioner Kupiec – So it's used as a staging area?

Ms. Cecelia Scot – Yea it's kind of a staging area, empty trailers or loaded trailers whichever. We do park some trucks but periodically,

it's mostly just a staging area. We take up a lot of space on Frazho Road.

Commissioner Kupiec – Michelle mentioned some additional concrete work that was not listed on your recommendations originally until the inspection took place. I'm going to have her come up and talk about that again so I have a better understanding.

Ms. Cecelia Scot – We are trying to see too what some of that concrete that she's saying on the outside of the fence on Toepfer. Some of the concrete that was there is 10 feet deep because of the stamping plant, some of it we have not been able to replace, some of it we put some three inches of asphalt over it trying to just make it even because you can't dig it up it's 10 feet deep. We don't know about those two pieces of concrete no ones ever looked at it and said is there a city plan somewhere?

Chair McClanahan – I know a guy that's got a good backhoe who can help you tear that up.

Ms. Cecelia Scot – I know a guy whose got a backhoe too, I got it back \$8000.00 dollars-worth of damage later.

Commissioner Kupiec – Michelle was it my understanding you suggested that we up the bond because of the concrete work?

Ms. Michelle Katopodes – No, what we were saying is we've had a lot of other projects and what we were talking about was that we suggest that upon the approval of this to close out the previous project release those bonds and we have a new bond here for this project to tie up anything that wasn't done previously. It's number five, that's what we were recommending for this project.

Commissioner Kupiec – So the bond will stay from previously to cover the work that's currently being discussed?

Ms. Michelle Katopodes – Looking to close out those old projects. We had a few in this so if it gets approved we are looking to close those out officially and release them probably on the next agenda upon the receipt of this new bond with this project. So once we receive the new bond we can release the old project and close them out.

Commissioner Kupiec – And then how much will this bond be for recommendation?

Ms. Michelle Katopodes – We put \$9000.00 based on the estimate that they gave us.

Commissioner Kupiec – Okay, and one other question I had was 3D, it request that the petitioner relinquish all variances approved on or before October 2nd, 1995 do to the change of use property.

Ms. Michelle Katopodes – That was a note Ron wanted on there, there was a lot of previously variances that were kind of unrelated to this use. That’s something common that zoning will request to relinquish past ones that were previous and not to that particular business, so that’s what that was about. There’s previous ones going back to like I think even the 60’s, they want to relinquish them so that they are no longer valid.

Commissioner Kupiec – So either they’ve been disband or they’ve been performed?

Ms. Michelle Katopodes – Right they are old from a long time ago and not relevant to this current business.

Commissioner Kupiec – So we are striking that from the recommendations, we will just discontinue it as item D?

Ms. Michelle Katopodes – Well that’s something for when it goes to the Zoning Board of Appeals, our recommendation is that they relinquish the old variances when they do the new variances relinquish the old ones from a long time ago, it’s a carryover from the page before.

Commissioner Kupiec – Okay, thank you.

ROLL CALL:

The motion carried as follows:

- Chair McClanahan..... Yes
- Secretary Smith..... Yes
- Commissioner Kupiec..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki..... Yes
- Commissioner Tutt..... Yes

Commissioner Teodoro..... Yes

- F. SITE PLAN FOR NEW MULTI FAMILY DEVELOPMENT AS PART OF APPROVED PUD: Located on the north side of Ten Mile Road, approximately 759.2 ft. west of Schoenherr Road; Section 23; 13041 Ten Mile Road; Lorenzo Cavaliere (Warren 10 Mile Residential LLC).

PETITIONERS PORTION:

Mr. Lorenzo Cavaliere – Good evening the overall PUD had three components a general office building, which front Ten Mile it's phase I. Phase II is the multi-family apartment development which is a site plan that is before you this evening. And the III component is a medical office building.

The site plan that's before you tonight is 264 one and two bedroom apartments and 43 bedroom townhome style units with two car attached garage. The development will have a club house with a pool as well as a dog park. We meet all the design standards for open space, parking, and height, the design and the layout is very similar to what was in the PUD application. In addition we are showing 78 mini storage units a mix of 10 x 10 and 10 x 20 units, the mini storage units are not intended to be for lease outside of the community itself, so it will just be for the residences that are living there. A lot of apartment renters rent offsite for mini storage and this would be an added amenity to the dog park, the pool, and the club house. If anyone has any questions I'd be happy to answer them.

Secretary Smith reads the following correspondence:

TAXES: No Delinquent Taxes.

