

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on July 11, 2012; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

CHAIRPERSON TURPIN CALLED REGULAR MEETING TO ORDER AT THE SPECIAL MEETING AT 6:40 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: June 2, 2012

COMM. HOLLIS MADE A MOTION TO APPROVE THE APRIL 6, 2012 MINUTES WITH ANY NECESSARY CORRECTIONS AND DEPUTY MAYOR GLASS SUPPORTED.

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

Vote 7-0-0 for approval of the 6-2-2012 minutes.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-12-42 - Special Exception Permit - Site Plan Review, R-1, One Family Dwelling District - 89-97 Mariva Street

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

Petitioner, Rod Edwards, Architect, indicated there is a slight variance on the parking spaces. The requirement is 100. He is asking for 96-97 spaces.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Thomas commented the facility is nicely maintained and inquired of the residents in the house. Dr. Chadwick indicated no one is living in the house, it is an auxiliary facility for the church.

Comm. Hudson inquired if the applicant is requesting fewer parking spaces, can he work with the Planning staff. Mr. Sabo agreed planning staff can handle it, but he would need space for seven trees.

Comm. Hollis concerned with the number of spaces for landscaping. She is comfortable with three or four landscape spaces. Mr. Edwards agreed.

COMM. HOLLIS MADE A MOTION TO APPROVE THE SPECIAL EXCEPTION PERMIT SITE PLAN REVIEW FOR PF-12-42 HOPEWELL MISSIONARY BAPTIST CHURCH AND DEPUTY MAYOR SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. Obtain a rear setback variance for Section 2.301 for the proposed building/church addition from the ZBA.
- 2. Modification of the minimum parking requirements in accordance with Section 4.304 of the Zoning Ordinance to reduce required parking spaces from 100 spaces to 96 spaces with four trees for landscape.
- 3. Compliance with Section 4.406(c) for interior parking lot landscaping at church site by adding the
- 4. Compliance with all building codes, fire codes and City of Pontiac business licensing requirements, and Section 4.303 Bicycle Parking requirements.

Question: Chairperson Turpin inquired of the necessary seven trees. Mr. Sabo indicated it is for the environment and it reduces the interior runoff.

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

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

5.2 PF-12-48 - Site Plan Review - C-2, Downtown District - 50
North Perry Street

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Marvin Arnold, Representative from Sign Company, indicated the present sign blocks visibility and the newer sign will be more up-to-date.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

David Richmond commented the sign looks great and inquired if the bricks at the base of the building could be repaired.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Hudson commented that the sign shown on the overhead photographs has been amended. Mr. Richmond agreed and new drawings were submitted.

Comm. Hollis inquired if the landscaping will be improved. Mr. Richmond indicated he is only petitioning for the sign, but will pass the word along to the pertinent people.

Comm. Cadd commented the new sign will be an improvement.

Comm. Hudson agreed with Comm. Cadd about the new sign being an improvement, but indicated the old sign was not illuminated and this current sign does not meet the strict rules of the sign ordinance.

Comm. Thomas commented it was a good idea to include McLaren's name and feels the brick and mortar needs to be repaired.

Deputy Mayor Glass inquired if the brick and mortar can be required by the Planning Commission. Mr. Sabo indicated yes.

Chairperson Turpin inquired if there was a clear vision for the motorist to see around the corner. Mr. Sabo indicated that sign should not affect the motorists' views.

COMM. CADD MADE A MOTION TO THE PROPOSED SITE PLAN REVIEW-SIGN REVIEW FOR PF-12-48, MCLAREN OAKLAND HOSPITAL AND COMM. HUDSON SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. Approval of a dimensional zoning variance for Section 5.105(B) for minimum setback.
2. Approval of a use variance for Section 5.105(B) (1) for clear visions triangular area.

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

Vote 7-0-0 for Approval of the Site Plan Review-Sign Review.

