

**MINUTES OF THE REGULAR MEETING OF THE CITY OF ROMULUS PLANNING  
COMMISSION HELD ON WEDNESDAY, JANUARY 20, 2016**

1. The meeting was called to order by Chairperson Freitag at 7:00 p.m.
2. Roll Call Showing: Jerry Frederick, Daniel McAnally, David Paul, Melvin Zilka, Celeste Roscoe, Edna Talon-Jemison, and Cathy Freitag

Excused: Mike Glotfelty and Michael Prybyla

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

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

Agenda

1. Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
4. Approval of the minutes of the regular meeting of the Planning Commission held on Monday, December 21, 2015.
5. Comments from Public on Non Agenda Items
6. Public Hearings
  - A. **PC-2015-024-/025; Jack Cooper Transport**, requesting special land use and site plan approval for an existing 520-space vehicle transfer facility (long-term parking) on 9.48 acres at 29171 Goddard Road. Zoning M-T, Industrial Transportation District. Parcel # 80-094-99-0011-000.
7. Old Business
8. New Business
9. PC-Cases Involving Advice or Input from the Planning Commission
10. Reports
  - A. Chairperson
  - B. City Planner
    - 1) Planning Commission Annual Report
    - 2) Planning Department Status Report
11. Reports on Interest Designation
12. Communications
13. Adjournment

4. Motion by McAnally supported by Paul to approve the minutes of the regular meeting of the Planning Commission held on Monday, December 21, 2015. Roll Call Vote: Ayes – McAnally, Paul, Talon-Jemison, Frederick, Zilka, Roscoe, and Freitag. Nays – None. Motion carried.
5. Comments from Public on Non Agenda Items – None.
6. Public Hearings
  - A. **PC-2015-024-/025; Jack Cooper Transport**, requesting special land use and site plan approval for an existing 520-space vehicle transfer facility (long-term parking) on 9.48 acres at 29171 Goddard Road. Zoning M-T, Industrial Transportation District. Parcel # 80-094-99-0011-000.

Brian Messner, Powell Engineering & Associates, LLC, 4700 Cornerstone Drive, White Lake, MI 48383 stepped forward on behalf of Jack Cooper Transport.

- Mr. Messner displayed a site plan to the commissioners and stated that they have a little less than a 10-acre parcel of land at Goddard Rd., just east of Middlebelt. The plans reference Phase I and Phase II but tonight he is specifically speaking of Phase I which is the front portion of the parcel and only around 6-acres. Jack Cooper Transport is asking for 7 waivers for the long-term transport. He explained that typically what happens is they have about 15 trucks per day, 24/7 enterprise. The trucks come into the site during the day and unload their vehicles; the trucks from Canada leave the site and larger independent trucks come in, pick up the vehicles and distribute them accordingly to car dealerships in the tri-state area.
- Mr. Messner commented that the site has a screen wall and landscaping to screen Goddard Road. He explained that Jack Cooper Transport is not proposing to do anything to the site. All of the drainage is kept on the site in the existing storm sewer that's been in place for several years. Jack Cooper Transport is looking to continue the use for the time being.

Ms. Freitag asked any person wishing to speak on this matter to come forward, and seeing no one, Ms. Freitag closed the public comment portion of the meeting and opened the meeting to discussion by the commissioners.

Let the record show that an affidavit of first class mail is on file.

- Mr. Paul stated that he visited the site and spoke with a gentleman by the name of Mark. Mr. Paul asked Mark if there was water and sewer in the building and Mark indicated that there was, they have bathroom facilities. Mr. Paul expressed his concern if storm sewer was put in and he assumed that water and sewer was put in, and if Jack Cooper Transport goes into the Phase II portion of the parcel, that the millings will have to be removed and may end up having to use some kind of retention because that would be a lot of water going into the drain. He noted that is just something to consider for the future.
- Mr. Messner replied that in the furthest downstream catch basin structure there is a 4 inch PVC restrictor routed into the larger pipes. So all the water that flows through there is held back on the property and released gently into the creek.
- Mr. Paul stated that the plans reference a 6 inch storm.
- Mr. Messner replied that Mr. Paul was correct, it is a 6 inch restrictor inside the 24 inch pipe.

