

**REGULAR MEETING:** City of Pontiac Planning Commission Meeting Minutes on November 6, 2013; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

**CHAIRPERSON THOMAS CALLED MEETING TO ORDER AT 6:30 P.M.**

**MOMENT OF MEDITATION:**

**ROLL CALL: PRESENT:** Payne, Hollis, Hudson, Glass (not arrived) Fegley, Cadd, Thomas

**EXCUSED:** None.

**ABSENT:** None.

Mr. Sabo reported a quorum is present.

**COMMUNICATIONS:** None.

**MINUTES FOR REVIEW:** Memo read by Chairperson Thomas and consensus was to postpone minutes for review.

**PUBLIC HEARINGS AND SITE PLAN REVIEWS:**

**5.1 PF-13-75 - SITE PLAN REVIEW AND SPECIAL EXCEPTION PERMIT REQUEST - 131 UNIVERSITY DRIVE**

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 proposed use change pursuant to Section 2.523 Community Service Facility. The ordinance defines the proposed day program use as community service facility, which is a (type of adult foster care facility). Specifically, the ordinance excludes residential type adult foster care uses, which are regulated by P.A. 218 of 1979, Adult Foster Care Licensing Act.

**Planning Analysis:** The proposed change of use is mostly compliant with the zoning ordinance because it involves mostly existing conditions and buildings. However, there are some precise standards for Community Service Facilities under the standards of Section 2.523. Specifically, the proposed use must be at least 250 feet from another community service use and must be at least 500 feet from the nearest property line of any

public, private or parochial school, park, library, playground or other recreational facility which admits minors, daycare center, nursing school (whether commercial or non-profit). The proposed use does not meet all the minimum distance parameters for a community service establishment as follows:

Nearest Substance Abuse Rehabilitation Center:

Turning Point Recovery Center 54 Seneca Street within 250 feet of proposed use

Alcoholics Anonymous Facility 168 University Drive within 250 feet of proposed use.

All the locations listed meet the minimum 250 feet and minimum 500 feet requirements.

There are non-conformity issues related to the minimum site landscaping requirements. Specifically, there are landscaping deficiencies for Section 4.405 residential buffer landscaping and Section 4.407 minimum street trees. After viewing the site, it appears that the existing site landscaping does not meet the intent of the ordinance and does not meet the minimum zoning ordinance landscaping site standards. However, there are provisions in the zoning ordinance that grant the Planning Commission authority to modify the minimum landscaping requirements. If the minimum landscaping requirements are not waived by the Planning Commission, the applicant is required to meet the minimum landscaping requirements of Section 4.404 of the zoning ordinance.

As stated, it appears that the existing site conditions do not provide sufficient landscaping and plant materials to address the intent of the zoning ordinance related to the landscape buffering requirements. Section 6.303 of the zoning ordinance provides discretionary authority to the Planning Commission for special exception permit applications. It appears that the proposed special exception use does not meet the minimum standards of the ordinance. Importantly, the Planning Commission must provide final approval to allow such a land use.

**Recommendations:** To deny the Site Plan and Special Exception Permit for Community Service Facility (Adult Foster Care), PF-13-75 Adaptive Specialized Ventures LLC, based on non-compliance with Development Standards for Specific Use-Section 2.523; and based on non-compliance with Special Exception Permit Standards-Section 6.303 as detailed here:

1. Non-compliance with Section 2.523(A) Purpose for close proximity to other Community Service Facility uses.

2. Non-compliance with Section 2.523(C) Separation Requirements for Community Service Facilities from Other Uses for 250 feet minimum distance proximate to 54 Seneca Street and 168 University Drive.
3. Non-compliance with 4.303 Parking Requirements for minimum aisle width 20 feet and minimum Barrier Free spaces.
4. Non-compliance with Section 4.405 Residential Landscape Buffer Type A at east property line.
5. Non-compliance with Section 4.407 Street Frontage Landscape Requirements for street trees.
6. Non-compliance with Section 6.303 Special Exception Permit Standards 1, 3, 4.

