

REGULAR MEETING: City of Pontiac Planning Commission Meeting Minutes on October 5, 2011; Pontiac City Hall, 47450 Woodward Avenue, Pontiac, Michigan 48342

CHAIRPERSON TURPIN CALLED THE MEETING TO ORDER AT 6:37 P.M.
MOMENT OF MEDITATION:

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

EXCUSED: None.

ABSENT: None.

Mr. Sabo reported a quorum is present.

COMMUNICATIONS: None

MINUTES FOR REVIEW: August 10, 2011 - September 10, 2011 - Comm. Hudson commented that "no comments" should not be included because it doesn't say anything.

Comm. Hudson questioned the three cases involving grants money indicating he inquired if they were loans or grants and if the loans were current and the types of funds were EDC, DDA or NSP II for each case.

Comm. Cadd recalls the breakdown of the 23 million differently than recorded. Comm. Thomas indicated he understood the amount to be 14.8 million in total.

COMM. THOMAS MADE A MOTION TO APPROVE THE MINUTES FOR AUGUST 10, 2011 AND SEPTEMBER 7, 2011 WITH NOTED CORRECTIONS AND COMM. HUDSON SUPPORTED.

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

Vote 5-0-0 for Approval of August and September 2011 Minutes.

PUBLIC HEARINGS AND SITE PLAN REVIEWS:

5.1 PF-11-48 - Lot Split Request - Purpose is to separate previously combined parcels - 872 Stanley

COMPLETE PRESENTATION GIVEN BY MR. SABO.

Petitioner, Ms. Gerwin, Wells Fargo Bank, Trott and Trott; indicated lots were combined in 2004 and owned by two different parties. It was also stated the bank has the property and the paperwork is still pending for finalization.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Thomas visited the site and inquired of the southern boundary line. Representative indicated intentions to split the lots.

Comm. Cadd inquired of the title not being cleared. Representative agreed and the process is being investigated for acquiring of clear title.

Comm. Hudson inquired if the property is currently bank owned. Representative indicated part owner Alvarado and other half is bank owned. Comm. Hudson commented the garage and shed be removed.

Mr. Sabo reported the property split has to meeting the Zoning Board of Appeals requirements.

No comments: Fegley, Turpin.

COMM. HUDSON MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST FOR PF-11-48, 872 STANLEY SUBJECT TO THE FOLLOWING CONDITIONS AND COMM. FEGLEY SUPPORTED.

1. Compliance with the Zoning Ordinance Section 5.9(a) to meet the provisions of Article VIII Schedule of Regulations, (Bulk, Area and height)" as closely as possible."
2. In accordance with Section 5.9(a) of the Zoning Ordinance, apply for all applicable variances from the ZBA, subject to approval by ZBA.

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

ABSTAIN: None.

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

5.2 PF-11-63 - Lot Split Request - Lot split request to enable sale of college property - 825 Golf View Drive

COMPLETE PRESENTATION GIVEN BY MR. SABO.

Petitioner Emmanuel Baptist Church, Representative Gary Gurkowski from Collier International indicated the proposal is for Arts Charter School and they will not be using the gym for sporting activities and submitted photographs of the proposed area. There will be a natural buffer on three sides and golf course view on fourth side. The church has agreed to accommodate parking for the school.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

Charles Johnson, commented he is in agreement with the proposal and would enhance the campus and the City of Pontiac.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Mr. Sabo indicated the easement for park utility, sanitary and water are still in place as recorded.

Comm. Thomas inquired of the activity that will take place on the proposed property. Mr. Gurkowski indicated there will be 50 square feet for classes, they will have two atriums, outdoor porches; working with Raleigh Studies for movie/acting internships. This will be a Michigan school for Performing Arts. The church and the dormitory will remain intact.

Comm. Thomas inquired if the church owns the building on Golf View Drive and inquired of ample space for near and future expansions. Representative indicated the church does not own the building, it was previously sold and there is plenty of space for future expansions.

Comm. Thomas inquired of the partnership of Midwest and Emmanuel. Representative indicated Midwest has relocated and there is no affiliation with the two; Emmanuel has ownership.

Comm. Thomas inquired of the three founding members of Emmanuel and their existence. Representative indicated they are still in

existence, Resolutions are made by the Board and regulated by Board Members.

Comm. Hudson inquired if the church was currently on the property. Representative indicated yes.