ENGINEERING:

1. 30 ft. right of way needs to be deeded to the City for Zagaiski Avenue.
2. The proposed detention pond is currently inside of the required setback.
3. The Engineering Division also has several comments as it relates to the City's storm water ordinance.
4. There is no channel protection volume control provided on the site. The ordinance requires 1.2" over the site to be infiltrated.
5. The detention pond appears undersized and it's outlets to the existing pond, the City needs calculations for pond sizing and additionally, calculations providing the existing pond could handle the additional flow.

6. In conclusion, all storm water must be accommodated for the guidelines outlined in the City of Warren Ordinance No. 80-796.
- FIRE:** The Warren Fire Department approves this site plan with the understanding that all units would be up to NFPA and IFC Code.
- AT&T:** AT&T does not object to this development. AT&T does have facilities in the vicinity, should the developer have concerns about our facilities, please advise them to contact our local Engineer, Courtney Dunford at cd0196@att.com or (586) 305-8747.
- DTE:** DTE Electric Company has no objection to the above request for 13041 Ten Mile Road; Section 23, per the site plan provided.

Ms. Michelle Katopodes reads the recommendation of the Staff: I do want to note that the petitioner did give us plans towards the end of the day today so we could only briefly review them. Many of these comments were addressed on them but there are still a few things that will need to be submitted and will have to be reviewed further.

PUBLIC HEARING:

Mr. Jason Lyons – I do live in the so I was notified about this. In speaking with the neighbors everybody's consensus on it is no apartments. Nobody wants to live next apartments and lately no one really wants to live in them. We are all fine with single family homes or townhouses, the dog park is good. I am seeing these plans for the first time tonight so most of it great, just no apartments please. Nobody wants really tall parking lights in their windows at night and that was a big concern with a lot of people. I wish more people were here tonight about it.

Mr. Clifford Little – I live in Heritage Pointe right behind where they are going to build these townhouses, apartments and medical center. Right at the back of it, in the back where I live are they going to put a wall up there behind our houses to separate us from them. I don't like the apartments either, the rest of it I could probably go along with.

MOTION:

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

COMMISSIONERS PORTION:

Chair McClanahan – You heard the gentleman ask the question about the wall?

Mr. Lorenzo Cavaliere – Yes, we are not proposing at this time a wall along the north or west property line, which are the property lines that abut single family. I don't believe it's a requirement between residential zones, so we had not proposed one. For some time now a lot of developments have been trying to get away with putting up walls, especially the most common brick and boss concrete type walls especially between residential and residential, so it's not proposed or on the plan at this time.

Chair McClanahan – Okay, you heard the neighbors concerns about the apartments?

Mr. Lorenzo Cavaliere – This development is basically workforce housing and it's something that is definitely a housing need in this part of Warren. Every apartment complex that's there is other than their turnover of some people moving out and people moving in there nearly 100% occupancy. We have a market study that shows an extremely strong demand for this area so I guess to say we don't want apartments is a pretty broad statement. It's a housing need that is proven is needed in this area and I think that it was discussed if not at the Planning Meeting when we went through the PUD but definitely at Council that this is a type of development that would be beneficial not to just this immediate area but to Warren, especially south of 696. Basically how we started with all of this is the demand analysis, especially new product, there hasn't been a new apartment development in southern Warren I want to say close to 40 years ago. So the design of this, the amenities that this will offer really is nothing like any single family or apartment south of 696 in the city right now.

Assistant Secretary Robinson – Heritage Park those are condominiums, is that correct?

Ms. Michelle Katopodes – There's a mixture, there's homes, there's condo's, there's apartments, there's a mix of different housing in Heritage Village.

Assistant Secretary Robinson – But is predominantly homeownership?

Ms. Michelle Katopodes – I can't say for sure, but I do know they have different things and some are apartments from what I understand, but it's all a condominium in reality. Some appear to be

more single family homes, some are attached there's a variety of housing.

Assistant Secretary Robinson – But they have bought in, in other words they're home owners?

Ms. Michelle Katopodes – I can't say everybody is, I cannot say that for sure, but I do believe there were some apartment type buildings.

Assistant Secretary Robinson – I think that most of them, if I'm not mistaken because I went through there years ago when they first started, they were pretty pricey then that's why I couldn't live over there. How many feet where he is building these apartment units is that going to be from the Heritage Pointe housing?

Ms. Michelle Katopodes – The west property line and it's a little over 20 feet, but then to the north there's landscaping proposed, I don't know if you want to show the landscaping plan. On the north property line there's going to be a detention area, there's landscaping, but not a wall.

Assistant Secretary Robinson – So what I'm getting at is where these units are going to be built there going to be somewhat in close proximity to the residents houses, the condo's. I have a problem with not having some type of barrier there.