- Mr. Paul stated that it will be looked at more in depth if Jack Cooper Transport decides to use the Phase II section of the property.
- Mr. Messner noted that he understand that Jack Cooper Transport leased this property and Phase II has not been proposed at this time.
- Mr. Paul asked Mr. Messner if he received, read and agree with the entire letter from the city planner and he asked Mr. Messner what they, or the property owner, plan to do with the existing millings.
- Mr. Messner replied that the property owner is in control of Phase II and he understands that the owner, Goddard Associates, are not proposing to do anything with it. He also noted that he understands the position of the city but, the owner of the property doesn't know what to do with it. When and if they decide to do something with the Phase II portion of the property they understand they will have to address any concerns the city might have.
- Mr. Paul stated to Mr. Messner that one of the stipulations is a removal bond or the Planning Commission could review and approve it.
- Mr. Messner replied that he understood and asked Mr. Paul if the question of the millings is going to be a part of the approval.
- Mr. Paul stated that whether it gets approved because of the millings, he wasn't sure. That decision would be up to the board members.
- Mr. Messner replied that he understood that it would be a condition of approval.
- Mr. Zilka asked Mr. Messner if Jack Cooper Transport was going to use just the front section of the property.
- Mr. Messner replied yes.
- Mr. Zilka asked Mr. Messner why then was there a hole cut into the fence and he had seen traffic in the back section of the property. Mr. Zilka noted that it looks like someone is using the back part of the property.
- Mr. Brian Verano, Jack Cooper Transport, replied that Jack Cooper Transport only leases the front section of the property.
- Mr. Zilka asked Mr. Verano who put the hole in the fence.
- Mr. Verano stated that he didn't know.
- Mr. Zilka commented that to him it looked like the semis that bring the cars into the site use the back section of the property to turn around.
- Mr. Verano replied that if the fence needed to be repaired, they can do that.
- Mr. Zilka stated to Mr. Verano that the City Planner's report stated that there were repairs to the fencing that needs to be addressed. He also noted that there were a couple of car haulers that were loading/unloading in the front circular section of the property and blocking the main aisle ways. If a fire were to happen, a fire truck wouldn't be able to get through there.
- Mr. Messner asked Mr. Zilka what specific area he was referring to.
- Mr. Zilka replied that it was at the front end, the circular portion of the property.
- Mr. Messner asked Mr. Zilka if he was saying that a fire truck would not be able to come onto the property, turn around and go back out.
- Mr. Zilka replied the semis he saw today were about half way down the front section, about 5-6 cars from the east side of the driveway. He has an Expedition and he barely got through there, a fire truck would not have enough room to get through the front of the property.
- Mr. Verano stated that he was trying to get his bearings and asked Mr. Zilka if he was talking about the center isle as you come onto the property.
- Mr. Zilka explained that he was speaking of the aisle way on the west side of the property.

