

**REGULAR MEETING:** City of Pontiac Planning Commission Special Meeting Minutes on November 2, 2011; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

**CHAIRPERSON TURPIN CALLED THE MEETING TO ORDER AT 6:40 P.M.**

**MOMENT OF MEDITATION:**

**ROLL CALL: PRESENT:** Turpin, Thomas, Cadd, Fegley, Hudson.

**EXCUSED:** None.

**ABSENT:** None.

Mr. Sabo reported a quorum is present.

**COMMUNICATIONS:** None.

**MINUTES FOR REVIEW:** None.

**PUBLIC HEARINGS AND SITE PLAN REVIEWS:**

5.1 PF-11-71 - Street Vacation Request - Multiple Streets

800 Golf Drive from Oak Valley Drive to Canterbury Drive,  
Municipal Golf Course Property

Fisher Avenue from Bagley Street to Crystal Lake Park, Municipal  
Golf Course Property

**PRESENTATION OF STREET VACATION GIVEN BY MR. SABO.**

Mr. Sabbota, Emergency Manager, reported that City is cleaning up records and the appropriate paperwork for this street vacation was never formally entered or approved as required by law. Mr. Sabbota is requesting approval for the vacation so the city can move forward with maintaining accurate and up-to-date records on properties.

**CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.**

None.

**CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.**



Comm. Hudson agrees this request is a procedure and housekeeping matter for the City and also inquired of the status of the city after the Emergency Manager is no longer in place. Comm. Hudson also commented concerning these hearing being submitted ordinarily as Mayor/City Council and now they are presented as Emergency Manager/City Council and can the Emergency Manager override decisions made by the Planning Commission. Mr. Sabbota indicated the Emergency Manager can override decisions and legitimate reasons should be made known for the override. All recommendations are currently forward to the Emergency Manager, which ordinarily would go to City Council.

Comm. Hudson concurs with the recommendation as it is a housekeeping matter.

Comm. Cadd concurs also with the recommendation and inquired if preparations are being made to dispose of the Golf Course and if so, will it be sold as a golf course.

Mr. Sabbota indicated yes, informal plans are being made for the future sale of the golf course, to be sold as a golf course. The City needs clear title and other issues have arisen and they will be seeking a lot split in the near future.

Chairperson Turpin pleased to see evaluation of properties in the city with issues that are being addressed properly.

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

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

Vote 5-0-0 for Approval of Street Vacation.

5.2 PF-11-65 Special Exception Permit Request - Church or Religious Facility in the R-1 Residential District - 1180 North Perry Street

PRESENTATION OF SPECIAL EXCEPTION PERMIT GIVEN BY MR. SABO.



Petitioner, Pastor Manns, 665 Garden Drive; commented his primary intent is to enclose and enhance the church and the surrounding neighborhood.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Thomas indicated he frequently passes the property and the front of the property is nice and well-maintained and he inquired of the plans for the shed and the condition of the fence. Pastor Manns indicated his plans are to keep the shed and it is used for storage of lawn mower and other equipment. The fence will be relocated and the entire two properties will be enclosed by the fence.

Comm. Thomas inquired of any landscape improvements for the property. Mr. Sabo indicated he is recommending waiver of the landscaping because it currently functions well currently.

Comm. Thomas encouraged the Pastor Manns to continue maintaining his property and any enhancements would improve the property further.

Comm. Hudson inquired if the surrounding neighbors had been notified. Mr. Sabo indicated yes within 500 feet. Comm. Hudson summarized by the non-appearance of the neighbors, there is no opposition and as far as the fencing, the petitioner will save money on the fencing in the long run.

Comm. Hudson disagrees with the recommendation by Mr. Sabo to waive the landscape requirements and cited the landscape requirements. Comm. Hudson inquired if the applicant can meet the requirements, he should be held to the ordinance requirements and if any consideration is given, he suggested a minimum waiver.

Pastor Manns indicated he is willing to comply and feels the enclosure would enhance the property. Mr. Sabo explained the necessary landscape requirements to the petitioner and indicated the reason for the waiver was the size of the parcel as shown on the diagram, being a great size of landscape for the area.

