

1 MEETING: City of Pontiac Planning Commission Meeting
2 Minutes on Wednesday, March 2, 2016, Pontiac City Hall,
3 48450 Woodward Avenue, Pontiac, Michigan 48342
4 COMMISSIONERS: Chair Dayne Thomas
5 Ms. Mona Parlove
6 Ms. Lucy Payne
7 Mayor Deirdre Waterman
8 Mr. Christopher Northcross
9 FROM THE CITY: Derek Dowdell, City Planner and
10 Chuck Smith
11 CHAIRMAN THOMAS CALLED THE MEETING TO ORDER AT 6:37 p.m.
12 ROLL CALL:
13 PRESENT: Chair Dayne Thomas, Comm. Lucy Payne,
14 Comm. Mona Parlove, Comm. Deirdre Waterman,
15 Comm. Christopher Northcross
16 EXCUSED: Comm. Fegley, Comm. Cadd
17 ARRIVED LATE: Comm. Lucy Payne
18 Mr. Dowdell reported a quorum present.
19 COMMUNICATIONS: None.
20 MINUTES FOR REVIEW: February 3, 2016
21 COMM. WATERMAN MADE A MOTION TO TABLE APPROVAL OF THE
22 MINUTES UNTIL THE APRIL MEETING.
23 COMM. PARLOVE SECONDED.
24 VOTE: AYES: Payne, Parlove, Thomas, Waterman, Northcross
25 NAYS: None
26 ABSTAIN: None
27 Vote 5-0-0 motion carries
28 SITE PLAN REVIEW
29 PF-16-13, SITE PLAN REVIEW - FOR NEW BUILDING ADDITION,
30 PROPERTY ADDRESS: 1472 Baldwin Ave.
31 LOCATION: Parcel Number 14-08-455-004

- 1 APPLICANT: John Y.R. Shen, Dr. James W. Chang
- 2 Presentation of facts given by Mr. Dowdell.
- 3 Mr. John Y.R. Shen, 5268 Longmeadow, Bloomfield Hills, MI,
4 introduced himself as the applicant and indicated that he
5 wanted to add that it is a simple, straightforward addition
6 and that the Doctor's office needs the extra space for
7 storage and staff.
- 8 Mr. James W. Chang introduced himself as the dentist on that
9 corner for 40 years and also said that the building was
10 built without a vestibule and he feels it's uncomfortable
11 for the patients when the wind blows in his waiting room.
12 He added that he not only takes care of patients in Pontiac
13 but they come from all over because it is difficult to find
14 a dentist who takes Medicaid.
- 15 COMM. WATERMAN THANKED THE DOCTOR FOR HIS SERVICE AND
16 INDICATED THAT THERE WAS AN UPCOMING FORUM REGARDING
17 HEALTHCARE FOR THE UNDERSERVED AND ASKED THE DOCTOR IF SHE
18 COULD LIST HIM AS AN ASSET IN THAT REGARD.
- 19 Dr. Chang indicated that he would be happy to make time for
20 additional patients.
- 21 COMM. PAYNE INQUIRED OF THE APPLICANT WHEN THE CONSTRUCTION
22 WOULD START.
- 23 Dr. Chang indicated as soon as the snow breaks but also
24 referred the question to Mr. Shen.
- 25 Mr. Shen indicated construction would begin in three to five
months.
- 26 COMM. PAYNE INQUIRED OF THE DOCTOR IF HE WOULD BE SHUTTING
27 DOWN HIS PRACTICE DURING CONSTRUCTION.
- 28 Dr. Chang responded negatively.
- 29 COMM. PAYNE INQUIRED IF THERE WERE ENOUGH PARKING SPACES FOR
30 THE EXPANSION.
- 31 Mr. Shen indicated that they were only eliminating one and
32 that they still have more than what's required and that
33 there would be some normal interruption during the
34 construction.
- 35 COMM. PAYNE THEN INQUIRED OF MR. DOWDELL HOW MANY HANDICAP
SPACES ARE REQUIRED.

1 Mr. Dowdell responded that there was only one required, that
2 the report reflects 13 currently existing but that the only
3 issue the applicant has is striping measurements have to be
4 9 by 20, otherwise, all parking issues are fine.

5 THE REST OF THE BOARD ALL THANKED THE APPLICANT AND
6 INDICATED THAT THE PLANS LOOKED GOOD AND THEY WERE IN
7 SUPPORT OF THE ADDITION.

