



PONTIAC PLANNING COMMISSION

Wednesday, August 7, 2024 6:00PM
CITY HALL – 2ND FLOOR – COUNCIL CHAMBERS
47450 WOODWARD AVENUE – PONTIAC, MICHIGAN

Public Hearing Format

- I. Opening of Case
- II. Staff Presentation
- III. Commission Questions for Staff
- IV. Applicant's Presentation
- V. Commission Questions for Applicant
- VI. Citizen Questions, Concerns, and Comments (Time Limit Set By Chair)
- VII. Final Questions from the Commission
- VIII. Closing of Hearing
- IX. Commission Deliberations
- X. Decision (Approve, Approve with Conditions, Table, Deny)

Agenda

1. CALL TO ORDER:
2. ROLL CALL:
3. OFFICIAL COMMUNICATIONS:
4. AMENDMENTS TO & APPROVAL OF THE AGENDA:
5. MINUTES FOR REVIEW: July 10th and July 24th
6. PUBLIC HEARINGS:
 - A. Application #: SEP 24-007
Applicant: JADC Ventures, LLC/Mario Vano
Application: Special Exception
Address: 225 E Columbia Ave
Request: Heavy Manufacturing, Use of a Concrete Crusher
 - B. Application #: ZMA 24-003
Applicant: Manhal Hwier
Application: Zoning Map Amendment
Address: 94 Dwight Ave, 104 Dwight Ave, and 95 Mark Ave
Request: Rezone from R-2 to R-3
 - C. Application: Zoning Text Amendment
Applicant: Mark Yandrick, Planning Manager, City of Pontiac
Address: Citywide
Request: Window Transparency

7. PUBLIC COMMENT

8. OLD BUSINESS:

C. Application #: SPR 24-005
Applicant: James Pappas, President – Fusco, Shaffer & Pappas, Inc.
Application: Site Plan Amendment
Address: 454 Auburn Rd
Request: Amended Façade Design

9. NEW BUSINESS:

C. Application #: SPR 24-020
Applicant: JADC Ventures, LLC/ Mario Vano
Application: Site Plan Review
Address: 225 E Columbia Ave
Request: Heavy Manufacturing, Use of a Concrete Crusher

D. Application #: SPR 24-024 (Informational)
Applicant: Nathan Stephenson
Application: Site Plan Review
Address: 148 E Howard St
Request: Personal Services Establishment and Retail

E. McKenna Master Plan Presentation (20 Minutes)

10. STAFF COMMUNICATIONS:

A. Planning Commission updates from City Council
B. Next Regularly Scheduled Meeting – Wednesday, September 4, 6pm

11. ADJOURNMENT:

CITY OF PONTIAC, MI

PLANNING COMMISSION MINUTES

Wednesday, July 10, 2024 – 6:00 P.M.
City of Pontiac City Council Chambers

1. CALL TO ORDER: (6:02 PM)

Planning Commissioners Present: Sam Henley, Chair
Christopher Northcross
Sue Sinclair
Tim Shepard
Michael McGuinness

Staff Present: Mark Yandrick, Planning Manager
Corey Christensen, Senior Planner
Paul Harang, Planner II
Justin Curry, Planner

2. ROLL CALL

Four members were present at the time of the roll call. Commissioner McGuinness arrived at 6:48 pm.

3. OFFICIAL COMMUNICATIONS

Planning Manager Mark Yandrick informed the Commission that the 225 East Columbia case scheduled for this evening's meeting was tabled for the August 2024 meeting of the Planning Commission.

4. AMENDMENTS TO & APPROVAL OF THE AGENDA

Planning Manager Mark Yandrick asked the Commission to move case SEP 24-007 and SPR 24-020 to the August 7, 2024 meeting.

The motion was made by Commissioner Sinclair and seconded by Commissioner Northcross to postpone SEP 24-007 and SPR 24-020 to the August 7th agenda.

Yes: 4
No: 0

Motion passed.

A motion was made by Commissioner Sinclair and seconded by Commissioner Northcross to

move SPR 24-016 to be directly after SEP 24-005.

Yes: 4
No: 0

Motion passed.

5. MEETING MINUTES FOR REVIEW

The commission reviewed the minutes for June 5, 2024. **Commissioner Sinclair moved to adopt the minutes. Commissioner Shepard seconded the motion.**

Yes: 4
No: 0

Motion passed.

6. PUBLIC HEARINGS

Application #: PSEP 24-005

Application: Special Exception

Applicant: Oakland Integrated Healthcare Network (dba Honor Community Health)

Address: 48980 Woodward Ave.

Request: Medical Clinic

Planner Paul Harang gave a presentation providing information on the applicant's request. The presentation included a description of the site and the proposed use as a medical clinic, the zoning map, neighborhood characteristics, existing conditions, the proposed development, standards of approval, staff analysis, and a recommendation for approval with three conditions.

Commissioner Henley requested comments from the Commission. No comments were made by the commission relating to the presentation. Commissioner Henley asked the applicant to address the commission to provide additional information or a presentation.

Debbie Grimson, CEO of Honor Community Health, spoke regarding the special exception request. She stated that Honor Health has been working with the community for decades to assist persons living in the community who do not have health insurance with medical consultations and treatments. Ms. Grimson stated Honor Health is requesting the special exception use at the old school building due to an increase in patients. Ms. Grimson stated a larger building will improve patient access to treatment.

Scott Stewart, representing Honor Community Health, introduced himself to the commission and offered to take their questions.

Commissioner Northcross asked about the timeline for development if the commission approves the request. Mr. Stewart stated that construction will start in February of 2025 and will take around 18 months to complete.

Commissioner Henley asked what type of community outreach was initiated for the proposal. The

applicant replied that an ice cream social was held as well as other community outreach meetings. The most common request from the community was to keep the playscape and basketball court available for the community. Additionally, Ms. Grimson stated a master planner will be hired to assist with master planning of the site with a focus on community needs.

Public Comment

Micheal Robbinson addressed the commission and stated he is a board member of Honor Health. He also has been a patient with Honor Health for over 19 years. Mr. Robbinson stated that Honor Health is an asset to Pontiac since its services are geared toward residents who do not have health insurance.