OR

To postpone action on the Site Plan and Special Exception Permit for Community Service Facility (Adult Foster Care), PF-13-75 Adaptive Specialized Ventures LLC, based on non-compliance with Development Standards for Specific Use-Section 2.523; and based on non-compliance with Special Exception Permit Standards-Section 6.303 and allow the applicant to amend the site plan and proposed project to address the non-compliance as detailed here:

1. Non-compliance with Section 2.523(A) Purpose for close proximity to other Community Service Facility uses.
2. Non-compliance with Section 2.523(C) Separation Requirements for Community Service Facilities from Other Uses for 250 feet minimum distance proximate to 54 Seneca Street and 168 University Drive.
3. Non-compliance with 4.303 Parking Requirements for minimum aisle width 20 feet and minimum Barrier Free spaces.
4. Non-compliance with Section 4.405 Residential Landscape Buffer Type A at east property line.
5. Non-compliance with Section 4.407 Street Frontage Landscape Requirements for street trees.
6. Non-compliance with Section 6.303 Special Exception Permit Standards 1, 3, 4.

Petitioner Jehan Crump-Gibson, Adaptive Specialized Adventures, 237 North Old Woodward, Birmingham, Michigan; requested the matter to be postponed for allowance to seek waiver from City Council and revise landscape and parking issues.

Ms. Crump-Gibson explain the day program would consist of life skill classes, art classes, therapy sessions and G.E.D. program. The client would be transported to the facility by staff and onsite staffing would providing classes and supervision.

Chairperson Thomas suggested in the interest of time postponing the matter as requested without questions from the commissioners.

Mr. Sabo reminded the commissioners this is a public hearing and notices have been mailed out.

Comm. Hudson inquired if the only requirement was the waiver from City Council and they would proceed further. Mr. Sabo indicated yes, but the petitioners need a conditional waiver from the Planning Commission to proceed to City Council.

Comm. Hudson inquired of any complaints from Alcohol Anonymous and Turning Point. Mr. Sabo indicated he has received no complaints.

(Deputy Mayor Glass entered meeting)

Comm. Hudson inquired how long has the building been vacant and if any charter schools have tried to purchase the building. Mr. Sabo indicated the building has been vacant for many years. Petitioner indicated she knew of some potential buyers but unsure of names. Ms. Crump-Gibson indicated they currently have a 3 year lease with option to buy on land contract.

Comm. Hudson inquired of the proposed hours and staffing. Petitioner indicated 9-6 p.m. daytime hours only and approximately 10 staff depending on the number of clients.

Chairperson Thomas commented capturing the information now and having it postponed does not seem to be effective.

Petitioner asked for a conditional approval if feasible. Chairperson Thomas indicated if the petitioner is prepared to proceed and the commissioners are prepared, the matter can go forward. Petitioner asked to move forward on the matter this evening.

Comm. Payne inquired of any other facilities the petitioner is operating. Petitioner indicated yes, in Troy, Rochester, Bloomfield Hills, Farmington Hills.

Comm. Fegley inquired if they will use the entire building. Petitioner indicated most of it, 4200 square feet will be used.

Comm. Fegley inquired if the other tenants were amenable with their occupation of the facility. Petitioner indicated yes and if she purchased the building, the current tenants could remain in place.

Chairperson Thomas noted this is a 3 story building and would they be using every floor. Petitioner indicated they will occupy just the main level and would only expand if business grows.

Mr. Sabo reminded petitioner any expansions would have to be approved by the Planning Commission.

Comm. Cadd inquired of the life skill classes have certified instructors. Petitioner assured the commissioners all staffers will have the appropriate license for each class.

Comm. Cadd inquired of the age group. Petitioner indicated all ages over 18 and up and their program is grant-based.

Chairperson Thomas indicated this is a historic building and he was trying to purchase the historic fire house and was denied; and then it was sold to another party with no improvements as of yet.

