

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on May 2, 2012; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

CHAIRPERSON TURPIN CALLED THE MEETING TO ORDER AT 6:30 P.M.

MOMENT OF MEDITATION:

ROLL CALL: PRESENT: Thomas, Cadd, Fegley, Hudson, Hollis, Glass, Turpin.

EXCUSED: None.

ABSENT: None.

Mr. Sabo reported a quorum is present.

COMMUNICATIONS: None.

MINUTES FOR REVIEW: April 16, 2012

Correction: Page 3, third paragraph, corrected to Deputy Oakland County Executive instead of Executive Director for Oakland County.

COMM. HUDSON MADE A MOTION FOR APPROVAL OF THE APRIL 16, 2012 MINUTES AND COMM. FEGLEY SUPPORTED.

All in Favor: Ayes: All Nays: None Abstain: None

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-12-26 - Site Plan Review - 855 Cesar Chavez Avenue

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Petitioner, Kenneth Van Tine, commented the overview presentation was complete as given by Mr. Sabo and they are requesting to decrease parking and increase landscaping area. There will be a total 30 employees; 10 employees on three shifts.

Chairperson Turpin inquired of the heat treating process and facilities like this in Pontiac. Petitioner explained the

process as the parts needs to be heat treated to soften or harden per customer specifications. Petitioner indicated there are two facilities; one on Central and one off Cesar Chavez.

Deputy Mayor Glass inquired of the number of employees and the operation of a kill switch for the ovens with burners. Petitioner indicated 30 employees and a kill switch is in place for safety reasons.

Deputy Mayor Glass inquired if a survey had been acquired with the Fire Department. Petitioner indicated a survey will be conducted before building permits are issued and will return for approval on the variances.

Deputy Mayor Glass inquired of the status of the business viability. Petitioner indicated business is increasing.

Deputy Mayor Glass thanked the petitioner for remaining in Pontiac to do business.

Comm. Thomas inquired of the interior landscaping. Mr. Sabo showed overhead photographs to depict areas of interior landscaping.

Comm. Thomas indicated the southbound trucks may have a maneuverability problem. Petitioner indicated there should be enough room for safe travel for trucks and he owns the adjacent bar.

Comm. Thomas inquired of the utilization of the existing building and the adjacent building needs painting. Petitioner indicated the offices will be used, but not the shop area and the other building is being painted currently.

Comm. Hollis inquired if parking is not needed, does the Planning Commission have to vote on the issue. Mr. Sabo indicated yes.

Comm. Cadd commented the business is a nice improvement in that and welcomed the petitioner to Pontiac.

Comm. Hudson inquired if the variance follows with the building. Mr. Sabo indicated no, it is site plan specific.

Comm. Hudson inquired if tentative approval of Site Plan can be granted before a Special Exception Permit and if so, can both

proposals be accomplished today. Mr. Sabo indicated no, a Special Exception Permit needs to have a public hearing.

Chairperson Turpin commented he is satisfied with the parking request and inquired how the business was growing. Petitioner indicated they have clients in Ohio and Fraser, Michigan and they work with automobiles all over.

Chairperson Turpin inquired if it was viable for their clients to move closer to his current business. Petitioner indicated the clients are trying to get him to move closer to them.

COMM. HUDSON MADE A MOTION TO TENTATIVELY APPROVE THE SITE PLAN REVIEW for PF-12-26, HEAT TREATING SERVICES AT 855 CESAR CHAVEZ SUBJECT TO THE PLANNING COMMISSION'S APPROVAL FOR A SPECIAL EXCEPTION PERMIT AND SUBJECT TO THE FOLLOWING CONDITIONS AND COMM. HOLLIS SUPPORTED.

