MINUTES OF THE REGULAR MEETING OF THE CITY OF ROMULUS PLANNING COMMISSION HELD ON MONDAY, NOVEMBER 20, 2017

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

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

   Also in attendance: Carol Maise, City Planner; Robert McCraight, DPS Director; Marcus McNamara, City Engineer, OHM; and Christina Wilson, Planning Secretary

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

   Agenda

   1. Pledge of Allegiance
   2. Roll Call
   3. Approval of Agenda
   4. Approval of Minutes
   5. Comments from Public on Non Agenda Items
   6. Public Hearings
   7. Old Business
      A. PC-2015-016; Storage of America
         Applicant: Thomas Fitzpatrick, Storage of America
         Request: Site plan approval extension #2
         Location: 11285 Middlebelt
         Project: Development of an 8-building, 41,550 sq. ft. self-storage facility

         (Action required: Approve, approve with condition, postpone, or deny extension of site plan approval)

      B. PC-2014-006/007; H & R Properties
         Applicant: Hassan Ouza
         Request: Site plan and special land use approval extension #3
         Location: 9999 Middlebelt
         Project: Development of a gas station, convenience store and drive-thru restaurant

         (Action required: Approve, approve with conditions, postpone, or deny extension of special land use and site plan approval)
C. SPR-2017-011; Pritula Trailer Storage – Phases 2 & 3
   Applicant: William Pritula
   Matthew Diffin, Diffin-Umlor & Associates
   Request: Site plan approval for expanded trailer storage including 361 trailer spaces
   Location: 28034 Beverly
   Project: Expansion of trailer repair and storage facility
   
   (Action required: Approve, approve with conditions, postpone or deny site plan)

8. New Business
   A. SPR-2017-031; DTW1 – Amazon
      Applicant: Brian Henrich, Ryan Companies
      Request: To allow use of barbed wire fencing
      Location: 32801 Ecorse
      Project: Construction of an 857,000-sq. ft. warehouse/distribution/delivery building
      
      (Action required: Approve, approve with conditions, postpone or deny site plan)

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

13. Adjournment

4. Approval of Minutes
   A. Motion by Glotfelty supported by Workman to approve the minutes of the Planning Commission
      regular meeting on October 16, 2017.

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

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

6. Public Hearings – None.

7. Old Business

(Action required: Approve, approve with conditions, postpone or deny extension of site plan approval)

Thomas Fitzpatrick, 4225 West 62nd Street, Indianapolis, IN 46265 stepped forward as petitioner to request a second extension of site plan approval.

Motion by Zilka supported by Roscoe to approve a second site plan extension for PC-2015-016; Storage of America. Site Plan to expire December 15, 2018.

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


(Action required: Approve, approve with conditions, postpone or deny extension of special land use and site plan approval)

Hassan Ouza, 65 Morross Circle, Dearborn, MI 48126 stepped forward as petitioner to speak to the commissioners.

- Chairperson Freitag informed Mr. Ouza that if granted approval by the commissioners, this will be his third and final site plan extension and that if he does not obtain permits to start the work, he will have to reapply for site plan approval from the beginning.
- Mr. Ouza explained that the engineering process is taking longer than anticipated and is part of the reason for the delay on the project.

Motion by Glotfelty supported by Talon-Jemison to approve site plan and special land use extension #3 for **PC-2014-006/007; H & R Properties** for the development of a gas station, convenience store and drive-thru restaurant located at 9999 Middlebelt. Parcel #80-050-99-0003-006. This site plan extension approval is the third and final extension granted and if additional time is necessary the applicant will be required to submit a new site plan. Site plan will expire October 21, 2018.