Comm. Payne inquired if the building would be handicap accessible. Ms. Crump-Gibson indicated the bathrooms and seating areas would be handicap accessible, but at this time the building is not fit for occupancy. Clients may need ambulatory service and that will be provided.

Comm. Payne indicated she visited the property and feels one needs to be stable in order to access the building. Petitioner indicated she is aware of the issues at the building and Mr. Sabo indicated there are state requirements and barrier-free requirements by law under the ADA standards that must be adhered to.

Chairperson Thomas inquired if all due diligence was done on the building. Petitioner indicated yes, she has done her due diligence.

MOTION MADE BY COMM. CADD TO POSTPONE THE MATTER AND COMM. PAYNE SUPPORTED.

Questions on the Motion.

Comm. Hudson disagrees with the postponement and wants to proceed with the request and Comm. Fegley agrees with Comm. Hudson.

Deputy Mayor Glass inquired what questions need to be answered to allow the petitioner to move forward. Comm. Cadd indicated the occupancy date and the building safety inspections.



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

Overhead photographs were shown.

**Request:** Site Plan Review and Special Exception to change the use of the property from a Church to a Women and Children Shelter (Community Service Facility) and add a 677 square foot addition to the west of the building for the purpose of installing an elevator and entrance.

**Planning Analysis:** The proposed addition, of the elevator tower, to the existing facility appears to meet all the bulk/area/height/placement standards from the zoning ordinance. The applicant has met the parking requirement for the number of spaces and barrier free spaces. Because the facility is "existing" there are a lot of "existing non-conformities" at the site. Many of these relate to the size of the parking space/maneuvering lane and the required landscaping and buffering at the site. These non-conformities shall be permitted as legal. However, should the applicant perform any parking lot improvement/expansion, those alterations must comply and be brought into conformance with the Zoning Ordinance regulations. Currently, the applicant does not have a dumpster enclosure at the site. It is recommended and required that all non-residential facilities provide a dumpster enclosure.

The use of the property as a Community Service Facility does not appear to meet the separation requirement from Section 2.305 of the Zoning Ordinance. The proposed facility is within 250 feet from another community service facility and is within 500 feet from an existing park. The applicant may apply for a waiver from the separation requirements from City Council. The City Council may waive the separation provisions above for any proposed community service facility use if the following findings are made after a public hearing:

1. That the proposed use will not be contrary to the public interest, injurious to nearby properties or the community as a whole, and that the spirit and intent of this ordinance will be observed.
2. That the proposed use will not enlarge or encourage the development of an inappropriately large community service facility cluster.
3. That the establishment of the proposed community service facility use in the area will not be contrary to any program or neighborhood conservation.

4. That all applicable regulations of this ordinance will be observed.

**Recommendations:** To deny the proposed special exception permit and site plan review (PF-13-76) Grace Centers of Hope - Women and Children Shelter as it does not appear to meet the separation requirements from Section 2.523 of the Zoning Ordinance.

Petitioner Cliff Seber, 210 North Perry Street, also present Pastor Clark and Greg Giddest. Mr. Seber indicated the church will move on April 20, 2014 to another location and still operate as a church. The need is great for women and children shelters because they have had to turn away 1,000 people and that is the reason for the renovations of the church.

Also, the homes on Seneca have been rebuilt and it is one of the safest areas in Pontiac with the help of Grace Center of Hope. They have renovated several other homes in the area.

There is a park right next door, which is an ideal situation for the shelter and the surrounding neighborhood.

Comm. Cadd thanked the petitioner for using Clutch Cargo building and with the park next door, do they anticipate any problems with ex-male counterparts. Mr. Seber indicated they have security 24 hours onsite.

Comm. Hudson inquired if Rescue Homes, LLC was the representative for the renovations on Seneca Street. Petitioner indicated yes and also on Perry Street, which is under Grace Centers of Hope.

Comm. Hudson inquired of the name Pontiac Rescue Mission. Petitioner indicated that is the former name for Grace Center of Hope. Comm. Hudson indicated if they are all under Grace Center of Hope that should eliminate the need to present before City Council. Mr. Bowdell indicated they still have to present before the City Council because it is a use issue and not a property issue.

