MINUTES OF THE REGULAR MEETING OF THE CITY OF ROMULUS PLANNING COMMISSION HELD ON WEDNESDAY, JANUARY 18, 2017

1. The meeting was called to order by Chairperson Freitag at 7:00 p.m.

2. Roll Call Showing: Jerry Frederick, Melvin Zilka, Celeste Roscoe, Mike Glotfelty, Daniel McAnally, David Paul, Edna Talon-Jemison and Cathy Freitag

   Excused: Michael Prybyla

   Also in attendance: Carol Maise, City Planner, and Christina Wilson, Planning Secretary

3. Motion by Zilka supported by Glotfelty to approve the agenda as presented. Roll Call Vote: Ayes – Zilka, Glotfelty, Paul, Frederick, Talon-Jemison, McAnally, Roscoe and Freitag. Nays – none. Motion Carried.

   Agenda

   1. Pledge of Allegiance

   2. Roll Call

   3. Approval of Amended Agenda

   4. Approval of Minutes

   5. Comments from Public on Non Agenda Items

   6. Public Hearings

      A. PC-2017-001; Zoning Ordinance Amendments – Business District Use Requirements

      B. PC-2017-002; Zoning Ordinance Amendments – Industrial Uses

      C. PC-2017-003; Zoning Ordinance Amendments – Landscape Requirements

      D. PC-2017-004; Zoning Ordinance Amendments – Parking Requirements

      E. PC-2017-005; Zoning Ordinance Amendments – Temporary Uses

   7. Old Business

   8. New Business
      A. Planning Commission 2016 Annual Report

   9. PC-Cases Involving Advice or input from the Planning Commission

   10. Reports
       A. Chairperson
       B. City Planner
          1) Planning Department Status Report

   11. Reports on Interest Designation
12. Communications
   A. Planning & Zoning News – Medical Marijuana
   B. The Review – MML – Medical Marijuana
   C. MEDC Redevelopment Ready Best Practices Training
   D. MAP Planning and Zoning Training Workshops

13. Adjournment

4. Approval of Minutes

   A. Motion by Glotfelty supported by McAnally to approve the minutes of the regular meeting of the Planning Commission held on Monday, December 20, 2016.


5. Comments from Public on Non Agenda Items – None.

6. Public Hearings

   A. PC-2017-001; Zoning Ordinance Amendments – Business District Use Requirements

      - Ms. Maise explained that there is some clean-up needed of all 5 zoning ordinance amendments and there will likely be several this year. There have been several amendments over the last two years and they are on our city website separately. LSL Planning updates the ordinance and these amendments will be incorporated but before there’s a reprint, it needs to be cleaned up.
      - Section 7.03 includes standards that apply to all uses in the C-1, C-2, C-3 and the R-C Districts. Changes proposed address commercial outdoor display, service and storage, as well as outdoor seating. A new section for charitable donation drop boxes was added and amendments to some definitions were also made.
      - Ms. Maise summarized the amendments proposed to Article 7, Section 7.03; Article 11, Section 11.04(b); Article 13, Section 13.09; Article 24, Section 24.04 and Section 24.16;

      Chairperson Freitag opened up the public hearing portion of the meeting for questions and comments from the public.

      Seeing no one, Chairperson Freitag closed the public portion of the meeting and opened it up to questions and comments from the commissioners.

      - Mr. Glotfelty asked Ms. Maise if this section of the ordinance will address enclosed outdoor seating as he recalls a question at one time about access to the outdoor seating area.
      - Ms. Maise replied that Section 11.06(b) which includes standards for outdoor seating will need to be addressed in a future amendment.

      Motion by McAnally supported by Zilka to recommend approval of the proposed zoning ordinance amendments to City Council for PC-2017-001; Zoning Ordinance Amendments – Business District Use Requirements.

