

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on August 1, 2012; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

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

MOMENT OF MEDITATION:

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

EXCUSED: None.

ABSENT: None.

Mr. Sabo reported a quorum is present.

COMMUNICATIONS: None.

MINUTES FOR REVIEW: July 11, 2012

COMM. HUDSON MADE A MOTION TO APPROVE THE JULY 11, 2012 MINUTES WITH ANY NECESSARY CORRECTIONS AND COMM. HOLLIS SUPPORTED.

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

Vote 7-0-0 for approval of the 7-11-2012 minutes.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-12-65 - Site Plan Review - Special Exception Permit - Auto Service (Commercial), Unlimited Outdoor Retail Sales (Vehicle Sales) 567 East Walton Boulevard

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

Petitioner, Breen Kilgore, commented she just relocated to Pontiac, the use is the same, zoning changed in February. Also Petitioner indicated the property is in compliance with all codes and there is no outside storage.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Chairperson Turpin inquired if petitioner owned the adjacent building. Petitioner indicated no.

Comm. Fegley inquired of the reasons for postponing the Special Exception Permit for Retail Sales. Mr. Sabo indicating they have to come into compliance with landscaping requirements and it would hold up progress. Question concerning online sale of vehicles has never been experienced before. Further investigation will be done by Mr. Sabo.

Comm. Thomas inquired how long petitioner has been in Pontiac. Petitioner indicated he leased the property in May and meeting all requirements have been challenging and the landlord refuses to pay for certain items; and petitioner has paid for items just to move the progress along. She has a lease with option to purchase.

Comm. Thomas inquired of the lights, landscaping and signage. Mr. Sabo indicated the signage is necessary for Class B. The others are sufficient.

Comm. Hudson inquired of the zoning being C-3 and if it was a former automotive facility. Mr. Sabo agreed on the zoning and petitioner indicated it used to be an automotive facility and allowed in C-3 since ordinance changed. There can be discretionary authority from the Planning Commission.

Mr. Sabo indicated the petitioner was operating ahead of the process and was sent a letter to come into compliance by the Planning Commission.

Comm. Hudson inquired if she was charged an additional fee for the Special Exception Permit, because it seems like there's a charging fee for vacant to occupied. Petitioner indicated yes. Mr. Sabo indicated his job is to uphold the ordinance and the City decided certain uses and some are discretionary uses.

Comm. Hudson suggested approving the matter with contingencies.

Deputy Mayor Glass indicated the reason the ordinance was changed because the Planning Commission recognized requests for auto sales and liquor stores were voluminous in the City of Pontiac and in order to monitor the situation, something needed to be in place to make sure it came before the Planning Commission.

Comm. Cadd inquired if six cars can be purchased with a Class B license. Petitioner indicated, yes; Class B license is needed.

Comm. Hollis indicated she is familiar with the property and inquired if they will only sell parts. Petitioner indicated yes.

Comm. Hollis inquired of the hours. Hours are Monday through Friday 9 a.m. to 7 p.m. and she has 3 employees, herself, her husband and one more employee.

Comm. Thomas indicated Pontiac is business-friendly and welcomes businesses to Pontiac. He foresees the problem being Ms. Kilgore is not the legal owner.

Chairperson Turpin inquired if State Farm was operating. Petitioner indicated yes.

COMM. HUDSON MADE A MOTION FOR APPROVAL OF THE PROPOSED SITE PLAN SPECIAL EXCEPTION PERMIT FOR AUTO REPAIR (COMMERCIAL) PF-12-65 AM MOTORSPORTS, LLC AND COMM. CADD SUPPORTED SUBJECT TO COMPLIANCE CONDITIONS BELOW AND FOR APPROVAL OF THE SPECIAL EXCEPTION PERMIT RETAIL SALES (UNLIMITED OUTDOOR) (VEHICLE SALES) AM MORTORSPTS TO ALLOW FOR REVISED SITE PLAN DETAILING USED VEHICLE SALES.