Chairperson Thomas indicated the petitioner is doing God's work and he, himself, came back to Pontiac to give back, also.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING OPEN.

None.



The zoning map amendment appears to be compatible to existing surrounding zoning. The applicant is seeking this rezoning request for the development of an AutoZone that would be located on the southeast corner of Martin Luther King, Jr. Blvd and Auburn. The proposed development encompasses five parcels. Currently four of the five parcels are already zoned C-3, Corridor Commercial Mixed Use district. The proposed rezoning and development does not appear to affect the traffic on Seward Street, which is primarily a residential street. The applicant has two entrances proposed on the site, one off Martin Luther King Jr. Blvd and one off Auburn. The rezoning request appears to be appropriate, as it creates a unified zoning district for the overall development of the southeast corner of Martin Luther King Jr. Blvd and Auburn; and it does not appear to be detrimental to the surrounding residential uses.

**Planning Analysis:** The proposed development of 608 Auburn Avenue appears to meet the intent and standards of the zoning ordinance. The proposed use of "retail" is an appropriate use in a C-3, Corridor Commercial Mixed Use district. Approval of a Zoning Map Amendment by City Council must occur in order for the site to be developed in accordance with the proposed site plan for this type of use.

The proposed 7,381 square foot building meets all area/bulk/placement/height requirements of the Zoning Ordinance. The proposed building façade will consist of split face concrete masonry units that will be painted. Although the split-face block is an appropriate building material, natural or natural-appearing building material, such as decorative face-brick, would better comply with the intent of the zoning ordinance's primary building materials. Because the building fronts on two streets (Martin Luther King Jr. Blvd and Auburn, it is classified as having two front yards.

According to Section 2.405(5)(a) of the Zoning Ordinance all service areas, including utility access, loading areas, and dumpsters shall be located in the side or rear yards and shall be screened from view from any street and any residentially use property. The applicant has proposed the dumpster enclosure within the front yard on Auburn.

Although it is located within a "front yard", the applicant has properly screened the enclosure from the right-of-way and any residential property. The Planning Commission may approve a modified location of this requirement. The Planning Department believes that a modification should be granted because it

appears the applicant has met the overall intent of the building design standards of the zoning ordinance.

It appears the proposed signage conforms to the provisions for sign height and area. According to Section 2.303(A)(1) of the Zoning Ordinance no sign shall be located within the clear vision area. This area is defined as the area formed at the corner intersection of two public right-of-way lines, the two sides of the triangular area being 25 feet in length measure along abutting public right-of-way lines, and the third side being a line connection of these two sides. The applicant must relocate their ground sign to meet this standard or must obtain a variance form the Zoning Board of Appeals.

The proposed exterior lighting meets the standard for height and intensity. However, the applicant is proposing to have a wattage that exceeds the maximum allowed. Section 4.502(D) of the Zoning Ordinance states that a maximum wattage of 250 watts per fixture is permitted. The applicant is proposing 400 watts. The Planning Commission may permit the use of lamps with wattages up to 40 watts if the applicant can demonstrate that the higher wattage fixture is necessary to provide adequate lighting on the site. Except for the wattage, the proposed lighting conforms to all other requirements of the "Exterior Lighting" section of the Zoning Ordinance. The Planning Department feels that a modification should be granted to allow 400 watts.

The overall development of this site appears to be an appropriate utilization for an otherwise vacant piece of property. The Development appears to meet the intent of the Zoning Ordinance for new construction.

**Recommendation:** To approve the proposed Zoning Map Amendment (PF-13-77) AutoZone from R-1 One Family Dwelling District to C-3, Corridor Commercial Mixed Use district and recommend approval to the Pontiac City Council, subject to the following condition:

All parcels (14-34-101-005; 14-34-101-010; 14-34-101-024- 14-34-101-023) be combined into one new parcel ID.