8 Dr. Chang emphasized how difficult it is for people on
9 Medicaid to receive medical services and that there is a
10 six-month waiting period for surgeries covered by Medicaid.

11 COMM. PARLOVE SAID:

12 "I would like to make a motion to recommend the
13 approval for site plan review for PF-16-13; 1472 Baldwin,
14 subject to the following conditions listed:
15 Number one, compliance with Section 4.305, letters
16 (E) and (F), standards for double striping of parking spaces
17 and parking space size of nine feet by twenty feet
18 And, number two, compliance of all required
19 permits and requirements; Building code, fire and City of
20 Pontiac business licensing."

21 COMM. NORTHCROSS SECONDED.

22 VOTE: AYES: Payne, Parlove, Thomas, Waterman, Northcross

23 NAYS: None

24 ABSTAIN: None

25 Vote 5-0-0 motion carries

PUBLIC HEARING, SPECIAL EXCEPTION PERMIT AND SITE PLAN
REVIEW

PF-16-17, (PUBLIC HEARING) SITE PLAN REVIEW - FOR BUILDING
EXPANSION OF AN EXISTING ALCOHOL BEVERAGE SALES RETAIL
STORE,

PROPERTY ADDRESS: 45556 Woodward Avenue
LOCATION: Parcel Number 14-33-326-019

APPLICANT: Cole's Market, Woodward Uptown, LLC

Presentation of facts given by Mr. Smith

Mr. Rod Samona, representing the owner because he had a
death in his family, from Samona Construction, stated that
there were some changes in the plans and that

1 Mr. Jerry Samona, owner, would be submitting the new plans
2 to the City shortly. He also said that an electric pole had
3 to be removed so they were dealing with DTE on that issue.

3 Mr. Chuck Smith indicated that the owner was going to bring
4 in a revised site plan that includes striped parking on the
5 rezoned lot, provided it gets rezoned.

5 COMM. NORTHCROSS HAD A CONCERN ABOUT THE AMOUNT OF BRICK
6 COMPARED TO THE PLAN THE BOARD HAD SEEN AND AN INCREASE IN
7 THE AMOUNT OF EFIS.

7 Mr. Samona indicated that the brick is all going to be 12
8 feet high.

8
9 COMM. WATERMAN MADE INQUIRY ABOUT THE FRONT DOOR ENTRANCE
10 AND WITH THE AMOUNT OF EFIS BEING GRANDFATHERED IN SO THEN
11 WHY CHANGE THE ORDINANCE.

10
11 Mr. Smith stated that the approval language would say that
12 the Board would accept a modification of Section
13 2.408(B)(3), a design requirement to permit the location of
14 the front and that the EFIS total is considerably less than
15 52 percent now, much closer to the required ten percent and
16 so that is what all the modifying means.

14 COMM. WATERMAN INQUIRED IF THE BOARD WAS NOT MODIFYING THE
15 ORDINANCE BUT GIVING CONDITIONS THAT THEY'RE MODIFYING THE
16 CONDITIONS OF THE ORDINANCE.

16 Mr. Smith answered that yes, the Board was using its
17 discretion.

17 COMM. PARLOVE ASKED MR. SMITH IF THE ALLEY AREA WAS VACANT.

18 Mr. Smith affirmed and that it has been or else the current
19 discussion would cease to exist.

19
20 COMM. PARLOVE ASKED IF THERE WAS A WAY TO INCORPORATE
21 LANDSCAPING ON THE NORTHEAST EDGE OF THE PROPERTY.

21 Mr. Smith answered that it would be certainly within the
22 Board's purview to say they would like to see a couple of
23 trees planned to buffer the adjacent residential properties.

23 COMM. PAYNE INQUIRED IF A PETITION THAT CAME FORTH SOMETIME
24 AGO CAME FROM A CHURCH ACROSS FROM THIS SITE. THEN SHE
25 ASKED MR. DOWDELL IF IT WAS CORRECT THAT A BUSINESS WITH A
LIQUOR LICENSE HAS TO BE SO MANY FEET FROM A CHURCH.

25 Mr. Dowdell affirmed and also indicated that the City has no

1 grounds to object to the license because it's been there and
operating for so long.

2

MS. PAYNE INQUIRED IF THE STATE SAYS THEIR LIQUOR LICENSE IS
3 IN COMPLIANCE.