      Roll Call Vote: Ayes – McAnally, Zilka, Roscoe, Talon-Jemison, Frederick, Paul, Glotfelty and Freitag. Nays – None. Motion Carried.
B. PC-2017-002; Zoning Ordinance Amendments – Industrial Uses

- Ms. Maise explained proposed amendments to two sections of the ordinance, Section 8.02; Table of Uses and Article 11; Vehicle and Truck Repair, Service and Parking; which are use standards. She pointed out the change under manufacturing uses, which is why an applicant was present at the meeting. The applicant’s business is powdercoating. She reminded the commissioners that they had discussed powdercoating and painting and what the differences were at last month’s meeting. The proposed change is to add the word “powdercoating” to the list of uses. She also noted that painting in a paint booth is different from not painting in a paint booth. Powdercoating and painting in a paint booth will now be uses listed as permitted in the M-1, Light Industrial District.
- Mr. Frederick suggested that we have language to differentiate between solvent based painting from powdercoating.
- Mr. Paul asked Ms. Maise why vehicle dismantling, wrecking, recycling and sales of used vehicle parts isn’t classified under special land use and why it is permitted in the M-T District.
- Ms. Maise replied that uses requiring special land use approval will be a bigger discussion later in the year. One recommendation coming out of the Redevelopment Ready Certification program by the MEDC (Michigan Economic Development Corporation) is that cities start to limit the amount of special land uses. From a procedural standpoint, they take a long time with all of the different layers of approval. The conditions associated with the use should still be required. For example, with vehicle dismantling, wrecking, recycling and sales of used vehicle parts, a license from the State of Michigan is one of the requirements.

Chairperson Freitag opened up the public hearing portion of the meeting for questions and comments from the public.

Paul Bussell, 3085 First St., LaSalle, MI 48145 stepped forward to speak.

- Mr. Bussell stated that he came to tonight’s meeting to address the painting ordinance. He intends to purchase a building in Romulus and he wanted to make sure that painting in a paint booth was going to be allowed.
- Mr. Bussell explained that he understands that the industry is going towards water-born paints but, he still uses a lot of solvent paints but, in a paint booth.

Chairperson Freitag closed the public portion of the meeting and opened it up for questions and comments from the commissioners.

- Mr. McAnally commented that the whole purpose of using the term “paint booth” is to make sure that the fumes are mitigated and controlled.
- Ms. Maise agreed.

Motion by McAnally supported by Roscoe to recommend approval to City Council of PC-2017-002; Zoning Ordinance Amendments - Industrial Uses.

Roll Call Vote: Ayes – McAnally, Roscoe, Zilka, Talon-Jemison, Glotfelty, Paul, Frederick and Freitag. Nays – None. Motion Carried.
C. PC-2017-003; Zoning Ordinance Amendments – Landscape Requirements

- Ms. Maise explained that a proposed changes to the landscape section is that a cost estimate be provided as part of site plan review. This is so the applicant can post a bond for the cost of the landscaping and receive a temporary certificate of occupancy during times of the years when planting isn’t practical. Having a cost estimate up front, as part of a site plan makes the whole process quicker and smoother for the applicant.
- Ms. Freitag asked Ms. Maise if having this cost estimate up front would clear any confusion if an applicant is underestimating the cost.
- Ms. Maise stated that she knows the general price of landscaping and can get really close to the cost but, a cost estimate up front will clear any confusion. If the cost is really off she can farm out the landscape plan to a landscape architect or contractor for their opinion.
- Ms. Maise noted that the commissioners will also have the ability to review the landscape plan and cost estimate, as part of the site plan.
- Chairperson Freitag asked Ms. Maise if the caliper of the trees would be included in the cost estimate.
- Ms. Maise replied yes. There will be plant list on the site plan.
- Ms. Maise explained the remaining proposed amendments of this section of the ordinance to the commissioners, including replacing dead trees and landscaping that were part of an approved landscape plan, as well as maintenance and safety.
- Mr. Zilka asked Ms. Maise if the property owners will have to maintain the county drains.
- Ms. Maise replied that if there were a lot of debris or garbage in a ditched area, the property owner may need to clean the area so that the drainage flow is not obstructed.
- Mr. Zilka noted that putting weed killer in a ditch or drain is against the law.
- Chairperson Freitag asked if the city has any recourse if the county fails to clean drains.
- Ms. Maise stated that this issue is more a question for the DPW and commented that she will follow-up on it but, we are more concerned with the maintenance of the landscaping on the lot frontage.

Chairperson Freitag opened up the public hearing portion of the meeting for questions and comments from the public.

Seeing no one, Chairperson Freitag closed the public portion of the meeting and opened it up for questions and comments from the commissioners.

Motion by McAnally supported by Zilka to recommend approval to City Council of PC-2017-003; Zoning Ordinance Amendments – Landscaping Requirements.

Roll Call Vote: Ayes – McAnally, Zilka, Roscoe, Glotfelty, Paul, Frederick, Talon-Jemison and Freitag. Nays – None. Motion Carried.