5.2 PF-12-49 - Site Plan Review - C-1, Local Business District - 461 West Huron Street

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Anne Mancour, Representation from Doctor's Hospital of Michigan, appreciates the opportunity to present before the Planning Commission and the new signage is for more directional purposes and easier access for the public.

Comm. Thomas, Comm. Cadd and Deputy Mayor Glass agreed the sign is up-to-date.

Comm. Hudson commented the movable part of the sign sometimes can be a distraction, but inquired if the flag will be waving. Ms. Mancour indicated there will be no moving flags or other items moving on the sign.

Comm. Cadd inquired what will the reader board post. Ms. Mancour indicated mainly wait time for emergency room, possibly new doctors on board. Mr. Sabo indicated a reader board sign changes every 12 seconds. There will be no flashing, animation on the sign per the ordinance.

COMM. THOMAS MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN REVIEW-SIGN REVIEW FOR PF-12-49, DOCTOR'S HOSPITAL OF MICHIGAN, AND COMM. FEGLEY SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

Approval of a dimensional zoning variance for Sections 5.150(B) for total sign area and sign height for the expanded hospital sign.

Approval of a use variance for Section 5.108(a)(3) for structurally altering and enlarging a legal-nonconforming sign.

Approval of a dimensional variance for Section 5.102(D) electronic reader board maximum sign area.

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

Vote 7-0-0 for Approval of the Site Plan Review-Sign Review.

5.4 PF-12-57 - Site Plan Review - R-1, One Family Dwelling District - 000 South Johnson Street

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Anne Mancour, Representative from Doctor's Hospital, commented it is not a moving sign and it will be updated with the new proposed signage.

Comm. Thomas inquired if the hospital owned this property. Ms. Mancour indicated yes and they own the majority of property surrounding the hospital site.

COMM. FEGLEY MADE A MOTION TO APPROVE THE PROPOSED SITE PLAN REVIEW-SIGN REVIEW FOR PF-12-57, 000 SOUTH JOHNSON STREET, DOCTOR'S HOSPITAL AND COMM. CADD SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

Approval of a dimensional zoning variance for Section 5.103(c) for total sign area for a signal directional sign for the proposed hospital directional sign.

Approval of a use variance for Section 5.103(c) for a directional sign in a residential zone district.

Approval of a dimensional variance for Section 5.105 for maximum sign height for signs in R-1 district (C-0 standards). Compliance with Section 2.303 clear visions area standards from the Zoning Ordinance.

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

Vote 7-0-0 for Approval of the Site Plan Review-Sign Review.

5.5 PF-12-50 - Lot Split Request - M-2, Heavy Manufacturing District - 260 East Beverly Avenue

PRESENTATION OF LOT SPLIT REQUEST GIVEN BY MR. SABO.

Mr. Jeff Hoda, Representative for General Motors, commented he was previously before the Planning Commission and now have the final requirements.

A PUBLIC HEARING NOT REQUIRED.

Comm. Cadd inquired of any potential buyers. Mr. Hoda indicated not so far.

Comm. Thomas inquired if General Motors is doing business with Powertrain. Mr. Hoda indicated GM is retaining some property for business with Racer.

Comm. Hudson inquired if the Fiero Plant will be using this property for its production. Mr. Hoda unaware of any specific plans.

COMM. FEGLEY MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST FOR PF-12-50 RACER PROPERTIES LLC AND COMM. HOLLIS SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

Compliance with all Building Code Requirements as stated and determined during review.

Compliance with all Engineering Department requirements as stated and determined during review.

Compliance with all Fire Department Code requirements as stated and determined during review.

Provide and record all utility and public easements.

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

Vote 7-0-0 for Approval of the Lot Split Request.

5.6 PF-12-63 - ZMA 12-05 Zoning Map Amendment - Change from M-1 Light Manufacturing to M-2, Heavy Manufacturing - 590 South Paddock Street

PRESENTATION OF ZONING MAP AMENDMENT GIVEN BY MR. SABO.