4 Mr. Dowdell affirmed and stated that, even though they've
been closed since the fire, doesn't mean that their license
5 has gone anywhere, so long as they pay their renewal to the
State, that license remains active.

6

COMM. PAYNE ASKED WHEN THE CONSTRUCTION WOULD BEGIN.

7

Mr. Smith answered that construction would begin as soon as
8 the building permit is paid and, if everything goes as
planned, a couple of weeks.

9

10 COMM. PAYNE INQUIRED IF THE APPLICANT WAS IN AGREEMENT WITH
THE CONDITIONS.

11 Mr. Samona affirmed.

12 CHAIR THOMAS CONVEYED CONCERN OVER SECURITY AT THE LOCATION
AND ASKED FOR SOME SATISFACTION THAT THE OWNER WOULDN'T PUT
13 ARMOR-PLATED GLASS INSIDE THE STORE.

14 Mr. Samona indicated that the owner was going to have a lot
of outside light for safety and that the glass protecting
15 the cashier would be open during the day and could be closed
if the cashier felt they were in danger.

16

CHAIR THOMAS OPENED PUBLIC HEARING.

17

Emit Elliot, Jr., 151 Earlmoor, Pontiac, MI stated that he's
18 known Jerry and his brother Frank for many years and that
they've been great neighbors, a clean store and the church
19 is in agreement with what they're doing.

20 Chuck Johnson expressed concern over street parking during
Woodward Cruise and on Paddock St. during church days and
21 suggested that the owner tear down a second abandoned house
for the church to have additional parking space with a
22 concern that emergency vehicles may not get down the street.

23 Mr. Elliot indicated that the store was there way before the
church, which is the reason it got grandfathered in.

24

CHAIR THOMAS CLOSED PUBLIC HEARING.

25

1 Mr. Samona indicated that the owner offers parking to church
2 members during the day in his lot and that he will talk with
3 the owner about the other house.

3 COMM. PARLOVE SAID:

"I WILL MAKE A MOTION TO APPROVE THE PROPOSED SITE
4 PLAN REVIEW AND SPECIAL EXCEPTION PERMIT REQUEST PF-16-17,
5 COLE'S MARKET, AT 45556 WOODWARD AVENUE, FOR THE PROPOSED
6 BUILDING AND USE OF EXPANSION AS IT COMPLIES WITH THE
7 STANDARDS OF APPROVAL FROM 6.303 OF THE ZONING ORDINANCE
8 AND; SUBJECT TO THE FOLLOWING MODIFICATIONS AND CONDITIONS:

NUMBER ONE, MODIFY THE SECTION 4.404 SITE
9 LANDSCAPING REQUIREMENTS FROM 5 PERCENT TO ADDING SOME
10 ADDITIONAL TREES TO THE NORTHEAST LOT LINE, PROVIDING A
11 BUFFER OF VEGETATION TO THE NEIGHBORING RESIDENTS.

NUMBER TWO, MODIFY THE SECTION 2.408(B)(3)(a).
12 COMM. NORTHCROSS INDICATED THAT HE THOUGHT THE BOARD WAS
13 GOING TO REPLACE THE VERBIAGE WITH 'PERMIT EXCEPTION' AS
14 OPPOSED TO 'MODIFY'."

15 COMM. PARLOVE DEFERRED TO MR. SMITH.

16 Mr. Smith indicated that the City would be more comfortable
17 with Comm. Northcross' language.

18 COMM. WATERMAN INDICATED SHE WOULD LIKE TO ADD "PERMIT
19 EXCEPTION CORRESPOND TO THE CONDITIONS PROPOSED BY THE
20 PLANNING DEPARTMENT."

21 COMM. PARLOVE STARTED OVER AT NUMBER TWO WITH:

"NUMBER 2, PERMIT EXCEPTION TO CORRESPOND TO THE
22 PLANNING DEPARTMENT FOR SECTION 2.408(B)(3)(a) DESIGN
23 REQUIREMENTS TO PERMIT THE LOCATION OF THE FRONT ENTRANCE
24 FACING PROSPECT.

AND, NUMBER 3, MODIFY THE SECTION 2.404(C)(c)
25 DESIGN REQUIREMENTS TO INCREASE THE MAXIMUM PERCENTAGE OF
EFIS ON A BUILDING WALL FROM TEN PERCENT TO NO MORE THAN 20
PERCENT.

NUMBER 4, COMPLIANCE WITH SECTION 4.405 TYPE A OR
B RESIDENTIAL LANDSCAPE BUFFER.