Comm. Cadd commented it is a great location for a school, close to Raleigh Studios.

Chairperson Turpin inquired of the track record of other schools in the area. Representative indicated they have a good track record and the current operator/owner has experience in charter schools, currently 250 students have tentatively enrolled. Chairperson Turpin agreed with Comm. Cadd's comments.

No comments: Fegley.

COMM. CADD MADE A MOTION TO APPROVE THE PROPOSED LOT SPLIT REQUEST FOR PF-11-63 EMMANUEL BAPTIST CHURCH SUBJECT TO THE FOLLOWING CONDITIONS AND COMM. HUDSON SUPPORTED.

Compliance with the Zoning Ordinance Section 10.3 for number of parking spaces required (214) with shared parking or obtain a variance from the ZBA.

Compliance with the Zoning Ordinance Section 10.5.3 for number of barrier free parking spaces required (6) or obtain a variance from the Michigan Barrier Free Design Board.

Compliance with Section 9.2.2 Buffer Type A for non-residential uses or ZBA.

In accordance with Section 9.3.5 of the Zoning Ordinance, the applicant must maintain the landscaping in good condition so as to present a neat and orderly appearance.

Provide and record all necessary utility and public access easements.

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

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

5.3 PF-11-60 - Public Hearing - Site Plan Review Special
Exception Permit-Drive Thru Teller-1841 N. Perry Huntington Bank

COMPLETE PRESENTATION GIVEN BY MR. SABO.

Petitioner Chris Snyder, Huntington Banks and Angela Burkey, Technical Support; indicated the technical aspects is with the traffic, paving, striping and signs and markings for circulation purposes.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Thomas reported this was reviewed and discussed at the previous meeting, reiterating business-friendly in the best interest of Pontiac, concerned about the maneuverability around the ATM machine. Ms. Burkey explained the location and proposed access to the ATM without confusion or congestion. The ATM position was flipped, which did not improve access or traffic congestion. Comm. Thomas indicated other proposals need to be considered for placement of the ATM.

Chairperson Turpin inquired of the drainage on the property. Mr. Sabo indicated the island configuration is designed to help with the drainage and ingress and egress to and from the location.

Mr. Sabo indicated future configurations can be explored to alleviate traffic congestion.

Comm. Thomas inquired of a Kiosk versus ATM. Mr. Snyder commented consideration of electrical runs and cost to situate a kiosk or ATM away from the building.

Comm. Cadd inquired if the building was leased. Mr. Snyder indicated yes. Comm. Cadd inquired if the building can be configured to another space, possibly across the street. Ms. Burkey indicated the employees park in the rear of the building and the pavement will have directional markings; and the location across the street was not considered.

Comm. Fegley commented expanding the pavement might alleviate some of the traffic congestion. Mr. Snyder agreed that suggestion might help and is willing to consider all accommodations.

Comm. Hudson inquired if the building had a supportive roof, Ms. Burkey indicated yes; Comm. Hudson commented in the winter snow, the markings on the ground will not be visible.

Comm. Hudson commented that the communications between the parties were not productive and this possibly could have been one application. Mr. Snyder reported the plans at this stage are incomplete.

Comm. Thomas suggested that the applicants reconfigure and return back to the Planning Commission for reconsideration.

COMM. FEGLEY MADE A MOTION TO APPROVE THE PROPOSED SPECIAL EXCEPTION PERMIT SITE PLAN REVIEW OF PF-11-60 HUNTINGTON BANK AND COMM. HUDSON SUPPORTED SUBJECT TO:

Redesign of the traffic circulation pattern at the bank teller kiosk location to address possible car/truck traffic conflicts required by condition #3 of the Special Exception Permit Conditions.

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

Vote 4-1-0 for Approval of the Special Exception Permit, Site Plan Review.

5.4 PF-11-25 - Right of Way Street Vacation Request - Cottage Street - Spring Lake Village - 252 Carriage Circle

COMPLETE PRESENTATION GIVEN BY MR. SABO.

Marcia Shaddack, Representative for Spring Lake Village; commented they will address the security concerns, and the guard shack has not been constructed; and there is limited access to the back street.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING OPEN.

None.

CHAIRPERSON TURPIN DECLARED PUBLIC HEARING CLOSED.

Comm. Hudson reported that the existing directionals are incorrect and the current security issues would be improved with the proposed guard shack and gated area. Mr. Sabo indicated revised drawings have been submitted.