- Mr. Messner showed that there were 5 aisle ways on the site plan and asked Mr. Zilka if he had trouble getting to the back of the property on the east side.
- Mr. Zilka replied that there were 2 trucks, one on the west side and one on the other side. If a fire truck had to circle through the property they would not have been able to access through either one of the drives.
- Mr. Verano asked Mr. Zilka if the trucks were actually blocking the driveways.
- Mr. Zilka replied yes and he suggested that maybe someone from Jack Cooper Transport could express to the semi drivers that they need to stay over a little closer near the cars and then maybe a fire truck could get by if there were an emergency at the back of the lot. He specified that it was the same on both sides of the lot, he made a complete circle.
- Ms. Maise stated to the commissioners that they may have seen the Fire Chief's report and circulation was one of his concerns. The turning template was not overlaid on the plan and was one of the deficiencies, however he was comfortable in handling it during engineering review of the building plans. Once the turning template is overlaid on the existing plan, changes may need to be made to open up fire lanes. This could include restriping, or placing cars in different areas. The Chief feels it can be addressed during the building review.
- Ms. Freitag asked Mr. Messner if they have a staging area where the haulers unload and new haulers reload the cars or is it haphazard wherever the cars are.
- Mr. Verano replied that when the Canadian trucks come in, because these are Toyotas and come from Canada, the drivers unload and drive out empty.
- Ms. Freitag asked Mr. Verano if they had a staging area for the unloading or do they just unload wherever.
- Mr. Verano replied no, that they try to keep the car models together so, they try to stay close to wherever that particular model is.
- Ms. Freitag asked Mr. Verano if then at some point they could possibly block the driveway.
- Mr. Verano asked Ms. Freitag if she meant up front of the property.
- Ms. Freitag replied no, anywhere on the property where a driveway was.
- Mr. Verano explained that if a truck was on the west side of the property, as Mr. Zilka stated, the truck could come into the property and either load or unload and get out.
- Ms. Freitag explained to Mr. Verano that the ordinance required at least a 20 foot fire lane with adequate turn around for fire department vehicles. Fire lanes shall be posted and stripped and are to be properly maintained. If your driveway is your fire lane then no one is supposed to be parked in that area. She noted that was why she asked if there was a staging area for the drivers to unload and reload.
- Mr. Messner replied that the drivers will take the path of least resistance.
- Mr. Verano stated that if they have to stripe the lot for fire lanes then they will do that.
- Ms. Freitag stated that the fire lane has to be maintained.
- Mr. Zilka suggested to Mr. Messner and Mr. Verano that maybe they post signs that the lanes are fire lanes and to keep open. He believes that there is a 20 foot lane but there was a truck over in the center of the lane, blocking any traffic. The trucks should try to stay over to the edge in case there is ever a fire at the back of the property.
- Ms. Freitag replied to Mr. Verano and Mr. Messner that maybe the path of least resistance is more of a rule than the exception.
- Mr. Messner stated that he has been on the site three times and one of those times was a congested time like that. The other two there isn't any trucks there and during times of congestion that would need to be managed.
- Ms. Freitag asked Mr. Verano and Mr. Messner if the same rule applies when the trucks are picking cars up from the site.

- Mr. McAnally asked Mr. Verano and Mr. Messner where the keys to the cars are kept when they are delivered.
- Mr. Verano replied that the keys are kept in the vehicles.
- Mr. McAnally asked Mr. Verano if there was security on site.
- Mr. Verano replied yes.
- Mr. McAnally asked Mr. Verano if the security was 24/7.
- Mr. Verano answered that they have security during the day. Off hours they have shifts that run after hours and through the weekend.
- Ms. Roscoe asked Mr. Verano if they trucks were ever left unattended, could the driver move the truck in case of an emergency.
- Mr. Verano replied that the trucks were not unattended.
- Mr. Frederick commented to Mr. Verano and Mr. Messner that he understood that they are asking for a waiver on the dumpster, but asked who will haul away the garbage.
- Mr. Verano replied that they have a cleaning service that comes in once a week and they will take it at that time to another location owned by Jack Cooper Transport; where they have dumpsters at that location.
- Ms. Freitag asked Mr. Verano and Mr. Messner if they had trash receptacles for the drivers that visit the proposed site and where they are located.
- Mr. Messner replied that they did and that they were located inside the building.
- Ms. Freitag asked if the drivers bring their trash inside.
- Mr. Verano replied that they do when they bring their paperwork inside to be signed.
- Ms. Freitag commented to Mr. Verano and Mr. Messner that they are asking for 7 waivers.
- Ms. Maise commented that most of the waivers deal with ordinance requirements for new development and are not applicable. Phase I of the site had previously been approved for long-term parking.
- Ms. Freitag commented that she believed it was non-conforming.
- Ms. Maise replied that some of the ordinance standards were newer than the original approval for long-term parking for the previous business.
- Mr. Messner pointed out that Jack Cooper Transport has not made any changes to the Phase I of the site and the need for the waivers have been in existence for quite some time.
- Ms. Freitag commented that they need a certificate of occupancy, waivers and special land use approval and so forth. She asked Mr. Messner and Mr. Verano about Phase II since the City Planner's review stated that a course of action needs to be addressed on the site plan about the development of Phase II and it is one of the conditions of approval.
- Mr. Messner replied that it does affect them by the determination of the millings. Jack Cooper Transport has no control over the millings but rather the owner of the property, who is not present, has control over what happens. The owner has been made aware of the stipulations in the City Planner's report. They have been in contact with the owner and they don't have plans to do anything with the Phase II section of the site at this time; they don't know what they would do with it. Therefore it's at the discretion of the Planning Commission. If he read the City Planner's report correctly the owner could possibly get an approval of the millings, remove them, or post a bond for the removal of the millings.
- Ms. Freitag stated that Mr. Messner was correct.
- Mr. Messner stated that the owner knows the stipulations and is not sure what they intend to do but, Jack Cooper Transport is hoping that the motion by the Planning Commission and their generosity can put them in the best situation to get the owner of the property to do what is best for the City of Romulus.

