

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on August 7, 2013; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

CHAIRPERSON THOMAS CALLED MEETING TO ORDER AT 6:35 P.M.

MOMENT OF MEDITATION:

ROLL CALL: PRESENT: Payne, Hollis, Hudson, Fegley, Thomas

EXCUSED: None. Cadd, Glass

ABSENT: None.

Mr. Sabo reported a quorum is present.

COMMUNICATIONS: Mr. Sabo indicated he needed three volunteers from the Planning Commission to participate in the Master Plan Update and Review Committee. Mr. Sabo explained the responsibilities and time-wise aspects. Comm. Payne and Chairperson Thomas volunteered. Comm. Hudson nominated Comm. Cadd in her absence and Comm. Hollis supported.

MINUTES FOR REVIEW: June 5, 2013, Comm. Fegley corrected page 9, second to last paragraph to be deleted, which read Hours of Operation limited to 7 a.m. to 6 p.m. She does not believe they were limited by those hours.

Chairperson Thomas corrected page 7, 1st paragraph, the word campus to correctly read compass.

VOICE VOTE TAKEN:

AYES: All

NAYS: None

ABSTAIN: None.

Minutes approved as corrected.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-13-64 - SITE PLAN REVIEW AND SPECIAL EXCEPTION PERMIT REQUEST - 351 PROSPECT STREET

PRESENTATION OF SITE PLAN REVIEW AND SPECIAL EXCEPTION PERMIT REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Request: Site Plan Review and Special Exception Permit for a religious Institution in an R-1 One Family Dwelling District.

Planning Analysis: The proposed church use appears to be very consistent with the intent of the Special Exception Permit Standards of the R-1 One Family Dwelling District. The proposed church expansion appears to be reasonable and consistent with the character and scale of the surrounding neighborhood. However, there are some ordinance compliance issues that should be addressed. The specific ordinance sections are listed below. The front setback conformance will need to be discussed. Tree preservation and landscape buffering should be discussed as well.

Under Section 4.304 of the ordinance, the Planning Commission may modify the minimum parking requirements, which would allow for a smaller parking lot size. The previous zoning ordinance requirement, which would allow for a smaller parking lot size. The previous zoning ordinance requirement for churches was much closer to the applicant's proposed parking lot size and number. The other non-conformance issues should be reasonably easy to address.

Overall, the proposed church expansion and use is compliant with the site plan and special exception standards subject to the conditions listed.

Recommendation: To approve the Special Exception Permit Site Plan Review for PF-13-64 Prospect Missionary Baptist Church subject to the following conditions:

1. Comply or obtain a front setback variance for Section 2.301 for the proposed building/church portico addition from the ZBA.
2. Modification of the minimum parking requirements in accordance with Section 4.304 of Zoning Ordinance to reduce required parking spaces from 209 spaces to 65 spaces.
3. Compliance with Section 4.303 parking standards for parking space size and striping.
4. Compliance with Section 4.405 Residential Buffering Standards for the northeast portion of the proposed site plan.
5. Compliance with Section 4.502 Exterior Lighting Standards for all parking lot and exterior lighting and submit a photometric plan.

6. Obtain right-of-way and soil erosion permits from the Engineering Department.
7. Compliance with all building code, fire code and City of Pontiac business licensing requirements.
8. Removal of Blue Spruce.

Petitioner, Jeff Hoda, 46777 Woodward Avenue, representative for Prospect Church, commented regarding the building setback can be complied with because there is adequate space in that area. Also, two of the protected trees are on a land banked area and can remain. The only that needs to be removed is the Blue Spruce.

Petitioner indicated the 65 spaces are adequate and if needed, additional parking spaces can be provided.

Comm. Hudson inquired how long the building has been vacant. Mr. Hoda indicated the building is not vacant. It has been at that location since 1959. Mr. Sabo corrected the staff findings; it was a typo.

Comm. Hudson stated churches are in a residentially zoned area. Mr. Sabo indicated churches are usually in a commercial zone.

