

CITY OF PONTIAC
PLANNING COMMISSION
WEDNESDAY, JUNE 6, 2018
6:30 P.M.

Meeting before the Planning Commission, at
47450 Woodward Avenue, 2nd Floor, Council Chambers,
Pontiac, Michigan 48342.

BOARD COMMISSIONERS:

Dayne Thomas, Chairman
Ashley Fegley, Vice Chair
Mayor Deirdre Waterman, Commissioner
Mona Parlove, Commissioner
Christopher Northcross, Commissioner
Lucy Payne, Commissioner
Hazel Cadd, Commissioner

CITY OFFICIALS PRESENT:

Arthur Mullen, Interim City Planner
Donovan Smith, Assistant City Planner
Jane Bias-DiSessa, Deputy Mayor

MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING COMMISSION:

Connie Holland	Josh Markum
Ruth Holland	Keith Fineman
Belinda Puddy	Scott Bender
Frank Puddy	Zelphia Mobley
Jordan Puddy	Ziad El-Baba
Brandon Puddy	Jacob Munchiando
Charles Corkum	Ryan O'Neill
Jim Townsend	Kevin Turner
Sarah Clarkson	Paul Sanchez

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)
Certified Shorthand Reporter

1. CALL TO ORDER: Vice Chair Fegley called the meeting to order at 6:45 p.m.

2. ROLL CALL:

PRESENT: Ashley Fegley, Vice Chair (Acting
Chair)
Christopher Northcross, Commissioner
Lucy Payne, Commissioner
Hazel Cadd, Commissioner

EXCUSED: Dayne Thomas, Chairman
Mona Parlove, Commissioner
Mayor Deirdre Waterman, Commissioner

Mr. Mullen reported a quorum is present.

3. COMMUNICATIONS: (None.)

4. MINUTES FOR REVIEW: May 2, 2018.

Motion to approve by Commissioner Northcross;
Seconded by Commissioner Payne.

(All eyes to approve the minutes.)

5. PUBLIC HEARINGS:

5.1 ZMA 18-02 - Zoning Map Amendment
Property Address: 43 E. Columbia
Parcel Number: 65-14-17-257-007
Applicant: TDE Group Holdings
Current Zoning: R-1 One-Family Dwelling
Proposed Zoning: C-3 Corridor Commercial
Intended Use: Wholesale/Cold Storage

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing, and invited the applicant to address the Commission.)

Mr. Ryan O'Neill, 125 East Columbia approached. He stated he's the North American director of operations for TDE Group Holdings. He indicated they purchased 125 East Columbia, which was part of the deal for the property of 43 Columbia. He stated they have experienced a lot of trespassers, vandalism, trash, a lot of people running around the area, on the rooftop of the school. He stated his plans are just to fence

the area and plant around 25 to 30 trees around the outside to create a green area and clean the area up.

Chair Fegley inquired if the intention was to tear down the school or just fencing off the area.

The applicant indicated their immediate intention is to fence it off, clean the area up. Long-term would be to tear the school down or utilize part of the school that can still stand and support some inside storage.

Chair Fegley inquired as to the type of storage.

The applicant indicated they would store some of their salter units that go in the back of a pickup truck, some of their pickups and some of their skid steers.

(Chair Fegley opened the public hearing for comments.)

Connie Holland and Ruth Holland approached, 105 East Ann Arbor, Pontiac, Michigan 48340. She stated they got a letter a couple weeks ago and she stated she looked at the front of it. She questioned whether that was the school. She said she realized that the TDE Group was the one petitioning to get it rezoned commercial. She stated they're all for it. She stated they're excited. She said it's an answer to a prayer that some life would come to the building because it's been such a disaster for so many years.

She stated her mom and her are a stone throw away from the school. She stated her mother has lived in the residence for 66 years. And she stated TDE has brought life into the community. She stated they helped them with a tree removal. She stated they have helped them with other projects as well. She stated she is so thankful for them. She stated they live at a dead-end and see their machines coming in and out. She stated they're spotless, they keep the landscape in perfect condition. She stated they come and sweep the streets. She stated she wants there to be a safe place for people to be hanging out, and this is not one of those places. She gave

further historical information about the property. She stated they love them as their neighbors.