Comm. Hudson also inquired if the renovations were being funded by MHSTA funds. Representative agreed and the area is currently fenced in most areas.

Comm. Thomas inquired if the part of the cottage will be blocked off. Representative indicated yes and there will be no impediments for the cottage residences.

Chairperson Turpin inquired of the gates and fencing locations. Representative referred overhead photographs to show concerned locations; no fencing on Carriage Circle and indicated there is a yelp system with sirens and residents will have a key car entrance.

Comm. Thomas inquired of security and high traffic volumes. Representative indicated that is provided for in the agreement

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

WHEREAS, the Pontiac City Planning Commission is in receipt of the Planning Department report relative to the request submitted by Spring Lake Village 2008 Limited Dividend Housing Association 20250 Harper Avenue, Detroit, Michigan; for abandonment of the City's interest in a portion of Cottage Street, approximately 644 feet long,

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 City Planning Commission finds that Spring Lake Village 2008 Limited Dividend Housing Association 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 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 Spring Lake Village 2008 Limited Dividend Housing Association 20250 Harper Avenue, Detroit, Michigan; for abandonment of the City's interest in a portion of Cottage Street Drive is hereby recommended for **APPROVAL**, to the City Council on this 5th Day of October, 2011, subject to the retention of a full-width utility

easement for maintenance of utilities and subject to Spring Lake Village 2008 Limited Dividend Housing Association assuming responsibility for maintenance of the water lines and sanitary lines within the vacated portion of the Cottage Street right of way.

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

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

**5.5 PF-11-62 - Site Plan Review - Change to Non-Conformance Use
- 55 Turk Street**

COMPLETE PRESENTATION GIVEN BY MR. SABO.

Petitioner, Ms. Simalac and Nathan Zack indicated the existing building will remain as is, will be renovating and updating technology with the building.

PUBLIC HEARING NOT REQUIRED.

Comm. Thomas inquired of the 9 scrap yards operated by the petitioner. Petitioner indicated two in Warren, one in Sterling Heights, Melvindale and a couple in Chicago and Ohio.

Comm. Thomas inquired how vehicles would access the site. Petitioner indicated from Woodward to Tunk Street.

No comments: Fegley, Cadd, Hudson, Turpin.

COMM. THOMAS MADE A MOTION FOR APPROVAL OF THE SITE PLAN PF-11-62 SCRAP METAL YARD AND COMM. CADD SUPPORTED SUBJECT TO:

Compliance with Section 9.6 Performance Standards from the Zoning Ordinance.

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

Vote 5-0-0 for Approval of the Site Plan Review.

NEW BUSINESS: 1) Next Meeting agenda for 2012 will be prepared.
2) Complete process for appointments to the Planning Commission.

UNFINISHED BUSINESS: None.

OTHER ITEMS: None.

PUBLIC COMMENT: Charles Johnson welcomed new Planning Commissioners and believes they will move the City forward. Mr. Johnson indicated he attends the meetings regularly and speaks his mind.

Mr. Johnson commented that the NSP II funds have gone to the State of Michigan and Oakland County for their control and Oakland County also controls the Block Grant funds. He feels the Planning Commission will not have any input towards those funds and commended Mr. Sabo on being a great planner.

COMMISSIONER'S COMMENTS: Chairperson Turpin commented at the last meeting an applicant was requesting approval in the downtown area and monies available to Pontiac through Federal Funding according to the Master Plan and the nature of their leadership as the Planning Commission should be done in a timely manner, better relationship with city management and move the city forward is their goal.

Chairperson Turpin commented the approval of NSP II Programs in the City of Pontiac needs to be processed fluently to acquire funds and the Planning Commission has a responsibility to meet the standards for the City. If meeting dates conflict, the commissioners hopefully have time for additional meetings, if necessary.

Comm. Hudson inquired of a need to expedite processes in the future. Mr. Sabo indicated yes, some projects may need expediting.

Comm. Cadd commented she googled NSP II Funds and indicated there is an allotted amount of funds and requirements have to be met by February 2012 and the Planning Commission needs to be on the same page when it comes to funding.

Comm. Cadd inquired if the Block Grant Money was a separate pot of money and needs clarification. Mr. Sabo indicated he will do some research.

Comm. Thomas reiterated the applicants go through the proper process and the Planning Commission should be business-friendly.

ADJOURNMENT: 8:35 p.m.