

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on March 5, 2014; Pontiac City Hall, 47450 Woodward Avenue, Pontiac Michigan 48342

COMMISSIONERS: Chairman Dayne Thomas
Mayor Deirdre Waterman
Ms. Hazel Cadd
Ms. E. Ashley Fegley
Ms. Patricia Hollis
Ms. Lucy Payne
Mr. Scott Hudson

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

Moment of Silence.

ROLL CALL: PRESENT: Payne, Hollis, Hudson, Thomas.

EXCUSED: Cadd, Fegley, Waterman.

ABSENT:

Mr. Sabo reported a quorum present.

COMMUNICATIONS: None.

MINUTES FOR REVIEW: February 5, 2014.

Minor spelling corrections of Comm. Payne's name and to eliminate Ken Glass named as one of the Commissioners.

COMM. HOLLIS MADE A MOTION FOR APPROVAL OF THE AMENDED MINUTES FOR February 5, 2014 AND COMM. PAYNE SUPPORTED.

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

Vote 4-0-0 for acceptance of the amended minutes of February 5, 2014.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-13-95 LOT SPLIT REQUEST – OAKLAND COUNTY WATER RESOURCES COMMISSIONER

522 OPDYKE ROAD

PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF OPDYKE ROAD AND CENTERPOINT PARKWAY.

APPLICANT: CITY OF PONTIAC/OAKLAND COUNTY WATER RESOURCES COMMISSIONER

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Comm. Hudson stated that the survey needs to be corrected to show Parcel 3. Mr. Bowdell informed Comm. Hudson that the survey needs to be redone to include Parcel 3 and will be submitted to Oakland County for the lot split.

COMM. HUDSON MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST (PF-13-95) SUBJECT TO THE FOLLOWING CONDITIONS:

1. RECORD ALL PUBLIC UTILITIES AND EASEMENTS.
2. CORRECT THE SURVEY TO SHOW PARCEL 3.

COMM. HOLLIS SUPPORTED.

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

Vote 4-0-0 for approval of the proposed lot split.

5.2 PF-14-05 SITE PLAN REVIEW – SITE CHANGES (SECTION 4.408 WAIVER REQUEST)

590 SOUTH PADDOCK

PROPERTY IS LOCATED ON THE SOUTHWEST SIDE OF SOUTH PADDOCK BETWEEN EAST WILSON AVENUE AND CENTRAL AVENUE.

APPLICANT: EASTERN OIL COMPANY

PRESENTATION OF REQUEST MODIFICATION OF APPROVED SITE PLAN PF-13-35 TO WAIVE DUMPSTER ENCLOSURE SCREENING REQUIREMENTS AND APPROVE ALTERNATIVE SCREENING GIVEN BY MR. BOWDELL.

Applicant Brett Buchholz, engineer, was satisfied with the presentation given and had no additional comments.

Comm. Hudson inquired on the location of the dumpster. Mr. Bowdell stated that the dumpster is located behind the trees.

Comm. Hollis inquired whether there was a set time frame for the work to be completed once approved. Mr. Bowdell indicated that there was no set time frame but the Planning Commission can implement one if they so choose. Mr. Bowdell also stated that this work is being done under an existing permit which already has a time frame implemented.

Comm. Hudson commended Eastern Oil Company on running an extraordinary business.

COMM. HOLLIS MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN (PF-14-05) FOR EASTERN OIL COMPANY AND GRANT A WAIVER FROM THE REQUIRED DUMPSTER ENCLOSURE/TRASH RECEPTACLE SCREENING FROM SECTION 4.408(A) OF THE ZONING ORDINANCE – AS THE PROPOSED ALTERNATIVE SCREENING DOES NOT APPEAR TO PRODUCE A “NEGATIVE EFFECT;” AND SUBJECT TO THE FOLLOWING CONDITIONS:

1. AMEND THE CONDITIONAL REZONING AGREEMENT TO REPLACE THE PREVIOUSLY APPROVED SITE PLAN (PF-13-35) WITH THE REVISED SITE PLAN (PF-14-05).
2. OBTAIN ALL NECESSARY SIGN APPROVAL AND PERMITS.
3. COMPLIANCE WITH ALL BUILDING AND FIRE CODES AND CITY OF PONTIAC BUSINESS LICENSING REQUIREMENTS.

COMM. PAYNE SUPPORTED.

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

Vote 4-0-0 for approval of the proposed site plan.

5.3 PF-14-06 SITE PLAN REVIEW – SITE CHANGES (SECTION 4.413 MODIFICATION REQUEST)

**240 EAST COLUMBIA AVENUE
PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF EAST COLUMBIA AVENUE AND HIGHWOOD**

APPLICANT: SCHRAM AUTO PARTS / BOB SCHRAM

PRESENTATION OF SITE PLAN REVIEW TO REQUEST MODIFICATION OF REQUIRED SITE/PARKING LOT LANDSCAPING AND SHOW COMPLIANCE WITH ‘APPROVAL CONDITIONS’ FROM SEPTEMBER 4, 2013 PLANNING COMMISSION MEETING GIVEN BY MR. BOWDELL.

