

**REGULAR MEETING:** City of Pontiac Planning Commission Meeting Minutes on July 2, 2014; Pontiac City Hall, 47450 Woodward Avenue, Pontiac Michigan 48342

**COMMISSIONERS:** Chairman Dayne Thomas  
Mayor Deirdre Waterman  
Ms. Hazel Cadd  
Ms. E. Ashley Fegley  
Ms. Lucy Payne  
Mr. Scott Hudson

**VICE CHAIR FEGLEY CALLED THE MEETING TO ORDER AT 6:35 P.M.**

**ROLL CALL:**

**PRESENT:** Comm. Cadd, Comm. Payne, Mayor Waterman, Vice Chair Fegley

**EXCUSED:** Comm. Hudson, Chairman Thomas.

**ABSENT:** None.

Mr. Sabo reported a quorum present.

**COMMUNICATIONS:** None.

**MINUTES FOR REVIEW:** June 4, 2014.

COMM. CADD MADE A MOTION FOR APPROVAL OF THE MINUTES FOR June 4, 2014 AND MAYOR WATERMAN SUPPORTED.

**VOTE:**           **AYES:**           Cadd, Mayor Waterman, Payne, Vice Chair Fegley.  
                  **NAYS:**           None.  
                  **ABSTAIN:**       None.

Vote 4-0-0 for acceptance of the minutes of June 4, 2014.

**PUBLIC HEARINGS AND SITE PLAN REVIEWS:**

**5.1   PF-14-38       (PUBLIC HEARING) ZONING MAP AMENDMENT (C-1 TO C-3)**

**And**

**5.2   PF-14-39       (PUBLIC HEARING) SPECIAL EXCEPTION/SITE PLAN  
      REVIEW – UNLIMITED OUTDOOR RETAIL SALES (AUTO SALES)**

The applicant has requested to postpone both hearings until the August meeting. Mr. Bowdell also noted that a letter dated June 30, 2014 from Helen A. Stokes has been submitted in opposition of the petition and will be read at the August 6, 2014 public hearing.

COMM. PAYNE MADE A MOTION TO POSTPONE PF-14-38 AND PF-14-39 UNTIL THE AUGUST 6, 2014 MEETING.  
COMM. CADD SUPPORTED.

VOTE:           AYES:           Payne, Cadd, Mayor Waterman, Vice Chair Fegley.  
                  NAYS:           None.  
                  ABSTAIN:       None.

Vote 4-0-0 motion carries.

**5.3 PF-14-41 (PUBLIC HEARING) SPECIAL EXCEPTION/SITE PLAN REVIEW – MOBILE FOOD VEHICLE VENDOR**

**1124 JOSLYN AVE.**

**PROPERTY IS LOCATED ON THE EAST SIDE OF JOSLYN AVE. BETWEEN 3<sup>RD</sup> AVE. AND 4<sup>TH</sup> AVE.**

**APPLICANT/OWNER: JAIME PONCE HERNANDEZ**

PRESENTATION GIVEN BY MR. BOWDELL.

The owner/applicant Jamie Hernandez 505 2<sup>nd</sup> Ave. and Pedro his translator stated that he will upkeep maintenance of the food truck. He also stated photos were not brought in for visuals.

VICE CHAIR FEGLEY DECLARED PUBLIC HEARING OPEN.

Bonnie Howard, 585 Fort Street, stated that there was already a Mexican restaurant half a block down and does not see the need for another one. She also stated garbage on her lawn has been a problem from the restaurant that is there and does not like the foot traffic that it will bring. She inquired as to whether the wall that is presently there will be torn down.

Councilman Don Woodward has been talking to the employees at the GM plant and stated they are in need of food services for the plant. Currently there are 3500 employees and are looking to double their workforce. This mobile truck might alleviate their food problems.

Hyman, owner of the restaurant establishment where the mobile food truck will be parked, stated the wall will not be removed and that trash receptacles are provided in the parking lot so trash is not an issue.

Jerry Howard, 585 Howard, stated he is in opposition of the petition primarily because of the trash issue on his yard, as well as the increase in foot traffic.