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


Matt Diffin, Civil Engineer, Diffin-Umlor & Associates, 49287 West Rd., Wixom, MI stepped forward to speak on behalf of the petitioner. Also in attendance were William Pritula, property owner, and his attorney, Mark Chiesa, PC.
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- Ms. Maise noted that the Planning Commission postponed the request for site plan approval at the last regular Planning Commission meeting on October 16, 2017 and had requested additional information from the applicant. She informed the commissioners that Robert McCraight, DPS Director and Marcus McNamara, OHM Advisors are present and available to answer any question that the commissioners may have.
- Mr. Diffin explained that although they have supplied some of the requested information there are a few things that the commissioners will have questions on and he will explain. He noted that he was able to find the bridge drawings for the culvert that went across the creek. He also explained that he was not yet able to get approval letters from Wayne County but that they are forthcoming.
- Chairperson Freitag asked Mr. Diffin what additional information from Wayne County was coming.
- Mr. Diffin replied that Wayne County is looking more for their easements on the westerly portion of the property.
- Chairperson Freitag asked Mr. McNamara if he had additional information he wanted to share.
- Mr. McNamara replied that he supplied a summary to the Planning Department of the information that was requested from the applicant at the last meeting and he could answer any questions that the commissioners may have.
- Mr. Glotfelty commented that he was sorry to hear that Wayne County had not supplied Mr. Diffin the approval he was looking for. He also commented that the pictures supplied to the Planning Commission were insufficient, he wanted to see some compaction/density information on the gravel/millings surface.
- Mr. Diffin replied that density testing is not typically performed until days before the pavement and he noted that in his letter.
- Mr. Glotfelty explained that when the pipe was installed it would have been checked at that time for compaction. But, inspections were not performed.
- Mr. Glotfelty also commented that the pictures provided were a waste of his time, the commissioners asked for compaction and density information and didn’t receive it.
- Mr. Diffin explained that there was nothing to test since nothing has been installed yet. Both of the city’s inspectors were there to inspect when the water mains were installed.
- Mr. Glotfelty inquired about the hydrants and asked if they were raised.
- Mr. Diffin replied that they were raised and checked.
- Mr. Paul explained that the DPW was there when the hydrants were raised but they were not inspected until after they were complete and he has concerns about them. There should be four hydrants and there are only four. Two of the hydrants appears to be leaning, they will need to be re-inspected, turned on and flushed.
- Mr. Diffin agreed with Mr. Paul.
- Mr. McCraight stated that the DPW will be inspecting and flushing the hydrants.
- Mr. McCraight and Mr. Paul had further discussion about the grade elevations and valve height that will be addressed during the development of the site.
- Ms. Maise inquired about whether pipes were installed in Phase 2 or 3.
- Mr. Diffin stated that there were no pipes installed in Phase 3, it's just gravel.
- Ms. Maise asked Mr. McCraight if Phase 2 was inspected and approved.
- Mr. McCraight replied that the DPW is working on that process now, there seems to be some conflicting reports from the DPW and they are trying to get that resolved. There is not a final approval on Phase 2 at this time because work was done on the site prior to inspection.
Ms. Maise commented that an additional use has been added to the site within the last month that will require a temporary use approval. A contractor’s establishment has been operating on site and for the temporary use to be approved, a certificate of occupancy will need to be issued for the trailer storage. The city is trying to get documented what has and hasn’t been done because it’s all going to be tied together.

Ms. Freitag asked Mr. Diffin where the construction equipment was being stored.

Mr. Diffin replied that it is being stored on Phase 3.

Ms. Maise clarified that the contractor’s equipment is also being stored on Phase 4 as well.

Mr. Paul asked Ms. Maise if the applicant has asked for a temporary certificate of occupancy.

Ms. Maise replied no.

Mr. McCraight stated that there is a C of O for Phase 1 only and that the initial request from the applicant was to stage a few pieces of utility equipment on site temporarily for a couple of days until it could be delivered to the City of Taylor. Because the applicant was working on compliance he didn’t see an issue with the request. Since that conversation it has become a much larger situation that everyone here has seen. He noted that they are trying to find the best way to run it through the process now.

Mr. Paul noted that there is a lot of timber on site.

Mr. McCraight agreed and also noted that there is also a lot of heavy equipment as well that was not anticipated.

Ms. Maise asked the commissioners if they were satisfied with the information they received from the applicant regarding Phases 2 and 3.

The commissioners replied that they were not satisfied.

Ms. Maise suggested that the commissioners inform the applicant where specifically they are not satisfied and what additional information that they need to provide to them before we can entertain the site plan.

Chairperson Freitag commented that Mr. McCraight should supply a report as to what inspections were performed on the work that was done without approvals.

Mr. McCraight agreed and stated that it should be sorted out within the next couple of days. There seems to be some miscommunication between departments that resulted from work being performed on site without approvals.

Mr. Glotfelter asked to see approvals from Wayne County and Detroit Water & Sewer about the water main.

Mr. McCraight stated that they can collect that information and will forward it to Ms. Maise.

Mr. Frederick inquired about test pit 10 photo and stated that he was concerned about the debris on the western border.

Mr. Diffin explained that the whole site is like that since people dump on the applicant’s site all the time and Mr. Pritula disposes of it at the dump. There is concrete all around the site that was there before Mr. Pritula purchased the property and a fence was installed up to the concrete.

Ms. Maise noted that aerials of the property show that there was once a concrete crusher on site and the minutes from the last meeting reflect that. This shows that there was another unauthorized use on this site in the past.

