

**MINUTES OF THE REGULAR MEETING OF THE CITY OF ROMULUS PLANNING  
COMMISSION HELD ON MONDAY, NOVEMBER 18, 2013**

1. The meeting was called to order by Chairperson Freitag at 7:00 p.m.
2. Roll Call Showing: Michael Glotfelty, Diane Banks-Lambert, Daniel McAnally, David Paul, Michael Prybyla, Celeste Roscoe, Melvin Zilka and Cathy Freitag  
Absent: Byron Butler  
Also in attendance: Carol Maise, City Planner and Linda McNeil, Sr. Secretary
3. Motion by Zilka supported by Lambert to approve the agenda as presented. Roll Call Vote: Ayes – Zilka, Lambert, McAnally, Prybyla, Paul, Glotfelty, Roscoe 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, October 21, 2013.
5. Comments from Public on Non Agenda Items
6. Public Hearings
7. Old Business
  - A. PC-2013-017/018; Special Tree Rehabilitation Systems Neurocare Campus, requesting preliminary PDA site plan approval and rezoning of approximately 36.24 acres of property from the current designation of R-1B Single-Family Residential District to RM/PDA Multiple-Family Residential/Planned Development Area located at 10909 Hannan Road and 38976 Chase. Zoning: R1B – Single Family Residential District. (Action required: Hold a Public Hearing and make recommendation to City Council on the rezoning and preliminary PDA site plan.)
8. New Business
9. 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. Motion by McAnally supported by Glotfelty to approve the minutes of the regular meeting of the Planning Commission held on Monday, October 21, 2013. Roll Call Vote: Ayes – McAnally, Glotfelty, Paul, Zilka, Lambert, Prybyla and Freitag. Nays – None. Abstain – Roscoe. Motion carried.
5. Comments from Public on Non Agenda Items - None
6. Public Hearings – None.
7. Old Business
  - A. PC-2013-017/018; Special Tree Rehabilitation Systems Neurocare Campus, requesting preliminary PDA site plan approval and rezoning of approximately 36.24 acres of property from the current designation of R-1B Single-Family Residential District to RM/PDA Multiple-Family Residential/Planned Development Area located at 10909 Hannan Road and 38976 Chase. Zoning: R-1B Single-Family Residential District. (Action required: Hold a Public Hearing and make recommendation to City Council on the rezoning and preliminary PDA site plan.)

Motion by Zilka supported by Paul to remove PC-2013-017/018; Special Tree Rehabilitation Systems Neurocare Campus from the table.

Chairperson Freitag opened the meeting for discussion and comments from the petitioner.

James Richert, Special Tree, Ltd.; Todd Sherman, Smith & Sherman Architects; Dan Byrne, Kerr, Russell and Weber, PLC; and Al Bayer, Nowak & Fraus PLLC, Engineer came forward representing the petitioner.

- James Richert gave a PowerPoint presentation and explained that Special Tree was founded in 1974 to provide neuro-rehabilitation for adults and children with brain and spinal cord injuries along with other multiple trauma and disabilities. They employ more than 600 staff at 30 locations and have multiple accreditations including the Freep award from the Detroit Free Press for being one of the top one hundred workplaces in the State of Michigan. They provide a variety of services along with vocational and job training.
- Special Tree has purchased the adjacent fifteen (15) acres east of the existing twenty-one (21) acre parcel to expand the campus with the intention of providing barrier-free residences for their clients to transition back into the community. It is often difficult for clients to go back to their own homes where they may be isolated from the help they need. They worry about whether the help will show up as needed along with their own transportation issues. Special Tree has an aging clientele in their six (6)-bed community residences that have higher medical needs as they get older, who can benefit from being on a campus with physicians and nursing staff on site. They will also benefit from the easy access to the amenities such as the fishing pond, hair salon and other activities with their peers.
- Mr. Richert gave a brief overview of the Preliminary PDA Site Plan and stated that Special Tree has addressed concerns stated by the residents at the previous meeting such as traffic issues including the condition of Chase Road, loitering, and marijuana use. During the previous construction phase, a two (2)-foot section of pavement had to be removed and has since been