1. Compliance with Section 4.404 Minimum Percentage of Site Landscape requires with the Zoning Ordinance.
2. Compliance with Section 4.405 Street Trees and Groundcover requirements of Zoning Ordinance.
3. Compliance with Section 4.407 Landscape Buffer and Screening requirements of the Zoning Ordinance.
4. Compliance with Section 4.305(e) Parking Space Size 9' x 20' requirements of the Zoning Ordinance.
5. Compliance with all state of Michigan requirements for a Class B Dealer license including but not limited to:
 - a. Adequate lighting during business hours.
 - b. An exterior sign displaying the name of the dealership that is permanently affixed to the building or land with letters clearly visible from a highway.
 - c. Contain a registered repair facility on-site, or obtain a servicing agreement for a service facility within 10 miles.

City Councilman George Williams, District 2, appeared in support of the proposal, encourages free enterprise and he understand the Master Plan may change from time to time.

Charles Johnson, applauded the petitioner for fulfilling his dreams and goals.

Andre Williams, 38 Porter, appeared in support of Mr. Oliver and is helping him move forwards with his visions. Mr. Williams commented Pontiac is in the middle and business such as this will make people stop in Pontiac.

Elizabeth Valdez, appeared in support of the proposal and indicated she comes to the city to do all her business and supports Pontiac and she also is a business owner.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Hollis commented she is familiar with Mr. Oliver, he's a good neighbor and she visited Catfish Corner, which was his previous business. Comm. Hollis commended Mr. Oliver on his presentation and agrees with the comments made by Councilman Williams.

Comm. Hollis inquired of only one curb cut. Petitioner indicated he looking to purchase more land from the hospital and he has plans to renovate and remodel the current building.

Comm. Hollis inquired about hours of operation and number of cars on lot. Petitioner indicated 9 a.m. to 6 p.m., hours may expand as needed and he estimate 10 cars and he has lighting and signage in place.

Comm. Hollis inquired of the landscaping and neighbor concerns. Petitioner indicated it will be continually improved and the petitioner has spoken to the neighbors and they are in support of him.

Comm. Cadd inquired of employee parking and commencement of work. Petitioner indicated they will park in the parking lot. For sale cars will be in a future area. Petitioner indicated he is looking to start immediately and will obtain proper permits.

Comm. Hudson inquired of the exact properties involved. Mr. Sabo outlined three lots on one sidwell. Mr. Oliver owns all three lots.

Comm. Hudson inquired of the zoning and the impact on the neighborhood. Mr. Sabo indicated it is zoned C-3. Mr. Oliver indicated the building is already a pre-existing tire store and has been approved and Mr. Sabo agreed.

Comm. Thomas commended Mr. Oliver on his eloquent presentation and commented the facility is very organized.

Comm. Thomas inquired about the number of employees. Mr. Oliver indicated 8.

Comm. Fegley inquired if the outdoor storage was in compliance. Mr. Sabo indicated yes, outside storage is not allowed. Mr. Oliver indicated the tire sleeves out front are for advertisement, but can easily be removed at night.

Comm. Fegley inquired if the large gray area is proposed to be paved. Petitioner indicated yes. Mr. Sabo informed Mr. Oliver if he has 20 or more cars on the lot, he will need landscaping.

Deputy Mayor Glass inquired of any other outdoor storage that is prohibited. Mr. Sabo indicated there may be some other items on the lot, but he was unsure of the specifics.

Deputy Mayor Glass inquired of the official site plan and Mr. Sabo reported he has spoken to the petitioner concerning the site plan.

Deputy Mayor Glass commended Mr. Oliver for having an internship for future entrepreneurs.

Chairperson Turpin commended Mr. Oliver on his confidence and salesmanship and indicated the future renderings are impressive.

Deputy Mayor Glass inquired of the plans for security. Petitioner indicated it will be an open lot, well lighted facility. Deputy Mayor Glass inquired of the adequate lighting and the requirements pertaining to residential neighbors and drivers being blind sighted. Mr. Sabo read into the record 4.502 light standards and the requirements.