- Ms. Freitag stated that under the comments of the City Planner's report it's mentioned that Jack Cooper Transport is requesting special land use for Phase I of the site. Since Phase II was constructed without review and approval of the City of Romulus, a condition of approval will include that Phase II portion of the property be reviewed and approved by the city or that asphalt millings be removed or a bond be posted for the removal of the millings in the amount determined by the Building & Safety Department; this must be noted on the site plans.
- Ms. Freitag asked Ms. Maise if the Planning Commission needs to decide which condition needs to be met.
- Ms. Maise replied that the property owner can decide. The recommendation by the City Planner and the Planning Commissioner is that before this goes before City Council for an approval, the land owner needs to decide what course of action they will take. The City can appreciate that the land owner does not have a user for that back portion but it got constructed without city approval and it doesn't meet city standards since a hard surface is required. So, the millings require a waiver from the Planning Commission. She explained that she was hoping that it could all be taken care of in one meeting and since the City would need to schedule another public hearing and go through the review again but the land owner only signed the application for special land use for Phase I and Phase II needs the land owner's signature and acknowledgement. With the land owner not present, it appears that they are not requesting approval or a waiver for the expanded parking area, Phase II.
- Ms. Freitag stated to Ms. Maise that they need to determine if the millings needed to be removed or a bond posted.
- Ms. Maise responded that she and the other departments involved left it that Jack Cooper Transport can figure that out with the property owner, come back and when they are ready to go to City Council they will have Phase II resolved.
- Ms. Freitag summarized that Jack Cooper Transport and the property owner work it out before going to City Council to ask for special land use approval.
- Ms. Maise stated that if they did get approval from City Council that it would only be for Phase I unless the Planning Commission stated in their motion that Jack Cooper Transport amended their site plan. She mentioned that the property has been noticed, the public hearing is happening now and the applicant is asking for approval of Phase I only. However, if the Planning Commission phrased their motion in such a way that if the property owner did want to request special land approval for Phase II at this time the Planning Commission would be willing to do that subject to a waiver on the millings, and engineering meeting City engineering standards, etc.
- Mr. McAnally asked Ms. Maise if the Planning Commission can ignore Phase II, considering Phase I on its own merits and they would need to come back and start all over for Phase II.
- Ms. Maise replied that was correct and that is what the applicant is requesting. Again, the applicant is the tenant, not the property owner. We have no evidence that the property owner is requesting any approval for Phase II.
- Mr. McAnally stated that he would be more inclined to concentrate on Phase I.
- Ms. Freitag commented that that was what she was trying to get at; Phase II is not a concern at this time.
- Ms. Maise stated that it will hold up the applicant from going to City Council because Phase II has to be dealt with. The Property owner has to decide what is going to happen to Phase II and another public hearing will have to be scheduled for special land use if they intend to use it or they can post a bond for the removal of the millings or just remove the millings.