Commissioner Northcross inquired as to the use of the land with the contaminants that are present.

Mr. Mullen stated there are two questions there; one would be the level of contamination. He stated depending on the fuel oil, if the plant leaked, there could be a little bit of contamination, but over 15 acres probably not heavily contaminated. He stated it would qualify as a Brownfield for redevelopment under the State Brownfield Law. He stated in one way it's a Brownfield. He stated is it probably not a contaminated Brownfield.

Commissioner Northcross stated there are other properties they will be discussing later in the evening where contamination is a factor, and what can be done with those properties. He stated in this case, however, there is probably potential for development in a number of ways that can benefit the current owner and the residents.

Commissioner Cadd stated this building is in her District. She gave some historical background about the site as well. She stated she was kind of hoping that perhaps it could be an elder's care center or child care center. She stated she would like to see something come of it and feels there is more potential than just fencing it off.

Commissioner Payne asked the applicant how far the previous business is from this project.

The applicant stated they are directly east of the project.

Commissioner Payne inquired as to how many employees they currently have.

The applicant stated in the wintertime they are around 350 employees; in the summer months they are around 65; and 90 percent are residents of the City of Pontiac.

Commissioner Payne inquired as to their future plans.

The applicant stated they are not fully ready to demolish the whole thing. He stated the gym and the north classrooms still have some stability there. He stated there have been fires in there in the last few years, so some of the areas should be condemned and taken down. He stated within the first two years, the plan is fencing, some landscaping to clean the area up; and then after two years to take some of the building down and refurbishing what's there.

Commissioner Payne inquired as to what they would be storing in the building.

The applicant reiterated equipment, salter units, skid steers and trucks. The applicant stated if they are not granted this zoning, they are open to any suggestions on how to keep the property safe.

Commissioner Payne inquired as to how this fits within the master plan.

Mr. Mullen indicated the use is designated as entrepreneurial, residential, commercial and green. He stated that the storage use doesn't qualify with any of those activities. He stated it's low jobs and it's really just a storage yard. He stated he had some concerns of the maintenance of the open space around it. He stated they're talking about fencing it, but it's now a big maintenance issue. He stated an opportunity could be a conditional rezoning that would say that it's only going to be a storage use, because he stated he has a concern that they have some big commercial site which they re-zoned and now all of a sudden they can have commercial anywhere on that site of that size located directly up against, near 25 feet across the street from a home. He stated this would probably be a good example of an opportunity for conditional rezoning if the applicant so chooses. Then they would be able to limit the use to their use and it would be conditional upon when they decide to sell or if something comes, it would return to the R-1.

Vice Chair Fegley inquired as to how many years they have been doing business in Pontiac.

The applicant stated six years.

Vice Chair Fegley stated she is always willing to support Pontiac businesses, especially ones that have been talked about favorably. She stated no one seems to be objecting to it.

The applicant he could leave the property the way it is, zoned the way it is and just keep cutting the grass. He stated he wants to put money into the building and improve it.

Mr. Mullen indicated it would go before City Council for the final determination.

Commissioner Payne stated her only concern would be that there are so many businesses that come before the Planning Commission and their intent is to remodel, redesign, redo everything and everything for the past two years is still the same. So she questioned how would they be guaranteed they would do this.

The applicant said he would be open to learning more about the conditional rezoning. He said it sounds like a great next step.

Mr. Mullen stated he would be happy to talk to the applicant about the opportunity.

Motion made by Commissioner Northcross to table the matter until the next meeting.

Seconded by Commissioner Payne.

AYES: Northcross, Payne, Fegley, Cadd.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

5.2 ZMA 18-03 - Zoning Map Amendment

PROPERTY ADDRESS: 245 S. Paddock

PARCEL NO: 64-14-33-136-001

APPLICANT: Paddock Manor Limited Div

CURRENT ZONING: R-2 Two-Family Dwelling
District

PROPOSED ZONING: R-3 Multiple Family
Dwelling

INTENDED USE: Senior Housing Independent
Living

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing, and invited the applicant to address the Commission.)

Kevin Turner, consultant with the development approached. He stated they want to rebuild the facility. He stated they would like to expand the facility to provide for senior living for independent, assisted and home for the aging. He stated they want to raise the building to four stories to provide accommodation for those residents.