The applicant, Bob Schram, 7000 Brammell Road, White Lake, MI indicated that the number of handicap spaces available was an oversight and more spaces can be added. The applicant also stated that the sign design was not ready and that adding additional trees would not be a problem.

Comm. Hudson inquired if the 59 trees of the required 62 trees already existed. Mr. Bowdell stated that the 59 trees were proposed.

Comm. Hudson inquired whether the 10 evergreen trees should be more specific. Mr. Bowdell stated that the Planning Commission can be more specific on what types of evergreens were required.

Comm. Hudson inquired whether the trees had to be irrigated. Mr. Bowdell stated they did not have to be irrigated.

Comm. Hollis inquired whether there was enough space on Highwood for trees. The applicant stated that there was minimal space for trees and once mature, they would probably ruin the sidewalk.

Comm. Thomas asked Mr. Sabo for examples of deciduous trees. Mr. Sabo indicated that a list was available in the zoning ordinance but also gave examples such as Norway maple, oak, maple, red sunset maple, and locus.

The applicant asked if it would be possible to do shorter landscaping such as shrubs so the sign could be visible. Mr. Bowdell stated that the Planning Commission can specify which shrubs would be allowed and does not see a problem with approving such landscape.

Comm. Hudson asked if the sign could be moved further north. Mr. Bowdell stated it could not because of the ordinance in place.

Comm. Thomas stated that if the applicant meets compliance with the deciduous trees, he would feel comfortable in waiving the landscape of the required evergreen trees.

COMM. HUDSON MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN (PF-14-06) SCHRAM AUTO PARTS AND APPROVE A MODIFICATION OF REQUIRED LANDSCAPING FROM 5 PERCENT TO 0 PERCENT SITE LANDSCAPING SUBJECT TO THE FOLLOWING CONDITIONS:

1. AN ADDITIONAL 10 EVERGREEN TREES OR ACCEPTABLE SHRUBS MUST BE PROVIDED IN THE RIGHT-OF-WAY ON EAST COLUMBIA AVENUE, NORTH OF THE EXISTING CUSTOMER PARKING LOT WITHIN THE 55'- 60' RIGHT-OF-WAY PORTION.
2. SUBMIT RENDERING AND PERMIT APPLICATION FOR PROPOSED GROUND SIGN TO ENSURE COMPLIANCE WITH SECTION 5.105(B) FOR SIGN BASE WIDTH AND LOW LEVEL LANDSCAPING.
3. COMPLIANCE WITH SECTION 4.305(D) FOR REQUIRED BARRIER FREE PARKING SPACES (ADDITIONAL 2 SPACES REQUIRED).
4. COMPLIANCE WITH ENGINEERING DEPARTMENT REQUIREMENTS FOR WATER, SEWER, DRAINAGE PROTECTION AND FLUID CONTAINMENT.
5. COMPLIANCE WITH ALL BUILDING CONSTRUCTION CODES, ENGINEERING STANDARDS, FIRE CODES, AND CITY PERMITTING REQUIREMENTS.
6. COMPLIANCE WITH ALL CITY OF PONTIAC LICENCING REQUIREMENTS.

COMM. HOLLIS SUPPORTED.

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

Vote 4-0-0 for approval of the proposed site plan and approval of modification of landscaping.

5.4 PF-14-07 LOT SPLIT REQUEST – CITY OF PONTIAC

**NO ADDRESS/WATER STREET (14-29-484-007)
PROPERTY IS LOCATED ON THE SOUTH SIDE OF WATER STREET BETWEEN
SOUTH PERRY STREET AND WOODWARD AVENUE**

APPLICANT: CITY OF PONTIAC

PRESENTATION OF LOT SPLIT GIVEN BY MR. SABO.

Comm. Hudson inquired on whom currently owns the apartment building adjacent to the lot. Mr. Sabo stated he was unsure of the current owner.

Comm. Hudson asked if the apartment building adjacent to the lot was using the lot then would adverse possession come into play. Mr. Sabo stated that adverse possession would fall in play if said property was occupied for at least 20 years, not in this case.

Comm. Hudson commented if the “powers that be” contemplate selling, would there be some kind of restriction/option for first right of re-purchase. Mr. Sabo indicated that the motion can include that recommendation.