replaced. City officials have been on site and reports indicate that there are no issues. The gate that was installed as part of the previous expansion had not been closed off but has since been closed and he apologized that it had not been done sooner. With regards to the current use of Chase Road, he sent out an e-mail to the Special Tree staff on September 27, 2013 instructing employees to utilize the Hannan Road entrance effective immediately, signs (as shown in the PowerPoint) have been installed and he has instructed all vendors to use the Hannan Road entrance as well. All this has had a positive impact on the use of Chase Road, not that there is not an occasional van that will utilize Chase Road, but traffic has been reduced significantly. Mr. Richert and his employees are all concerned about being good neighbors.

- Using the aerial photo of the proposed site, Mr. Richert demonstrated how they have tried to resolve the headlight issue with regards to shining in the neighbors windows. He showed that the access to the proposed duplexes was designed to be in line with the industrial property directly across the street. The access to the Heavlin House has to remain open as that is their only access along with the residential property adjacent to the Heavlin House. He explained that there is not much traffic generated from either facility and the other driveway off Chase Road has been gated off. They will be installing groupings of pine trees at key points on the existing property so that it does not look like a compound.
- Mr. Richert noted that as addressed in the Traffic Impact Study, after Phase II and Phase III are completed, the thirty-eight (38) bed adult foster care facility, which is occupied by individuals that do little or no driving with the majority of traffic generated by employees and deliveries who will utilize the Hannan Road entrance, will only generate up to eight (8) vehicle trips during AM peak hours, and up to ten (10) vehicle trips during PM peak hours. The seven (7) duplex buildings totaling fourteen (14) units, which are similar to independent living/retirement community, will generate up to three (3) vehicle trips during AM peak hours and up to five (5) vehicle trips during PM peak hours. Direct access to the duplexes would be off Chase Road but they may choose to utilize the Hannan Road entrance as well. He continued by saying that once the duplexes are completed the number total number of new trips generated will not have an adverse impact on Chase Road or any other roads in the traffic impact area.
- Todd Sherman, Smith & Sherman Architects, came forward and stated that in an effort to demonstrate the value of the proposed development versus other perspective developments that could take place on the proposed site, they developed two plans including both single-family and multi-family developments to demonstrate the impact that such a development would have on Chase Road. A single-family development allowed under the existing zoning with forty-four (44) residences and two vehicles per residence, would generate eighty-eight (88) cars. The density for a multi-family development would be much greater than what the petitioner is currently proposing. Utilizing the general requirements for the RM District, and allocating the required amount of space for recreation and retention, a multi-family unit with one hundred and twelve (112) units would generate two hundred and twenty four (224) cars utilizing Chase Road. These two plans were generated to show the “what ifs” under permitted and allowed circumstances.
- Mr. Richert stated that with respect to the loitering and marijuana issues, some of the Special Tree clients are their own guardians and no restraints are utilized on any of the resident/patients at the Special Tree facility since they cannot restrain someone that is their own guardian. Occasionally there are Special Tree residents that will roam out onto Chase Road and the staff does everything they can to try and discourage them from leaving the premises, however it is noted that Chase Road is public property. The particular client and his friends in question have all been discharged from the Special Tree facility. Special Tree prohibits the use of marijuana on their property and the rumor that Special Tree is growing marijuana in the greenhouse is totally false and he assured everyone that they are not now or will ever intend to grow marijuana. This will be included in the PDA Agreement. A letter was sent out to all the residents on Chase Road apologizing for any inconvenience that the Special Tree facility has caused them which also included his phone

number for the residents to contact him directly with any future complaints. It also included an invitation to tour the facility at any time that is convenient for them.