Commissioner Northcross inquired as to the height of the building.

Mr. Turner indicated the way it's calculated, the building itself, up to the eaves is about 38 feet. He stated they are requesting a 10 foot variance for the height, so in total it would be roughly 43 feet high to the middle of the roof between the ridge and the eaves.

Mr. Mullen confirmed that up to 35 feet is allowable for R-3 zoning.

Commissioner Northcross gave some historical information about the site. He expressed his concern over how high the building would be.

Commissioner Cadd inquired as to how many units would be in the building.

Mr. Turner indicated 83 units in total.

Commissioner Cadd inquired as to the type of residents, whether they would be people suffering from Alzheimer's or dementia, and the age restriction.

Mr. Turner indicated the age would be restricted. He was uncertain as to the type of disabilities the residents would have.

Commissioner Cadd inquired as to the rental rate.

Mr. Turner indicated it would be similar to what it was before; that it would be within the affordable

range.

Commissioner Cadd inquired if there would be healthcare workers on site.

Mr. Turner indicated he believes there are five to six on site. He indicated the home for the aging would be a separate wing, because of the nature of that particular population of residents. He indicated it would be on the first floor. He pointed out the different areas on the site plan.

He indicated they are utilizing the existing foundation for the rehabilitation. He indicated they will be going to a 2x6 construction, essentially pinning the foundation. He also pointed out the community room and dining room areas.

Commissioner Payne inquired as to who the developer is.

Mr. Turner indicated it is the Paddock Manor Limited Partnership.

Commissioner Payne expressed her concern about the height as well.

Mr. Turner indicated he took some of the residents on a tour to some of the facilities in Detroit.

Commissioner Payne clarified she was concerned about the neighbors.

Mr. Turner indicated the neighbors are more concerned about getting the facility rebuilt.

Commissioner Payne inquired as to how many elevators would be available.

Mr. Turner indicated two; there was previously one.

Mr. Mullen indicated it would be a building code issue.

Commissioner Payne expressed her concern about firewalls that were previously in place.

Mr. Turner indicated how the fire had occurred with the barbequing on the patio, which was not an allowed activity. He indicated all the

necessary firewalls were in place, but that the fire went up into the soffit. He indicated once it penetrated the soffit, that there is a tremendous amount of air in that area, and it rapidly forced the fire to gain intensity.

Mr. Mullen indicated that code now requires sprinklers throughout.

Mr. Turner indicated there were sprinklers, with a dry system in the attic.

Vice Chair Fegley discussed the setbacks.

Motion made by Commissioner Northcross that the Planning Commission recommends to the City Council that the Zoning map amendment request ZMA-18-03 of CityBuild to rezone approximately 3.1 acres of land (more generally described as 245 South Paddock Street) from R-2 Two-family and terrace dwelling district to R-3 Multiple Family Dwelling district be granted per the findings of the City Planner included in his report dated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd, Payne.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

5.3 ZMA 18-05 - Zoning Map Amendment

PROPERTY ADDRESS: 339 S. Paddock

PARCEL NO: 64-14-33-179-001

APPLICANT: Michigan Land BK Fast Track
Athrty

CURRENT ZONING: R-1 One-Family Dwelling
District

PROPOSED ZONING: M-1 Light Manufacturing

INTENDED USE: Wholesale/Cold Storage

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing, and invited the applicant to address the Commission.)

Charles Corkum, 339 S. Paddock, Pontiac, Michigan approached. He indicated he has been in discussions

with Michigan Land Bank, and they have agreed to a conditional offer to purchase contingent upon the rezoning.

Commissioner Northcross indicated he's familiar with the site and was thinking of the possible uses of M-1. He stated this seems to be the same situation as an earlier request for 43 Columbia. He discussed the master plan. He discussed the historical background, as well. He inquired as to whether this could have conditional rezoning applied to it, as well.

Mr. Corkum indicated the difference between this property and the property discussed earlier. He stated this property has continuous M-1 zoning now, and that it is returning to the M-1 zoning as it was before. He indicated it's in keeping with the other businesses in the area, there's no difference.