Joy Duncomb spoke in favor of the proposal to establish a medical clinic at the subject site. She looks forward to the renovation of the building at the subject site and feels the redevelopment will reinvigorate the vacant building and parcel.

Marlin Para is a patient of Honor Health and supports the expansion of the clinic into a larger facility. She states that Honor Health supports the community in bilingual services with Latino individuals.

Regina Addison has been a patient of Honor Health over the past 10 years. She states Honor Health is an asset to the Pontiac community with many services provided to patients, especially people seeking mental health services.

Darlene Clark is a resident of Pontiac and asked for clarification on special exception permits. She wants to know what they are and why they are becoming more frequent.

Mark Yandrick, Planning Manager, explained that a special exception permit is a type of permit that requires a hearing at the Planning Commission. Special exception permits focus on certain uses that may impact the city or community and require a hearing to review both the positive and negative impacts of the proposed use.

Commissioner Northcross stated that he is excited about Honor Health moving into a larger facility and being more accessible to Pontiac residents. He also stated that the redevelopment of a vacant building into a medical health clinic is a major improvement to the Woodward Loop.

Commissioner Henley stated that he supports Honor Health and all the important services it provides to the community.

Commissioner Sinclair made a motion to approve the special exception permit for a medical clinic facility at 48980 Woodward Avenue based on the findings of fact identified in the staff report and with the three conditions outlined in the staff report.

Yes 4
No 0

Motion passed.

Application #: SPR 24-016

Application: Site Plan Review

Applicant: Oakland Integrated Healthcare Network (dba Honor Community Health)

Address: 48980 Woodward Ave.

Request: Medical Clinic

Planner Paul Harang gave a presentation on the applicant's site plan for the proposed medical clinic. The presentation focused on the site plan and areas of the zoning ordinance such as parking lot locations, landscaping, curb cuts, and green space. Staff recommended approval with six conditions.

Scott Stewart with Honor Health addressed the Commission and stated he has no concerns with staff's presentation and is willing to comply with the proposed conditions. He is already working on new site plans focused on addressing landscaping and parking lot improvements.

Commissioner McGuinness asked Mr. Stewart to give a small update regarding the proposal.

Scott Stewart stated that any proposed site plan improvement will reinvigorate the site with increased landscaping and parking lot improvements. Mr. Stewart stated Honor Health has been working with the Planning Division to seek guidance on site improvements and he looks forward to starting the redevelopment at the site.

Commissioner Shepard asked about the applicant's parking plan. The applicant stated they intend to improve the parking lot with new landscaping, lighting, and paving.

Commissioner Henley asked a question about the curb cuts to access the site. The applicant stated that the proposed MDOT plan for the Woodward Loop will change the site's curb cut configuration in the near future and will improve circulation to the site.

Commissioner McGuinness, with a second from Commissioner Sinclair, made a motion to approve the requested site plan for a medical clinic at 48980 Woodward Avenue based on the findings of fact identified in the staff report and with the six (6) conditions outlined in the staff report.

Yes: 5

No: 0

Motion passed

Application #: ZMA 24-006

Application: Zoning Map Amendment

Applicant: Liliana Gonzalez, Cinnaire Solutions

Address: 25 S. Sanford St.

Request: Rezone from R-1 to R-3

Planner Corey Christensen gave a presentation focused on the applicant's request to rezone the subject site from R-1 to R-3 for a senior housing facility. Planner Christensen provided a timeline for the rezoning. The presentation included a description of the site plan, existing zoning designations

surrounding the subject site, permitted uses within an R-3 District, and permitted uses in an R-1 District.

The applicant spoke regarding their request. They are proposing to demolish the existing school building due to its deteriorated condition. In its place they are proposing a new multifamily residential structure with a new parking lot and improved landscaping.

Commissioner McGuiness stated that the property is still owned by the City of Pontiac. The City Council has issued an offer to purchase to Cinnaire Solutions. Commissioner McGuiness stated Cinnaire Solutions has developed many senior housing facilities within Michigan and he supports the development of senior housing within Pontiac.

Commissioner Sinclair asked staff why only one community notification sign for the rezoning was posted at the site. She felt that more signs should have been posted on site, since the project site abuts multiple street frontages.

Commissioner Northcross gave a history of the school and stated he is excited to see the site redeveloped.

The applicant stated that this will be the first development within Pontiac. He stated that Cinnaire has developed other senior citizen buildings within Michigan and is excited about locating one within Pontiac. The project will be composed of 40 to 45 units and will be affordable units. Cinnaire will be applying for tax credits with the State of Michigan to seek financing for a portion of the proposed senior housing facility.

PUBLIC COMMENT

Robert Bass, president of the citizen's district council, spoke in support of the proposal. He asked why no conditions were offered by the applicant for the project.

Darlene Clark stated that she does not support the commission approving a project without any conditions. She feels that the developer can change the use of the project if there are no conditions approved in the final planning commission grant.

Carlton Jones stated that R-1 areas are the most protected zoning districts in the city. He feels the rezoning to R-3 is fine but would prefer conditions be set for the project so the community will not be impacted by any proposed negative attribute of the development.

Mark Yandrick stated there are no conditions of approval because the City feels this is a strong development proposal and any rezoning with conditions can only be set by the applicant. And the applicant, at this time, has not offered any conditions.

The applicant stated that the low-income tax credits that the project is to receive will be set for 30 years. After the 30-year period has ended, the applicant can sell or change the building's occupancy for all ages. But that is something the development is not interested in doing since there is such a need for senior housing within Pontiac.

Commissioner Sinclair asked if the applicant could petition to have the tax credits extended

another 15 years.

The applicant stated the commissioner is correct, the State of Michigan does have the ability to extend the tax credits for developers that have obtained the credits.

Commissioner Henley asked staff how long the applicant has to complete development if their request is approved. He thought the applicant had 2 years to complete the development and if the development was not completed the previous zoning would be reestablished.

Planner Manager Yandrick stated that is only the case for conditional rezonings. This proposal is not a conditional rezoning.

Commissioner Northcross expressed concern about density and the risks involved with allowing a higher intensity residential zone in this location without any conditions. The commissioner stated that the commission has reviewed many projects for this site, but none of the proposals approved by the Planning Commission have been developed. He asked the applicant about the likelihood of receiving the state tax credit award. The applicant stated that the project will be applying for tax credits in September 2024.