Ms. Michelle Katopodes – Those are the townhomes right there isn't that correct Lorenzo, those are the townhomes on that side on the west property line? You can propose to have another type of fencing or that sort of thing required.

Assistant Secretary Robinson – The homeowners there who bought into Heritage Park they didn't anticipate someone building apartment units neighboring their homes because that would have been a consideration to buy into Heritage Park. I'm kind of putting myself into the residents seat right now, is that on the north side that I'm looking at?

Ms. Michelle Katopodes – That's the west.

Assistant Secretary Robinson – Is that where the residential Heritage Park homes are on that side or do they kind of circle around, I can't really tell? The reason why I say that when you buying into a property you have more of an investment attitude and

renters many not have that same mentality. I feel that something needs to be put there on the west side so that those residents who bought into Heritage Park that they have peace and quite and their living is not compromised by having some renters right in back of them. That's my feelings.

Mr. Lorenzo Cavaliere – The design, the way it's laid out everything along the west property line, which abuts existing single family, those are all townhome style units. Along the north property line those three buildings are two story buildings not three story buildings and the reason why the pond is designed along the north property line is because those buildings have a setback of over 100 feet from the property line.

To speak towards the renter verse owner, the entire development is not going to be maintained on the exterior whether it's the building itself, the landscaping, or the snowplowing by any of the people that are living there. Nobody can decide that they're not going to cut their grass because they are renters.

Chair McClanahan – What's our border on the west side look like, can you bring up the picture of the transition between the townhouses on the west to the Heritage, the landscaping we are going to do on the western side of the project the buffer zone. I don't think that's sufficient on the western side as a buffer there's really nothing there.

Mr. Lorenzo Cavaliere – There are some plantings that are along the east side of the development, which really is the backside of the Meijer's that we'd be happy to work with Planning on adding some landscaping along the west property line.

Chair McClanahan – One of the concerns that the residents are having is that buffer zone and there's nothing on the west side.

Assistant Secretary Robinson – Yes, that's what I'm thinking.

Mr. Lorenzo Cavaliere – Correct, but that's one of the reasons why we didn't put any apartments adjacent to any--

Chair McClanahan – The price of tea in China has nothing to do with it. The western side they want some kind of transition zone I don't think a wall is appropriate I think some kind of landscaping there would be more appropriate. I don't want to put words in Assistant

Secretary Robinson's mouth but I think what she was implying with the renters is not the landscaping, just the whole concept of apartment renters don't have the vested interest in the community and aren't as good of neighbors possibly as somebody that purchases a home and has vested interest in the community. I don't know if that's exactly where she was going with that but contradicted it with well their not doing the landscaping, I don't think that's what we are talking about we are talking in general. The neighbors have \$180,000.00 to \$200,000.00 homes and then you put apartments next door and maybe the apartments don't care as much about the neighborhood is what they are saying.

Mr. Lorenzo Cavaliere – Right, but my point, I'm not contradicting what she said, I'm just saying my point is that whether the renter wants to be the greatest rental or is the worse renter. We really got to be careful when we start talking about renters verses ownership from a fair housing standpoint. It doesn't matter what the renter thinks, it's the development itself that has to maintain the property. So no matter what the renter does or how they live their life, it has nothing to do with how the property is maintained.

Chair McClanahan – And we're not talking about the quality of life, crime, the value of homes, that's what we are talking about.

Mr. Lorenzo Cavaliere – I understand, and I would have no problem working with Planning on adding some vegetation on the west property line between the existing development and in the proposed development.

Commissioner Kupiec – Mr. Cavaliere normally when there's a major change of development design like you're proposing here you come before the PUD Commission, is there any particular reason that you know of why there was no PUD Meeting? Normally this comes before a PUD Meeting and you present it to us first in a smaller scale.

Ms. Michelle Katopodes – That's when there's been a PUD already established and there's a change to it then we would convene at city hall to talk about it, but this is the very first site plan for a recently rezoned PUD. So this is the site plan that goes along with the recently approved agreement and it was recently rezoned to PUD, so this is the plan that goes with the agreement, it's all brand new.

Commissioner Kupiec – Well that's kind of what I was saying, if it's all brand new that means it's been changed and if changed it should have went through the PUD Committee for discussion on what the changes were so the PUD Committee could present them to the Planning Commission. Right now as Ms. Robinson is saying we are in the dark, the one gentleman came up and wanted to know if there was going to be a wall on the west side, well there may or may not be. I recommend nice landscaping verses the wall. The landscaping on the west side of Meijer's is beautiful it's like a forest back there and that's the way I'd like to see the west side also.