Vice Chair Fegley indicated the reason it can't be used for what it is right now is because of the site conditions.

Mr. Mullen indicated the other option would be commercial, and indicated he's not sure that's the best location for commercial, either. He said the master plan does look at things being new and unique and that this leverages the investment that's in M-1 which is two blocks away.

Commissioner Northcross expressed his concern if there is a change in ownership.

Mr. Mullen stated that the site is very restrictive in what is possible there.

Commissioner Payne inquired as to the future plans for the site.

Mr. Corkum stated the future plan is to construct a building, 60 feet wide 200 feet long; the building would be slab on grade, steel construction.

Commissioner Payne inquired as to the service provided.

Mr. Corkum indicated vehicle storage, classic/collector car storage.

Commissioner Payne inquired as to the target date for opening.

Mr. Corkum indicated this fall.

Mr. Mullen indicated this would also go to City Council.

Motion made by Commissioner Northcross that the Planning Commission recommends to the City Council that the zoning map request ZMA 18-05 of Chuck Corkum to rezone approximately 1.7 acres of land (generally known as 339 South Paddock Street) from R-1 One-Family Dwelling to M-1 Light Manufacturing, be granted per the findings of the City Planner included in his report updated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd, Payne.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

5.4 ZMA 18-06 - Zoning Map Amendment
PROPERTY ADDRESS: 1000 Vanguard
PARCEL NO: 64-14-19-351-022
APPLICANT: Pontiac Community Inv.
CURRENT ZONING: MUD - Mixed Use District
PROPOSED ZONING: M-1 Light Manufacturing
INTENDED USE: Freight Terminal

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing, and invited the applicant to address the Commission.)

Jim Townsend, attorney from Butzel Long indicated he represents the purchaser of the property which is developing and constructing a freight terminal on a contract to lease to Federal Express, which will operate the facility as a freight terminal.

Sara Clarkson, attorney, Clarkson Law approached, indicated she represents the current owner, Pontiac Community Investment.

Mr. Townsend introduced the individuals with him, Josh Markum, Keith Fineman and Scott Bender who

represent the team who are working to put the project together.

Vice Chair Fegley inquired as to what their plans are for the property.

Josh Markum approached and stated that this will be a 24/7, 365 freight terminal. He stated FedEx Freight is a division of Federal Express. He stated that they will handle large packages, and this is not open for the public; it's trucks in, trucks out facility. He stated at the current stage they are expecting 120 trucks per day. He stated it would be various times during the day, so there would not be a large amount at one time.

Vice Chair Fegley inquired as to where the trucks would be coming from.

Mr. Markum indicated they would be coming from all over the region.

Belinda Puddy, 484 W. Kennett Road approached and inquired as to the truck route.

Mr. Markum indicated they would be utilizing mostly Telegraph.

Commissioner Northcross asked for clarification on the berm and the protection to the residential areas to the south.

Mr. Mullen referred to the site plan.

Mr. Markum pointed out if you are in the Southgate neighborhood at any of the homes, you cannot visually see the facility. He stated the berm is substantial, and the facility is hidden from the neighborhood. He stated it will not increase any noise to the neighborhood and indicated the railroad runs through there already. He stated they had a public meeting with the neighborhood in January and it was a very positive meeting.

Commissioner Cadd inquired as to how they found this location for this operation.

Mr. Markum indicated their broker found it for them.

Commissioner Payne inquired as to the vehicles that will be coming in and out of the facility.

Mr. Markum indicated it's a little bit of everything, depending on the packages. He stated it will be on the larger side, usually, but some smaller trucks.

Commissioner Payne explained she is concerned about the roads and the weight limitations.

Mr. Mullen discussed a conversation they had in a meeting earlier in the day regarding the apron leading out onto Telegraph, etc. He stated that they meet the weight limitations.

Motion made by Commissioner Northcross that the Planning Commission recommends to the City Council that the Zoning Map Amendment request ZMA 18-06 for Butzel Long, to rezone approximately 50 acres of land (generally known as 1000 Vanguard) from MUD Mixed Use Development to M-1 Light Manufacturing be granted per the findings of the City Planner included in his report dated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Payne, Fegley, Cadd.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

Vice Chair Fegley discussed the lot split, as well. Mr. Mullen presented the lot split.