Nicole Davison, 48 Brookwood Lane, is a frequent customer at Hyman's establishment and stated that garbage has never been a problem nor has there been any disruptions. She supports the petition.

VICE CHAIR FEGLEY DECLARED PUBLIC HEARING CLOSED.

Mayor Waterman mentioned to the petitioner to remind patrons to properly dispose of all garbage in receptacles provided as a courtesy to be kind to the neighbors. She also inquired as to the exits to the establishment.

The applicant stated that all exits are on the main streets only.

Comm. Cadd inquired as to whether the applicant was the same one that appeared before the board last year and asked if pictures would be provided to ensure that there are no problems with the electrical cords running to the brick and mortar establishment from the food truck.

The applicant stated they did appear before the board last year and the issue with the electrical cords has been resolved. The truck is fully equipped with proper power and extra batteries if needed. The applicant mentioned they have passed all health inspections. The applicant also stated that music will not be played and the days of operation would be Friday-Sunday.

Upon questions asked by Comm. Payne, the applicant stated the beverages being sold would consist of soda, juice and water. The truck is presently in business now and is open only on the weekends. There is ample parking space for customers with 20-30 spaces provided. This mobile food truck will not affect traffic and will not be a traveling food truck.

Comm. Fegley inquired as to whether the food truck will be parked in the lot 24/7.

The applicant stated the truck will only be parked during its stated business hours.

COMM. CADD MADE A MOTION TO APPROVE THE PROPOSED SPECIAL EXCEPTION PERMIT AND SITE PLAN REVIEW, (PF-14-41) FOR TACO MEXICO EL GORDO TO ALLOW A MOBILE FOOD VEHICLE VENDOR IN THE PARKING LOT OF JOSLYN BEVERAGE LOCATED AT 1124 JOSYLN AVE. SUBJECT TO THE FOLLOWING CONDITIONS:

1. PROVIDE PICTURES/RENDERING OF THE PROPOSED FOOD TRUCK TO ENSURE COMPLIANCE WITH SECTION 2.544(R)(e) OF THE ZONING ORDINANCE.
2. COMPLIANCE WITH MUNICIPAL CODE STANDARDS FROM SECTION 26-1035.
3. COMPLIANCE WITH ALL CITY OF PONTIAC BUSINESS LICENSING REQUIREMENTS.
4. HOURS OF OPERATION 11:00 A.M. TO 9:00 P.M.

VOTE: AYES: Cadd, Mayor Waterman, Payne, Vice Chair Fegley.

NAYS: None.  
ABSTAIN: None.

Vote 4-0-0 motion carries.

**5.4 PF-14-47 (PUBLIC HEARING) SPECIAL EXCEPTION/SITE PLAN REVIEW – MINI- WAREHOUSE**

**1461 N PERRY ST.**

**PROPERTY IS LOCATED ON THE NORTH SIDE OF N PERRY ST. BETWEEN KETTERING AVE. AND GIDDINGS RD.**

**APPLICANT: YOGI ANAND**

**OWNER: RICK CALIHAN**

Finding of Facts presented by Mr. Bowdell.

Rick Calihan, 780 Wagner Drive, Rochester Hills, stated he is more than happy to do what it takes to adhere to the ordinance. He also stated he owns the business a few blocks down from this property.

Yogi Anand, engineer for the project stated that alterations to the façade will be made, putting windows on the front façade and changing the overhead door to a security door. He is concerned with security and for that reason would like to replace windows with glass block.

**VICE CHAIR FEGLEY DECLARED PUBLIC HEARING OPEN.**

Margaret Calhoun, resident of the district, stated the project would be a vast improvement on what is there right now. Currently it is a place for vandalism, overgrown weeds, etc. The parking lot is in disrepair. Her only concern would be the look of garage doors along the front would not be esthetically pleasing.

**VICE CHAIR FEGLEY DECLARED PUBLIC HEARING CLOSED.**

Mayor Waterman asked for accommodation for use of glass block written in as a provision if the building were to go up for sale, the glass block would have to be changed.

