

**REGULAR MEETING:** City of Pontiac Planning Commission Meeting Minutes on September 4, 2013; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

**CHAIRPERSON THOMAS CALLED MEETING TO ORDER AT 6:35 P.M.**

**MOMENT OF MEDITATION:**

**ROLL CALL: PRESENT:** Payne, Hollis, Glass, Hudson, Cadd, Thomas

**EXCUSED:** Fegley.

**ABSENT:** None.

Mr. Sabo reported a quorum is present.

**COMMUNICATIONS:** None.

**MINUTES FOR REVIEW:** None.

**PUBLIC HEARINGS AND SITE PLAN REVIEWS:**

**5.1 PF-13-24 SITE PLAN REVIEW - 55 TURK ROAD**

PRESENTATION OF SITE PLAN REVIEW REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Petitioner Chris Sherman, 1600 Dover, Ferndale, Michigan; indicated he met with the Planning Department and updated his site plan with landscaping. Mr. Sherman indicated he has a Knox box coming and he is in communication with Nowak and Fraus.

**A PUBLIC HEARING IS NOT REQUIRED.**

Comm. Cadd inquired how long he has been at the location and any ordinance violations. Mr. Sherman has been at the location one year and a half and had some building code violations, but they are up-to-date currently.

Comm. Hudson inquired of the petitioner's relationship with GLE Scrap. Mr. Sherman is the manager. Comm. Hudson inquired of the dust and the 8 foot fence. Petitioner indicated the paving creates the dust, but it will be cleaned regularly and indicated the fence was not very close to residential area. Petitioner

indicated the trees would be a buffer and he has not received any noise complaints.

Comm. Payne indicated she visited the site and she is concerned with visibility and upkeep of the property. Petitioner indicated the trees are in the railroad path and assured her the property would be maintained.

Deputy Mayor Glass inquired positively of no complaints. Petitioner indicated there was one complaint of trucks turning out of the driveway turn on Charles Johnson's property, but that problem has been cured with the widening of the approach. Also a tire cleaner will be installed on the property.

Deputy Mayor Glass inquired of the hours of operation. Petitioner indicated Monday through Friday 8 a.m. to 4 p.m. and assured the commissioners no work starts before 8 a.m.

Mr. Bowdell indicated a problem with loading and unloading that occurs before and after work hours. Petitioner indicated he was unaware of that and it would stop immediately.

Chairperson Thomas inquired of Charles Johnson concerning the truck traffic. Mr. Johnson indicated there is a problem with the trucks turning around creating a lot metal and debris in the area and there have been a lot of complaints from the neighborhood and feels the petitioner needs to be held accountable.

Chairperson Thomas indicated he visited site today and sees a lot of cosmetic challengers and for two months they have accumulated a lot code violations. Chairperson Thomas reiterated he is committed to resetting the compass due north and business have to be a citizen of the community. Mr. Bowdell not sure of any public complaints.

Deputy Mayor Glass inquired if there was a street sweeper. Mr. Sabo indicated the engineering department is addressing the run off drainage and that's a major reason why the applicant is before the Planning Commission currently.

Deputy Mayor Glass inquired of the number of trees being removed. Mr. Bowdell indicated 21 trees are being removed to utilize the property and it has be approved by the Planning Commission. Majority of the trees will be replaced on the frontage of the property on Turk Street and the Planning

Commission can make a requirement on replacement of any and all trees.

Comm. Cadd inquired of the height of the hedges and the timeframe for replacement trees. Mr. Sabo indicated 36 inches in the Right-of-Way on Turk Street and replacement timeframe is usually 12 months.

Comm. Payne commented if the physical appearance of the property could be more presentable. The petitioner indicated the landscaping would enhance the property. The grading will start this fall after they get ZBA approval and the fencing has already been ordered.

COMM. HUDSON MADE A MOTION FOR DENIAL AND COMM. PAYNE SUPPORTED.

Questions were had on the motion. The motion was retracted by Comm. Hudson and Comm. Payne.

Discussions were had concerning the Emergency Manager and his role.