Mr. Gustafsson from the Pontiac Housing Commission stated that the developer has the ability to develop the property. His company has developed over 200 residential units in the past few years, all focused on senior housing.

Commissioner Sinclair stated the Planning Commission package sent to commissioners stated that the building would be demolished to make way for a new senior housing facility. The commissioner stated she feels the repurposing of the existing school building will be very difficult due to the size of windows and environmental remediation.

Commissioner Shepard stated that he does not foresee any issues with the rezoning since any rezoning will only make the site more marketable for any future developer if this project is not awarded the tax credits.

Commissioner McGuinness stated there are other approvals for a rezoning other than at the Planning Commission. The City Council will have to review the request to purchase the property and will be the final decision maker for any proposed development at the site. He stated that the City of Pontiac via a development agreement with a developer will provide guarantees to ensure no negative impacts will harm the City. So, there is another layer of review and approval for any development wishing to purchase city-owned property. He feels the size of the parcel can handle a large multi-family development. The commissioner asks staff the max height in an R-3 District.

The Planner Manager Yandrick indicated that 35 feet is the maximum height limit for the proposed zoning district. The Planner stated many larger developments have been located in the immediate area.

The applicant stated a review of the school building was completed and the findings were to demolish the building. The study focused on the cost of renovating the building and remediation of any environmental issues. The applicant indicated that the existing option to

purchase from the City of Pontiac is one year and is based on whether the tax credits are granted. If the tax credit is issued the project will close within one year.

Commissioner Henley stated that he is comfortable with the development and all the safeguards put in place for the development to be successful based on the proposed development agreement and rezoning on such a large parcel.

Commissioner Sinclair moved to recommend approval of the proposed rezoning of 25 S Sanford St from R-1 One Family Dwelling to R-3 Multiple Family Dwelling based on the findings of fact identified in the staff report. The motion was seconded by Commissioner Northcross.

Yes: 5
No: 0

Motion Passed.

7. PUBLIC COMMENT

Kerry Cook addressed the concrete crushing facility proposal which was postponed for August 2024. She has an issue with the concrete crushing machine adjacent to her dwelling.

Dana Pope lives within the area three blocks from the concrete crushing business. She has spoken with Pontiac code enforcement about noise and dust control. All aspects of the concrete crushing are affecting her life since all she hears is loud noises and sees dust on her house, grass, and vehicle. She feels that the City just issues tickets and does not follow up.

Patricia Tossy lives four houses from the concrete crushing site. She did not support the original use at the site and did not support the crushing of concrete at the industrial facility. She stated that she is starting to get health issues relating to the concrete crushing near her house.

Mr. Fry lives to the rear of the concrete crushing facility and does not support any industrial use at the site. He feels the present business at the site is impacting his life. He feels that the site is processing industrial waste and should not be allowed to continue at the site.

Carlton Jones stated that Pontiac is experiencing harm due to these types of industrial uses. He feels the city should not approve the crushing of concrete at Dans Transport.

Jack King lives across the street from this site and has issues with all the dust produced by the concrete crushing. He has seen clouds of dust, large concrete pieces on adjacent roads which fall off concrete haulers, and increased traffic associated with the use.

Darlene Clark stated that she does not support the industrial use at this site.

Sabrina Garden lives within the area and likes living in her neighborhood. She supports the

redevelopment of Pontiac neighborhoods which are being redeveloped with new residential and commercial uses. She is impacted at her home by all the dust from the concrete crushing and the noise of the trucks.

Planning Manager Yandrick stated that a public meeting for the concrete crushing plant will be scheduled for August 7, 2024. Per his understanding, the existing permit establishment at the concrete crushing site is only for a storage yard, not a concrete crushing facility. So, no concrete crushing should be happening at the site. If there is concrete crushing occurring the citizens should contact code enforcement.

8. OLD BUSINESS

Application #: PSEP 24-003

Application: Special Exception

Applicant: Designhaus Architecture – Hunter Galbraith

Address: 108 W. Lawrence St.

Request: Mini-warehouses

Planner Corey Christensen gave a presentation that went over the applicant's request to establish a mini warehouse at the subject site. The case was tabled by the commission at the last commission meeting for staff to obtain more information. The site is zoned C-3 District. The building takes up the entire lot area and parking will be established within the building for customer parking. Windows have been added to the building and new doors on Lawrence. Staff recommends approval with five (5) conditions.

Commissioner Shepard asked staff about the signage locations on the building. Staff stated that signage is a topic the planning commissioner should review for this proposal. Staff generally do not review signage requests such as these types.

Hunter Galbraith with Designhaus provided a presentation. He stated that a redesign of the facility occurred after the first meeting with the planning commission focused on removing weeds, windows, signage and reducing any light pollution within the general area. He is working with the railroad to seek comment on the encroachment of the building into the railroad right of way. He is going to follow up with the railroad after the meeting.

Commissioner McGuinness stated that he does not have an issue with any signage on the north side of the building. He does support the mini warehouse and does not think residential lofts would work at this site.

Commissioner Sinclair feels the signage should only be located on the Lawrence Street frontage and no signage should be located on the north side of the building. She asked about the vehicle bays and how vehicles can back into the bays and close the bay doors during drop-offs. She requested information regarding security at the site during drop-offs if the overhead doors can be closed if semi trucks were dropping off items.

Hunter Galbraith stated that the facility will have security measures at the site only granting

access to persons with security clearance. He stated that most traffic at the site is minimal.

Commissioner Henley asks for a motion to keep the sign proposal on the north and south side of the building.

Commissioner McGuinness, with a second from Commissioner Shepard, moved to approve the requested special exception permit for a mini-warehouse facility at 108 W Lawrence Street based on the findings of fact identified in the staff report and with the three conditions outlined in the staff report.

Yes: 3 (McGuinness, Henley, Shepard)
No: 2 (Northcross, Sinclair)

Motion passed.

Application #: SPR 24-014
Application: Site Plan Review
Applicant: Designhaus Architecture – Hunter Galbraith
Address: 108 W. Larence St.
Request: Mini-Warehouses

Planner Corey Christensen gave a presentation on the applicant's request. The applicant will be repurposing the building. The case was postponed to the July meeting for the applicant to provide more information to staff and the commission.