Comm. Cadd commended the Mr. Calihan for being a great business man of the community and frequents Calihan's Mufflers. She inquired as to whether the storage space would be for his private use.

The applicant stated the facility will be used to store his vast car collection and would not be for rent. It will not be used for the over flow of vehicles from his business.

Comm. Payne also commended the applicant for his years of service in the city of Pontiac.

Comm. Fegley inquired whether tempered tinted glass could be used instead of glass block and if the parking lot will be fixed.

The applicant stated tinted tempered glass has been used at Calihan's Mufflers and was broken into. The applicant also intends to fix the parking lot.

COMM. CADD MADE A MOTION TO APPROVE THE PROPOSED SPECIAL EXCEPTION PERMIT AND SITE PLAN REVIEW (PF-14-47) FOR A MINI-WAREHOUSE TO STORE LIGHT AUTOMOBILE PARTS AND PERSONAL VEHICLES S THE USE APPEARS TO MEET THE STANDARDS FROM SECTION 6.303 OF THE ZONING ORDINANCE WITH THE FOLLOWING MODIFICATION:

1. REDUCE THE REQUIRED LANDSCAPING ABUTTING RESIDENTIALLY ZONED PROPERTY FROM A 10 FT. BUFFER, 2 DECIDUOUS TREES, 8 EVERGREEN TREES, AND 10 SHRUBS TO A 0 FT. BUFFER, AND NO TREES/SHRUBS.
2. MODIFY THE WINDOW TRANSPARENCY REQUIREMENT TO ALL GLASS BLOCK ON THE FRONT OF THE BUILDING.
3. ACCOMODATION OF GLASS BLOCK NOT TO BE TRANFERRED TO FUTURE SUBSEQUENT OWNERS.

AND SUBJECT TO THE FOLLOWING CONDITIONS:

1. SUBMIT A REVISED SITE PLAN TO THE PLANNING DEPARTMENT TO SHOW THE FOLLOWING:
  - A. COMPLIANCE WITH PRIMARY BUILDING MATERIAL REQUIREMENT (BRICK, STONE, SPLIT-FACE, ETC.).
  - B. COMPLIANCE WITH *GROUND STORY DESIGN* AND *MECHANICAL EQUIPMENT* AND *SERVICE AREA* REQUIREMENTS TO REMOVE THE OVERHEAD DOOR FROM THE FRONT OF THE BUILDING AND REPLACE WITH A STANDARD ENTRANCE DOOR.
  - C. COMPLIANCE WITH SECTION 4.406(A) *LANDSCAPING FOR PARKING LOTS ABUTTING PUBLIC RIGHT-OF-WAY*. (8 FT. BUFFER AND 6 TREES REQUIRED).
  - D. COMPLIANCE WITH SECTION 4.407 *STREET TREES* (5 TREES REQUIRED).
  - E. ENSURE COMPLIANCE WITH SECTION 4.408 OF THE ZONING ORDINANCE FOR TRASH ENCLOSURE REQUIREMENTS.
  - F. ENSURE COMPLIANCE WITH SECTION 4.305(D) *BARRIER FREE PARKING SPACES* (1 VAN ACCESSIBLE SPACE REQUIRED).
  - G. ENSURE COMPLIANCE WITH SECTION 4.305(E) *PARKING SPACE AND MANEUVERING LANE DIMENSIONS*.

- H. ENSURE COMPLIANCE WITH SECTION 4.305(F) *STRIPING REQUIREMENTS* (DOUBLE STRIPING REQUIRED).
- 2. COMPLIANCE WITH ALL BUILDING, ENGINEERING, AND FIRE DEPARTMENT REVIEW AND PERMITTING REQUIREMENTS.
- 3. COMPLIANCE WITH ALL CITY OF PONTIAC BUSINESS LICENSING REQUIREMENT.

MAYOR WATERMAN SUPPORTED.

VOTE:       AYES:       Cadd, Mayor Waterman, Payne, Vice Chair Fegley.  
               NAYS:       None.  
               ABSTAIN:   None.

Vote 4-0-0 motion carries.