**Recommendation:** To approve the proposed site plan (PF-13-78) AutoZone, LLC at 608 Auburn Avenue with a modification of design standards for the location of dumpster enclosure to the front yard; a modification of exterior lighting from 250 watts to 400 watts; a modification of maximum parking to allow 39 spaces; and subject to the following conditions:

1. Approval of a Zoning Map Amendment (PF-13-77) by City Council from an R-1, One Family Dwelling District to a C-3, Corridor Commercial Mixed Use District.
2. Compliance with Section 4.602(H)(2) of the Zoning Ordinance for minimum preservation requirement.

OR

Compliance with Section 4.602(I) of the Zoning Ordinance for woodland preservation for tree replacement requirements 13 deciduous with 2.5" caliper required or 13 evergreen trees with a height of 6 feet required.

3. Compliance with Section 2.303 (A)(1) of the Zoning Ordinance for Clear Vision Area. Ground Sign must be moved out of the clear vision area of the property.
4. All signs must be submitted individual for sign review and permitting requirements.
5. Compliance with all Engineering, Oakland County Water Resource Commission, Building Department and Fire Department review and permitted requirements.
6. Compliance with City of Pontiac Business Licensing requirements.

Petitioner, Wesley Berlin, 2900 East Grand River, Howell, Michigan, thanked planning staff for their help through this process and the complete presentation. Also, he thanked the Planning Commissioners for their attention and patience this evening.

Petitioner indicated this was a complex site to design and believe he's arrived at a compatible plan that fits nicely on this site.

Mr. Wesley believe this is a very positive business for the residents and plus it will bring employment and a tax revenue for the city.

Mr. Wesley commented that the dumpster is proposed within the front yard with additional landscaping for two reasons. One, the elevation on the side and, two, the loading door on the north wall.

Mr. Wesley indicated he has no issues with moving the monument sign 25 feet out for a clear vision and also willing to comply

with ordinance regarding replacement trees for the removal of current trees.

Mr. Wesley indicated he will submit a revised photo metric light plan containing 209 Watt LED lighting. Also, they adding additional parking spaces for a total of 39 parking stalls.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING CLOSED.

Comm. Cadd commented it was a unified zoning district for the area.

Comm. Hudson inquired of residential houses on Seward. Mr. Berlin indicated they are some east midway starting at the tree line.

Comm. Hudson inquired of the 300 feet notifications. Mr. Bowdell indicate they were sent out. Comm. Hudson commented that Auburn Hills sends out notices up to 600 feet and the applicant is responsible for the cost from 300 to 600 feet.

Comm. Hudson inquired if they are required to have access on all perimeters of the building. Mr. Bowdell not 100% sure.

Comm. Hudson inquired of the number of lumens versus the number of wattage. Petitioner indicated 290 Lumens might be brighter than the requirement and the lumens are comparable to the ordinance requirements pointing downward.

Comm. Payne inquired if the dumpster could be moved closer to the rear yard. Petitioner indicated the property drops off in the area, therefore, the dumpster cannot be pushed farther back.

Comm. Payne inquired if the parking spaces would be narrower because of the additional spaces. Petitioner indicated no.

Comm. Payne inquired of the number of AutoZones in Pontiac. Petitioner not sure of the number

Chairperson Thomas inquired if AutoZone was a national franchise and how many facilities. Petitioner indicated yes, it is a national franchise and in the U.S. it is 4800.

Chairperson Thomas commented the AutoZones are always well maintained and feels it will be a pleasant addition to the neighborhood.

Comm. Hollis inquired of the hours of operation. Petitioner indicated Monday thru Saturday 9 a.m. to 7 or 8 p.m. Sunday 10 a.m. to 5 or 6 p.m.

