Mr. Rowe called the meeting to order at 7:00 p.m.

Members present at roll call: Benjamin Ancona, Paul Jaboro, Al Kollmorgen, Stefano Militello, Donald Miller, Jeffrey Norgrove, Leonard Reinowski, and Gerald Rowe

Members absent at roll call: Edward Kopp, Excused

Also in attendance: Donald Mende, City Planner

APPROVAL OF AGENDA

Moved by Militello, supported by Miller, to approve.
Ayes: Militello, Miller, Norgrove, Reinowski, Rowe, Ancona, Jaboro, Kollmorgen
Nays: None
Absent: Kopp
Motion carried.

Mr. Rowe reviewed the process and procedure of the planning meetings. Mr. Rowe reminded everyone that each case will be introduced, through Mr. Mende and then at that point, the Petitioner will be called for any further explanation of the proposal. Once that is concluded the case will open up for public hearing. Everyone will have the opportunity to speak and then the item will be brought back to the commission table.

PPCM-1143 – VERIZON WIRELESS/JONATHAN CRANE, CW CONSULTANTS

Request for Special Approval Land Use for a Cellular Tower in a C-1 (Local Convenience Business) district – North side of 19 Mile Road between Schoenherr Road and Freeport Drive in Section 1.
Property Address: 13901 Nineteen Mile Road.

Mr. Rowe asked Mr. Mende to provide background on the case.

Mr. Mende stated that this request is for a Special Approval Land Use for a wireless tower on 19 Mile Road just east of Schoenherr. This is a postponed item from last month and the site plan was reviewed and the commission heard public comments. At that meeting, there were a number of concerns that the commission and staff had regarding the proposed cellular tower site plan. The item was postponed by request of the petitioner and since then, the site plan has been revised and have been distributed to the commission. The petitioner, Mr. Crane, is ready to discuss the changes to the site plan.

Mr. Rowe opened up for the petitioner.

Mr. Jonathan Crane, 1126 N. Main, Rochester, MI, stated he is a Civil Engineer and an Attorney and comes to the board on behalf of Verizon Wireless.

Mr. Chris Wilcox, Radio Frequency Engineer and design engineer for Verizon Wireless, 24242 Northwestern Highway, Southfield, MI, is also in attendance.
Mr. Crane stated Verizon Wireless has an immediate need for an addition monopole antennae in the City of Sterling Heights located north side of 19 Mile, east of Schoenherr Road behind the Sunny Square shopping center and based on the information, concerns, input and feedback on the original site plan that was presented, issues and questions were raised such as: 1) the stacking for the carry out window; 2) the width of the aisle; and 3) the generator located next to the dumpster pad. In addition, it was mentioned there was no landscaping around the generator. Since the last meeting, Mr. Crane stated the site plan has been revised with revisions and calculations and are ready to address all concerns and answer all questions. Mr. Crane presented the new site plan and stated that the code requires 22’ of linear width and they have 29’ from bollards protecting the monopole to the bollards protecting the generator in that aisle width. Questions on the fire safety requirements were brought to their attention and shown also on the new site plan, the engineer has platted the fire turn radius and they are adequate and meet all appropriate codes. Regarding the access to the dumpsters, it is normal for the trucks to go forward and backup and he has talked with Tringales Sales Representative and they are quite satisfied with the location of the dumpsters. It is not considered a tight site for the dumpster movements. As with damage that can come to the gas generator concerns, they are prepared to do 1 of 2 things, leave the dumpsters where they are and move the generator over 2 parking spaces or, the owners idea is to re place the two dumpster pads to either side of the area. Along with the question on the reason of why using natural gas is because of the closeness to the waterline / water basin and do not want a pollution issue. The landscaping has also been revisited and as requested by the staff and will add arborvitae behind the generator and depending on where the dumpsters will be located, arborvitae will be added there as well. They also visited the site and counted 26 naturally planted trees, each 8 – 10’.