- 1) Compliance with Section 2.312 of the Zoning Ordinance for front setback requirements or obtain a variance from ZBA.
- 2) Compliance with Section 4.304 of the Zoning Ordinance for number of parking spaces to be reduced to 40 spaces.
- 3) Compliance with Section 4.305 of the Zoning Ordinance for parking lot striping requirements.
- 4) Compliance with Section 4.406(a) (1) of the Zoning Ordinance for parking lot R.O.W. buffer width of 8 feet or obtain a variance from the ZBA.
- 5) Compliance with Section 4.303 of the Zoning Ordinance for bicycle parking space requirements (indoors or outdoors).
- 6) Compliance with all building codes, fire codes and City of Pontiac business licensing requirements.
- 7) Confirm and address City Department concerns regarding truck turning radii and rear gate access for fire emergencies.

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

Vote 7-0-0 for tentative approval of the Site Plan Review.

5.2 PF-12-28 - Site Plan Review - Special Exception Permit,
Retail Sales - 980 University Drive

PRESENTATION OF SPECIAL EXCEPTION PERMIT GIVEN BY MR. SABO.

Petitioner, Kelly Holmes, General Manager, presented a copy of the company's policy and had no additional comments.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

Richard Sancome, indicate he lives four houses from the proposed property and feels no liquor needs to be sold at those premises because there are currently plenty of liquor stores in the current neighborhood and it would create more liter and traffic congestion. Mr. Sancome also objected to the allowance of semi-trucks to park on the property.

Charles Johnson, 21 North Paddock, also indicated there are various liquor stores currently in the surrounding area and he opposes the proposal.

David R, also opposed the sale of liquor at this current establishment.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Cadd inquired if a liquor license has been acquired. Petitioner indicated they are in the process of applying. The Petitioner indicated she agrees this location is not suitable or acceptable to allow the purchase of liquor at this particular location.

Comm. Hudson inquired of the business potential at this location. Petitioner indicated business is good at this location; it's a like a community market for the surrounding neighborhood.

Comm. Hollis commended the petitioner for being honest on her views concerning the sale of liquor at this location and Comm. Hollis was also concerned about the landscaping in need of maintenance. Petitioner indicated she has already sent notification to the main office and landlord for maintenance to be attended to.

Comm. Hollis commented she visits the store and it is nice and clean and the workers are respectable, but she is not in favor of the proposal.

Comm. Thomas commented he was pleasantly taken back with the petitioner's proactive statement of agreeing that the sale of liquor should not be allowed at this location.

Comm. Thomas also visited the site and observed a semi-truck parking on the premises and also inquired if just beer and wine would be sold. Petitioner indicated, no; beer, wine and liquor.

Comm. Thomas commented he is not in favor of the proposal.

Comm. Fegley thanked the public for their comments and input, because it give a better outlook on what the community wants; Comm. Fegley commented she is not in favor of the proposal.

Deputy Mayor Glass saluted the petitioner for standing on her principles for the community and that location; and commented the location is a viable business and will continue to grow and thank the citizens for their input.

Chairperson Turpin commended the petitioner for having a vision for her store and the community and thanked her and the community for their comments.

DEPUTY MAYOR GLASS MADE A MOTION FOR DENIAL OF THE SPECIAL EXCEPTION PERMIT AND COMM. HOLLIS SUPPORTED.

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

Vote 7-0-0 for denial of the Special Exception Permit.

Mr. Sancome suggested making the motion in a positive aspect with the votes being all no for denial. Deputy Mayor Glass indicated the matter has been researched and the motion can be made either way.

NEW BUSINESS: Request to consider Master Plan Amendment for Starlight Drive.

PRESENTATION GIVEN BY MR. SABO, with no recommendation provided.

Three communications were presented in the package; letter dated April 18, 2012 to Zaid Arabo from Mr. Sabo; letter dated April 3 to Mr. Sabo from Zaid Arabo; letter dated April 24, 2012 to Mr. Sabo from Zaid Arabo.

Petitioner, Zaid Arabo indicated Mr. Sevillian owns the apartment complex and feels the residents need the convenience of a store near them and it would benefit the community.

Comm. Thomas inquired if the petitioner had presented his proposal before the CDC in that district. Petitioner indicated no.

Comm. Thomas inquired of the details and services the store would provide. Petitioner indicated it would be a convenience store, like a mini-mart with beer and wine, the idea of a full service market.

Comm. Fegley commented the building would attract traffic from the public and suggested moving it away from the complex.