- Ms. Freitag asked Ms. Maise if the applicant has to do one of the three before they can go to City Council.
- Ms. Maise replied that was correct; they need to decide what they are going to do.
- Mr. Paul commented that the Planning Commission can set that tone here.
- Ms. Freitag asked Mr. Messner if that made sense.
- Mr. Messner replied that it did.
- Ms. Maise commented that she was hoped this would have all been resolved before coming before Planning Commission.
- Mr. Zilka asked the petitioners if they knew why the property owner was not at the public hearing.
- Mr. Verano stated the he, Mike Powell from Powell Engineering, and Mr. Messner have been in contact with the property owner and they chose not to be here.
- Mr. Paul asked the applicants if the property owners brought the millings in.
- Ms. Freitag commented that the millings were there before Jack Cooper Transport was occupying the site.
- Mr. Messner noted that the site looks exactly as it had been before Jack Cooper Transport took on the lease of this site.
- Mr. McAnally stated that he was not understanding why the applicants would need to be penalized for the actions of the property owner.
- Ms. Maise noted that special land use runs with the land and this improvement was done to the land without approval and the City needs to address it.
- Mr. McAnally agreed that beyond what the Planning Commission approves, they need to deal with the entire site.
- Ms. Freitag acknowledged that Phase I and Phase II are one parcel.
- Ms. Maise agreed.

Ms. Freitag asked if anyone had any further questions or comments.

- Ms. Freitag asked the petitioners if they thought they would be able to work something out with the property owner.
- Mr. Messner stated that they have made several attempts to get the property owner to the public hearing but, what will likely happen is that the Planning Commission give an approval subject to site plan conditions with notes to be added for Phase II and based on that they can go before City Council.
- Mr. McAnally asked for clarification from the Planning Commission. If the recommendation for special land use is waived, and how it is worded now is: the property owner must obtain special land use and site plan approval for Phase II of the property or the asphalt millings must be removed or a bond provided as determined by the Building Department for the removal prior to special land use approval be granted by the City Council for Phase I. This is going to fall under our special land use recommendation which is going to force them to make some kind of determination.
- Mr. Messner replied that he read that and he understands that they may receive an approval subject to the items in the City Planner's report however, the property owner is going to have to make a decision before Jack Cooper Transport can go before City Council.

Motion by McAnally supported by Paul to recommend to City Council Special Land Use approval for **PC-2015-024; Jack Cooper Transport**, for long-term parking at 29171 Goddard Road based on the findings that the 520-space vehicle transfer facility is for the most part consistent with the Master Plan and standards of the Zoning Ordinance and the use is compatible with adjacent land uses. The proposed

use will not negatively impact the environment, traffic, or public services. This approval is conditioned upon:

1. Waivers to *Section 14.05(b)(3), (5), (6), (7), and (11)* since the parking lot is existing.
2. The special land use approval is for the storage of new vehicles only and any other long-term parking use shall be subject to review and approval by the City.
3. The special land use approval is for Phase 1 of the property only (north 790 feet) as requested by the applicant.
4. The property owner must obtain special land use and site plan approval for Phase 2 of the property or the existing asphalt millings must be removed or a bond provided as determined by the Building Department for their removal prior to special land use approval being granted by the City Council for Phase 1 of the development.
5. Site plan approval by the Planning Commission.

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

Ms. Freitag asked if anyone had any further questions regarding the site plan.

- Mr. Zilka commented that he would not like to see the millings have to be removed from the property on Phase 2.
- Ms. Freitag replied that is what will need to be negotiated between the applicants and the property owner before they continue to City Council.