Commissioner Northcross had a question on barrier-free parking, if it can be provided on the site. Hunter Galbraith stated that the barrier-free parking is located next to the elevator on the first floor and any person can access the office via a ramp.

A Motion was made by Commissioner McGuinness, with a second from Commissioner Sinclair, to approve the requested site plan for a mini-warehouse facility at 108 W Lawrence based on the findings of fact identified in the staff report and with the seven conditions outlined in the staff report.

Yes: 5
No: 0

Motion passed.

Application #: SPR 24-018
Application: Site Plan Review
Applicant: John Gumma & Jason Kajy
Address: 805 Baldwin Ave.
Request: Expansion to Liquor Store

Planner Justin Curry gave a presentation that went over the applicant's request to expand the

existing liquor store. The planner reviewed past approvals and proposed upgrades to the site which is located within a C-1 District. The planner indicated the expansion will not include any gas station use due to the established moratorium for vehicle uses. The site consists of a building, parking lot, and landscape areas. Staff recommends approval with six (6) conditions.

The Planning Manager stated that there is not much area to establish screening at the rear of the site from the residential area. The applicant is proposing to increase landscaping and parking lot upgrades.

Commissioner Northcross reviewed the proposed upgrades to the site and questioned the landscape updates and what will be the future uses at the site.

The Planner Manager stated that the applicant proposes in the future to increase the size of the building, and add a gas pump, and pharmacy use.

Commissioner Sinclair asked why the setback variance went before the ZBA instead of coming to the Planning Commission first.

The Planning Manager stated any applicant needs to obtain any variance approvals prior to coming to the Planning Commission.

John Gumma, the applicant, provided a presentation to the commission. He stated that he needs to expand the business and will provide interior renovations. He indicated that the gas station is not part of this proposal.

Jason Kajy, the applicant, stated that he will seek an explanation for the gas station in the future.

Commissioner Northcross asked about the existing uses at the site. The applicant stated that the site is composed of a liquor store, a future pharmacy, and a future gas station. The commissioner asked about the addition of prepared foods. He sought an answer if there would be on-site seating for the restaurant on site. The applicant stated that no on-site seating would be available.

Commissioner Sinclair asked if the applicant owned the property to the south. She mentioned that the curb cut is split down the middle of the lot. The applicant stated that he did a lot split for a future development that was not developed.

Commissioner Sinclair has an issue with the location of the future pharmacy entrance. She would like to see increased lighting at the entrance. And required the applicant to provide more information on the lighting plan. She has issues regarding how the applicant will access the dumpster enclosure. She would like to see a tree put in the rear of the lot for screening other than shrubs.

Commissioner Shepard wished to obtain more information on the exterior cladding at the site but did not see any other issues.

Commissioner McGuinness does not see any other issues at the site.

Commissioner Sinclair asked the applicant what tiger wood siding was.

The applicant stated that it is a wider and thinker siding.

Commissioner Northcross stated he feels these plans should return to the Commission for Final Site Plan review.

Commissioner McGuinness made a motion, with support from Commissioner Northcross, to approve the requested site plan for an automobile filling station with a convenience store, office space, and pharmacy at 805 Baldwin based on the findings of fact identified in the staff report with the six (6) conditions outlined in the staff report and a seventh condition requiring this case to return to the Planning Commission for Final Site Plan review.

Yes: 5
No: 0

The motion was passed.

9. STAFF COMMUNICATIONS

Planning Manager Mark Yandrick gave an update on the moratorium of certain uses within the city for nine to twelve months depending on the use. He provided updates on the draft Master Plan.

10. ADJOURNMENT

Commissioner Henley made a motion to adjourn. Commissioner Northcross supported.

The meeting ended at 9:29 pm



COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Corey Christensen, Senior Planner

DATE: July 31, 2024

RE: Special Exception: Heavy Manufacturing / Concrete Crusher, 225 E Columbia Ave

Executive Summary

The applicant, Mario Vano, on behalf of JADC Ventures, LLC, has submitted an application for a Special Exception Permit (SEP 24-007) to allow for Heavy Manufacturing in a Heavy Manufacturing (M-2) district. Although the name of the district implies heavy manufacturing is permitted by right, it is only permitted by special exception and only if the Planning Commission finds that the proposed use will not have any detrimental impacts on adjacent residents. This request is subject to an approval process set forth in section 6.303 of the Pontiac Zoning Ordinance. While Heavy Manufacturing is a broad category that includes many types of manufacturing, the applicant is specifically requesting to use the site for concrete crushing.

Quick Facts	
Zoning	M-2 Heavy Manufacturing
Request	Site Plan Approval
Proposed Use	Concrete Crushing / Heavy Manufacturing
Parcel Size	47.61 Acres

Staff is recommending DENIAL due to the impacts on adjacent residential properties. If the Planning Commission decides to approve the request, staff's recommended conditions are provided at the conclusion of this staff report.

Overview

The site is developed and contains one building, material storage, and parking, all of which was approved by the Planning Commission in 2015. The site has been utilized for outdoor storage since it was approved for that use in 2015, the applicant is now requesting permission to use the site for crushing concrete. The applicant is not proposing any new buildings however, the concrete crusher itself has been added to the site. The crusher is about 20 feet tall and is not visible from the right-of-way. The applicant is proposing an increase in buffer vegetation to protect nearby residents from negative off-site impacts, however, the proposed buffer does not appear to comply with the zoning ordinance requirements for "Type C" buffers.

Proposal

The applicant is proposing to use the existing manufacturing site with material storage for concrete crushing. The existing building on site is 13,000 square feet and there is a large parking area to the east.

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The applicant is proposing to place the concrete crusher in the center of the site where it will sit 320 feet from the north lot line, 680 feet from the west lot line, 1060 feet from the east lot line, and 900 feet from the south lot line. The crusher is less than 20 feet tall and elevations provided by the applicant demonstrate it will not be visible from off-site. The applicant is proposing 39 new trees to be placed along the west and north property lines to buffer the concrete crusher from adjacent residences.