Mr. Cavaliere you obviously had a change of mind about what your plan was all about that's why you made these changes something on your design concept changed or philosophy concept changed?

Ms. Mary Michaels – Just for clarification, this is not an amendment it's an actual site plan required by the City Ordinance and the Planning Commissioner does approve the site plan with or without conditions. But a minor amendment to the site plan would go before the PUD Committee, major amendment would come to this commission and then City Council, but this is the site and it's appropriate.

Commissioner Kupiec – So it wouldn't go through PUD?

Ms. Mary Michaels – Not at this juncture no.

Commissioner Kupiec – Okay, I didn't know because we haven't seen Mr. Cavaliere in a while, he's very professional in what he does it just seems like he's got a major change on the table here and it's a little confusing.

Assistant Secretary Robinson – So Mary, once it comes back to us then we add a minor amendment to the site plan?

Ms. Mary Michaels – Not so much an amendment, you'd review the site plan discuss conditions with the petitioner and approval can be with conditions.

Assistant Secretary Robinson – But it can come back to us for the additions to vote on?

Ms. Mary Michaels – No, I think this is the site plan approval for the subcomponent.

Assistant Secretary Robinson – So we can make the conditions right now then if we want to do that?

Ms. Mary Michaels – That is correct it's in the ordinance.

Secretary Smith – I'd like to make a couple of comments, the townhomes that are bordering Heritage Village, the back of the townhomes are facing Heritage Village there's a 20 foot wide green space between the houses and when we have a division between properties we require a 20 foot wide greenbelt or wall. So you got 20 foot wide plus all the townhouses most of the activity is going to be on the inside.

Number two, the building at the north end they are just two story units but they are still like townhouses but they are just two story. The apartment buildings are all centralized in the middle of the project and even on the other side they have townhomes, so it's not like the apartment buildings are right next to the Heritage Village because they are centralized in the whole project.

Assistant Secretary Robinson – So you're saying there's already a greenbelt there?

Secretary Smith – Yea when they pulled it up it shows 20 foot, so they can plant trees there for a buffer, they can put evergreens down through there for a buffer if that's a concern, but all we require is a 20 foot greenbelt which they've got that. There's no action going to be on the backside those are the back of the townhomes, and they are only going to have like one or two families in each townhome.

Assistant Secretary Robinson – So they won't be compromised because it's on the backside.

Secretary Smith – I do have some concerns also, Michelle on page 5 item number 3 it says phase three medical office, one story regularly shaped building is existing and measures approximately 121 ft x 160 ft containing 16,322 sq ft with support parking area between the building and the south property line Dequindre Road, Dequindre Road is nowhere around there so that needs to be corrected, I mentioned it once before but it never got corrected.

Ms. Michelle Katopodes – We can change that.

Secretary Smith – I was looking at the storage units on the northeast side and one thing that concerned me is that's a wetland over in that area, so one of the things that concerned me in the elevation draw of the storage units it's showing finished floor and it shows top of the water table two foot higher than the finished floor, that's a concern for me. Then on the drawing in each unit they got a little square in the middle and it says OC and I don't know what the OC stands for unless it's some sort of drain. If that's a wetland and you've got a two foot high water table from the finished floor of the storage units is that retention or detention pond going to be able to handle that water going in the back, because there's already a two foot high water table there?

Mr. Lorenzo Cavaliere – So for one there are no wetlands on this property.

Secretary Smith – Then why would they say there's a 2 foot high water table?

Mr. Lorenzo Cavaliere – Which sheet are you looking at?

Secretary Smith – Pull up the storage unit, see top of the water table elevation 102 and then the finished floor's elevation is 100 so that's two foot higher than the finished floor. And you can see from the previous photos that there was water standing back there. I'm just concerned about if the water table is higher than the finished floor of the storage units and you've got to have some sort of drainage that's going to go to that detention pond, I don't know what caused the water table to rise anyway, but if it's two foot difference to me that's a big difference.

Mr. Lorenzo Cavaliere – Frankly I think that's an error because there's no way that there's a water table that's at an elevation of two foot above the existing. That aside, the engineering that has been run on this are all based on the new design standards that were adopted by Macomb County Drain Office as well as the City of Warren Engineering Department. We met last Wednesday with Michelle, and other staff from Planning as well as the Engineering Department and we walked through, a big part of our discussion was talking about the storm water management and Engineering felt comfortable with the fact that this was basically all designed based on the new design standards that they were comfortable with the size of the retention area. That will all be fine tuned through an

actual full engineering review, but that was one of the biggest reasons for us getting together was to discuss that.