Mr. Sabo explained the reason the requirements were not addressed previously because the property can remain the same,



but once a special exception permit is requested that triggers and requires the petitioner to bring their property up to date according to the present code in place. Mr. Sabo also explained the minimum landscape requirements on his property.

Chairperson Turpin commented that ordinances are designed to maintain certain standards of decorum for properties. The desire in this case is to buffer the residential neighbors.

COMM. HUDSON MADE A MOTION FOR APPROVAL OF THE SPECIAL EXCEPTION PERMIT WITH NO WAIVER OF LANDSCAPE REQUIREMENTS AND COMM. THOMAS SUPPORTED.

Discussion: Comm. Hudson suggested that Pastor Manns ask his parishioners for assistance and work together with the community to accomplish the landscape requirements. Mr. Sabo indicated the timeframe for completion is 12 months.

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

Vote 4-1-0 for Approval of Special Exception Permit with no waiver of landscape requirements.

### 5.3 PF-11-66 - SITE PLAN REVIEW - BUILDING USE CHANGE - 645 SOUTH TELEGRAPH ROAD

PRESENTATION OF SITE PLAN REVIEW AND BUILDING LAND USE CHANGE GIVEN BY MR. SABO.

Petitioner, Project Engineer indicated they are requesting a change of use of building and willing to comply with parking requirements and landscape requirements. The screen walls currently have natural buffers and they just need to add minimal landscape materials. Petitioner not sure if screen wall is need for alleyway.

Petitioner is asking for the added requirement of a dumpster enclosure for future use and they are working on the right side of the building for immediate retail and need pre-approval to start moving on their retail aspect of the project.





Chairperson Turpin indicated given the uncertainty of the prospective property, a site plan is needed for clarity.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Fegley commented she is excited about the development in the area and agrees more information is needed before full approval can be given. Comm. Fegley inquired if approval can be granted for the land use change and postpone the other portions of the request.

Mr. Sabo indicated yes. The project is a large site with a lot of complexities and a site plan is needed.

Comm. Thomas commented a plan has to be a good and tight plan; and this property is in distress; but it is an ambitious property. Comm. Thomas inquired if they were newer owners; Petitioner indicated yes.

Comm. Hudson commented he was baptized in this church and agrees with Comm. Fegley. Comm. Hudson feels a preapproval is not specific and suggested the project be divided into three separate parts and commented the current sign looks nice.

Comm. Hudson inquired if a motion for the land use and the five issues was sufficient. Chairperson Turpin indicated the five issues are not of interest at this point.

COMM. THOMAS MADE A MOTION FOR APPROVAL OF THE CHANGE OF LAND USE FOR BUILDING 1, PROPOSED RETAIL AND EXISTING OFFICE; BUILDING 2, PROPOSED BANQUET HALL AND EXISTING OFFICE, BUILDING 3, PROPOSED RETAIL AND EXISTING OFFICE AND COMM. HUDSON SUPPORTED.

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

Vote 5-0-0 for Approval of Change of Land Use.



5.4 PF-11-67 Site Plan Review - Special Exception Permit - Open Air Business Sale of Perishable Food in a C-1 District - 1124 Joslyn Avenue

PRESENTATION OF SPECIAL EXCEPTION PERMIT GIVEN BY MR. SABO.

Petitioner, Al Kajy, 5327 Hubb Lane, had no additional comments.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

Bonnie Howard, 585 Fourth Street, has lived in the area 28 years, and objects to the appearance of the truck. It brings extra traffic, mismatched chairs, unsightly tarps and umbrellas and feels the truck does a disservice for the area.

Ms. Lee, 591 Fourth Street agrees with Ms. Howard and feels it should be located on the inside of the building.

Jerry Howard, 585 Fourth Street asked the questions would anyone like to eat at the trailer? He thinks not because it looks terrible.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Thomas indicated he visited the site and concerned with power source over the retainer wall, an electric cord and inquired why the power source is not supplied from the adjacent building. Petitioner indicated there are no electrical outlets on that side of the building he owns and across the retaining wall is a special 220 outlet for service to the trailer.