Standards of Approval (Section 6.303) and Analysis

1. The proposed use shall be harmonious with the City of Pontiac Master Plan.

According to the most recent Master Plan, the subject site is located in a district that is intended for “Entrepreneurial: Industrial, Commercial & Green”. This district is intentionally flexible to “allow a greater range of uses and site configurations so that entrepreneurs, residents, neighbors, community groups, investors and other stakeholders might redevelop distressed properties.” This use classification includes industrial.



Figure 1: Aerial Image (Source: Oakland County)

2. The proposed use and appearance of the site shall be harmonious with the existing and intended character of the general vicinity.

The appearance of the site should not change from what was approved in November of 2015. The concrete crusher as proposed will not be visible from the right-of-way or neighboring properties. The primary concern is with noise. Although the supplemental document provided by the applicant

indicates their testing shows decibel readings mostly within the acceptable range, the west property line is 680 feet from the concrete crusher and the applicant's own readings suggest that at this range the crush will be between 56.8 and 58.2 decibels, which is above the 55-decibel maximum for noise at a common lot line with residences. Furthermore, staff have received complaints regarding the noise and vibration on site. The applicant has subsequently provided a narrative that states, "A noise level reading was also taken from behind a stockpile of material from a distance of 150 yards which generated readings of 49 dBA- less than the City's Zoning Ordinance of 55 dBA. Interpreting the data within the narrative suggested noise levels from behind both processed and raw material as in the case of our proposal to any adjacent residential properties would be in the 40-3BA range." Although the stored material on site may buffer sound adequately enough to comply with the limits found in the zoning ordinance, there is no guarantee materials will be stored in the same amount and location at all times.

3. The proposed use shall not change the essential character of the area or adversely affect the development of the surrounding neighborhood.
The proposed use will not alter the essential character of the area which has developed into an industrial district with residential neighborhoods adjacent. The proposed use may pose a risk to future development in the residential neighborhoods if the noise concerns are not addressed.
4. The proposed use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to the community as a whole.
The proposed use generates noise in excess of the decibel limitations of the zoning ordinance. There is a special concern for the adjacent residents directly to the west, but impacts may be felt in the residential neighborhoods to the south and north.
5. Be served adequately by essential public facilities and services, such as highways, streets, police, fire protection, drainage structures, refuse disposal water and sewage facilities, and schools.
The proposed use will not be a burden on essential public facilities and services. The subject property fronts on E Columbia Ave, which is a Type A road suited for heavy commercial traffic. The site plans have been reviewed by the Fire Department and the City Engineer to ensure the new use and existing buildings are appropriate for the location and will not present a fire hazard or an undue burden on utility services.
6. Not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to any person, property, or general welfare as a result of producing excess traffic, noise, smoke, fumes, glare, or odors out of proportion to that normally prevailing in the particular district.
The primary nuisance of concern for this use is noise with secondary concerns. According to the applicant's measurements, the decibels generated by the concrete crusher exceed the maximum permitted at the property line. For this reason, staff does not feel the proposed use is a good fit for this location.
7. Maintain all proposed structures, equipment, or materials in a readily accessible manner for police and fire protection.

The site plans have been reviewed and approved by the Fire Department. The site and structures on it will be readily accessible to police and fire protection.

Summary

A concrete crushing operation is not appropriate for this property because of its close proximity to several residential neighborhoods. The applicant is proposing a new use of the site without any new buildings. The proposed use generates sound that may become a nuisance to neighboring residents. Furthermore, the plans do not appear to meet the requirements for a “type c” buffer, despite the applicant’s ability. Staff is recommending denial due to the impacts this use may have on the neighborhood.

Recommendation

Staff recommends DENIAL due to noncompliance with standards 2, 3, 4, and 6.

If the Planning Commission were to consider approval of the Special Exception, staff recommends the following conditions:

1. All conditions of the associated site plan review will be honored.
2. The concrete crushing operation will comply with the noise limitations found in the zoning ordinance.
3. A “Type C, Option 1” buffer with a six to eight-foot masonry wall will replace the screened fence on the entirety of the north property line, and along the entirety of the south property line, nearby to residential neighborhoods to the southeast and southwest of the subject site, excluding within any utility easement.
4. One street tree for every 35 feet of frontage shall be added along E Columbia Ave.

SAMPLE MOTION TO APPROVE:

I move to APPROVE the requested special exception permit for a concrete crusher at 225 E Columbia Avenue based on the findings of fact identified in the staff report and with the following conditions.

1. All conditions of the associated site plan review will be honored.
2. The concrete crushing operation will comply with the noise limitations found in the zoning ordinance.
3. A "Type C" buffer with a six to eight-foot masonry wall (option one) will be provided at all property lines that abut residentially used or zoned land and along the entirety of the north property line and along the south property line if across from residential.
4. One street tree for every 35 feet of frontage shall be added along E Columbia Ave.

SAMPLE MOTION TO DENY:

I move to DENY the requested special exception permit a concrete crusher at 225 E Columbia Avenue based on the following findings of fact:

1. It does not meet standard ____ based on the fact that...

SAMPLE MOTION TO POSTPONE

I move to POSTPONE the requested special exception permit for a concrete crusher at 225 E Columbia Avenue until the regularly scheduled September 4, 2024 Planning Commission meeting for the following reason _____.



SPECIAL EXCEPTION PERMIT APPLICATION

APPLICATION CHECKLIST

- Completed and Signed Application.**
- Application Fee.**
- Preapplication Meeting Required.** Prior to accepting any applications, a preapplication meeting between the applicant and City Planning Staff is required.
 - Preapplication meeting date: May 16, 2024
- Site Plan Review Application.** All Special Exception Permits are required to be accompanied with a complete application for Site Plan Review.
- Supporting Materials:**
 - Proof of Ownership, Purchase/Lease Agreement
 - Site Plan, Floor Plan, Elevations/Photographs
 - Electronic Copy of Site Plan
- Project Narrative.** This should describe the proposed use and the reasoning for choosing this location.
- Completed Application Checklist.**



Application for Special Exception Permit

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800 F: 248.758.2827

Property/Project Address: 225 E. Columbia

Office Use Only

Sidwell Number: 14-17-276-005

PF Number: _____

Date: 6/5/2024

Instructions: Completed application with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** prior to the scheduled Planning Commission Meeting. Application must complete in all respects with supporting documents such as site plan, property survey, detailed description of the proposed use, etc. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	JADC VENTURES, LLC/ MARIO VANO		
Address	12955 23 MILE ROAD		
City	SHELBY TOWNSHIP		
State	MI		
ZIP Code	48315		
Telephone	Main: 586.254.4367	Cell: 586.596.2122	Fax:
E-Mail	ccousino@deiproperties.com	Chris	Cousino

Project and Property Information

Name of Proposed Development: Dani's Transport/ Material Processing and storage

The subject property is location at 225 Columbia on the N / S / E / W side of North
between Joslyn and Highwood.