MOTION MADE BY COMM. HUDSON TO APPROVE SITE PLAN (PF-13-24) GLE SCRAP 55 TURK IN ACCORDANCE WITH SECTION 4.413 OF THE ZONING ORDINANCE - AN ALTERATION OF THE MINIMUM SITE LANDSCAPING FROM 5 PERCENT TO 0.8 PERCENT AND A MODIFICATION OF STRET LANDSCAPING TREES TO 112 HEMEROCALLIS (EVERGREEN HEDGE) AND COMM. PAYNE SUPPORTED WITH THE FOLLOWING CONDITIONS:

1. Obtain a Use Variance from the Zoning Board of Appeals to expand a legal non-conforming use or obtain a Zoning Map Amendment and Special Exception Permit to allow the use of a Salvage Yard/Resource Recovery Facility/Junk Yard.
2. Compliance with Section 4.602 of the Zoning Ordinance for Tree Replacement; Total of nine 3.5" caliper deciduous trees required and one 2.5" caliper deciduous tree required.
3. Compliance with any and all Engineering standards and fire codes including the elimination of soil erosion, Knox lock boxes, and the submission of a truck turning radius study.
4. Compliance with all permitting, inspection and business licensing requirements.

CHAIRPERSON THOMAS: Could we have a roll call, please.

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

NAYS: None.  
ABSTAIN: None.

Vote 6-0-0 for approval of the Site Plan Review (PF 13-24)

## **5.2 PF-13-69 SITE PLAN REVIEW - 240 EAST COLUMBIA AVENUE**

PRESENTATION OF SITE PLAN REVIEW REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Petitioners Tom Schram and Bob Schram presented a powerpoint presentation, been in business for 90 years, state of the art recycling business, good clean operation. The proposed site will employ 25-35 new jobs, will upgrade surrounding area and create a good tax base for the City of Pontiac.

Comm. Cadd commented she is familiar with the site and has ordered from their website and inquired if this was an addition and a relocation. Petitioner indicated it is an addition.

Comm. Cadd inquired of water contamination. Petitioner indicated no water contamination, drains have separations and the majority of work is done inside.

Comm. Hollis inquired of the hours. Petitioner indicated Summer hours 9 a.m. to 6 p.m. seven days a week; Winter hours 9 a.m. to 5 p.m. six days a week.

Comm. Hudson inquired if this was similar to Parts Galore on Eight Mile. Petitioner agreed it is similar.

Comm. Payne's question was answered with Comm. Cadd's inquiry concerning addition or relocation. Comm. Payne inquired of the appearance and maintenance of the facility. Petitioner indicated it will be a clean operation. They have not purchased it yet, but plans are pending.

Deputy Mayor Glass inquired if cars would be dismantled at this location. Petitioner explained there will be a big parking area similar to the GM plant with vehicles and you can pull your own parts off cars. Some vehicles will be inside and some outside.

Deputy Mayor Glass inquired at the time a car is halfway scrap material. Petitioner indicated it ultimately will be removed and then scraped. The neighbors will not see scrap metal piles.

Deputy Mayor Glass inquired of any citizen complaints thus far. Mr. Sabo indicated he has received no complaints. Deputy Mayor Glass concerned with noise for the surrounding residents and the property presently an eyesore.

Chairperson Thomas inquired if Razon still owned the property. Petitioner indicated North American Dismantle is the current owner. Chairperson Thomas inquired of the acreage and other properties owned by Schram. Petitioner indicated 30.4 acres and they own property in Waterford and Mason, Michigan.

Chairperson Thomas asked the petitioner to explain their operation as vehicles come in. Petitioner indicated vehicles come in to a holding area, fluids are removed and then vehicles go to a staging area, then scrap area for customers to take parts and then the vehicles are shipped out.

Chairperson Thomas concerned with proper buffering and noise component. Petitioner indicated they only have lift trucks, which are hi-lows and also they would like to commence operations early spring of 2014, full operation by May 2014. They are working with Job Links for screening of new employees.

Comm. Payne inquired of the process with the leftover vehicles and if vehicles come from other sites to this location. Petitioner indicated leftover vehicles get recycled and then crushed; and no other vehicles from other locations are brought to this proposed site.

Comm. Hudson inquired if this was similar to U Pull & Save. Petitioner indicated not quite.

Comm. Cadd feels positive about the proposal indicating a lot vehicles will be removed from the roads.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING OPEN.

Charles Johnson commented this would be a great loss for the city if this proposal was not approved. Mr. Johnson indicated Schram runs very good operations, the land can be made viable, rehabbed and bring in new employees. There are plenty of junk

cars in the community and feels this is a win/win for the City of Pontiac.

Lee Bradford, Third Street, Pontiac; inquired if anyone wanted this in their backyard. He commented it may look better, but now it's pathetic. There are nice homes in that neighborhood and he doesn't want the noise, dust or crushing/dismantling cars in his neighborhood

Charlotte Burkhart, Oakland County Planner, indicated she visited the Waterford operation and was very impressed and thanked Schram for 90 years of business. Ms. Burkhart indicated it would be an improvement for the neighborhood, good tax base for the city and jobs.