COMM. THOMAS MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN AND SPECIAL EXCEPTION PERMIT FOR PF-12-70 NEW BEGINNING AUTO SALES FOR THE REASON LISTED BELOW AND COMM. HOLLIS SUPPORTED:

Comm. Hudson inquired if he would only be working on his own cars. Petitioner agreed. Mr. Sabo explained service on site, but no repairs.

Comm. Hudson inquired about the fence at the rear property line. Mr. Zaid indicated he removed the fence and replaced with a concrete pattern fence.

Comm. Cadd inquired of any vehicle auctions. Mr. Zaid indicated the cars are ready for sale on the lot, no need for auctions.

Mr. Sabo reminded the petitioner that the pole sign needs to be removed.

DEPUTY MAYOR GLASS MADE A MOTION FOR CONDITIONAL APPROVAL OF THE SITE PLAN AND SPECIAL EXCEPTION PERMIT FOR PF-12-76 BEHROUZ OSKUI SUBJECT TO THE CONDITIONS LISTED BELOW AND COMM. HUDSON SUPPORTED.

1. Compliance with Section 4.405 of the Zoning Ordinance for residential landscape buffer or approval by Planning Commission under Section 4.406(b) alternative screen method.
2. Compliance with Section 4.407 of the ordinance for street trees
3. Compliance with Section 4.408 of the ordinance for trash receptacle enclosure.
4. Compliance with Section 4.502 for exterior lighting requirements.
5. Compliance with Section 4.305(d) number of barrier free parking spaces required
6. Compliance with Section 5.108 for removal of non-conforming signs.
7. Compliance with Special Exception Permit standards number 1 from Section 6.303 for Development Standards from the Master Plan by use of split face/decorative block.
8. Compliance with Special Exception Permit standards number 2, 3, and 4 from Section 6.303 for Development Standards from the Master Plan with the use of high quality materials as determined by the Planning.

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

Vote 7-0-0 for Approval of the Site Plan Review and Special Exception Permit.

NEW BUSINESS: Notre Dame Academy, Representative indicated they have plans to move their elementary school to Pontiac and acquire all the property along Geddes Road in the future. They have approximately 110 students and the pre-existing building will be updated.

Feedback

Chairperson Turpin commented he is a U of D Dad and education is important.

Comm. Hudson inquired if it would be two levels and who was the owner. Rept. indicated yes, two levels and the owner are Mercy Fathers of U.S., they are a 501c.

Comm. Thomas indicated he is in favor of educational building blocks.

Comm. Cadd inquired if it was a private school. Rept. Indicated yes.

Renaissance Marble - Frank Angelli, owner; Peter Boyer, Earth to Earth is his business; Mr. Angelli indicated he has owned Renaissance Marble for 35 years, employs 22-27 people and presenting he is changing business ventures. He wants to install a stile in an M-1 zone. A stile is a device to brew alcohol and he wants to conditionally change the zoning to allow permission of the stile.

Feedback

Deputy Mayor Glass inquired of the proposed product. Mr. Angelli indicated he will be making vodka, bourbon and cognac.

Mr. Sabo indicated he still needs a state license.

Chairperson Turpin inquired of his current business. Mr. Angelli indicated he produces cultured marble countertops for different companies.

Comm. Thomas indicated the breweries are fast-growing businesses.

UNFINISHED BUSINESS: None.

OTHER ITEMS: Planning and Economic Development Discussion. Deputy Oakland County Executive Matthew Gibbs presented and gave presentation of industrial properties, endeavors that the County is doing with the City of Pontiac and there was discussion of the Phoenix Center and Daylighting the Clinton River.

PUBLIC COMMENT: Chuck Johnson commented the sessions need to be televised to get rid of the negative attitudes, and people need to be informed.

ADJOURNMENT: 9:50 p.m.