After some lengthy discussion the City of Warren Engineering Department felt comfortable with the way the design of the site was relative to the retention ponds and storm water management discharge. That will play itself out in the full engineering review, which is premature at this time but for everything that we know right now the City of Warren Engineering Department is comfortable with the way this site has been designed relative to storm water.

Secretary Smith – Thank you. I noticed in a couple landscaped areas I think the area that's leading to the dog park there's still some dashes you'd have to have a site plan layout. There's some dashes that lead to the retention pond I guess that's for drainage? See the dashes that are going through the property and it goes to the retention pond in the back and then on the other side where the townhouses are there's a drain that goes through the retention pond, do you see that?

Mr. Lorenzo Cavaliere – Where you're seeing that with the little triangle on the end those are inlets and outlets, so the one to the east that you're seeing on the screen right now that's an inlet where the water is going into the pond and then the one in the middle is an inlet with water going into the pond and the one to the west is an outlet with the water going west out of the pond in an enclosed pipe. And then going along the west property line south down to the existing pond which fronts Ten Mile and then it outlets from there into an enclosed pipe under Ten Mile.

Secretary Smith – Okay, I was just concerned that there wasn't any type of connection between where the storage units were over to that pond also, especially when I saw the water table. You said that Engineering seemed to be okay with that, I just had a concern it seemed if that was a wetland they should have had something going from there to the pond also.

Commissioner Kupiec – I don't think Engineering is okay with this because item 2,3,4, and 5 Engineering has questions on and they are saying that all requirements must meet the guidelines of the Warren Ordinance number 80-796 they have four concerns they are listed right here.

Mr. Lorenzo Cavaliere – Subsequent to that letter being drafted and sent to the Planning Department we had a meeting that Michelle attended and we discussed all those items and that's where the Engineering Department felt comfortable with our design.

Commissioner Kupiec – I guess I didn't hear that because that was one of my questions, the four items here and the retention pond.

Ms. Michelle Katopodes – I can attest to that, we did receive these comments from Engineering and we had a meeting and we discussed it. At that time we realized they had already been to the County and they had preliminary approval because they need the County approval to go to the Ten Mile Macomb County Drain so they had preliminary approval, but upon site plan approval they have to go and get a permit finalized but they won't do that until they receive site plan approval. So they need permits from the County Drain Public Works Department and from City Engineering so until they get that they can't do anything, they need both.

Secretary Smith – A couple more questions, on those storage unit there's a square that has OC in it, I don't know exactly what that was supposed to be, it's a real small square in the middle of the storage unit, you have to zoom in on the storage units. It's not showing it on this one. It's on sheet A1.2 it says storage building, if you zoom in on the single unit do you see the OC or QC, it looks like OC to me, I don't know what that is?

Mr. Lorenzo Cavaliere – I see that, I'm not certain what that is but those storage units will basically just have a garage door that opens there will be a light inside and that's it. It was your concern that it has something to do with?

Secretary Smith – I didn't know if it had something to do with drainage or what, that's what I was trying to find out.

Mr. Lorenzo Cavaliere – No, that sheet right there is an architectural sheet which wouldn't reflect anything regarding drainage or anything along those lines.

Secretary Smith – Alright, one last question, we talked about the vinyl siding that they were putting on the townhouses and the apartments and I had concerns about the vinyl because I've seen a lot of new projects where they put vinyl siding on them and then in two or three years it's all bowing in and out and looks horrible. I

noticed on these it talks about vinyl siding clamp boards, what's the difference between regular vinyl siding and the clamp boards?

Mr. Lorenzo Cavaliere – Well a couple of things, the way it's designed right now there's a combination of horizontal siding as well as shake siding, like a shingle shake style siding. The siding products have come a long way in the last 10 to 15 years, paint has, concrete has gone backwards in the last 20 years, it's worse today then it was before. The thickness of the siding and the way it's made is not like the siding, and I understand and that's the last thing that we would want is to develop a project that after five or ten years have the wave that we've all seen before. I can tell you between us not wanting to do something that's not going to look good long term and just the development of the product the building product itself it's not a concern of mine and my intent is to build something that in 20 years from now is going to look the same as it did when we first did it. The brick percentage was in the 30% something in that range, and then a mix of the shake and the horizontal siding, which is a lot more common today then it was before the mix of the different colors, one will be a different shade then the other and from an architectural standpoint gives it some different textures.

Secretary Smith – Thank you sir.

Commissioner Kupiec – I know there's been a lot of talk about it, I'm sure you received a copy of the recommendations, and you went through them?