The property is zoned: M-2/ Heavy Industrial

It is proposed that the property will be used as: Trucking, material processing and storage

The subject property is legally described as follows (include sidwell numbers):

See site plan for legal description. 14-17-276-005

Property Owner Information

Name	Same as Applicant		
Address			
City			
State			
ZIP Code			
Telephone	Main:	Cell:	Fax:
E-Mail			

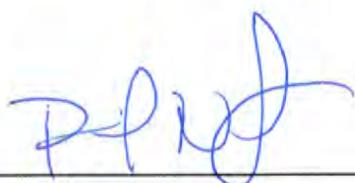
Are you the _____ Owner Agent/rep. of the owner _____ Other _____

The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

See attached summary and project narrative

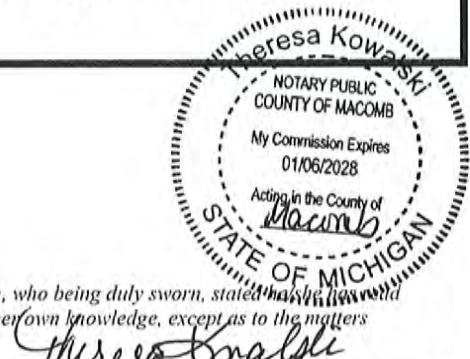
Supporting materials required:

- **Proof of ownership, purchase/lease agreement**
- **Site plan, floor plan, elevations/photographs**
- **Electronic copy of site plan associate planner**

**Signature of Owner****Signature of Applicant**

State of Michigan
County of Oakland

On this 5 day of June, A.D. 2024, before me personally appeared the above named person, who being duly sworn, stated ~~that he/she believes it to be true~~ the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.



Notary Public, Oakland County, Michigan
My Commission Expires: 01-06-28

Project Narrative- Dani's Trucking/ Special Exemption Permit

The roughly 40 acre site is located between Joslyn Avenue and Highwood at 225 East Columbia Avenue. This site was a former General Motors/ Racer Trust facility (former MFD 25 site) that was acquired in 2015. Prior to our development, reimbursement of construction expenses were secured through the Oakland County Brownfield Development Authority and are reimbursed through TIF credits. This program was implemented to help encourage the redevelopment of difficult sites throughout Oakland County.

In November 2015, Dani's Trucking received Site Plan approval for the construction of a roughly 12,000 square foot building to support its trucking operation and assist its parent company, Dan's Excavating, (the leading heavy construction contractor in the State of Michigan) in the construction of roadways throughout Southeast Michigan. This application is to expand its use of the property to allow for the processing of recycled concrete and the storage of this processed material. This will be a portable plant whose setup and take down will be based on supply and demand and will be removed from the property when not in use.

Concrete recycling is a highly regulated activity by the State of Michigan and is the breaking, removal, crushing, and processing of hardened concrete to produce Recycled Concrete Aggregate (RCA), a granular material that is suitable for use as a viable alternative to quarried/mined material in construction related activities and is an accepted material in roadway construction by the Michigan Department of Roads (MDOT) and the Road Commission for Oakland County (RCOC). Roadway projects like the construction of Golf Drive and Bagley Street within the City of Pontiac as well as other local projects including the reconstruction of the Square Lake/I-75 interchange and the I-75 highway reconstruction will greatly benefit from the use of RCA. The benefits to RCA is profound and can be categorized as economic, environment, and performance related.

Economic. The cost of aggregate for a paving project may account for 20-30% of the material cost and 10-15% of the overall project cost. The use of RCA provides a cost-effective alternative than mined or quarried material and the use of this material will be utilized in public funded roadways. These savings are then passed along to the taxpayers who fund the cost of public infrastructure.

Environmental. RCA for use in road construction is an environmentally sustainable choice that conserves aggregate and other resources, reduces unnecessary consumption of limited landfill space, saves energy, and reduces greenhouse gas emission. Concrete recycling can reduce or eliminate the need for mining or extracting new virgin aggregates and can reduce haul distances and fuel consumption associated with both aggregate supply and concrete slab disposal.

Pavement Performance. Concrete recycling may offer the opportunity to improve the performance of the reconstructed pavement while addressing roadway deficiencies. RCA is used in pavement foundation layers, the angular, rough textured nature of the particles can provide an exceptionally stable construction platform.

This request to permit concrete crushing is a permittable activity under the current M-2 (Heavy Industrial) zoning provided the issuance of a Special Exception Permit. Chapter 3, Section 6.303 of the

ordinance identifies Standards for Approvals of the Special Exception Permit. The following are controls to ensure that each and every one of the seven standards is met.

- Noise Control: Sound tests were conducted on May 22, 2024 using an EXTECH (model #407732) Sound Meter while the plant was in operation at an alternate location and the following results were generated.

<u>Location of Test</u>	<u>Reading (dbA)</u>
Center of the plant	88.2
150 feet from plant	77.9
300 feet from plant	70.5
450 feet from plant	65.2
450 feet from plant and behind stockpiled material	49.0
600 feet from plant	58.2
750 feet from plant	56.8

As proposed, the plant will be located no closer than 750 feet from the existing residential properties to the west and northeast. Based on the above data, it is suggested that the noise levels from the plant to any property line will likely be in the 40 dba range. Article IV Section 58-205 of City Zoning Ordinance identifies the maximum tolerable decibel levels at the property line for various land uses. In the case of residential properties, 61 dba is permissible and under Section 58-206 and when utilizing power equipment, the allowable noise levels increase to 90 dBA. Our proposed operation generates significantly less noise at the property boundary than permitted under City ordinance.