Mr. Crane stated the Verizon Wireless has 13 antennas in the Sterling Heights community with 12 of them being monopoles and there has never been a problem, issue or a complaint. He feels they have exceeded the minimum of the required 22’ feet in the aisle width and the separation between the dumpsters and generator, provided the answers to the fire turning radius questions and will have all plans reviewed by the Fire Department as part of the building process, have addressed the natural gas generator issues and concerns, and the monopole is at the minimum of 80’ and meet all the setback requirements.

Mr. Crane mentioned that 8 residents spoke against the project and he commented on their concerns with the landscaping, diminish of property values, the location site, and development and actual site of the tower. He also presented aerial photos of existing cellular towers and natural gas generators within the surrounding communities again, with no complaints on these locations with maintenance, safely, and or environmental.

Mr. Rowe asked for any questions from the board.

Mr. Reinowski asked if Mr. Crane could display the drawing of the coverage area.

Mr. Crane presented the display of coverage areas showing the proposed site before and after. He explained how cellular service switches from site to site and which server services which area.

Mr. Chris Wilcox presented the best server coverage and stated that the color coded diagram represents singular cellular site areas with their predicted strongest coverage.

Mr. Reinowski asked how the height of a tower comes into play with coverage.

Mr. Wilcox stated that this proposed monopole is less in height than others and part is due to meeting setback requirements and part is to be sensitive to the community and not be excessive. At 80’ they are still above the tree line and still can get a reasonable footprint out of the site.
Mr. Ancona stated that last month it was stated that there were 26 trees and 1 of those being dead. This month there are 26 trees all in good standing.

Mr. Crane stated that there are 26 trees and that tree in question is approximately at 70% budded out and is alive and growing.

Mr. Militello asked why was this plaza picked in particular and not the other plaza located not even an eighth of a mile away at the corner of Canal and Schoenherr.

Mr. Crane stated that they looked very closely at the property located on the northeast corner of Canal and Schoenherr, and even at the bank right north of there as well, unfortunately there is an easement going through the bank and at the time the shopping center property was in serious financial trouble and were unable to make a financial arrangement.

Mr. Kollmorgen asked at the last meeting why they cannot use the Edison Corridor and the answer was that Verizon Wireless does not use the Edison Corridor. Mr. Kollmorgen’s question is why don’t they?

Mr. Crane stated that the Edison Corridor is too far to the west and would not provide the coverage needed for the east for the proposed site. However, the height would make up for the coverage with tuning but Verizon Wireless does not feel that they are safe for their technicians or structurally safe therefore, they do not use them.

Mr. Miller added that the higher up the tower, such as the Edison tower being approximately 120’ or taller, the better coverage would be and possibly more extended coverage.

Mr. Crane stated that in theory that is correct but they will not go up on Edison towers.

Mr. Rowe opened up for questions from the public and asked if the comments and concerns could be restricted to the modifications to the proposal since previous comments/concerns are already on record from the last meeting and the Board is aware of all those concerns.

Ms. Kathy Walters, 43073 MaLaga Drive, Sterling Heights, stated she distributed letters to everyone from May 12th and would like to reiterate what was in that letter. There are 18 towers within 3 miles from her home and has Verizon Wireless service and has no issues. She is still opposed to proposal.

Ms. Linda & Rick Levine, 43041 Freeport Street, Sterling Heights, property abuts the parking lot for the proposed site and opposed to proposal.

Mr. Dan VanHecke, 43029 Freeport, Sterling Heights, commented on his concerns last month and is still opposed to proposal.

Mr. Rowe asked for any other questions from the board or a call for motion.

Mr. Kollmorgen asked the Petitioner if he could point out on the map and by the road names the area in which there are dropped calls since the public states they are not experiencing any with their Verizon service.

Mr. Crane and Mr. Wilcox pointed out the area as being 19 Mile Road and Hayes.

Mr. Kollmorgen asked the Petitioner if they had approached Clinton Township since most of this area pointed out is within the City of Clinton Township.
Mr. Crane stated they did not.

Mr. Miller asked the Petitioner if all the triangular antennas on top of the monopole are all of Verizon’s antennas and if they are rented out.