Ken Terran, East Longfellow, indicated the Waterford store is similar to the proposed location and he has visited the Waterford Store and there are parts sitting on the ground, people are stealing metal in his neighborhood and General Motors is no longer there and it is quiet.

Edwin Charles, 303 Third Avenue, indicated he does not want the noise in his quiet neighborhood, the grass is very high; a fence of any height would not matter and he is not in favor of the proposal.

Sandy Bowen, Third Street, indicated she would like to see some pictures so she can get a visual and feels the creation of 25 jobs would not help the community. Ms. Bowen indicated the Schrams all live in White Lake and asked if they would like this proposal in White Lake.

Mr. and Mrs. Manni indicated they sent a letter in and Mr. Manni feels an 8 foot fence is insufficient. The letter reads as follows:

"I am responding to a letter written August 16, 2013 in regards to Special Exception Permit for Schram Auto Parts. I would first like to state that I have been a permanent resident in the City of Pontiac for over 50 years, born and raised. We take exceptional care of our property as this is our planned retirement home. With that said, we are not supportive of the plan/request to allow a Salvage Yard/Resource Recovery Facility to be opened at the above location. Not only will this be an eyesore in the community, but it will also drive down the value of my home and other surrounding homes. In addition, we have

concerns of environmental unsafe surroundings, debris, odor, health hazard and noise and risk rodent activity.

We strongly protest this proposal as we cannot see any benefit that it will add.

Regards,  
Marion L. Manni."

Letter read into record from resident at 110 East Longfellow.  
Letter not received for insertion into the minutes.

Letter read into the record from Ms. Linda McNeil, 295 First Avenue, Pontiac, Michigan reads as follows:

"Attached is a memo/letter from me re: Special Exception Permit PF-13-69.

I have limited mobility and may not be able to attend the City Council Meeting Wednesday, September 4, 2013 at 6:30. Please have this info read into the record. Thank you. Linda McNeal.

"Note: I have limited mobility and may not be able to attend. As property owner and resident of Pontiac, Michigan, I am asking that this letter be read into the record of the next council meeting on Wednesday, September 4, 2013 at 6:30 p.m. as I have limited mobility. I strongly stress my desire not to grant the Special Exception Permit PF-13-69 to Schram Auto Parts.

#1, My property value will decrease even more than it has in the past few years.

#2, I have serious health problems and this will only exacerbate my condition due to the noise, dirt and debris that comes with the type of activity of salvaging (major) storage of a junkyard, etc., all comes with this type of business.

#3, We know the different chemicals that automobiles use (Freon, anti-freeze, oil, gas, etc.) will be released into the atmosphere and ground.

#4, The constant activity of traffic of trucks, etc., involved in this type of business. This is a very small example of positive reasons not to grant this permit. The daily comings and goings entailed are insurmountable.

Note: My neighbor uses her personal lawnmower to keep the grass along the area cut as a means of helping our property look very good. This is a very positive thing. So please do not grant this permit to Schram Auto Parts.

In all sincerity,  
Mrs. Matthew McNeal, Jr.  
295 First Avenue  
Pontiac, MI 48340-2805"

Chairperson Thomas commented we all live in Pontiac and we are trying to repurpose land and buildings and we all need to bring Pontiac together.

The Petitioner summed up the concerns as follows: Petitioner indicated concerning the dust that they will have 16 acres of pavement asphalt, which creates no dust; forklifts don't make noise. Petitioner feels he would want this in his neighborhood if it was positive and good and someone will clean up the area and it will not be a junkyard.

The Petitioner indicated they are installing a very intensive alarm system and they are installing a non-see thru fence.

CHAIRPERSON THOMAS DECLARED PUBLIC HEARING CLOSED.

Deputy Mayor Glass indicated the presentation of the Waterford location is not representative of the proposed location and need pictures depicting the similarities to the proposed location in all fairness to the citizens.

Deputy Mayor Glass indicated the City does not own this proposed property and the letters of notification are sent out to residents and business owners within 300 feet of the proposed location. He agrees that issues needs to be revisited and apologizes to the residents who were not notified on behalf of the city.

Comm. Cadd inquired of the large area with concrete and asphalt. Petitioner indicated that area will be for 125 used vehicles for customers to select parts from. The holding area will have 335 spaces.

Comm. Cadd commented Pontiac needs the tax base and she feels this is better than a landfill.

Comm. Hudson commented he has been to the Parts Galore Store and it's a quiet and clean operation and the applicant has a long and repeated history of good work ethics and well maintained businesses. He feels the landscape material is sufficient as proposed with 62 street trees, 6600 square feet of landscape material and also he feels the M-2 zone is appropriate with reduced use.