- Air and Dust Pollution Control: The use of a portable concrete crusher is regulated by the State of Michigan/Air Quality Division in which a permit from their office is required to operate a processing plant. This plant has been issued the requisite permit (General Permit to Install #66-19) which states as a general condition "...operation of any process shall not result in the emission of any air contaminates which causes injurious effects to human health or safety, economic value, or property, or which causes unreasonable interference with the comfortable enjoyment of life and property." Air quality control is managed on site through water sprayers while the processing is being conducted and is routinely inspected by state regulators.
- Storm Water Control: This activity is also regulated by the State of Michigan/Water Resource Division in which their office has issued a Certificate of Coverage (COC #MIS4410823) to manage the storm water discharge that is generated from the operation of this plant. This permit identifies and requires industrial storm water certified operator requirements, prohibition of unauthorized non-storm water discharges, and structural storm water pollution control requirements as needed.
- Visual Appearance: Page 2 of the submitted Site Plan depicts the cross sections in both a N-S and E-W direction which shows the visual site lines from a perspective outside of the property. Also attached is an aerial image with photographs taken from various vantages of an outsider viewing the property and their visual perception of the site. In each case, the plant is well screened from public view and the only visual elements are either the existing vegetated buffers

or the material stockpile. As noted above, the existence of the stockpiled material greatly reduces the decibel levels at the property lines and provides natural screening.

In addition to the controls identified above, the following are a summary of the existing and proposed site conditions that assist in meeting the standards for approval.

- A large 40 acre property with a centrally located plant.
- A Heavy Industrial/ M-2 Zoning District.
- Existing 10-12 foot high berm with existing evergreen trees. Additional evergreens to be installed per attached plan to supplement existing plantings.
- Existing 10' berm on the north side of subject property.
- Supplemental evergreen plantings on the north east side of the property.
- Existing 8' tall privacy fence on the south side of property with proposed installation of an additional 1,400 feet of proposed privacy fencing.
- Proposed stockpile of both raw and processed material to provide buffering.

Furthermore, we intend to implement the following conditions to additionally minimize any perceived impact to adjacent properties.

- Operation to occur from 7:00am- 7:00 pm Monday through Saturday excluding holidays
- 14 day advance notice to City prior to each set up.
- Maintain in good standing all state permits and provide copies to the City.

Recycled concrete aggregate is a vital material to road construction throughout the state and here locally in Oakland County and provides economic, environmental and performance benefits for the public. We feel that for the reasons cited, this location would be harmonious to the surrounding areas and the community in general.

We look forward to discussing our proposal with you at the next Planning Commission meeting.

JADC Ventures, LLP

**12955 Twenty Three Mile Road
Shelby Township, MI 48315
PH 586.254.2040 Fax 586-254-2236**

July 23, 2024

**City of Pontiac
Mr. Mark Yandrick, AICP, GISP
47450 Woodward Avenue
Pontiac, MI 48342**

Re: Special Exception Use and Site Plan Review; 225 Columbia Avenue

Dear Mr. Yandrick:

In response your staff review letters dated July 2, 2024 as well as our in-person meeting on July 18th, I offer this correspondence in advance of the Planning Commission meeting on August 7th for our Special Exception Use and Site Plan Review of our proposed material processing operation at 225 Columbia Avenue.

As required in our application, we had provided submittal information which included a Project Narrative. In this narrative, data was included showing noise levels generated from our concrete crusher. This data was taken on May 22, 2024 using a handheld noise detection device (EXTECH model #407732) and approved by the United States National Institute of Standards and Technology (NIST) per your ordinance. Noise levels were taken at intervals from the center of the plant up to 350 yards (1050') away. A noise level reading was also taken from behind a stockpile of material from a distance of 150 yards which generated readings of 49 dBA- less than the City's Zoning Ordinance of 55 dBA*. Interpreting the data within the narrative suggested noise levels from behind both processed and raw material as in the case of our proposal to any adjacent residential properties would be in the 40 dBA range. Your staff review of the narrative incorrectly references this data in their review and states the applicant's own data states sound decibels will exceed allowable tolerances.

The City must review a series of seven standards when determining if approval for a Special Exception Use is appropriate. In staff review, two of the seven standards were met while five were not citing noise conditions as the exclusive reason and based on staff's incorrect review of the narrative. As the data states, our site will not generate noise levels in excess of those required by ordinance and request a revision to the July 2nd SEU and Site Plan review letters to correctly cite the findings within our Project Narrative and request approval of our Special Use Exemption application to the Planning Commission based on this information.

Additionally, staff review requests the installation of a masonry wall to the north and to the south to meet the Type C buffer standard. During the Planning Commission meeting, as allowed in City Ordinance and for the reasons cited above, we will be requesting this requirement be waived.

Thank you for your attention to this information. We look forward to the review of your revised letters and discussing our project at the August 7th Planning Commission meeting.

*Article IV; Chapter 7 (4.704) permits construction activities that generate noise levels in excess of 55 dbA from 7am to dusk.

Sincerely,
JADC VENTURES, LLC

A handwritten signature in black ink, appearing to read "Mario Vano".

Mario Vano



TO: Planning Commission

FROM: Corey Christensen, Senior Planner

DATE: August 2, 2024

RE: ZMA 24-003: 94 and 104 Dwight Ave, 95 Mark Ave

Executive Summary

Quick Facts	
Existing Zoning	R-1 and
Proposed Zoning	R-3 and
Area	.78 acre

Quick Facts	
Existing Zoning	R-1 and R-2
Proposed Zoning	R-3 and P-1
Area	.78 acres

This item was previously heard by the Planning Commission on May 1st. The Planning Commission moved to recommend approval of the rezoning of 94 and 104 Dwight Ave from R-2 to R-3, recommend denial of 95 Mark Ave from R-2 to P-1, and recommend denial of 196 Liberty from R-2 to P-1. As a result, the applicant decided to revise their request and return to the Planning Commission.



Figure 1: Location of Subject Parcels

Staff is recommending approval with any potential conditions supplied by the applicant. At this time, the applicant has not supplied any conditions.