- Mr. Richert stated that after meeting with Carol and her staff it was recommended that they utilize a PDA Agreement with regards to this development. The PDA Agreement includes the rezoning, predetermines the uses and conditions and also includes a time limit. The project was tabled at the October Planning Commission meeting and the Special Tree attorney has been working diligently with Carol and her team to get all the loose ends tied up.
- Ms. Maise stated that as noted in her report, most of the issues with regards to the site plan have been addressed. In terms of the PDA agreement staff has worked hard with Kevin Watts, City Attorney, to get things resolved and the agreement is very close to being completed. The draft that the Planning Commissioners have has been tweaked quite a bit and many of the issues noted in the presentation have been addressed, particularly with regards to the traffic and proposed uses. While Kevin is making a few changes, this draft can be conditionally approved.
- Dan Byrne, attorney from Kerr, Russell and Weber, PLC on behalf of Special Tree, went over the changes from the previous PDA agreement draft so that Planning Commission knows what is different compared to the draft version from a month ago. There are some site plan issues that will be resolved after the City Council public hearing on the rezoning and preliminary PDA plan that will be addressed on the final site plan. There is some more work that needs to be done with regards to the traffic calming and LSL, the City's planning consultant, has submitted a report that included such things as bump-outs to make it a little more pedestrian friendly. It was decided that this is more of a final site plan issue. In a conversation earlier today, Marcus McNamara from OHM confirmed that it can be looked at during the final site plan process. Ms. Maise is confident that the traffic calming can be handled during the final site plan process unless the Planning Commissioners have a strong feeling about it.
- Mr. Byrne stated that there have been a number of minor tweaks to the PDA Development Agreement and that he is confident that this will all be completed in the next couple days. The first major change was the clarification between the preliminary site plan and final site plan approval. They will also be setting aside space on the eastern portion of Parcel B for a place to connect traffic should the petitioner ever decide to purchase the lot to the east which will help have a more harmonious connection from Parcel A to Parcel B. Another issue that was tweaked as late as today was the paragraph regarding permitted uses. Although some of the current uses are permitted, there are existing uses that needed to be defined in the Development Agreement. The new uses that were added to the Development Agreement were the duplexes and another eighteen (18) bed facility and possibly another twenty (20) bed large group facility in the future. One of the other issues that LSL Planning wanted to see addressed was the phasing of the proposed project. Phase I will include the grading of the site, the infrastructure, the sewer pipes, the retention pond and storm water system. Phase II will include the development of the first three (3) buildings which will include six (6) units along with the outdoor recreation areas associated with that Phase. Phase III will include the clubhouse and the remainder of the duplexes along with the eighteen (18)-bed adult foster care facility and the outdoor recreation areas associated with those as well. Time limits have been defined in the Development Agreement with Phase I being completed first and Phase II being completed within six (6) years after receiving approval by the City of Romulus. There is the potential for an additional phase that will include another twenty (20)-bed facility which will be completed within eight (8) years from receiving approval from the City of Romulus should the petitioner decide to move forward with that phase. He finished by saying that there have also been changes to the traffic paragraph to include that all construction traffic and staff are to utilize the Hannan Road entrance so that the only traffic that will utilize Chase Road will be the traffic for the duplexes.
- Ms. Maise commented that one of the significant changes that Kevin Watts wanted included in the Development Agreement, and the applicant has voluntarily agreed to a provision to that

effect, is restrictions on the use of the greenhouse. As discussed during the public hearing there were concerns from the residents that medical marijuana was being grown in the greenhouse.