Mr. Crane stated yes, that all the antennas are Verizon and they do co-locate all over. Mr. Crane stated that when there is a platform at the top, that platform is one carrier. If there are three platforms, then there are three carriers.

Mr. Miller then asked if there were any co-locating on any of these platforms throughout the city.

Mr. Crane stated no.

Mr. Kollmorgen asked if there was any other towers that they looked at in the area that they could co-locate with.

Mr. Crane stated no.

Mr. Militello asked the Petitioner why they could not place their own pole next to these other existing towers and if the other companies would rent or lease or sell Verizon a piece of their property.

Mr. Crane stated that these other companies are looking at growth as well so no.

Mr. Rowe asked if there were no other questions, he called for a motion.

Motion by Norgrove, supported by Militello, in the Case Number PPCM-1143 – Verizon Wireless/Jonathan Crane, CW Consultants, based upon the facts presented in the public hearing, move to deny Verizon Wireless Special Approval Land Use at 13901 19 Mile Road for the following reasons:

1. The tower is placed in a required maneuvering lane, and interferes with and restricts vehicle circulation, refuse dumpster access, loading/unloading, and required stacking spaces for the drive-thru window.

2. The natural gas generator is situated in such a way as to cause concern with public health, safety and welfare.

3. Visual impact has not been addressed to the greatest extent possible, by means of tower placement, screening and landscaping. No screening or landscaping has been provided in this case.

Mr. Rowe asked for any discussion on the motion.

Mr. Reinowski stated that he finds it troubling that much of what is to be covered by this tower is overlapping other areas and that there are better locations that would address the areas that need coverage.

Mr. Rowe mentioned that he is not opposed to cellular towers, but this particular tower, there isn't a whole lot of room and very concerned on the maneuvering of vehicles and how close to the residence it is. It seems like a very tight area and is going to oppose the proposal.

Mr. Norgrove added as maker to the motion that he has visited the site multiple occasions and there are 4 gas meters going into the building right where the pole is going to be. He is not
satisfied for the people in the area or the buildings with the electrical equipment and gas meters locations.

Mr. Kollmorgen stated that he agrees with Mr. Rowe and will be supporting the motion. Mr. Miller also stated that he will be supporting the motion and addition he is concerned with the structure of this tower.

Mr. Jaboro stated that is abstaining from the motion because this case does involve a friend.

Ayes:  Norgrove, Militello, Miller, Reinowski, Rowe, Ancona, Kollmorgen
Nays:  None
Absent:  Kopp
Abstained:  Jaboro
Motion Passed

PZ15-1136 – SAM & MAY ALISA

Request for Conditional Rezoning from R-60 (One-Family Residential) to C-1 (Local Convenience Business) district. East side of Ryan Road between 17 Mile Road and Nathan West in Section 17.
Property Address:  39272 Ryan Road

Mr. Rowe asked Mr. Mende to provide background on the case.

Mr. Mende stated this is a conditional rezoning request and the property is located on the east side of Ryan Road between 17 Mile and Nathan West. Petitioner’s drawing for parcel shape, dimensions, and building location have been submitted. The frontage of the property of Ryan Road is 368 feet, the property depth is approximately 227 feet and the total property acreage is 1.9 acres. The petitioners are the owner of the property and have been for some time and are proposing one building of 13,600 square feet. There is the potential for 9 tenant spaces and two of the nine spaces will be occupied by the petitioner for their own business and seven will be available for lease. The petitioner is a barber and his wife is a florist. They would like to locate their businesses to this facility as owner occupants. The tenant spaces are approximately 1500 square feet each. The proposed building is completely constructed of brick and an asphalt shingled roof with dormers to give it more of a residential look. The pedestrian walkway at the front of the building will be covered, providing all-weather protection.