7.3 LSLC 18-34 - Lot Division
PROPERTY ADDRESS: 1000 Vanguard
PARCEL NO: 64-14-19-351-0222
APPLICANT: Pontiac Community Inv.
CURRENT ZONING: M-1 Light Manufacturing
(Proposed)

(Presentation of facts provided by Mr. Mullen.)

Motion made by Commissioner Northcross to approve the Lot Split Request 18-34 for PIN 64-14-19-351-0222, also known as 1000 Vanguard, per the findings in the Planner's report dated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Payne, Fegley, Cadd.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

6. PLAN REVIEWS

6.1 SEP 18-05 - Special Exemption Permit
PROPERTY ADDRESS: E. Walton/Giddings
PARCEL NO: 64-14-10-378-019
APPLICANT: Mike T. Acho
CURRENT ZONING: C-1 Local Business
INTENDED USE: Medical Clinic and Drive-
thru Use

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing,
and invited the applicant to address the
Commission.)

Mr. Ziad El-Baba, engineer for the project
approached. He stated they did get the rezoning for
the site to C-1, and they are proposing the medical
facility along with the drive-through.

Paul Sanchez, 1001 East Walton Boulevard stated
he is at the west side of the red line. He
pointed out his vehicle in the driveway. He
stated he has normal worries of looking out at a
parking lot. He stated he talked to the
petitioner back in the fall originally and spoke
with the builder then and the engineer and a
couple of doctors too.

He stated there's buffering, he's worried about
horn honking. He stated there is a lot of
traffic on the road already. He stated he's
concerned about the traffic with the school. He
stated there is a light at Giddings and East
Walton. He said it seems like there's going to
be a lot of traffic there, mostly cars. He
stated East Walton is five lanes, two each way
with a turning lane. He stated there's lots of
accidents in the turning lane, rear-ends. He
stated he has been rear-ended the other
direction up towards Joslyn on the same road.

He says it seems busy to him. He stated as long as they are concerned about buffering the neighborhood, and eliminating horns honking and people in the parking lot. He stated he doesn't know how noisy it is. He stated he is concerned about how tall the building is. He also questioned whether there would be security cameras, and that he would like them to pan over his back and front yard to keep an eye on his property. He stated they have talked with the petitioner. He said they were concerned with his concerns. He stated they're just normal concerns.

Vice Chair Fegley inquired as to the height of the building.

Mr. El-Baba indicated it's a single-story building, approximately 23-24 feet. He referred to the site plan.

Mr. Mullen referred to the site plan, as well, pointing out the pond and the wooded area and the buffering. He stated the site does comply with the zoning ordinance and the site plan requirements. He did refer to his concerns in his approval letter.

Vice Chair Fegley confirmed with Mr. Mullen that if they approve this that it won't come back in front of the Planning Commission, that everything else would be done in-house.

Mr. Mullen answered affirmatively.

Vice Chair Fegley stated she would like to see plans and elevations so she can get a feel for what's being built.

Mr. El-Baba referred the plans with the Commissioners.

Commissioner Northcross indicated he likes the amount of greenery and trees on the west of the property.

Commissioner Payne indicated her concerns remain the same in regards to the three schools in the area. She stated coming through that area and seeing kids, they jog through there and that kids can't cross because of the way that intersection is. She stated

cars literally have to stop in order to let them cross. She stated adding something else in that area with that kind of traffic, she just doesn't see it being a safe environment. She stated she believes the area is small for the project being proposed.

Mr. El-Baba indicated they reduced the width of the driveway, that there would only be two driveways. He stated with regard to the trees, they are complying with the ordinance and replacing trees. He stated they would be presented in a nice way throughout the site. He stated they are following the Ordinance in regards to the parking spaces. He stated there would be minimal impact to the area.

Mr. Mullen discussed the traffic situation, as well.

Motion made by Commissioner Northcross to grant a Special Exemption Permit request SEP 18-05 to permit a medical center use at PIN 64-14-10-389-019 per the findings of the City Planner, included in his report dated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd.
NAYS: Payne.
ABSTAIN: (None.)
MOTION CARRIES 3-1-0

Mr. Mullen read from Article 7, Rules. A quorum consists of four members and an affirmative majority vote of the members present shall be necessary to pass any motion, approved February 20, 2015.