D. PC-2017-004; Zoning Ordinance Amendments – Parking Requirements

- Ms. Maise explained the proposed amendments to Section 14.03; Off-Street Loading Requirements that includes orientation of overhead doors, limitation on commercial vehicle parking and limitation on truck staging and storage.

Chairperson Freitag opened up the public hearing portion of the meeting for questions and comments from the public.
Seeing no one, Chairperson Freitag closed the public portion of the meeting and opened it up for questions and comments from the commissioners.

- Ms. Maise noted that the commissioners will be seeing this article later in the year. The entire parking requirement section is one section that she will turn over to the consultants since they have expertise in this area. Since things have changed, there will be a clean-up of the uses use charts and tables.

Motion by McAnally supported by Glotfelty to recommend approval to City Council of PC-2017-004; Zoning Ordinance Amendments – Parking Requirements.

Roll Call Vote: Ayes – McAnally, Glotfelty, Paul, Frederick, Talon-Jemison, Roscoe, Zilka and Freitag. Nays – None. Motion Carried.

E. PC-2017-005; Zoning Ordinance Amendments – Temporary Uses

- Ms. Maise explained that this amendment to Article 22 Section 22.03(e) for Temporary Buildings and Uses in a minor change. The Board of Zoning Appeals may permit temporary buildings, structures, and uses for up to 12 months in a calendar year from the date of BZA approval.
- Ms. Maise also explained that the previous provision for the Administrative Review Committee did not include temporary buildings, so that was added to the amendment as well.

Chairperson Freitag opened up the public hearing portion of the meeting for questions and comments from the public.

Seeing no one, Chairperson Freitag closed the public portion of the meeting and opened it up for questions and comments from the commissioners.

Motion by McAnally supported by Zilka to recommend approval to City Council of PC-2017-005; Zoning Ordinance Amendments – Temporary Uses.

Roll Call Vote: Ayes – McAnally, Zilka, Talon-Jemison, Frederick, Paul, Glotfelty, Roscoe and Freitag. Nays – None. Motion Carried.

7. Old Business – None.

8. New Business

A. Planning Commission 2016 Annual Report

- Ms. Maise went over the 2016 annual report with the commissioners explaining that the Planning Department has taken on reoccupancies and zoning compliance reviews. She also noted that there were 63 nonresidential reoccupancy applications submitted to the Planning Department last year. This is good that businesses are coming and reoccupying buildings in the City of Romulus.
- Ms. Maise stated that the Master Plan is going before the City Council on February 6, 2017 at their regular meeting with hopes to have it approved and complete this year.
- Ms. Maise explained that the Planning Department is more involved in code enforcement, which assists the Building & Safety Department, as well as the Ordinance Department and the
department also assists the Clerk’s Office with Business License and Registrations, which has prompted a lot of the new reoccupancies.

- The commissioners and Ms. Maise discussed payment in-lieu of construction of sidewalks and the funds collected in 2016, which were over $65,000.00. Ms. Maise explained that there may be a non-motorized plan in future projects and the funds from this account are designated for this purpose.

- Mr. Zilka commented that he overheard a gentleman in a restaurant complaining about frontage that includes the county drain and felt that he shouldn’t have to pay for it.

- Ms. Maise stated that she has heard that before and explained that a lot of property owners don’t understand the basic premise of the policy, and that if it’s not reasonable to put a sidewalk in, then they feel as though they shouldn’t have to be responsible for it. They feel it’s a sidewalk that goes nowhere so we try explain that our goal and vision is to have a very pedestrian-oriented community. It’s not just for recreation purposes and for some, it’s their way to work and school. The decision is made on a case by case basis and whether the sidewalk gets constructed or the money gets put into the sidewalk fund to be used for different projects like the Wayne Road project.

- Mr. Zilka explained that part of this gentleman’s concern was that his portion of the sidewalk fund was being used for the Wayne Rd. project.

- Ms. Maise noted that there may come a time in the future where there could be a road project in front of this gentleman’s property and some of those funds from the sidewalk account could be used there. It does work its way around. That is the whole goal.

- Ms. Freitag asked Ms. Maise how payment in-lieu of construction of sidewalks works.

- Ms. Maise explained that if the sidewalk is practical at the time of site plan review, it gets installed as part of the development. If the money goes into the sidewalk fund instead, it’s used when needed sometimes as part of road projects.