Comm. Cadd commented that it is easy for the residents to get around because Pontiac is not that big and there is bus transportation available; also the proposed building might create loitering.

Comm. Hudson gave some history on this particular property dating back to 1939 and feels this is not a good location for what is proposed.

Chairperson Turpin commented there is a need for a store to service the community better, but it does not fit at this location within the Master Plan.

Mr. Sabo indicated no action is needed on this item.

UNFINISHED BUSINESS:

PF-12-05 - Street Vacation Request - 50 North Perry Street

PRESENTATION GIVEN BY MR. SABO.

Mr. Sabo indicated the proposal needs to be reconfigured and the City does not want to relinquish the right-of-way. The next meeting will be May 10, 2012 for further discussions. The City will continue to have discussions with McLaren.

Mr. Pickup indicated he is hoping to proceed with the proposal for an indefinite period of time. Mr. Sabo suggested meeting with Mr. Pickup tomorrow for further in-depth discussions.

Chairperson Turpin commented with all that is happening downtown, this street vacation may place constraints on egress and ingress of downtown streets.

Deputy Mayor Glass inquired if the applicant can withhold his application. Comm. Hudson suggested tabling the matter.

Comm. Thomas agreed with Comm. Hudson on tabling the matter because at this point in time, he could not vote affirmatively for the proposal, although he is in favor of business growth.

Mr. Sabo suggested approving the use of Lawrence Street and postpone action on the Street Vacation.

Comm. Cadd inquired of the reasons why the City does not want to vacate the street. Mr. Sabo indicated because of potential future use and finality of a street vacation cannot be reversed.

Mr. Sabo suggested taking no action pending a meeting on May 10, 2012.

OTHER ITEMS: None.

PUBLIC COMMENTS: Larry M, indicated he owns the property across from POH and he came to the meeting to find out what the plans were and if he could get a copy of the proposed plans. He is opening a new business on Lawrence Street and concerned about the parking availability.

Rebecca Lane, 83 Osmun, commented on the scrap yard on Turk has improved since the last meeting, but it is still operating after 6 p.m., lights have not been tilted away from the residences and it seems like the whole project is getting closer to her property.

Deputy Mayor Glass assured Ms. Lane that the city administration and the Planning Commission are aggressively working towards a resolution.

Charles Johnson, 21 N. Paddock, indicated the building department has been to the scrap yard and they are addressing the lighting issue and the trees. Mr. Johnson indicated they have destroyed part of his property also.

Deputy Mayor Glass requested for next month's Planning Commission having a pre-formal open discussion with the

commissioners and an open door policy with the listening public only, because he feels that will streamline the meeting.

Chairperson Turpin indicated the reason the pre-formal meetings had ceased is because the Emergency Financial Manage felt the pre-formal meetings were not feasible.

Mr. Sabo commented the EFM believed the pre-formal meetings were an extension of the discussion of the properties and the discussions should happen at the meeting.

After further discussion, Deputy Mayor Glass withdrew his request for pre-formal meetings.

Comm. Hollis indicated no decisions are made at the pre-formal meeting, just discussion. Comm. Hollis suggested that the commissioners address the issues at hand and not talk about non-relevant issues. Comm. Hollis feels that the pre-formal would have answered some of the questions raised by the commissioners this evening.

Comm. Thomas indicated he reads all the information and gets most of his education on the proposal once the petitioner brings the issues to life.

Deputy Mayor Glass indicated in a pre-formal the commissioners can give their ideas on a proposed property and other issues that do not need to be discussed in an open meeting.

Mr. Sabo indicated he can make his presentations in three minutes and inform the commissioners precisely as possible and stick with the issues at hand.

Chairperson Turpin challenged the commissioners to be more responsive and professional in their discussions.

A vote was taken to have the meeting at different times.

6:00 p.m - two yes votes

6:30 p.m. - two yes votes

Three commissioners did not vote.

Comm. Hollis asked to be excused at the June meeting, because she will not be able to stay for an extended period of time.

ADJOURNMENT: 8:48 p.m.