Mr. Diffin stated that Mr. Pritula didn’t own the site at that time.

Mr. Pritula commented that another owner would dump debris on the neighboring site that would spill over onto his property and a fence was installed before he owned the property. The concrete debris is not from his property.

Further discussion was had regarding the hydrants and inspections.
Ms. Maise asked the commissioners for direction regarding the temporary use and lack of a certificate of occupancy for Phase 2 and 3. She noted that the Zoning Board of Appeals cannot consider a temporary use for the contractor’s yard until a C of O was obtained by the property owner. With the timing of this situation the contractor’s establishment could be long gone before certificates of occupancy and temporary use approvals could be issued.

Chairperson Freitag inquired about the condition of the ground in Phases 2 & 3.

Ms. Maise commented that it would be looked at as part of a temporary use review.

Mr. McAnally noted that at the last meeting there were concerns about the site that were brought to light. The commissioners and the city were looking for some resolution from the applicant to proceed with the remainder of the site plan process.

Ms. Maise stated that once the commissioners are comfortable with the information provided from the applicant and all of the requirements have been met, site plan approval can be granted and the applicant can then move onto engineering and then building permits can be issued and then the improvements can be made. Timing is likely an issue now since these improvements may not happen right away.

Mr. McAnally asked that if the improvements are not completed then the contractor’s establishment becomes a cease and desist from the Building Department.

Ms. Maise confirmed that is what Mr. Mc Craight noted in his email however she deferred to him.

Mr. Mc Craight stated that is a last ditch effort when someone is not working towards compliance with the city’s ordinance. He asked the commissioners what their best guess scenario was or a timeline was for granting an approval for the applicant so that he can formulate a plan towards compliance.

The commissioners stated that there were still issues with the grades, hydrants and elevation that needed to be addressed before they would grant an approval. They would like to see all the requested information back to them next month and noted in a site plan before they would feel comfortable granting an approval for the applicant.

Mr. Mc Craight asked the applicant to provide more information about the contractor’s establishment.

Mr. Chiesa, the applicant’s attorney, stated that the applicant signed a lease with the contractor that is supposed to expire on December 31, 2017. He also stated that Mr. Pritula was misled to believe that the contractor was staging a small operation with a few pieces of equipment that would be put together on site and hauled to another location.

Mr. Mc Craight asked Mr. Chiesa if all of the equipment will be removed from the site when the lease expires on December 31, 2017.

Mr. Chiesa could not confirm.

Mr. McAnally asked Mr. Chiesa if Mr. Pritula plans to extend his lease with the contractor.

Mr. Chiesa could not answer that question.

Ms. Maise noted that that’s where the timing comes into play. The application would need to be submitted now for the temporary use to be placed on the January agenda. She suggested that the applicant may want to consider doing that to cover themselves.

Mr. Mc Craight noted that help from the city can be available to Mr. Pritula if need be in order to force the contractor to comply with the lease agreement.

Ms. Maise suggested they turn in an application for the temporary use by the following week so that publication requirements could be met.

Ms. Talon-Jemison asked Mr. Chiesa if there was an understanding with the contractor and Mr. Pritula that if the leasee needs additional time past the lease expiration that they will enter into a month-to-month agreement with Mr. Pritula.
Mr. Chiesa believes that is the case, a month-to-month agreement between Mr. Pritula and Michels Contracting.

Ms. Talon-Jemison noted that although the applicant can go month-to-month and without the agreement of Mr. Pritula there is a time period that Mr. Pritula has to give notice to the contractor, which means the contractor can stay for an additional 30-60 days without approval from Mr. Pritula. This needs to be addressed aggressively if this is not something that we would want to see happen.

Motion by McAnally supported by Paul to postpone SPR-2017-011; Pritula Trailer Storage – Phases 2 & 3 for 90 days max.

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

8. New Business

A. SPR-2017-031; DTW1 - Amazon; 32801 Ecorse, requesting approval to allow the use of barbed wire fencing in the trailer parking area of the warehouse/distribution/delivery building. Parcel #80-038-99-0001-000.

(Action Required: Approve, approve with conditions, postpone or deny request)

Brian Henrich, Ryan Companies, 533 South 3rd Street, Suite 100, Minneapolis, MN 55415 stepped forward to speak as applicant.