Mr. Lorenzo Cavaliere – Yes.

Commissioner Kupiec – And it seems like you've been talking with Planning about it so are you comfortable with it and you can work with everything that's in these recommendations?

Mr. Lorenzo Cavaliere – Yes.

Commissioner Kupiec – On the preservation of wetlands you maintain the standards of so many acres as a wetland?

Mr. Lorenzo Cavaliere – There are no wetlands on this site so there's not going to be an application to the State for any wetland, wetland is not part of this process whatsoever.

Commissioner Kupiec – So the water we see is what just retention pond?

Mr. Lorenzo Cavaliere – The water that you see in the design?

Commissioner Kupiec – That we seen before you started building, before you cut everything down is that all being backfilled where there won't be any water?

Mr. Lorenzo Cavaliere – Once the site is properly graded, the first thing is going to be to strip all the topsoil off and then the site is going to be graded. Any undeveloped site that has low areas especially in the spring until the end of June they are going to be wet if they are not graded to drain properly. That's all part of the Engineering design which is going to be reviewed and approved.

Commissioner Kupiec – So on this side of the development since there was formally wetland in there you say you're not required to have a wetland?

Mr. Lorenzo Cavaliere – No.

Commissioner Kupiec – Because it looks to me like there's a wetland in there now.

Mr. Lorenzo Cavaliere – If there was a wetland on this site the Warren Engineering Department would require us to get a permit from the State of Michigan. That's not even on the table because it's not a requirement.

Commissioner Kupiec – Well it just seemed like over the years it's always been so wet in there that they always referred to it as a wetland and a development of that size you would think there would be some involvement with the State as far as maintaining a wetland that was there previously.

Mr. Lorenzo Cavaliere – And this did come up in the PUD, what was initially thought as being a wetland we have a determination from the state right now that says that there are no wetlands there.

Commissioner Kupiec – And that determination is in writing?

Mr. Lorenzo Cavaliere – Yes it is, and the City has that.

Commissioner Kupiec – Okay because it was an assumption on my part but ever since you first started developing this I was always looking forward to see how you were going to configure the wetland because I just thought it was going to be part of your site, but I guess made some changes and it's not going to be required.

Mr. Lorenzo Cavaliere – That's correct, your recollection is correct about that and that came up, it was on the table it was discussed, there was correspondence back and forth with Eagle and that was a final determination and we moved on from that, it's nothing that's being discussed and won't be discussed moving forward.

Commissioner Kupiec – Okay, I'm sorry to hear that because I was looking forward to seeing it there.

Chair McClanahan – We've heard the concerns of the neighbors and I think just to be a good neighbor I would feel more comfortable if you did something on the west end of the project. I know Secretary Smith said that we are following the city guidelines but since we are going from single family to multi-family I think that a better buffer on the western side would just show being a good neighbor. So if you can do something on that western side to extend that maybe throw in some arborvitae, or some trees. I know we are talking about the back of someone's home but if it was my home I wouldn't want to see the back of a townhouse right there either so it would be nice to have a little more buffer, trees, or something there.

Mr. Lorenzo Cavaliere – I'm committing to you that I'm more than willing to work with Planning on looking at adding some buffering some vegetation along that west property line.

Assistant Secretary Robinson – To add to that it's the height that I'm concerned about we don't want arborvitae we want something that's going to be tall enough where you cannot see, so maybe some trees or something.

Ms. Michelle Katopodes – Perhaps some evergreen trees?

Assistant Secretary Robinson – Yes, I would feel comfortable with that.

Commissioner Kupiec – Michelle, very similar to what they have right behind Meijer's that's nice landscaping.

Mr. Lorenzo Cavaliere – I would have no problem working with Planning and evergreens as Michelle suggested may be the best.

Secretary Smith – Correct me if I’m wrong, as we start to go through this process and we start going through the different phases, as the different phases come before us we can make other suggestions as these things are starting to materialize right?

Ms. Michelle Katopodes – Yes we’ll have site plan approval if there’s another component on the site.

Secretary Smith – So this may not be the final of everything because there still could be some other things that may come before us. Thank you.

Chair McClanahan – That’s a motion by Commissioner Kupiec, supported by Secretary Smith.

ROLL CALL:

The motion carried as follows:

- Chair McClanahan..... Yes
- Secretary Smith..... Yes
- Commissioner Kupiec..... Yes
- Assistant Secretary Robinson..... Yes
- Vice Chair Boniecki..... Yes
- Commissioner Tutt..... Yes
- Commissioner Teodoro..... Yes

7. CORRESPONDENCE:

Notice from City of Roseville regarding adoption of Amended Master Plan.