Petitioner Scott Norash, President of Eastern Oil Company, indicated Eastern Oil Company has been in business since 1985. They manufacture and distribute metal, oil and greases and they are supplier for the auto companies.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Deputy Mayor Glass inquired of their plans for the future and employment opportunities. Mr. Norash indicated foremost growth, expand their warehouse and building a new administrative staff and technology facility. New employees will be approximately 12-15.

Comm. Thomas commented this board is business-friendly and welcomes pro-active business.

Comm. Thomas inquired if this proposal was M-1 or M-2. Mr. Sabo indicated M-2. Comm. Thomas concerned with M-2 conflicting with the R-1 residential across the street.

Mr. Norash indicated the business is not changing, but they are forced to change to M-2 because of the new ordinance.

Comm. Cadd clarified the business isn't changing, but the city is forcing them to change to M-2 because of the new ordinance. Mr. Sabo agreed.

Comm. Cadd inquired of the current employees. Mr. Norash indicated 42 current employees.

Comm. Hudson inquired if most activities are indoors and the hours. Mr. Norash indicated yes, activities are indoors and the hours are 8-5 p.m., employees arrive about 6:30 and there are two shifts.

Comm. Hudson commented this proposal should have been grandfathered in.

Chairperson Turpin inquired of any fire issues. Mr. Norash indicated no, they only use base oil and lubricant additives.

Comm. Thomas indicated the next operation may be more intense and may change the future complexion of the Woodward thoroughfare.

Chairperson Turpin commented if the business changes or discontinues, it can revert back to M-1. Mr. Sabo agreed.

COMM. FEGLEY MADE A MOTION TO APPROVE THE PROPOSED RE-ZONING REQUEST PF-12-63 (ZMA 12-06) FOR 590 SOUTH PADDOCK STREET EASTERN OIL COMPANY PADDOCK STREET PROPERTIES AND COMM. HUDSON SUPPORTED SUBJECT TO:

1. Adoption of a conditional rezoning agreement in accordance with Section 6.807 between the City and Eastern Oil Company Paddock Street Properties.

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

Vote 7-0-0 for Approval of the Re-Zoning Request.

**5.7 PF-12-60-64 - Site Plan Review - Special Exception Permit,
M-1, Light Manufacturing District - 590 South Paddock Street**

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Petitioner Scott Norash, commented this request is for parking for new employees.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Chairperson Turpin inquired of ownership. Mr. Norash indicates he is the owner of the property.

Comm. Fegley inquired of the reduction of parking spaces. Mr. Norash indicated the need to meet new and old city requirements.

Comm. Thomas commented he hopes the petitioner expands quickly for growth.

Deputy Mayor Glass thanked the petitioner for his business in Pontiac.

COMM. CADD MADE A MOTION TO APPROVE THE SPECIAL EXCEPTION PERMIT SITE PLAN REVIEW FOR PF-12-60-64 EASTERN OIL COMPNAY AND COMM. HOLLIS SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

Compliance with Section 4.408 for trash receptacle and screened enclosure for the site.

Modification of the minimum parking requirements in accordance with Section 4.304 of the Zoning Ordinance to reduce required parking spaces from 43 to 31 spaces.

Compliance with Section 4.305(e) for parking space size at 9' x 20' and Section 4.303 for Bicycle Parking requirements.

Compliance with all building code, fire code, City of Pontiac business licensing, and Engineering standards and requirements.

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

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

5.8 PF-12-53 - Street Vacation Request - South Jessie from South Paddock to the Grand Trunk Right-of-Way

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Petitioner Scott Norash, had no additional comments.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Hudson inquired if the parallelogram piece of property recently was purchased. Mr. Norash indicated yes.

Comm. Hudson inquired if the property was zoned M-1 or M-2. Mr. Sabo indicated M-2.

Comm. Thomas indicated he is not normally an advocate of these requests, but he is in support of this proposal.