Comm. Thomas commented this proposal is similar to putting the cart before the horse and still had strong concerns for the electrical source being supplied presently.

Comm. Cadd concerned with the appearance of the truck being unattractive and does not want to invite other businesses to follow this trend. Comm. Cadd also concerned with the in and out traffic and feels this proposal does not add to the betterment of the neighborhood.

Comm. Hudson inquired of the 17 parking spaces being for the convenient store or the Market. Mr. Sabo indicated those parking spaces are for the convenient store. Comm. Hudson indicated the proposal fails to meet the requirements in the Special Exception Permit ordinance and he is not in favor of the proposal.



Chairperson Turpin indicated the building is out of harmony with the neighborhood. A truck should be a truck, and not stationary in a parking lot.

COMM. HUDSON MADE A MOTION FOR DENIAL OF THE SPECIAL EXCEPTION PERMIT AND COMM. CADD SUPPORTED.

VOTE: AYES: Hudson, Cadd, Thomas - commented that in Southern California they have taco stands day and night, but an electrical cord is not acceptable; Turpin, Fegley.

NAYS: None.

ABSTAIN: None.

Vote 5-0-0 for Denial of the Special Exception Permit.

5.5 PF-11-68 Lot Split Request - R-1 One Family Dwelling  
District - 227 Ottawa Drive

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Petitioner, Rick David, 227 Ottawa Drive, indicated he needs the split for selling of his residence.

PUBLIC HEARING NOT REQUIRED.

Comm. Hudson inquired if this could have been done administratively. Mr. Sabo indicated no, it is required by state laws.

Comm. Thomas visited the location and inquired of the plans for the other lot. Mr. David indicated possibly a land contract with the new owner with possible future development.

COMM. CADD MADE A MOTION FOR APPROVAL OF THE LOT SPLIT AND COMM. FEGLEY SUPPORTED.

VOTE: AYES: Cadd, Fegley, Hudson, Turpin, Thomas.

NAYS: None.

ABSTAIN: None.

Vote 5-0-0 for Approval of the Lot Split.



5.5 PF-11-69 Lot Split Request - M-2 Manufacturing District -  
824 St. Clair Street

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Petitioner, Jeff Hoda, 4677 Woodward Avenue, commented with the conditions presented they need to resolve several issues to continue with compliance.

PUBLIC HEARING NOT REQUIRED.

Comm. Thomas indicated he is familiar with the area and inquired of proposed tenants. Mr. Hoda the power plant facility will be leased to DTE and the remaining building will be raised and the site prepared for future development.

Comm. Hudson indicated he is familiar with the area and inquired of the length of vacancy. Mr. Hoda approximated 10 years. Comm. Hudson inquired of the demolition timeframe and a power plant versus a substation. Mr. Hoda approximated 3 months to commence demolition and it is a power plant facility.

Comm. Cadd request when demolition starts if the Fisher Body façade would be last for demolition and inquired of any PCB, asbestos or cancer causing agents being distributed into the air during demolition. Mr. Hoda indicated there are environmental requirements that they must adhere to during the demolition process.

Comm. Cadd inquired of the plans for the vacant lot. Mr. Hoda indicated no plans are in place as of yet.

Comm. Cadd thanked Razor Properties for addressing her concerns and noted that the grass outside the fencing was over three feet high and if that could be addressed. Mr. Hoda will investigate.

Chairperson Turpin also familiar with the area.

COMM. FEGLEY MADE A MOTION FOR APPROVAL OF THE LOT SPLIT WITH CONDITIONS AND COMM. HUDSON SUPPORTED.

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





ABSTAIN: None.

Vote 5-0-0 for Approval of the Lot Split.

NEW BUSINESS: None.

UNFINISHED BUSINESS: None.

OTHER ITEMS: None.

PUBLIC COMMENT: None.

ADJOURNMENT: 8:24 p.m.