MOTION:

A motion was made by Assistant Secretary Robinson to receive and file, supported by Vice Chair Boniecki.

ROLL CALL:

The motion carried as follows:

- Chair McClanahan..... Yes
- Secretary Smith..... Yes
- Commissioner Kupiec..... Yes

Assistant Secretary Robinson..... Yes
 Vice Chair Boniecki..... Yes
 Commissioner Tutt..... Yes
 Commissioner Teodoro..... Yes

8. OLD BUSINESS:
 None at this time.

9. BOND RELEASE:
 None at this time.

10. NEW BUSINESS:
 None at this time.

11. CITIZEN PARTICIPATION:
 Mr. Eddie Kabacinski – Good evening, I wasn't planning on speaking this evening but the folks from McDonald's did not show up today and I'm not sure if I'll be able to make the July 11th meeting. My concern here is the police are dispatched often to go to that McDonald's there. I've noticed in that area in my district over there that there is a backflow from their drive thru onto either the turn lane and then crashes happen when individuals are trying to make a left hand turn going southbound on Van Dyke to go into the McDonald's then they stick out in the traffic and somebody northbound decides to rear end or broadside them. Or people just want to stick out into northbound Van Dyke and it blocks the intersection of Nine Mile and Van Dyke for traffic to proceed westbound. I don't think this is an issue about needed a double drive thru as much as the McDonald's needs to have more employees working there. Also the lobby isn't open most of the time they have it locked this is why you're having so many people going through the drive thru. This is a matter of having people go back to work and not leaching off the government and paid to stay home.

Most of the McDonald's that you go to in the immediate area that do have a double drive thru you're actually going to find a cone that blocks the second drive thru from somebody going thru because there is simply not enough people working at the McDonald's. A prime example would be the one at Mound Road just south of Twelve Mile Road that is a double drive thru. They have a huge parking lot coming off of Twelve Mile Road that you can access that McDonald's but the double drive thru is closed they only have a single drive thru and the same situation happens. The southbound traffic going south on Mound parks on that right hand land as the line

is going into that McDonald's and the same thing happens for the traffic going eastbound off of Twelve Mile Road crossing Mound Road, you have traffic crashes because people are sitting there waiting to get through a drive thru.

This is not as much as needing the double thru as McDonald's needs to get back to work and open their lobbies. Thank you.

12. PLANNING DIRECTOR'S REPORT:

Ms. Michelle Katopodes – So the staff has been busy since the last meeting we met with three of the petitioners that were here tonight leading up to the meeting the 26220 Groesbeck, the 13041 Ten Mile, and the 21601 Hoover so we meet with them all prior to tonight. Ron and Mark attended the Michigan Association of Planning Institute on May 18th, which was called the Housing Summit. I opted to take the virtual one which will be coming up this Wednesday. The meeting focused on housing primarily in the context of zoning and zoning reforms so if you have any specific questions about the conference Mark is here if you want to ask him anything and I'm sure he can provide some overview on any of the courses he attended.

We had a meeting at City Hall to discuss the proposed BTRC District, that was on June 2nd and once that's ready it will be brought before the Planning Commission for a recommendation to Council. So if approved this would establish a new zoning district. On June 7th there was a meeting in the evening to discuss the Warren Historic District Plan. Mark and I and some other city staff were in attendance and Vice Chair Boniecki was also in attendance. The Consultant Jessica Flores (sic) from Preservation Forward provided a presentation of her findings and also listened to the Historic Village Members and other attendees to get some additional comments for that plan.

Additionally MSU Extension which is Michigan State University Extension they are hosting two online Housing Educational Opportunities. The first is called Exclusive to Inclusive the evolving single family zone and the second is called Opening Doors to attainable housing. So the deadline to register for the first course is June 20th so if you'd like more information let me know I have printed out the information on it. This is like a big issue now in planning so getting any educational information on it is encouraged. If you have any questions let me know.

Commissioner Kupiec – Michelle, in looking at the site over at Nine Mile and Van Dyke, you seem like you were involved in the bicycle path, does Nine Mile have the bicycle path?

Ms. Michelle Katopodes – On Van Dyke there is the buffered bike path, yes.

Commissioner Kupiec – During heavy traffic, let's say for example the northbound traffic is coming up to Nine Mile Road and you have a group of bicycles that are going northbound on Nine Mile also on the bicycle lane, and you have an individual going northbound who wants to make a right turn possibly into McDonald's what happens who gets the right of way there?