NUMBER 5, COMPLIANCE WITH SECTION 4.303(B) FOR
MINIMUM PARKING REQUIREMENTS.

NUMBER 6, COMPLIANCE WITH SECTION 4.305(F) FOR
STRIPING REQUIREMENTS, WHICH WILL BE DOUBLE STRIPING.

NUMBER 7, COMPLIANCE WITH SECTION 4.408 FOR TRASH
ENCLOSURE.

NUMBER 8, COMPLIANCE WITH ALL BUILDING DEPARTMENT,
FIRE, ENGINEERING, AND WATER RESOURCE COMMISSION REVIEW
REQUIREMENTS.

AND, LASTLY, NUMBER 9, COMPLIANCE WITH THE CITY OF

1 PONTIAC BUSINESS LICENSE REQUIREMENTS."

2 COMM. WATERMAN INQUIRED IF COMM. PARLOVE MEANT, FOR NUMBER
3 3, PERMIT EXCEPTION ACCORDING TO THE CONDITIONS PROPOSED BY
4 THE PLANNING DEPARTMENT FOR THE EFIS AS OPPOSED TO MODIFY
5 THE ORDINANCE:

6 Mr. Smith suggested to say permit requirements of the
7 modifications of the requirements of Section 2.404(C)(c)
8 design requirement.

9 COMM. NORTHCROSS STATED THAT HE THOUGHT THE BOARD WAS GOING
10 TO STRIKE THE WORD "MODIFY", PERIOD, AND REPLACE THAT ALL
11 WITH "PERMIT".

12 COMM. WATERMAN SUGGESTED THE WORDING OF: "PERMIT
13 MODIFICATIONS" AND SUPPORTED WITH THE ADDITIONS.

14 VOTE: AYES: Payne, Parlove, Thomas, Waterman, Northcross

15 NAYS: None
16 ABSTAIN: None

17 Vote 5-0-0 motion carries

18 CHAIR THOMAS OPENED NEW AND UNFINISHED BUSINESS AND,
19 FINALLY, OTHER ITEMS.

20 COMM. WATERMAN ANNOUNCED THAT THERE ARE A NUMBER OF
21 ACTIVITIES IN TERMS OF PLANNING STAGES FOR THE DREAM CRUISE.
22 CHAIR THOMAS OPENED PUBLIC COMMENT.

23 Chuck Johnson indicated that he sold his property on
24 Woodward because he was concerned with traffic in that area
25 during that time.

Laurie Bishop, 585 Phil Dew, Pontiac, MI indicated that she
purchased a piece of property on Rayburn, found out about
the bond ordinance and lost it after spending thousands of
dollars and that, when the commission was putting together
the new waiver she thought it was an opportunity to save a
house and bought another house on Mark Street, which she is
spending a large amount of money trying to get this
perfectly sound house off the condemned list and now the
city wants her to turn her duplex into a single-family home.
She also indicated that Mr. Sobota suggested her selling the
home but Ms. Bishop expressed how hard it is to sell a home
on the condemned list.

1 CHAIR THOMAS SUGGESTED GOING OFF LINE AND HAVING A
2 DISCUSSION ABOUT THAT.

3 COMM. NORTHCROSS STRESSED THE IMPORTANCE OF VOTING TO
4 SUPPORT PONTIAC'S SCHOOLS AND ANNOUNCED THE
5 BIKEABILITY/WALKABILITY SESSION AND INDICATED TO MS. BISHOP
6 THAT THE BOARD IS AWARE OF HER ISSUE BACK IN EXECUTIVE
7 OFFICE AS WELL AS IN THE PLANNING DEPARTMENT AND IT'S ONE OF
8 THE THINGS IN WHICH THE WAY THE ORDINANCE IS WRITTEN IS
9 POSING THE PROBLEM.

10 COMM. PARLOVE ALSO EXPRESSED THE IMPORTANCE OF VOTING ON
11 ISSUES DEALING WITH THE SCHOOLS.

12 CHAIR THOMAS STRESSED THE IMPORTANCE OF RESEARCHING ISSUES
13 TO VOTE ON COMPARED TO JUST READING HANDOUTS, SPOKE ABOUT
14 LAFAYETTE MARKET.

15 COMM. PAYNE MOVED TO ADJOURN.

16 COMM. WATERMAN SUPPORTED.

17 ADJOURNMENT: 7:51 p.m.

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