**5.5   PF-14-48     SITE PLAN REVIEW – PARKING LOT (RELIGIOUS INSTITUTION)**

**65 E HURON ST.**

**PROPERTY IS LOCATED ON THE NORTH SIDE OF E HURON ST. BETWEEN MILL ST. AND N WOODWARD AVE.**

**APPLICANT:       GRACE GOSPEL FELLOWSHIP**

Presentation of facts presented by Mr. Bowdell.

Cliff Seaber, project engineer and Don Woodward, city council member are both representing Grace Gospel Fellowship. Mr. Seaber stated the office was purchased several years prior, 2 years ago the church was able to acquire the warehouse which was torn down. The church has also acquired the old Clutch Cargo and is proposing a more organized parking lot, increasing the parking spaces but reducing pavement area. Excess driveways are also being eliminated. 72 trees are being proposed. All sidewalks that are in disrepair will be removed and replaced to improve public sidewalks. 11 street trees are required and currently the applicant stated that they are 9 trees over in the interior planting. Applicant states there is insufficient room for street trees and survival near major roads would be minimal and suggests adding an additional 2 trees to the interior to meet street tree requirements. The project will begin in mid-July and scheduled for completion in September 2014.

MAYOR WATERMAN MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN REVIEW (PF-14-48) FOR 65 E HURON ST. GRACE GOSPEL FELLOWSHIP FOR THE RECONSTRUCTION OF THE PARKING LOT SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. COMPLIANCE WITH SECTION 4.407 STREET FRONTAGE LANDSCAPING REQUIREMENTS WITH THE CONCESSION THAT 11

STREET TREES NORMALLY REQUIRED FOR FRONTAGE WOULD BE LOCATED IN THE INTERIOR.

2. COMPLIANCE WITH SECTION 4.408(A) SERVICE AREA SCREENING (MASONRY WALL REQUIRED FOR TRASH RECEPTACLE).
3. COMPLIANCE WITH SECTION 4.502(B) LIGHT INTENSITY REQUIREMENTS (PHOTOMETRIC PLAN REQUIRED).

COMM. PAYNE SUPPORTED.

VOTE:           AYES:           Mayor Waterman, Payne, Cadd, Vice Chair Fegley.  
                  NAYS:           None.  
                  ABSTAIN:       None.

Vote 4-0-0 motion carries.

**NEW BUSINESS:**

Comm. Payne stated she was contacted by the Director of Community Affairs for Consumers Energy. The building once occupied by Consumers Energy has been vacant for 7 months now and is scheduled for demolition. She stated there was mention on selling the property back to the city for pennies on the dollar. The site will be considered a brownfield site and they would like to see the property used for some form of community service.

**OLD BUSINESS:**

1. Mayor Waterman mentioned a request has been made by the City Commissioner for and EDA grant for the economic recovery plan. The Mayor will co-chair this committee.

MAYOR WATERMAN MADE A MOTION TO NOMINATE DAYNE THOMAS AS A REPRESENTATIVE FROM THE PLANNING COMMISSION FOR THE EDA GRANT RECOVERY PLANNING COMMITTEE.

COMM. PAYNE SUPPORTED.

VOTE:           AYES:           Mayor Waterman, Payne, Cadd, Vice Chair Fegley.  
                  NAYS:           None.  
                  ABSTAIN:       None.

Vote 4-0-0 motion carries.

2. Mayor Waterman stated as of July 3, 2014, the segment of Orchard Lake through the Phoenix Center will reopen at 8:00 a.m. Issues involving lighting, etc. have been resolved.

3. A special meeting regarding the GM expansion has been confirmed for July, 15, 2014 at 6:00 p.m.

**PUBLIC COMMENTS:**

Comm. Cadd mentioned that Racer Properties' website has some very informative and positive comments about the city with web links for available money to redevelop the city. She invited all commissioners to check out the website. She would also like to put together a bus tour to explore the 20 square miles of Pontiac and explore the possibilities of development.

COMM. PAYNE MOVED TO ADJOURNMENT. COMM. CADD SUPPORTED.

VOTE:        AYES:        Unanimous.

**ADJOURNMENT:** 8:05 p.m.