Motion made by Commissioner Northcross to grant a Special Exemption Permit request SEP 18-05 to permit a drive-through use at PIN 64-14-10-389-019 per the findings of the City Planner, included in his report dated May 31, 2018, and waive the requirement for an escape lane.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd.
NAYS: Payne.
ABSTAIN: (None.)
MOTION CARRIES 3-1-0

6.3 SPR-18-16 - Site Plan Review
PROPERTY ADDRESS: E. Walton/Giddings
PARCEL NO: 64-14-10-378-019
APPLICANT: Mike T. Acho
PROPOSED APPLICATION: Medical Clinic &
Plaza Center
CURRENT ZONING: C-1 Local Business

Motion made by Commissioner Northcross to grant preliminary site plan approval for request SPR 18-16 regarding PIN 64-14-10-378-019 while sanctioning the City Planner authority to grant final site plan approval upon receipt of revised site plans that resolve deficiencies found in the City Planner's report dated May 31, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd.
NAYS: Payne
ABSTAIN: (None.)
MOTION CARRIES 3-1-0

6.2 SEP 18-06 - Special Exemption Permit
PROPERTY ADDRESS: 451 W. Kennett Road
PARCEL NO: 64-14-18-451-006
APPLICANT: Amine & Associates
CURRENT ZONING: 4-1 Single Family Dwelling
District
INTENDED USE: Wireless Telecommunications
Monopole Tower

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley opened the public hearing, and invited the applicant to address the Commission.)

Anthony Amine, 200 E. Big Beaver Road, Troy, Michigan approached. He provided some additional information to the Commission.

Mr. Mullen stated he did receive a letter from a neighbor (Belinda Puddy) who is opposed to the location of the cell tower, and that was distributed to the Commissioners.

He stated the issues relative to electromagnetic interference and the like are not able to be entered in as reasons against an approval for a wireless

communications tower.

Mr. Amine stated that is correct per the Telecom Act of 1996, Federal law prohibits that being used against a tower.

Belinda Puddy approached introducing her husband Frank, son Brandon and daughter Jordan. She stated the black square is her home. She stated they have a direct line of sight to where they are proposing to put the 100-foot tower. She said none of the people in the apartment complexes received the letter regarding the tower. She stated she received sad feedback from the residents, stating that the residents told her that they don't feel like they matter, and that the decision would already be made. She further stated most of the residents don't have a car to attend the meeting. She stated she feels like she would have to move because she won't let her children be exposed to the tower. She referred to the Zoning Ordinance, Section 2.304 of the R-1, one-family district. She also inquired if they have looked at maximizing other structures for this project. She questioned the setback requirements, as well.

Jordan Puddy stated that she lives across the street and she doesn't want to get anything from the cell tower. She further stated she doesn't want something that is super big across the street. She stated she wants the street to look nice.

Frank Puddy approached and stated sitting in the meeting tonight and hearing of all of the proposals from developers who wish to do great things for the City, that they contacted the residents around them, but no one approached them. He stated they have been living in their home for 20 years.

Brandon Puddy approached and indicated he loves his house, his bedroom and is very grateful for everything he has and stated he doesn't want the tower to go up.

Mr. Mullen addressed the setback requirement, that it is 65 feet. He stated the tower does meet the setback requirements.

Mr. Amine stated his sole purpose of putting up the tower is to improve the communications, the

broadband, the emergency services for the residents in that community.

Belinda Puddy asked why it couldn't go in another location.

Mr. Amine stated from an engineering standpoint, it would not cover the area they need to cover. He stated it is being put on the church property and the money will go to the church.

Zelphia Mobley from United Methodist Church approached and stated the church council did some due diligence in deciding whether to even put it on the church property. She stated they are a compassionate church and serve the community quite well, describing some of the programs they offer to the community. She stated the money they will be receiving will go back into the community.

Jordan Puddy asked the church why they would want the 100 foot tower right next to the building.

An unknown speaker indicated that the 100-foot tower will feed children that live in the apartments that the Puddy family spoke about earlier. She stated this is a church mission. She said she understands their position, as well, but they are looking at what the tower would mean to the community.