- Mr. Prybyla stated that Mr. Byrne mentioned purchasing property to the east of the proposed site.
- Mr. Byrne replied that the only thing defined in the agreement is the possibility, should the petitioner purchase property to the east in the future, is the ability to connect the two parcels.
- Mr. McAnally questioned whether there is currently on site security.
- Mr. Richert answered that there is on-site maintenance until 8:00 p.m. but other than that there really is no security.
- Mr. McAnally stated that as this project develops and there are more and more people on site, specifically people in wheel chairs roaming around with no one policing the traffic and speed limits, he takes to heart the traffic calming.
- Mr. Richert responded that he appreciates Mr. McAnally's concerns along with the concerns addressed in LSL's report. Although there are no issues currently, this is certainly not a deal breaker. He noted that there are cameras on site and that staff are all very courteous with regards to speed as they do work with these clients all day.
- Mr. McAnally explained that he did not mean to insinuate that it was the Special Tree staff but more likely family members as the campus is built out.
- Mr. Glotfelty questioned whether there is a plan to stub out any of the storm and sanitary pipes to the property line should the petitioner decide to expand to the east in the future.
- Mr. Richert answered that they were not thinking that far into the future and the request with regards to expansion to the east was from the City of Romulus although it does make sense. There is a loop that runs right along the edge of the property which would be easy to tap into, although he is not sure how the sanitary would tie in.
- Mr. Paul questioned whether the water and storm sewer would be located within the road right-a-way.
- Mr. Bayer answered that a portion would be located within the public easement and the other portion would be located within the road right-a-way.
- Mr. Glotfelty stated that for future development it would be easier to stick a stub out of a manhole so you can tie on and take off. He likes that the petitioner is talking about future development and was looking for the stub on the site plan and could not locate it.
- Mr. Paul questioned whether the future tenants for the duplexes would be solely outpatients from the Special Tree facility.
- Mr. Richert answered yes and stated that they currently have four (4) clients that would move in if the duplexes were ready and available. Should someone long term with needs that fits the criteria of this community come along, they would be happy to accommodate them. They fully intend to maintain the duplexes just like the remainder of the facility and have no desire to sell any of them off.
- Ms. Maise noted that a clause has been added to the Development Agreement with regards to the two-family dwellings that addresses the concerns brought up at the previous meeting.
- Ms. Freitag stated that the City of Romulus is very lucky to have Special Tree as one of our neighbors. They have a beautiful facility and have always gone above and beyond anything they said they were going to do and she is very impressed with the way they have addressed the neighbors' concerns and have shown that they do want to be a good neighbor to them. She finished by saying that she is looking forward to the completion of this project.
- Mr. Paul commented that the plans are very extensive for zoning along with the paperwork included and that the petitioner has gone overboard and has done an excellent job.
- Mr. Richert explained to the Commission that Joe (Richert) had eye surgery a couple weeks ago and was not able to be here this evening. He would like to thank the Planning Commission and stated that it has been very nice working with them along with Carol and Linda.

Motion by Paul supported by Glotfelty to recommend to the Romulus City Council approval of the PDA rezoning and preliminary PDA site plan for PC-2013-017/018; Special Tree Rehabilitation Systems NeuroCare Campus at 10909 Hannan Road based upon the finding that:

- a. In general, all applicable provisions of Article 19 and the Zoning Ordinance have been met;
- b. Adequate areas have been provided for all common areas, utilities, walkways, playgrounds, recreation areas, parking areas and other spaces;
- c. The site shall be served by adequate public infrastructure, including roadways, sanitary sewer, storm drainage and water, or provisions shall be made in the PDA Agreement for the developer to provide the necessary improvements as part of the PDA development; and
- d. The preliminary PDA site plan provides for an efficient, aesthetic and desirable use of the open areas, and the plan is in keeping with the physical character of the City and the area surrounding the development.

This approval is subject to the submittal of a revised preliminary PDA site plan, traffic study and development agreement to be reviewed administratively prior to review by the City Council.

Roll Call Vote: Ayes – Paul, Glotfelty, Prybyla, McAnally, Roscoe, Zilka, Lambert and Freitag.  
Nays – None. Motion Carried.

8. New Business – None.

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

10. Reports

A. Chairperson

- Ms. Freitag noted that the election is over and new administration, she wished them well and stated that the Planning Commission is ready to work with them to move the City of Romulus forward. She also welcomed Commissioner Roscoe.

B. City Planner

- Ms. Maise referenced her development status report and noted that the Planning Department has been very busy. She mentioned that the Wayne Wick gas station, approved for a building addition, is under construction however the walls have come down due to structural problems. Bob McCraight will be talking with them to figure out where they go from here and there may be a whole new building.
- Ms. Freitag questioned if they decide to do a whole new building if they would be required to come back before the Planning Commission.
- Ms. Maise responded that she will have to look at the Ordinance and discuss the process with Mr. McCraight. When she looked at the site plan the setbacks are in compliance but it was a very tight site particularly between the pumps and the building and they may want to redesign the site

a little bit to make it more functional. Once they do that it will depend on how much it shifts and whether it is a major or minor change as to whether it will be required to come back before the Planning Commission or whether it can be handled administratively.