COMM. CADD MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN REVIEW AND SPECIAL EXCEPTION PERMIT FOR 240 EAST COLUMBIA AVENUE, PF-13-69, SCHRAM AUTO PARTS OUTDOOR STORAGE YARD (MAJOR) AND SALVAGE YARD/RESOURCE RECOVERY FACILITY/JUNK YARD BASED ON SPECIAL EXCEPTION PERMIT STANDARDS FROM SECTION 6.303 AND COMM. HUDSON SUPPORTED SUBJECT TO COMPLIANCE CONDITIONS LISTED BELOW:

1. Compliance with Section 4.404 for site landscaping in front and side yard of 66,211 of landscape material per the zoning ordinance standards.
2. Compliance with Section 4.407 for 62 street trees located in the street lawn r.o.w. area.
3. Compliance with Section 4.408 trash receptacle enclosure and masonry screening.
4. Compliance with Section 2.520 Special Exception Outdoor Storage Yard (major) screening wall obscuring standards.
5. Compliance with Engineering Department requirements for water, sewer, drainage protections and fluid containment.
6. Compliance with all Building Construction Codes, Engineering standards, Fire codes and City permitting requirements.
7. Compliance with all City of Pontiac business licensing requirements.

CHAIRPERSON THOMAS: Could we have a roll call, please.

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

Vote 4-2-0 for approval of the Site Plan Review and Special Exception Permit(PF 13-69)

### **5.3 PF-13-53 SITE PLAN REVIEW - 1125 NORTH PERRY STREET**

PRESENTATION OF SITE PLAN REVIEW REQUEST GIVEN BY MR. SABO.

Overhead photographs were shown.

Petitioner Charles Hadden, Clarkston, Michigan, indicated he will need to expend a lot of funds in this property before it is purchased and a decibel test is forthcoming.

NO PUBLIC HEARING REQUIRED

Comm. Cadd inquired if he was determined to place his business at this location. Mr. Hadden indicated yes, because at his present location there is no room for expansion.

Comm. Cadd indicated she visited the site and listened in the parking lot for noises, which is very minimal.

Comm. Hudson inquired of other items that needed approval. Mr. Sabo indicated the rezoning is tied to the site plan approval.

Chairperson Thomas indicated Perry Street is wide open with no landscaping; Arlene and Perry Streets are in need of sufficient buffering. Mr. Sabo indicated petitioner has met that requirement in his proposed site plan.

COMM. CADD MADE A MOTION TO APPROVE SITE PLAN REVIEW 1125 NORTH PERRY STREET, PF-13-70, EXOTIC FASTENERS TO ALLOW THE APPLICANT TO ADDRESS THE FOLLOWING ISSUES AND APPROVAL CONDITIONS RELATED TO THE PF-13-36 CONDITIONAL REZONING REQUEST AND COMM. PAYNE SUPPORTED:

1. Adoption of a conditional rezoning agreement in accordance with Section 6.807 between the City of Pontiac and Exotic Fasteners, Inc.
2. Submission of a noise attenuation study by the applicant, in accordance with Section 4.704 of zoning ordinance, for review by the Planning Commission to verify conforming decibel levels of (55 dbA and 65 dbA) at the common lot lines of adjacent property for the proposed bolt manufacturing facility.
3. Compliance with Section 4.408 for trash receptacle screening and enclosure.
4. Compliance with Section 4.303 for minimum parking spaces or Planning Commission modification of minimum requirements in accordance with 4.304 of zoning ordinance.
5. Compliance with Section 4.305 for minimum barrier free parking standards.

6. Compliance with Section 4.305(f) for parking space double striping.
7. Compliance with all City of Pontiac Departmental code requirements for Engineering, Building and Fire Departments.
8. Compliance with all City of Pontiac business licensing requirements.

CHAIRPERSON THOMAS: Could we have a roll call, please.

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

Vote 6-0-0 for approval of the Site Plan Review (PF 13-53)

**NEW BUSINESS:** Comm. Hudson noted Joint Municipal Public Act 226 of 2013 outlines the Emergency Manager's powers and members of Pontiac and Waterford solicits public opinion.

**UNFINISHED BUSINESS:** None.

**OTHER ITEMS:** None.

**COMMISSIONERS' COMMENTS:** Chairperson Thomas sent out congratulations to Lee Contractors for restoring 120 acres.

Chairperson Thomas commented that regarding Kennett Road, Turk and Columbia with the diversity of the city should be able to pull together and bring in economic development into Pontiac.

**PUBLIC COMMENT:** Charles Johnson welcomed Comm. Payne to the Planning Commission and commended the commissioners on a job well done tonight.

**ADJOURNMENT:** 9:50 p.m.