Comm. Hudson commented this proposal seems like a great improvement.

Comm. Fegley inquired if complying with the parking space size being smaller. Mr. Sabo indicated they will be the required size, not smaller.

Chairperson Thomas commented Mr. Hoda always presents with proper plans.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING OPEN.

Linda Hassan, 1075 Williamson Circle, glad to have good neighbors who improve their property.

Tony Fed, member of Prospect church, commented the proposal will help the elderly and handicap access the building more efficiently.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING CLOSED.

Comm. Hollis commended the petitioner on very good drawings.

COMM. FEGLEY MADE A MOTION TO APPROVE the Special Exception Permit Site Plan Review for PF-13-64 Prospect Missionary Baptist Church and COMM. HOLLIS SUPPORTED; subject to the following conditions:

1. Comply or obtain a front setback variance for Section 2.301 for the proposed building/church portico addition from the ZBA.
2. Modification of the minimum parking requirements in accordance with Section 4.304 of Zoning Ordinance to reduce required parking spaces from 209 spaces to 65 spaces.
3. Compliance with Section 4.303 parking standards for parking space size and striping.
4. Compliance with Section 4.405 Residential Buffering Standards for the northeast portion of the proposed site plan.
5. Compliance with Section 4.502 Exterior Lighting Standards for all parking lot and exterior lighting and submit a photometric plan.
6. Obtain right-of-way and soil erosion permits from the Engineering Department.
7. Compliance with all building code, fire code and City of Pontiac business licensing requirements.
8. Removal of Blue Spruce.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Fegley, Hollis, Payne, Hudson, Cadd, Thomas.
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Site Plan Review/Special Exception Permit (PF-13-64)

5.2 PF-13-60 - SITE PLAN REVIEW - 36 STOCKWELL STREET

PRESENTATION OF SITE PLAN REVIEW REQUEST GIVEN BY MR. BOWDELL.

Overhead photographs were shown.

Request: Site Plan Review for the development of an outdoor synthetic sports field at the site.

Planning Analysis: The use of the property as a Park or Recreation Facility is a principle permitted use any residential zoning classification. The site currently exists as a recreation facility. There is an existing playground and basketball court at the site. The applicant is seeking to construct 200' x 305' synthetic turf fields on the vacant area at the site. The proposal includes leveling/grading the soil and installing boulder retaining walls near the perimeter of the site.

No new buildings are being proposed with this application. Because the property has frontage on two parallel streets, the property is considered a double frontage lot both the front and rear yards must meet the "front yard" setback requirement. Although no new building is being proposed the construction of the synthetic field would be located in the required setback of the property. The synthetic field is required 25 feet back from the right-of-way and is only proposed at 8 feet. No landscaping is required by ordinance. However, the applicant has proposed 68 evergreen shrubs, 88 willow shrubs, and 13 deciduous trees. The height and material of the fencing proposed around the new athletic field is not identified on the site plan. However, the applicant stated that the fence will be a 6 feet chain link fence. The ordinance requires a maximum fence height of 4 feet. A variance of 2 feet would be required from the Zoning Board of Appeals. Parking for this type of facility is based on maximum occupancy; 70 spaces are required and 73 spaces are proposed/existing. The application appears to be compliant with all standards set forth in the Zoning Ordinance except required rear yard setback and maximum fence height. The applicant must apply to the Zoning Board of Appeals to be relieved from these requirements.

Recommendation: To approve the proposed site plan review for (PF-13-60) Pontiac Academy of Excellence/Oakland Livingston Human Services Agency - synthetic athletic field located at 36 Stockwell Street subject to the following conditions:

1. Obtain a dimensional variance for Section 4.103 for required fence height (2 feet variance required)
2. Obtain a dimensional variance for Section 2.305 for required rear setback (17 feet variance required)
3. Obtain all necessary reviews, permits and inspection through the Department of Building, Safety and the Engineering Division.

Petitioner Ron Borngesser, 196 Cesar Chavez, is requesting approval of the part of their recreation area. The field will be used as a full size soccer field and will be open to the public at times and also have tournaments there.