COMM. FEGLEY MADE A MOTION TO APPROVE THE PROPOSED ZONING MAP AMENDMENT (PF-13-77) AUTOZONE FROM R-1, ONE -FAMILY DWELING DISTRICT TO C-3, CORRIDOR COMMERCIAL MIXED USE DISTRICT AND RECOMMEND APPROVAL TO THE PONTIAC CITY COUNCIL AND COMM. HOLLIS SUPPORTED, SUBJECT TO THE FOLLOWING CONDITIONS:

ALL PARCELS (14-34-101-005; 14-34-101-010; 14-34-101-024; 14-34-101-023) BE COMBINED INTO ONE PARCEL ID.

CHAIRPERSON THOMAS: Roll call, please.

AYES: Fegley, Hollis, Payne, Hudson Glass Thomas, Cadd.

NAYS: None.

ABSTAIN: None.

Vote 7-0-0 for Zoning Map Amendment (PF-13-77)

COMM. FEGLEY MADE A MOTION FOR APPROVAL THE PROPOSED SITE PLAN (PF-13-78) AUTOZONE, LLC, AAT 608 AUBURN AVENUE WITH A MODIFICATION OF THE DESIGN STANDARDS FRO THE LOCATION OF THE DUMPSTER ENCLOSURE TO THE FRONT YARD, A REVISED PHOTO METRIC PLAN; A MODICATION OF MAXIMUM PARKING TO ALLOW 39 PARKING SPACES AND COMM. CADD SUPPORTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. Approval of a Zoning Map Amendment (PF-13-77) by City Council from an R-1, One Family Dwelling District to a C-3, Corridor Commercial Mixed Use District.
2. Compliance with Section 4.602(H)(2)of the Zoning Ordinance for minimum preservation requirement.

OR

Compliance with Section 4.602(I)of the Zoning Ordinance for woodland preservation for tree replacement requirements 13 deciduous with 2.5" caliper required or 13 evergreen trees with a height of 6 feet required.

3. Compliance with Section 2.303 (A)(1) of the Zoning Ordinance for Clear Vision Area. Ground Sign must be moved out of the clear vision area of the property.
4. All signs must be submitted individual for sign review and permitting requirements.
5. Compliance with all Engineering, Oakland County Water Resource Commission, Building Department and Fire Department review and permitted requirements.
6. Compliance with City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please.

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

Vote 7-0-0 for Approval of Site Plan (PF-13-78)

**5.5 PF-12-05 STREET RIGHT-OF-WAY VACATION REQUEST - 50 NORTH PERRY STREET**

PRESENTATION OF STREET RIGHT-OF-WAY VACATION REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

**Request**: Vacate a one-block section of Lawrence Street between Perry and Mill Streets. The request is related to relocating the emergency room ambulance entrance from Mill Street to Lawrence Street.

**Planning Analysis**: This case number was reviewed on April 4, 2012 and May 2, 2012 during the Downtown Transportation Study performed by Oakland County and during the scheduled demolition process for the Phoenix Center. The Planning Commission took no action at the May 2, 2012 meeting and the applicant is requesting action on their street right-of-way vacation request.

The street vacation request is straightforward. The hospital has a plan to relocate the ambulance entrance from Mill Street

to Lawrence Street. The request will allow the hospital to shift their ambulance traffic onto a lower traffic volume street. It will allow for a more organized flow of emergency traffic at the McLaren ER entrance. Additionally, the hospital intends to relocate an existing fire hydrant and intends to realign the existing curbs to improve traffic flow.

With respect to infrastructure, the hospital has been made aware that existing utilities within the street R.O.W. will remain within the right-of-way, including public access easements. Specifically, there is a 10-inch storm sewer line and a 12-inch water main line within the R.O.W.

Based on the significant amount of public safety vehicle traffic in this location, it appears to be a reasonable request for vacation of the existing right-of-way. The Planning Department recommends approval subject to several conditions noted.

**Recommendation:** To approve the street vacation request application for PF-12-05, 50 North Perry, McLaren Oakland subject to the following conditions:

1. Submission of a professional survey and legal description for the proposed right-of-way vacation along Lawrence Street.
2. Record and preserve all necessary public utility easements within the former right-of-way along Lawrence Street.