Comm. Cadd thanked the applicant for getting the property on the tax rolls and keeping his business in Pontiac

COMM. FEGLEY MADE A MOTION TO APPROVE THE STREET VACATION REQUEST FOR JESSIE STREET AS LEGALLY DESCRIBED HEREIN AND RECOMMEND APPROVAL TO THE EMERGENCY MANAGER/CITY COUNCIL SUBJECT TO EASEMENTS BEING RESERVED IN THE VACATED RIGHT-OF-WAY FOR PUBLIC UTILITY PURPOSES AND COMM. HOLLIS SUPPORTED WITH THE FOLLOWING RESOLUTION:

Question: Deputy Mayor Glass inquired if the Resolution has to be read into the record. Mr. Sabo indicated yes. Comm. Hudson

indicated the commission should be specific; but if they sign it, it can be added without reading it.

Mr. Sabo instructed Ms. Wilson to include the Resolution.

WHEREAS, the Pontiac City Planning Commission is in receipt of the Planning Department report relative to the request submitted by Paddock Street Properties, LLC, 1111 West Long lake Road, Suite 202, Troy, Michigan 48098; for abandonment of the City's Interest in a portion of Jessie Street (approximately 180 feet long) between South Paddock/Irwin Avenue and Grand Trunk Western Railroad right-of-way.

Legal Description of West $\frac{1}{2}$ of Jessie Street Vacated:

LAND SITUATED IN TOWN 3 NORTH, RANGE 10 EAST, SECTION 33, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

THE WESTERLY ONE-HALF (1/2) OF JESSIE STREET VACATED (30-FOOT WIDE HALF-WIDTH) LYING BETWEEN THE SOUTHERLY LINE OF IRWIN AVENUE EXTENDED AND THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD, FURTHER DESCRIBED AS BEGINNING AT THE NORTH CORNER OF LOT 249 OF "FERRY FARM ADDITION", A SUBDIVISION AS RECORDED IN LIBER 5, PAGE 45 OF PLTAS, OAKLAND COUNTY RECORDS; THENCE S 57 DEGREES 15'00" E, 36.17 FEET ALONG THE SOUTHERLY LINE OF IRWIN AVENUE EXTENDED; THENCE S 01 DEGREES 12'15" E, 180.46 FEET TO A POINT ON THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD; THENCE N 57 DEGREES 15'00" W, 36.17 FEET ALONG SAID NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD TO APOINT ON THE WESTERLY LINE OF JESSIE STREET; THENCE N 01 DEGREES 12'15" W, 180.46 FEET ALONG SAID WESTERLY LINE OF JESSIE STREET TO THE POINT OF BEGINNING.

CONTAINING 0.124 ACRES, MORE OR LESS.

LEGAL DESCRIPTION OF EAST $\frac{1}{2}$ OF JESSIE STREET VACATED:

LAND SITUATED IN TOWN 3 NORTH, RANGE 10 EAST, SECTION 33, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS:

THE EASTERLY ONE-HALF (1/2) OF JESSIE STREET VACATED (30-FOOT WIDE HALF-WIDTH) LYIN BETWEEN THE SOUTHERLY LINE OF IRWIN AVENUE EXTENDED, THE WESTERLY LINE OF CENTRAL AVENUE AND THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD, FURTHER DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF LOT 250 OF "FERRY FARM ADDITION", A SUBDIVIDIONS AS RECORDED IN LIBER 5, PAGE 45 OF PLATS OAKLAND COUNTY

RECORDS; THENCE S 01 DEGREES 12'15" E, 145.65 FEET ALONG THE EASTERLY LINE OF JESSIE STREET TO A POINT ON THE WESTERLY LINE OF CENTRAL AVENUE; THENCE S 39 DEGREES 57'47" W, 29.11 FEET ALONG SIAD WESTERLY LINE OF CENTRAL AVENUE TO A POINT ON THE NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD; THEN N 57 DEGREES 15'00" W, 13.07 FEET ALONG SAID NORTHERLY LINE OF GRAND TRUNK WESTERN RAILROAD; THENCE N 01 DEGREES 12'15" W, 180.46 FEET TO A POINT ON THE SOUTH LINE OF IRWIN AVENUE EXTENDED; THENCE S 57 DEGREES 15'00" E, 36.17 FEET ALONG SAID SOUTH LINE OF IRWIN AVENUE EXTENDED TO THE POINT OF BEGINNING.