Ms. Michelle Katopodes – Everyone has to follow the traffic rules, in that scenario I'm not completely sure what you described.

Commissioner Kupiec – Keep it simple, the gentleman came up and indicated when you're going north on Van Dyke and you go to turn into McDonald's there's a traffic backup and that's obvious I've seen it myself. Now you have a group of 20 bicycles going north on Van Dyke and you're trying to make a right turn in to go get yourself a hamburger and a coke or whatever and you're backing traffic up, who gets the right of way the bicycles or the cars?

Ms. Michelle Katopodes – It's hard to say without seeing it, are they on the road or are they on the sidewalk?

Commissioner Kupiec – They are on the road in between the green spot and the curb.

Ms. Michelle Katopodes – I'm not sure.

Commissioner Kupiec – I've seen that a few times and I seen it looking at the site when I was there this afternoon and just wondered if you had an answer for that?

Ms. Michelle Katopodes – Not off the top of my head.

Commissioner Kupiec – A lot of it is common sense but during traffic it gets busy. There's a driveway on the east side of McDonalds going into a parking lot and there's a street there that's actually used as a driveway and cars come zipping through going west on Nine Mile making a quick right turn and a hard left turn and they are going into McDonald's going the wrong way. So just go around the

overflow and make a left turn in the incoming lane, which would be smart if they had another lane there.

Ms. Michelle Katopodes – I guess I wasn't aware of those issues.

Commissioner Kupiec – Go sit over there for a few minutes you'll see those cars flying in from Nine Mile Road. Is Ron on vacation?

Ms. Michelle Katopodes – Yes, he'll be back next week.

Commissioner Kupiec – I see the buildings are starting to go up at Thirteen Mile and Mound has everything been approved and are there tenants in there occupying them?

Ms. Michelle Katopodes – I think they have tenants for some of them, but I can't recall at the moment who those tenants were, I don't know if they had the whole building lined up with tenants but that site plan has been approved.

Chair McClanahan – Michelle, the bike lanes I've never seen any bikers over there and I stand by my vote to vote against those bike lanes. I'm very proud of that vote, I think that City Council should reconsider those bike lanes they are the sillies thing and make no sense. They are dangerous, there's nobody there, I think you should reconsider that and get rid of those bike lanes. I get a lot of calls from people who think they are ridiculous, it just bottles up traffic and there's no body on them, it's silly. Thank you.

Secretary Smith – If the bike lanes are installed properly then you don't have issues. There are a lot of different things you can do with the bike lanes some of them have their own traffic signal. If a pedestrian is walking across the sidewalk you're going to wait for the pedestrian to get by so it would be the same thing with the bicycles. So you have to be aware of your surroundings and someone is going to have to yield. I would say they should get the same regard as a pedestrian walking pass there verses riding a bicycle pass there.

Chair McClanahan – We could put gold plated bike lanes and there's still nobody riding on them.

Secretary Smith – I've seen people riding on them, the reason people aren't riding on them is because they feel unsafe but there are things that you could do to make the bike lanes safe to where

you don't have an issue. Once you make the bike lanes safe then more people will ride on them.

Ms. Michelle Katopodes – Warren and I attended the MDOT Bicycle Training Program and the advanced one as well, so we do know there are many things you can do. They have a level of comfort index that they look at there's reason if there's high speeds, if it's delineated and there's a physical separation people tend to feel more comfortable so there are different things. We did try to look into a pilot program and do some bollards but because it's MDOT road they wouldn't.

Chair McClanahan – Please don't make the tax payers pay for bollards for this, please, no more, this is enough.

Assistant Secretary Robinson – Ferndale has those I don't know what you call them, they are like sections of rails like plastic.

Ms. Michelle Katopodes – Yes they are like reflector type bollards.

Assistant Secretary Robinson – Something like that would differentiate, because if you run into it you're going to cause damage to your car.

Commissioner Kupiec – One of my main concerns is the loss of a traffic lane by putting a bike lane in and you lose the right lane.

Secretary Smith – The purpose of doing a bike lanes and taking a lane out is to provide traffic to move a little bit slower so people aren't zooming down through there and they actually get a chance to look around and see what's there instead flying through there. Ferndale had a couple lanes and they reduced it to one lane each way and by slowing you down like that you actually get to be more aware of your surroundings and what's actually there. It's got good and bad things but there's different things that you can do to make it work to where it works for everyone.

13. CALENDAR OF PENDING MATTERS:

None at this time.

14. ADJOURNMENT:

MOTION:

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

The meeting adjourned at 8:42 p.m.

Jason McClanahan, Chair

Warren Smith, Secretary

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