Chairperson Thomas commented McLaren owns most of the real estate in that area and he would not be opposed to the proposal.

Petitioner Robert Pickup, 50 N. Perry, Pontiac, feels it would be a good use and would help the traffic flow and emergency access. Currently emergency vehicles have to back up and busses cannot maneuver a turn in that area.

Comm. Cadd commented she was in favor of the proposal previously and still is in favor of it. Comm. Hudson echoed Comm. Cadd's comments.

Comm. Payne noted it is a very small area to maneuver emergency vehicles.

Deputy Mayor Glass inquired why the proposal was sent back originally. Mr. Sabo indicated the Downtown Loop Study and Phoenix demolition was being conducted and at that time it was

not feasible to vacate streets downtown until the Downtown Loop Study was completed.

Deputy Mayor Glass asked for clarification of the bus traffic. Petitioner indicated busses were trying to turn around on the street and were unable to maneuver a turn.

Comm. Payne suggested communication be given to SMART as a customer friendly courtesy. Mr. Sabo indicated that would be the responsibility of the petitioner. Petitioner agreed to relay the communication. Deputy Mayor Glass commented the communication should be made after the proposal is approved by City Council.

COMM. CADD MADE A MOTION FOR APPROVAL OF THE STREET VACATION REQUEST AND COMM. HOLLIS SUPPORTED.

**WHEREAS**, the Pontiac Planning Commission is in receipt of the Planning Staff's report relative to the request submitted by McLaren Oakland Hospital, 50 N. Perry; Pontiac, Michigan for abandonment of the City's interest in a portion of Lawrence Street between Mill Street and Perry Street;

**WHEREAS**, the Pontiac City Planning Commission finds that the proposed street vacation will not restrict/hinder access and service to surrounding properties; and

**WHEREAS**, the City Planning Commission finds that with the retention of a full-width easement for the maintenance of utilities, the proposed street vacation would not adversely affect surrounding properties.

**NOW, THEREFORE, BE IT RESOLVED**, that the request submitted by McLaren Oakland Hospital; 50 N. Perry, Pontiac, Michigan for abandonment of the City's interest in a portion of Lawrence Street approximately 100 feet long between Mill Street and Perry Street, as above described is hereby recommended for APPROVAL to the City Council on this 6<sup>th</sup> day of November, 2013, subject to the retention of a full width utility easement for maintenance of utilities.

Also subject to:

1. Submission of a professional survey and legal description for the proposed right-of-way vacation along Lawrence Street.



1. Provide and record all necessary public utility and public access easements.
2. Compliance with the applicable Building Code, Fire Code and City of Pontiac Business Licensing requirements.

Comm. Cadd inquired in the future could the school district regain the property back. Mr. Sabo, yes, if necessary.

Chairperson Thomas indicated it was proposed to be a football area which never came into fruition.

COMM. HUDSON MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST FOR PF-13-80, 1225 ARLENE AVENUE OAKLAND COUNTY WATER RESOURCES COMMISSION AND COMM. HOLLIS SUPPORTED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. Provide and record all necessary public utility and public access easements.
2. Compliance with the applicable Building Code, Fire Code and City of Pontiac Business Licensing requirements.

CHAIRPERSON THOMAS: Roll call, please

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

Vote 7-0-0 for approval of the Lot Split (PF-13-80)

**NEW BUSINESS:** Chairperson Thomas reiterated he stands by what he put in writing concerning the minutes. The proceedings are televised and the need for a recorder being present may be unneeded. Comm. Hudson commented his understanding is the issue is being resolved. Comm. Payne agreed and suggested they look at what other cities and boards are doing in this area.

Deputy Mayor Glass thanked everyone on behalf of Mayor Jukowski for their support and hard work on the Planning Commission. Also, Deputy Mayor Glass announced he will be stepping down from the Planning Commission next month after 12 years. He indicated it was a pleasure serving on the Planning Commission.

**PUBLIC COMMENT:** Mr. McGinnis made comments from his seat, which were unclear on the audio.

**ADJOURNMENT**