- Ms. Maise stated that this is why we need a non-motorized plan, to prioritize where the funds will be spent, to fill the gaps.

- Ms. Maise informed the commissioners that they may see the Sign Ordinance this year. There has been a lot of changes in case law and our ordinance is out date and we will need to update it.

Motion by McAnally supported by Glotfelty to accept the Planning Commission 2016 Annual Report as presented and submit to the Mayor and City Council.

Roll Call Vote: Ayes – McAnally, Glotfelty, Paul, Frederick, Talon-Jemison, Roscoe, Zilka and Freitag. Nays – None. Motion Carried.

9. PC Cases involving Advice or Input from the Planning Commission – None.

10. Reports

A. Chairperson

B. City Planner

1. Planning Department Status Report

- Ms. Maise informed the Planning Commission that the Planning Department has received a site plan for Birclar Electric for an addition and hoping that it will be on February’s agenda.
Ms. Maise stated that things are starting to pick up again. We had a lull with site plans at the end of the year but we are getting a lot of inquiries and a possible rezoning.

Mr. Paul inquired about the old Kelsey Hayes Plant.

Ms. Maise replied that she thought WF Whelan is expanding and that they are going into the front office area.

11. Reports on Interest Designation

- Ms. Roscoe announced upcoming city events.
- Mr. Frederick commented that he sees a lot of bad potential from the medical marijuana locations. He understands that it is going to be legal in the State of Michigan soon.

12. Communications

A. Planning and Zoning News – Medical Marijuana Update

B. The Review – MML – Medical Marijuana

C. MEDC Redevelopment Ready Best Practice Training

D. MAP Planning and Zoning Workshops

- Ms. Maise commented that she provided the Commission with some articles about medical marijuana since they will likely be addressing it later this year. Overall, opting in or opting out is a City Council policy decision that needs to be made. There is currently a lot of inquiry, discussion, evaluation and analysis being done with the help of the city attorney. The Planning Commission won’t be making policy on this one but rather the City Council may decide to adopt a licensing ordinance. This will likely impact the zoning ordinance which the Planning Commission will be involved with.

- Ms. Maise informed the commissioners that she wanted them to be up on what the State was doing and where it’s all coming from.

- Mr. Frederick stated that medical marijuana should not be allowed in neighborhoods and occupied structures because of odor and traffic.

- Ms. Maise commented that the new legislation addresses different types of operations that will be limited to industrial districts. We currently do allow card holders and caregivers to grow in the single-family residential district per the restrictions in the City Code of Ordinances. New regulations could be included for provisioning centers, dispensaries, grow/processing centers and testing facilities.

- Mr. Frederick commented the smaller uses have forgotten their limits.

- Ms. Maise explained that if someone suspects that a smaller use is growing more than allowed, they should call the police to make sure it meets ordinances and requirements.

- Mr. Paul commented that he was once on a committee a few years ago that visited a dispensary in Ann Arbor and was very impressed.

- Mr. McAnally asked Ms. Maise if the federal government was mentioning the opposite of what we are legislating to.

- Ms. Maise noted that she provided them with the reading material on what the State is going to allow to give them the background to understand where it’s all coming from.

- Ms. Roscoe commented that it’s a good thing for the commissioners and the city to get this information and be ready to deal with it when it comes.

- Ms. Talon-Jemison asked Ms. Maise for clarification on that the city allows residential growth for medicinal purposes but, the city currently doesn’t allow it in industrial districts.
Ms. Maise replied that she was correct.

Ms. Talon-Jemison asked Ms. Maise what if we get someone that wants to grow in the industrial district now.

Ms. Maise replied that the State is giving municipalities until December of 2017 to work within the parameters of the House Bill. The city will decide whether they want to opt in or out.

Further discussion was had between the commissioners and Ms. Maise regarding medical marijuana and Ms. Maise mentioned that she could direct further questions to the city attorney.

Ms. Freitag stated that if any of the commissioners are interested in going to the MEDC for Redevelopment Ready Best Practice Training and MAP workshops that they are encouraged to go and there are classes in March.

13. Adjournment

Motion by Zilka supported by Roscoe to adjourn the meeting at 8:25 p.m. Roll Call Vote: Ayes – Zilka, Roscoe, McAnally, Talon-Jemison, Frederick, Paul, Glotfelter & Freitag. Nays – None. Motion Carried.

Michael Prybyla, Secretary
City of Romulus Planning Commission