Mr. Mende stated that in the State of Michigan, a number of years ago the State Legislature adopted changes to the Zoning Enabling Act that provided for Conditional Rezoning. A Conditional Rezoning is basically a contract entered into between the developer and the city that places specific limitations and conditions on that rezoning. This is something new to Michigan. When this was first being reviewed as a Conventional Rezoning, staff had concerns on changing the zoning to commercial in this area. As the discussions continued, the petitioner looked at making this a Conditional Rezoning. This would lock in any development plans to a specific site plan, specific elevation drawings and any conditions that are offered up by the Petitioner. The Petitioner developed the site plans that he has agreed to and the conditions to be voluntarily offered by the petitioner are as follows:

1. All ingress and egress shall be confined to Ryan Road. No ingress or egress on Nathan West.
2. A six-foot high decorative masonry wall will be install on the east property line with an abutting 23.5’ wide landscaped strip, which exceed the 10’ ordinance minimum.
3. Frontage landscaping will exceed minimum ordinance standards.
4. Building will be constructed of all brick with asphalt shingled roof with dormers.
5. Petitioner will restrict the types of businesses in this development and will specifically prohibit the following uses:

- Convenience Stores
- Meat and Fish Markets
- Fruit and Vegetable Markets
- Restaurants
- Carry-Out Restaurants
- Taverns and Bars

The petitioner has also provided in the backup, a commercial survey that he has done for other commercial properties up and down Ryan Road showing little or no vacancies in those strip malls.

Mr. Rowe opened up for the petitioner.

Mr. Anthony Penna, with Moore Penna & Associates appearing on behalf of the petitioners Sam and May Alisa. Mr. Penna stated that Sam and May Alisa have been working on this project for about two years and Sam and May have been doing business in the community for over 20 years and both have thriving businesses. This proposal will be maintained and anchored by the owners, and have over 40 support letters from different residents and business owners in the area. Mr. Penna stated this is not the typical shopping center and more comparable to an office use, its 100% brick, has decorative lighting, excellent elevation, and additional landscaping to provide more of a buffer to the residence. Aside from the site plan, they have firm commitments from a cell phone company, computer repair store, home/gift shop, an appraisal company and a travel company. These businesses are users that are going to be operating their business during the 9 – 5 business hours. Mr. Penna stated that the petitioner is willing to table this item.

Mr. Rowe opened for any questions from the board.

Mr. Norgrove asked if by tabling this item per the petitioner, is he meaning to postpone it?

Mr. Penna stated they want the neighbors and community to be comfortable with the proposal and means to table the item.

Mr. Mende stated that the petitioner is correct, if the board were to postpone, it would be to a date certain. With a tabling, the item is scheduled for a meeting before the commissioners and if tabled, the commission would need to motion to bring it back.

Mr. Rowe opened up for questions from the public.

Ms. Lydia DiVito, 4224 Nathan West, Sterling Heights, opposes the proposal.

Ms. Deena Macioce, 4350 Nathan West, Sterling Heights, concerned with the traffic and opposes the proposal.

Mr. Ron Macioce, 4350 Nathan West, Sterling Heights, feels the property should stay residential and opposes the proposal.

Ms. Elaine Wheeler, 4351 Nathan West, Sterling Heights, opposes the proposal.

Mr. Dave Wheeler, 4351 Nathan West, Sterling Heights, opposes the proposal.

Mr. John Ciacchiolo, 4646 Nathan West, Sterling Heights, opposes the proposal.
Ms. Elaine Frank, 4425 Nathan West, Sterling Heights, opposes the proposal.

Mr. Paul Boyle, 39394 Ryan Road, Sterling Heights, stated the plan presented shows sidewalks and gutters that are not currently present and questions the drainage. He opposes the proposal.

Ms. Lynn Potts, 4134 Nathan West, Sterling Heights, states they and the neighbors have not been approached by the petitioner on the proposal and is opposed.

Ms. Judith Boyle, 39394 Ryan Road, Sterling Heights, opposes the proposal.

Mr. Dan Mezzapelle, 4116 Nathan West, Sterling Heights, opposes the proposal.

Ms. Barbara Mezzapelle, 4116 Nathan West, Sterling Heights, opposes the proposal.

Ms. Maiuri, 4616 Nathan West, Sterling Heights, opposes the proposal.

Mr. Henry Paulus, 4206 Nathan West, Sterling Heights, stated he was never contacted on this proposal and opposes the proposal.