COMM. HOLLIS MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST FOR PF-14-07, WATER STREET CITY OF PONTIAC, SUBJECT TO THE FOLLOWING CONDITIONS:

1. PROVIDE AND RECORD ALL NECESSARY PUBLIC UTILITY AND PUBLIC EASEMENTS.
2. COMPLIANCE WITH THE APPLICABLE BUILDING, FIRE CODE AND CITY OF PONTIAC BUSINESS LICENSING REQUIREMENTS.
3. RECOMMEND THAT THE CITY ADMINISTRATOR AND EXECUTIVE OFFICE CONSIDER ADDING A CLAUSE TO THE SALE THAT ALLOWS FIRST RIGHT OF REFUSAL FOR ANY FUTURE SALE OF THE LOT.

COMM. HUDSON SUPPORTED.

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

Vote 4-0-0 for approval of the proposed lot split.

5.5 PF-14-08 SITE PLAN REVIEW (PRIVATE CLUB, FRATERNAL ORGANIZATION, OR LODGE HALL)

235 WESSON STREET

PROPERTY IS LOCATED ON THE SOUTH SIDE OF WESSON STREET BETWEEN HIBBARD CRESENT, SOUTH AND BRANCH STREET.

APPLICANT: PLTC REALTY INVESTMENT, LLC

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Applicant William Masie, 39221 Woodward Avenue, Bloomfield Hills, stated that he is sensitive to the historical aspects of the property and plans to make changes to revitalize the building's splendor.

Comm. Hudson stated his excitement for the project and asked the applicant if he owned the property. The applicant stated that he owned all 40 acres of the property. The applicant also mentioned that he would like to establish the best grass court tennis club in the country. He also mentioned that he is in talks with ATP (American of Tennis Professionals) to bring an annual two week tournament to the facility once established. This tournament could possibly bring in millions of dollars of revenue to the area.

Comm. Hudson inquired as to what issues would be encountered dealing with DEQ. Mr. Sabo stated from personal experience, anytime a project deals with state waters, in this case the Clinton River, there are usually issues. The applicant stated he understood and he would pursue at his own peril.

Comm. Hudson inquired if this was just a concept approval. Mr. Sabo indicated that it was. Comm. Thomas stated that this project was a brilliant idea.

COMM. HUDSON MADE A MOTION TO PROVIDE PRELIMINARY SITE PLAN APPROVAL AND CONCEPT APPROVAL FOR PF-14-08, 235 WESSON STREET, PLTC REALTY INVESTMENT 1, LLC SUBJECT TO THE FOLLOWING ORDINANCE COMPLINANCE CONDITIONS:

1. APPROVAL OF A USE VARIANCE BY THE ZONING BOARD OF APPEALS FOR A PRIVATE TENNIS CLUB RECREATION FACILITY IN AN R-1 ONE FAMILY DWELLING DISTRICT AT 235 WESSON STREET.
2. COMPLIANCE WITH ALL DEVELOPMENT STANDARDS IDENTIFIED IN THE CITY OF PONTIAC ZONING ORDINANCE AS AMENDED, INCLUDING BULK AND AREA REQUIREMENTS.
3. FINAL SITE PLAN REVIEW IN ACCORDANCE WITH THE PRELIMINARY SITE PLAN CONDITIONS BY THE PLANNING DEPARTMENT.
4. COMPLIANCE WITH SPECIFIC CITY OF PONTIAC DEPARTMENTAL REQUIREMENTS AND STANDARDS.
5. COMPLIANCE WITH ALL BOCA CODES AND PERMITTING REQUIREMENTS.

6. COMPLIANCE WITH ALL CITY OF PONTIAC BUSINESS LICENSING REQUIREMENTS.

7.

COMM. HOLLIS SUPPORTED.

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

Vote 4-0-0 for preliminary site plan approval and concept approval.

NEW BUSINESS: Comm. Thomas spoke regarding the Master Plan. Mr. Sabo and Mr. Bowdell are putting together a packet to take to key decision makers. Comm. Thomas stated that everyone's input, ideas and concepts as to what works, what doesn't, what key issues need to be addressed i.e. blight and the solutions for these issues need to be addressed in this packet. This packet will be finalized by July1, 2014.

Comm. Hudson spoke of an overview of a collaborative meeting with Waterford Township. Under State law, it allows for joint planning of two cities. As Telegraph Road is the boundary between Pontiac and Waterford Township, it is suggested that the city Pontiac work collaboratively with Waterford Township. Larry Lockwood, Waterford Township head planner, suggested a letter from Mayor Waterman or the Chairman of the Planning Commission to the Supervisor of the Township to attend their next meeting on March 18, 2014 at 4:30 p.m.

UNFINISHED BUSINESS: Comm. Hudson inquired whether the Planning Commission needed to wait until July for the next officer elections. Mr. Sabo stated that he will check with the Act but is certain that officer elections are held annually.

OTHER ITEMS:

PUBLIC COMMENTS: Margaret Carburn, Chairperson for the 5th District. Ms. Carburn stated that she appreciated all the work that the Planning Commission is doing and is taking the information back to the district meeting. She stated that getting residents and neighborhoods involved is the basis of a solution.

ADJOURNMENT: 8:34 p.m.