Belinda Puddy inquired as to what the appeal process would be for them.

Mr. Mullen stated the applicant has an appeal process, the public does not.

Commissioner Northcross inquired if this is a recommendation to City Council.

Mr. Mullen stated it does not go before City Council, that it is the Planning Commission's decision.

Deputy Mayor Jane Bias-DiSessa approached and asked if this is approved, what happens when the church leaves.

Mr. Amine indicated the lease agreement would run with the property owner.

Vice Chair Fegley stated she's been on the Planning Commission for quite some time, and that at the beginning they did have a cellphone tower come in front of them, and it was next to an apartment complex, and they did not approve that project. She stated she wanted to put it out there that she hears their concerns and understands, but that a lot of stuff that she is expressing cannot be considered, because it's not something they are allowed to, by law, to consider.

Mr. Amine stated he understands this is a touchy subject, and again reiterated it's to cover the residents in this community.

Bridgette (a member from the church) approached and stated that she would like to see if there is data showing that the radiation is causing cancer. She stated people are constantly on cellphones. She questioned whether there are any studies because cellphone towers have been out there forever.

Frank Puddy indicated the church has been in negotiations with the cell tower company for two and a half years.

The pastor of the church stated she has been there since July 1, 2015 and they have not been in negotiations, that they were not approached until 2017.

Commissioner Northcross inquired as to the construction of the tower.

Mr. Amine indicated it would be 100 foot tall and galvanized steel. He stated it's become today's landscape. He stated there are batteries on site.

Commissioner Northcross inquired as to whether you can change the shape of the tower so it's not so obtrusive.

Mr. Amine stated it is the standard pole. He stated he has had discussions with the City about making it fit in more with the surroundings, however, once you do that, other carriers may not be able to co-locate, and then

you would end up with a proliferation of towers. He indicated one of the requirements from the City is to make sure the tower can accommodate four antenna arrays. He stated they are complying with that requirement. He stated currently there is AT&T, Sprint, T-Mobile and Verizon. Everyone's systems are different. He stated there is a significant investment in this and they wouldn't want this location if it were not needed.

Commissioner Cadd stated she does appreciate the neighbors' concerns. She stated she also does appreciate the applicant's comments. She discussed how moving the tower 100 feet doesn't really change their concern about cancer. She discussed the security issue, as well.

Mr. Amine indicated there is security, it is fenced in and the first 20 feet of the tower does not have rungs, so they can't just climb up the tower.

Commissioner Payne indicated that just by putting up a tower does not necessarily mean there will be faster/better service in some homes, it just depends on the carrier. She inquired of the church if they have been in contact with the conference in regards to this project.

Ms. Mobley indicated that they have been in contact because they have very strict guidelines and they have to go through the church conference to get it approved. She stated they did do their due diligence and the church council did approve it. She stated United Methodist Church have towers on all of their properties, so theirs would not be the first.

Motion made by Commissioner Cadd to grant a Special Exemption Permit request 18-06 to permit the construction of a 100-foot tall monopole wireless communications tower per the findings of the City Planner included in his revised report dated June 6, 2018; and to grant the City Planner authorization to administratively approve the site plan for its development at 451 W. Kennett.

There was no second to the motion.

Commissioner Payne requested guidance from Mr. Mullen as to what happens if there is no second to the motion.

Mr. Mullen indicated the motion dies and another motion could be made. He stated the Planning Commission decision has to be approval, approval with conditions or deny.

Seconded by Commissioner Northcross.

AYES: Cadd.
NAYS: Northcross, Payne, Fegley.
ABSTAIN: (None.)
MOTION FAILS 1-3-0

7. LOT SPLITS:

7.4 LSLC 18-23 - Lot Split
PROPERTY ADDRESS: 735 South Paddock
PARCEL NO: 64-14-33-456-001
APPLICANT: George W. Auch Company
CURRENT ZONING: M-1 Light Manufacturing

(Presentation of facts provided by Mr. Mullen.)

(Vice Chair Fegley invited the applicant to address the Commission.)

Jacob Munchiando, 65 University Drive, Pontiac, Michigan approached. He stated they are going to keep the southeast building and sell the rest of the parcel.