Motion by Paul, supported by Roscoe for **PC-2015-025; Jack Cooper Transport**, located at 29171 Goddard Road for site plan approval subject to:

1. Special land use approval by the City Council.
2. A waiver to the dumpster requirement since there is very little trash generated on site.
3. The special land use approval is for Phase 1 of the property only (north 790 feet) as requested by the applicant. Resolution of Phase 2 of the development is required as part of special land use and site plan approval of Phase 1 of the development.
4. Submission of signed applications and 23 sets of a complete revised site plan to be reviewed administratively prior to review of the special land use by the City Council addressing the following:
  - a. The total impervious lot coverage must be noted.
  - b. The area of the fence that is in disrepair and course of action to be taken as determined by the Building and Safety Department.
  - c. The acreage references on the site plan must be corrected.
  - d. A note must be added to the site plan stating the special land use approval is for the storage of new vehicles only and any other long-term parking use shall be subject to review and approval by the City.
  - e. A note must be added to the site plan stating the course of action for Phase 2 of the development

Ms. Freitag asked if anyone had any further questions or comments.

- Mr. McAnally commented to Mr. Paul that under Special Land Use approval the bond was covered and under note E; of the City Planner's report, a course of action must be decided.

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

7. Old Business

8. New Business

9. PC-Cases Involving Advice from the Planning Commission – None.

10. Reports

A. Chairperson

- Ms. Freitag would like to thank Mayor Burcroff and the administration for the wonderful reception held on January 19, 2016 for all of the Boards and Commissions and volunteers of the City of Romulus. She stated that it was very nice that their hard work was recognized but, they do it because they love our city.

B. City Planner

1. Annual Report – Acceptance and recommendation to forward to the Mayor and City Council.

Motion by Zilka supported by McAnally to accept the Planning Commission Annual Report and forward to the Mayor and City Council.

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

2. Development Activity Report –

- Ms. Maise commented that the commissioners may notice that a lot of projects are not on the report because a lot of them were closed out at the end of the year. Roughly 60 plans were reviewed last year including both administrative and those requiring Planning Commission approval.
- Ms. Maise noted that several site plans have had improvements made before approval from the Planning Commission, administration or City Council and they are not in compliance. The Planning Commission can expect to see more site plans like this coming before them.
- Ms. Maise stated that the commissioners will likely have another Wednesday meeting in February. A site plan came in today for 5 industrial buildings on Wahrman Road on a 70-80 acre parcel.

Ms. Freitag asked if anyone had any further questions or comments.

- Ms. Talon-Jemison asked Ms. Maise what the status was on the Outlets of Michigan.
- Ms. Maise replied that Outlets of Michigan has been moved out of the Planning Department and forwarded to the Building Department, awaiting Federal approvals.
- Mr. Zilka asked Ms. Maise what business was going in at the restaurant on Middlebelt, south of Northline.
- Ms. Maise replied that it was a façade renovation and it will remain a restaurant.
- Ms. Freitag inquired about the status of Logos Logistics.
- Ms. Maise explained that she understood that Logos Logistics has withdrawn. They have not officially put anything in writing but, at this point they have a conditional approval and they have not resubmitted or applied for a variance that they needed.
- Mr. McAnally asked if the Candyland project at Five Points was expired.
- Ms. Maise explained that it was expired and they would have to start all over with a new submission.

#### 11. Reports on Interest Designation

- Ms. Roscoe wished everyone a Happy New Year.
- Ms. Roscoe announced upcoming City events.
- Mr. Paul announced meetings for local road improvements that will be placed on the next Primary Presidential ballot.

#### 12. Communications

- Ms. Maise asked the commissioners if they would like to see the BZA minutes in their packets.

#### 13. Adjournment

Motion by Zilka supported by McAnally to adjourn the meeting at 7:50 p.m. Roll Call Vote: Ayes – Zilka, McAnally, Roscoe, Paul, Talon-Jemison, Frederick & Freitag. Nays – None. Motion Carried.

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Michael Prybyla, Secretary  
City of Romulus Planning Commission