Comm. Hollis commented one of her children attended the facility in the past.

Comm. Cadd commented it is a nice improvement to the area.

Comm. Hudson inquired why the use of synthetic versus grass. Petitioner indicated it would be a multi-use field, more durable and Mr. Sabo indicated they had to appear before the Planning Commission because they were disturbing vacant land with trees and this proposal could not be handled internally by staff.

Comm. Hudson inquired why a 6 foot fence as opposed to a 4 foot fence. Petitioner indicated to keep the balls in the field.

Chairperson Thomas inquired if the fence was completely around the field. Petitioner indicated yes.

Chairperson Thomas commented he visited the site today and was pleasantly surprised with a very nice building and surrounding areas.

COMM. FEGLEY MADE A MOTION TO APPROVE the proposed site plan review for (PF-13-60) Pontiac Academy of Excellence/Oakland Livingston Human Services Agency - synthetic athletic field located at 36 Stockwell Street AND COMM. HOLLIS SUPPORTED; subject to the following conditions:

1. Obtain a dimensional variance for Section 4.103 for required fence height (2 feet variance required)
2. Obtain a dimensional variance for Section 2.305 for required rear setback (17 feet variance required)
3. Obtain all necessary reviews, permits and inspection through the Department of Building, Safety and the Engineering Division.

CHAIRPERSON THOMAS: Roll call, please.

VOTE: AYES: Fegley, Hollis, Payne, Hudson, Cadd, Thomas.
 NAYS: None.
 ABSTAIN: None.

Vote 6-0-0 for approval of the Site Plan Review (PF-13-60)

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

OTHER ITEMS: None.

PUBLIC COMMENT: Linda Hassan thanked the commissioners on making tough decisions and herself and others in the community support the decisions made by the Planning Commission.

Ms. Hassan brought to the attention of the commissioners a meeting Mr. Schimmel had on August 1, 2013 regarding 2.103 Zoning Map Amendment, which reversed a decision made by the Planning Commission on July 30, 2013.

Chairperson Thomas commented he was unaware of that reversal. Mr. Sabo directed Ms. Hassan to the Emergency Manager's office for answers to her concerns. Chairperson Thomas asked Ms. Hassan to forward the information she read from to him.

Comm. Hudson wanted an estimated time the EM would be leaving. Chairperson Thomas indicated the budget was balanced and there were two pending lawsuits.

Comm. Hudson requested that the Planning Commission ask the EM his schedule for departure. Chairperson Thomas indicated he feels that is proper. Comm. Hudson suggested a motion to that effect.

Comm. Hollis clarified if Comm. Hudson was asking the EM when he is leaving. Comm. Hudson confirmed yes.
(Further discussion was had and resulted in a motion)

COMM. HUDSON MADE A MOTION REQUEST THE CHAIRMAN COMPOSE A MEMO TO THE EM REQUESTING CLARIFICATION OF ACTION ON 8-1-13 REGARDING ITEM H ON THE AUGUST 1ST AGENDA AND COMM. CADD SUPPORTED.

VOTE: AYES: Hudson, Cadd, Fegley, Hollis, Payne, Thomas.
 NAYS: None.
 ABSTAIN: None.

(Vote 6-0-0 for approval)

UNIDENTIFIED SPEAKER: Commented if the area was rezoned, she encouraged the commissioners to please stand up and fight for Hawthorn Park, because they use the park frequently.

COMMISSIONERS' COMMENTS: Chairperson Thomas commented on Don Woodward with Grace Center of Hopes looking for an area and he wants to use Wisner Track and the football field which is not utilized. Comm. Hollis suggested he contact the Pontiac School Board.

Chairperson Thomas inquired of the status of the M-1 Concourse. Mr. Sabo indicated they are with their attorneys and agreements at this time.

Chairperson Thomas inquired if there was a wind farm ordinance. Mr. Sabo indicated yes.

ADJOURNMENT: 8:05 p.m.