CONTAINING 0.117 ACRES, MORE OR LESS.

WHEREAS, the Pontiac City Planning Commission finds that the proposed street vacation will not restrict/hinder access and service to surrounding properties; and

WHEREAS, the Pontiac City Planning Commission finds that the appropriate public utility or public authority shall assume responsibility for maintenance of the water lines and sanitary lines within the vacated portion of the right-of-way described herein; and

WHEREAS, the Pontiac City Planning Commission finds that maintaining a full-width easement for the maintenance of utilities for the proposed street vacation would not adversely affect surrounding properties.

NOW THEREFORE, BE IT RESOLVED, that the request submitted by Paddock Street Properties, LLC, 1111 West Long Lake Road, Suite 202, Troy, Michigan 48098; for abandonment of the City's interest in a portion of Jessie Street (approximately 180 feet long) between South Paddock/Irwin Avenue and Grand Trunk Western Railroad right-of-way is hereby recommended for **APPROVAL** to the Pontiac City Council on this 11th Day of July, 2012, subject to the retention of a full-width utility easement for maintenance of utilities.

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

Vote 7-0-0 for Approval of the Street Vacation Request.

5.9 PF-12-66-67 - Site Plan Review - Special Exception Permit,
C-4, Suburban Business District - 867 South Boulevard

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Petitioner George Adarian, owner of Ultimate Soccer, indicated this is their 5 year anniversary and they are requesting to expand their facility; they have paid 1.4 million dollars in taxes and fees, over 1 million visitors yearly, held numerous soccer tournaments, all suppliers are based in Michigan.

Mr. Adarian indicated all the land involved in this proposal is owned by the soccer facility, they will comply with the bicycle rack, indoor and outdoor lights will be replaced with 100% green lighting, they will create a volley ball sport into the area.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

Honorable Fred Mester, President of the Alumni Organization, commented they have mentored over 800 children and they offer tutoring and community services to the public. Judge Mester indicated the facility is of high quality and very well maintained.

Brenda Mitchell, commented the soccer facility has benefitted her program tremendously with the children in the community with back to school events, soccer programs and initiatives. She is the sponsor and owner of Project Excel. They have had 13 graduations at the facility and the second floor has facilities for all occasion affairs.

Nathan Johnson, Salvation Army, indicated they have been in the area for two years and Mr. Adarian is on his advisory board, a great neighbor, does everything big, loves kids and concerned about their physical wellness; and the Salvation Army has been a recipient of his kindness.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Cadd thanked everyone for their presence and is very impressed with the facility

Comm. Hudson inquired of the indoor square footage. Petitioner indicated 267,000 square feet with an additional 4,000 square feet.

Comm. Hudson inquired if the Silverdome would have accommodated a facility like this. Petitioner indicated no, because they have three fields, Silverdome only has one.

Comm. Thomas commented the facility is a jewel in Pontiac, the business motto is extraordinary, others should follow.

Deputy Mayor Glass inquired of the current employees. Petitioner indicated 25 full-time, 80 part-time employees. With the addition, they will add 12 full-time and 60 part-time employees.

Chairperson Turpin commented all four of his children played soccer in the '80s and won three national championships and the sport is still growing.

Chairperson Turpin inquired if any national events will be hosted. Petitioner indicated if the Bucks keep winning, there is a possibility.

Chairperson Turpin commented that facility can lend itself to the athletic exposure that children love and he commends the petitioner for his endeavors and encouraged the community to get involved.