Commissioner Northcross questioned how the lot split would be effectuated.

Mr. Mullen and Mr. Munchiando referenced the plans, pointing out where the lot split would occur.

Commissioner Northcross expressed concern over finding a buyer for that odd-shaped piece of property.

Mr. Munchiando stated they have already been contacted by a few people. He stated they are keeping parcel A, selling the acre and a half, parcel B.

Motion made by Commissioner Northcross to

approve the lot split request 18-23 for 735 S. Paddock Street, also known as PIN 64-14-33-456-001, per the findings found in the Planner's report dated May 30, 2018.

Seconded by Commissioner Cadd.

AYES: Northcross, Payne, Fegley, Cadd.
NAYS: (None.)
ABSTAIN: (None.)
MOTION CARRIES 4-0-0

7.5 LSLC 18-29 Lot Split
PROPERTY ADDRESS: 600 South Blvd
PARCEL NO: 64-19-03-101-003
APPLICANT: Pontiac West LLC
CURRENT ZONING: M-2 Heavy Manufacturing

(Presentation of facts provided by Mr. Mullen; Mr. Donovan Smith also provided information in regards to the lot split.)

Motion made by Commissioner Cadd to approve the lot split request 18-29, 660 E. South Boulevard, also known as PIN 64-19-03-101-003 and 64-19-04-226-020, per the findings found in the Planner's report dated May 30, 2018.

Seconded by Commissioner Northcross.

AYES: Northcross, Payne, Fegley, Cadd.
NAYS: (None.)
ABSTAIN: (None.)
MOTION CARRIES 4-0-0

8. NEW BUSINESS:

8.3 Administrative Oversight Determination - CO & C-1

Presentation of facts provided by Mr. Mullen. He stated they are asking for the Planning Commission to make a determination that this was an administrative oversight. He stated they have done this before with the Urban Farming in the P-1 district. He cited Section 2.307.

Motion made by Commissioner Cadd that the Planning Commission make a determination that an administrative oversight occurred through the

preparation of Table 2 uses permitted by district during the writing of the zoning ordinance omitting single family and two-family uses within the C-0 residential office and C-1 local business residential mixed use district; and that these single family dwelling units and two-family building units are appropriate within these districts known as C-1 and C-0.

Seconded by Commissioner Northcross.

AYES: Northcross, Payne, Fegley, Cadd.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 4-0-0

8.4 Historic Preservation Presentation given by Mr. Mullen.

9. UNFINISHED BUSINESS:

9.3 SPR 18-11 - Site Plan Review

ADDRESS: 1252 N. Perry

PARCEL NUMBER: 64-14-15-351-004

APPLICANT: Quick Lube

PROPOSED APPLICANT: Quick Lube Drive-Thru

CURRENT ZONING: C-3 Corridor Commercial

(Presentation of facts provided by Mr. Mullen, explaining last month the Planning Commission approved the Special Exemption Permit for the drive-through and auto repair uses, but tabled the site plan approval.)

Commissioner Payne stated she is still concerned about not having an escape plan.

Motion made by Northcross to grant preliminary site plan approval for request SPR 18-11 regarding 1252 N. Perry Street, while sanctioning the City Planner authority to grant final site plan approval upon receipt of revised site plans that resolve deficiencies found in the City Planner's reporter dated May 31, 2018, and waive the escape plan requirement.

Seconded by Commissioner Cadd.

AYES: Northcross, Fegley, Cadd.
NAYS: Payne.
ABSTAIN: (None.)
MOTION CARRIES 3-1-0

10. PUBLIC COMMENTS:

Commissioner Northcross made comments about the historical designation.

Mr. Mullen stated that is one of the goals in historic preservation, that you can take pride in some of the good, but also interpret where some of the bad history happened.

Commissioner Northcross announced Art, Fish and Fun starting June 9th.

Deputy Mayor thanked Mr. Mullen and Mr. Smith for their service.

11. ADJOURNMENT:

Vice Chair Fegley adjourned the meeting.

Adjourned at 10:14 p.m.

Minutes certified by:



/s/ Quentina Rochelle Snowden, CSR-5519
QRS Court Reporting, LLC
800.308.0068