- Mr. Henrich stated that he was representing Amazon and they are looking to install barbed wire on the top of the fencing that encloses the trailer parking area.
- Chairperson Freitag asked Mr. Henrich if that area was located in the rear of the property.
- Mr. Henrich confirmed that it was.
- Ms. Maise directed the commissioners to her report and commented that although the fence location is behind the building, it should be noted that Vining Road will be opening up soon and there will be frontage there. There is a little concern that the barbed wire may be visible from Vining Road and suggested that additional landscaping be installed to screen the barbed wire.
- Chairperson Freitag asked Mr. Henrich if there would be a problem with additional landscaping if needed as identified in the planner’s report.
- Mr. Henrich stated that it would not be a problem.

Motion by Zilka supported by Glotfelty to approve SPR-2017-031; DTW1 – Amazon to allow barbed wire fencing. Approval is conditioned upon the following:

1. Additional landscaping being provided along both the north and south sides of the Vining Road driveway/parking lot to help obscure the view of the barbed wire,
2. A building permit for the fence being issued by the Building Department, and
3. Landscape to be verified by Administration.

Roll Call Vote: Ayes – Zilka, Glotfelty, Frederick, Talon-Jemison, McAnally, Roscoe, Workman, Paul and Freitag. Nays - None. Motion Carried.
B. 2018 Planning Commission Meeting Dates

(Action required: Approve, approve with conditions, postpone or deny 2018 meeting dates)

- The commissioners discussed the meeting dates for 2018.

Motion by Paul supported by Workman to approve the **2018 Planning Commission meeting dates**. Roll Call Vote: Ayes – Paul, Workman, Zilka, Roscoe, Glotfelty, Frederick, Talon-Jemison, McAnally and Freitag. Nays – None. Motion Carried.

9. PC Cases Involving Advice or Input from the Planning Commission

- Ms. Maise reminded the commissioners about Michigan Components, a special land use and site plan that they approved a year ago. This was the outdoor contractor’s yard on Northline that was established and expanded without city review and approvals. A condition of special land use and site plan approval was that all improvement were to be completed and a C of O was to be obtained by November of 2017. Although they are working towards compliance, they have not completed engineering or scheduled a pre-construction meeting yet.
- Ms. Maise explained that she had a phone conversation with the applicant and asked him to provide a write up of outstanding items to explain why they have not completed the project or they could request that the Planning Commission consider an extension of site plan approval. The applicant stated that the reason for the holdup was that he was not able to obtain a water main permit, since the MDEQ has taken over 6 months to issue this permit.
- Ms. Maise commented that the applicant chose not to ask for an extension and time is running out so, she would like direction as how to proceed. Mr. McCraith and Mr. McNamara can also shed some light on this and answer any questions you may have.
- Mr. McCraith stated that the applicant had scheduled a city certification inspection, which is valid until April of 2018. The applicant is working towards obtaining a temporary C of O but is lacking Fire Department approvals. The applicant is currently out of town for the holidays but intends to continue to work with the city when he returns next week.
- Ms. Maise asked Mr. McCraith if the applicant could have things wrapped up within a couple of weeks.
- Mr. McNamara commented that the applicant could have a pre-construction meeting as soon as he schedules it. Once they break ground it could take about another 30 days to complete the project.
- The commissioners stated that the applicant would need to have to request a site plan extension if not complete before the regular December 18, 2017 meeting.

10. Reports

A. Chairperson

- Ms. Freitag wished everyone a Happy Thanksgiving.

B. City Planner - Planning Department Status Report

- Ms. Maise reminded the commissioners that there is a special meeting scheduled for December 6, 2017 at 5:30.
- Ms. Maise and the commissioners discussed a few projects from the status report.
- Mr. Glotfelty inquired about the status of Top Shelf on Eureka and Inkster.
• Ms. Maise and Mr. McCraight explained that the site had some drainage issues and he will have more information after checking with his staff.

11. Reports on Interest Designation
• Ms. Roscoe announced upcoming city events.

12. Communications
A. Charter Township of Van Buren Notice of Intent to Plan
• Ms. Maise explained that the notice from Van Buren that was in the commissioners packet was for a subarea in Van Buren, which is similar to what the commissioners just reviewed at the joint meeting with the DDA, that being the downtown. As they recall, when the Master Plan was updated earlier this year, both the downtown and the Vining Road development area were pulled out for further study.
• Chairperson Freitag asked if Romulus will be sending the same notices to Van Buren as well.
• Ms. Maise confirmed yes, that it is part of the process.

13. Adjournment
Motion by Roscoe supported by Zilka to adjourn the meeting at 8:10 p.m. Roll Call Vote: Ayes – Roscoe, Zilka, Workman, McAnally, Talon-Jemison, Frederick, Paul, Glotfelty & Freitag. Nays – None. Motion Carried.

David Paul, Secretary
City of Romulus Planning Commission