- Mr. Glotfelty commented that he was by there and saw the new storm pipe on site.
- Ms. Freitag noted that she does not know how they could use that old building.
- Mr. Prybyla questioned who would make the decision whether it comes back before the Planning Commission or just through the Building Department.
- Ms. Maise stated that the Ordinance is very clear on what is a minor change versus a major change. A major change is determined by how many feet it is moved or by how much bigger it is and Mr. McCraight will make that determination based on the revised site plan submitted. There are restrictions based on where the underground tanks are located and they will be working based on that.
- Mr. Prybyla stated that it seems that because the building is down he would be required to come back before the Planning Commission.
- Ms. Maise stated that Mr. McCraight is evaluating it and how much of it is down and will get back with her.
- Ms. Maise mentioned that the Subway on Middlebelt submitted engineering plans and hope to be under construction by spring. She also noted that Taco Bell on Wayne Road is going up and should be ready for occupancy soon.
- Mr. Prybyla questioned the status of the Candyland Academy.
- Ms. Maise answered that the Planning Department has attempted to make contact with the applicant regarding the status and she has not returned phone calls or e-mails. The applicant was required to do a revised site plan back in July however it has not been submitted.
- Mr. Prybyla questioned whether Tony's Tire was moving part of the business across the street to Alert Glass or all of the business.
- Ms. Maise replied that he is moving the entire business across the street to a portion of the Alert Glass building. A new owner has opened a tire business where Tony's Tires used to be with the same use. Since the Tony's Tires was a change in use, more is required to bring the site closer to compliance. It is a challenging site as the pavement area along Ecorse Road is in the right-a-way a reconfiguration of the parking area was required. They will be adding sidewalks along with additional landscaping.
- Mr. Prybyla asked whether someone new purchased Tony's Tire.
- Ms. McNeil answered that Tony's Tire was evicted from their previous building and therefore relocated across the street to Alert Glass. There is a new tenant in the previous Tony's Tire building operating a tire business.
- Ms. Freitag questioned the status of the Upscale Warehouse.
- Ms. Maise answered that while they came before the Planning Commission this past summer to get their site plan extension and noted that they were close to getting building permits, nothing has been issued as of yet.
- Ms. Freitag stated that she has not seen any activity on the Upscale Warehouse site either.
- Ms. Maise informed the Commission that there have been no submissions for the December meeting. Special Tree could be back in January with a final site plan after they hold their public hearing through City Council. There are some other smaller-scaled projects out there like Aero Realty that could get resubmitted for the December meeting however.
- Ms. Maise noted that the department continues to doing some work on ordinance revisions but the big focus is cell tower compliance. When all the new cell towers were going up ten to fifteen years ago, along with associated co-locations, site plans were approved conditioned upon landscaping, removal bonds, fencing and access drives. Cell tower companies are now coming in for permits to upgrade their equipment, and while the law does not require that they go through

the original Planning Commission review process, we do need to verify that they are in compliance with the approved site plan. What we are finding is that most of the sites are not in compliance and we are picking up quite a bit of landscaping. For example, Sprint and Verizon have both contributed a total of \$8,800 in landscaping at the DPW site.

11. Reports of Interest Designation

- Ms. Freitag reminded everyone that flu season is approaching and to make sure you get your flu shot.

12. Communications – None

13. Adjournment

Motion by Zilka supported by Prybyla to adjourn the meeting at 8:00 p.m. Roll Call Vote: Ayes –Zilka, Prybyla, McAnally, Lambert, Glotfelty, Roscoe, Paul and Freitag. Nays – None. Motion Carried.

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Michael Prybyla, Secretary  
City of Romulus Planning Commission