COMM. THOMAS MADE A MOTION TO APPROVE THE SPECIAL EXCEPTION PERMIT SITE PLAN REVIEW FOR PF-12-66-67 ULTIMATE SOCCER ARENAS, LLC, 867 SOUTH BOULEVARD AND COMM. HUDSON SUPPORTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. City of Pontiac approval of the right-of-way vacation and relocation any existing underground utilities by the applicant to address requirements of the City of Pontiac Engineering Department.
2. Obtain a variance from the ZBA for building height Section 2.311 of the Zoning Ordinance.
3. Compliance Section 4.404, 4.406 and 4.407 of the Zoning Ordinance for landscape requirements.
4. Compliance with Section 4.305 of the Zoning Ordinance for parking lot striping.
5. Compliance with Section 4.303 for Bicycle Parking requirements.
6. Compliance with all building code, fire code, City of Pontiac business licensing and Engineering standards and requirements.

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

Vote 7-0-0 for Approval of the Special Exception Permit.

**5.10 PF-12-37 - Street Vacation Request - Centerpoint Parkway
from Meadow Drive to the Private Drive Near Enterprise Drive -
867 South Boulevard**

PRESENTATION OF SITE PLAN REVIEW GIVEN BY MR. SABO.

Petitioner George Adarian explained the Street Vacation on the
overhead photographs.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

Curtis Bernstein, from Etkin Equities, indicted the street
vacation should go to the farthest part of the property line and
there should not be a sign indicating a private drive.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Deputy Mayor Glass wanted to add language to the Street Vacation
concerning if the deal does not close, will it be available for
future purchasers. Mr. Sabo agreed.

Comm. Hudson encourage petitioner to keep up the good work.

DEPUTY MAYOR GLASS MADE A MOTION TO APPROVE THE STREET VACATION
REQUEST FOR CENTERPOINT PARKWAY AS LEGALLY DESCRIBED HEREIN
BASED ON OWNERSHIP CONTROL OF PARCEL NUMBER 14-34-454-002 AND
RCOMMEND APPROVAL TO THE EMERGENCY MANAGER/CITY COUNCIL AND
COMM. CADD SUPPORTED SUBJECT TO THE FOLLOWING:

Relocation of any existing underground utilities to accommodate
a permanent structure across the vacated portion of the
Centerpoint r.o.w.

Dedication and recordation of utility easements being reserved
in the vacated right-of-way for public utility purposes.

WHEREAS, the Pontiac Planning Commission is in receipt of the
Planning Department report relative to the request submitted by
Ultimate Soccer Arenas, LLC, 867 South Boulevard Pontiac,

Michigan 48342; for abandonment of the City's interest in a portion of Centerpoint Parkway from Meadow Drive to an area west of Enterprise Drive approximately 1,062 feet in length. Property is between parcel 14-34-453-013 and parcel 14-34-454-002;

CENTERPOINT PARKWAY R.O.W. VACATION

Legal Description - R.O.W. Vacation Parcel

Parts of Lots 87 and 88 inclusive of "Oaklawn Farms" Subdivision as recorded in Liber 20 of Plats, Page 23 of Oakland County Records; and Part of Lot 9 and 10 of Assessor's Plat No. 141 as recorded in Liber 54 of Plats, Pages 99 and 99A of Oakland County Records, all being part of the SE $\frac{1}{4}$ of Section 34, T.3N., R.10E., City of Pontiac, Oakland County, Michigan and being more particularly described as follows:

Commencing at the Southeast property controlling corner of Section 34, T.3N., R.10E, City of Pontiac, Oakland County, Michigan, thence due West along the South line of said Section 34 and centerline of South Boulevard (120 feet right-of-way), a distance of 2,301.80 feet to the point of intersection of the Southerly extension of East line of Meadow Street (50 feet right-of-way), as shown in said plat of "Oaklawn Farms" Subdivision, with said South line of Section 34; thence N.00 degrees 30'09"E., along the extended East line of Meadow Street, a distance of 282.98 feet to a point on the East line of Centerpoint Parkway North (width varies); thence following three (3) courses along said East line of Centerpoint Parkway: (1) 84.23 feet along an arc of a curve to the left (radius 219.00 feet, central angle 22 degrees 02'14", long chord bears N.11 degrees 31'16"E., 83.71 feet) to a point of tangency, and (2) N.00 degrees 30'09"E., a distance of 2.6.30 feet to a point of curvature, and (3) 242.00 feet along an arc of a curve to the right (radius 264.00 feet, central angle 52 degrees 31'12", long chord bears N.26 degrees 45'46"E., 233.61 feet) to the POINT OF BEGINNING; thence N.36 degrees 58'38"W., a distance of 66.00 feet to a point on the Northwest line of said Centerpoint Parkway (120 feet right-of-way); thence following two (2) courses along said Northwest line of Centerpoint Parkway: (1) 212.97 feet along an arc of a curve to the right (radius 330.00 feet, central angle 36 degrees 58'38", long chord bears n.71 degrees 30'41"E., 209.30 feet) to a point of tangency, and (2) due East, a distance of 1062.56 feet; thence due South, a distance of 66.00 feet to a point on the southeast line of said Centerpoint Parkway; thence following two (2) courses along said

Southeast line of Centerpoint Parkway (1) due West, a distance of 1062.56 feet to a point of curvature, and (2) 170.38 feet along an arc of a curve to the left (radius 264.00 feet, central angle 36 degrees 58'38", long chord bears 2.71 degrees 30'41"., 167.44 feet) to the point of beginning.

Contains 82,779 square feet or 1.900 acres.

WHEREAS, the Pontiac City Planning Commission finds that the proposed street vacation will not restrict/hinder access and service to surrounding properties; and

WHEREAS, the Pontiac City Planning Commission finds that proposed street vacation shall be conditioned upon Ultimate Soccer Arenas LLC obtaining ownership control of the property known as 14-34-454-002; and

WHEREAS, the Pontiac City Planning Commission finds that the proposed street vacation shall be conditioned upon relation of any existing underground utilities and construction of an approved soccer facility expansion for Ultimate Soccer Arenas LLC across Centerpoint Parkway; and

WHEREAS, the Pontiac City Planning Commission finds that the appropriate public utilities or public authority shall assume responsibility for maintenance of the water lines and sanitary lines within the vacated portion of the right-of-way described herein;

WHEREAS, the Pontiac City Planning Commission finds that maintaining a full-width easement for the maintenance of utilities for the proposed street vacation would not adversely affect surrounding properties.

NOW THEREFORE, BE IT RESOLVED, that the request submitted by Ultimate Soccer Arenas LLC, 867 South Boulevard, Pontiac, MI 4834; for abandonment of the City's interest in a portion of Centerpoint Parkway from Meadow Drive to an area west of Enterprise Drive approximately 1,062 feet in length. Property is between parcel 14-34-453-013, and parcel 14-34-454-002; is hereby recommended for **APPROVAL** to the Pontiac City Council on this 11th Day of July, 2012, subject to the retention of a full-width utility easement for maintenance of utilities.

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

Vote 7-0-0 for Approval of the Street Vacation Request.

NEW BUSINESS: July 1, 2012 The City of Pontiac adopted a new application fee. Information will be included in next month's packet.

UNFINISHED BUSINESS: None.

OTHER ITEMS: Petitioner wanted input from the commissioners on a proposal for Perry Street. She suggested young pregnant teens. Commissioners indicated Lighthouse has a similar facility, she needs specific plans, develop an idea and present the details; do research and return to the Planning Commission with a proposal.

PUBLIC COMMENTS: None.

COMMISSIONERS COMMENTS: Deputy Mayor Glass introduce Jeremy Bowie who is working in the Mayor's office, Graduate of Michigan State, recently finished his internship with President Obama and will soon be entering Cooley Law School.

Deputy Mayor Glass if Mr. Sabo could do a fact finding sheet on the Phoenix Center and the editorial opinion concerning the Phoenix center for educational and informational purposes for the Planning Commission. Mr. Sabo agreed.

Comm. Thomas suggested scheduling Mr. Gibbs to speak at the next meeting since it may be a smaller agenda.

ADJOURNMENT: 9:42 p.m.