Mr. Art Gorney, 4223 Nathan West, Sterling Heights, stated he is new to the block and opposes the proposal.

Mr. John Kugawa, 4315 Nathan West, Sterling Heights, stated he questions the letters of approval the petitioner states he has received and opposes the proposal.

Mr. Dino Martinelli, owner of property located on Nathan West, Sterling Heights, opposes the proposal.

Mr. Rowe closed public hearing and asked for any other questions from the board or a motion.

Mr. Kollmorgen asked the petitioner if the proposed property has ever been for sale as residential property.

Mr. Penna stated it has not to the best of his knowledge.

Mr. Militello stated that he feels that the property of this piece and to put 6 to 7 houses in an R-60 (One-Family Residential) would be cost prohibited.

Mr. Ancona stated he has a letter of support from resident, Mr. Martinelli. There are also letters in opposition for the following residents: Jeffrey and Annette Burg, George & Cynthia Curzen, Dr. Lauren & Barbara Lauren, Barbara Scarcelli and Wendy and Billy Sammit.

Mr. Rowe stated the commissioners do have copies of those letters as well.

Motion by Militello, supported by Jaboro, that the Planning Commission forward a recommendation to City Council to approve case number PZ15-1136, Sam & May Alisa, request to conditionally rezone property from R-60 (One-Family Residential) to C-1 (Local Convenience Business) for the following reasons:

1. Conditional rezoning of this parcel based upon the proposed conditions and development plans will ensure that the development will be constructed in accordance with a specific zoning agreement between the petitioner and city, to the benefit surrounding property owners and the city;

2. Conditional rezoning of this parcel based upon the proposed conditions and development plans will result in a development compatible with the surrounding zoning and land uses;
3. Conditional rezoning of this property would provide a suitable land use in keeping with the stated planning principles as defined in the City’s Master Land Use Plan.

Mr. Rowe opened for any discussion on the motion.

Mr. Kollmorgen made a comment regarding placing a time restriction on the businesses and also that the Petitioner asked for the opportunity to talk to the residents.

Mr. Rowe stated that if we do have a motion on the floor and a motion to postpone or to table would supersede.

Mr. Ancona agrees with Mr. Kollmorgen on giving the petitioner the opportunity to discuss with the residents if he feels the need to.

Mr. Rowe asked if there is a motion to postpone.

Motion by Kollmorgen, supported by Miller, to table the proposal indefinitely.

Mr. Rowe stated that the date is not to be determined, it is to be tabled and stated this motion does supersede the motion to approve.

Ayes: Kollmorgen, Miller, Norgrove, Reinowski, Ancona, Rowe
Nays: Jaboro, Militello
Absent: Kopp
Motion carried to table indefinitely.

CITIZEN PARTICIPATION

None

APPROVAL OF MINUTES:

Motion by Militello, supported by Kollmorgen, to approve the minutes of the May 04, 2015.
Ayes: Militello, Kollmorgen, Miller, Norgrove, Reinowski, Ancona
Nays: None
Abstained: Jaboro, Rowe
Absent: Kopp, Excused
Motion carried.

CORRESPONDENCE

Mr. Rowe stated there was a presentation on the Master Plan last meeting and at the conclusion the board was asked to fill out a checklist and if not already submitted, please submit the checklist to Mr. Mende.

Mr. Kollmorgen asked when the discussion of the policy statement and by-laws will take place.

Mr. Mende stated the last time the by-laws were reviewed and updated was 2011 and copies of the current by-laws were provided for the board and if any questions, they can be brought up at a future meeting.

OLD BUSINESS

None
NEWS BUSINESS

None

MOTION TO ADJOURN

Motion by Militello, supported by Jaboro, to adjourn.
Ayes: Militello, Jaboro, Kollmorgen, Miller, Norgrove, Reinowski, Rowe, Ancona
Nays: None
Absent: Kopp
Motion carried.

The meeting adjourned at 9:48 P.M.

Respectfully Submitted,

Benjamin Ancona, Secretary
Planning Commission