Overview and History

These parcels, like most parcels in the area, are zoned residential. 94 Dwight Ave, 104 Dwight Ave and 95 Mark Ave are all zoned R-2 Two Family Zoning District. This classification is intended primarily for two-family residential. This zoning makes sense for the

neighborhood, which has developed as a single-family and duplex-style residential neighborhood. However, 94 and 104 Dwight was used for multifamily residential starting in 1930, the year this structure was built.

The applicant met with city staff on multiple occasions to introduce their plans and solicit feedback. At the most recent meeting, the applicant was informed that the P-1 Parking district prohibits overnight parking and parking for residential uses. The applicant was encouraged to revise their request to not

include any P-1 Parking districts. The applicant removed 196 Liberty Street entirely and revised their request for 95 Mark to be R-3 Multifamily Residential rather than P-1 Parking. With 196 Liberty Street removed all subject parcels are now contiguous and proposed to have the same zoning. The applicant will need to secure a parking waiver or variance, and potentially a variance to reduce the required buffer width where 95 Mark is adjacent to residential.

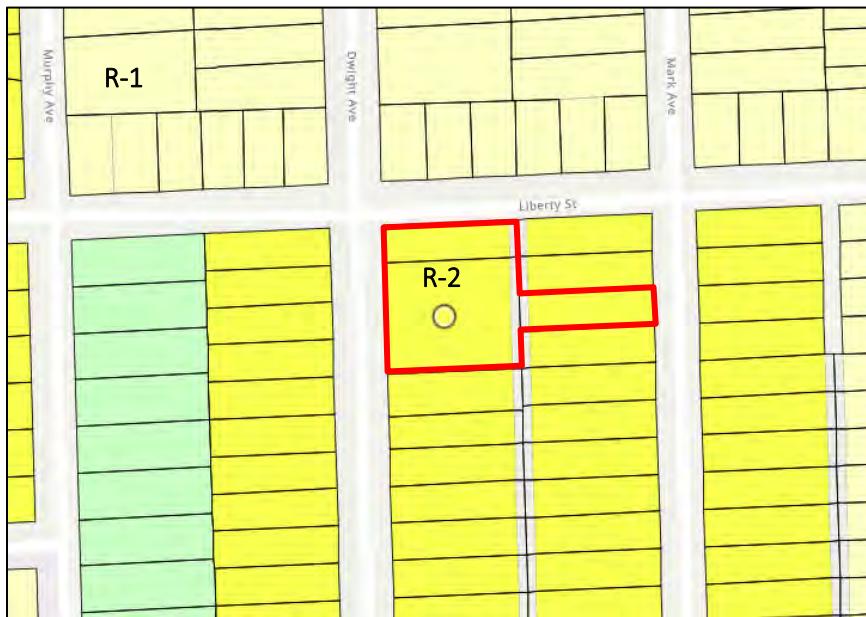


Figure 2: Existing Zoning

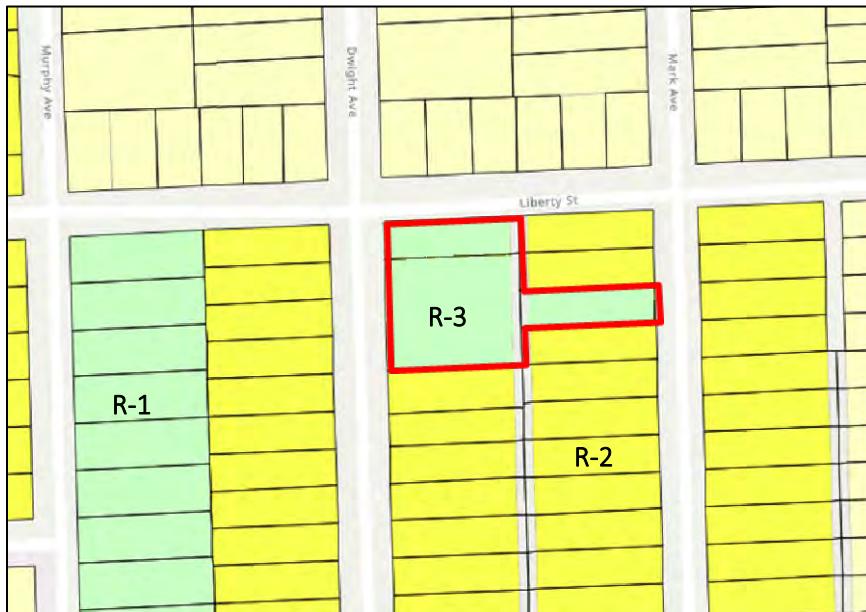


Figure 3: Proposed Zoning

Location and Zoning Classification

The location of the proposed rezoning can be seen in Figure 1 and its location within the zoning map can be seen in Figure 2. The neighborhood is primarily R-2 Two Family Dwelling and R-1 One Family Dwelling. The nearest multifamily zoned property is along the east side of Murphy Ave only one block to the West. This block is all zoned R-3 Multiple Family Dwelling.

In addition to the requested zoning designation being

appropriate, the proposed use is appropriate for the area. There are multifamily residential buildings along Murphy and further south on Dwight Avenue close to W Huron St. This property has been used for multifamily since at least 1930.

The R-3 district does not permit any new uses that may pose a risk to the character of the neighborhood. The R-3 district does permit boarding houses and mixed-use buildings but only by special exception permit, giving the Planning Commission control over these uses.



Figure 4: Site Conditions (October 2021)

Standards of Approval

When considering rezonings, the Planning Commission and City Council shall consider the following criteria.

A. Consistency with the goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

The Master Plan's Future Land Use map classifies the subject property as "Traditional Neighborhood." This classification is intended to, "plan for traditional patterns of urban neighborhoods. These areas allow a range of housing styles and guidelines seek to replicate Pontiac's traditional neighborhood development pattern" Approval of this rezoning will be compliant with the Master Plan as it represents the redevelopment of a traditional Pontiac neighborhood.

B. Compatibility of the site's physical, geological, hydrological, and other environmental features with the uses permitted in the proposed zoning district.

The property is not located within a floodplain or wetland. The topography of the site is mostly level and there are no environmental features that would prohibit a multifamily use on site.

C. Evidence the applicant cannot receive a reasonable return on investment through developing the property with one (1) or more of the uses permitted under the current zoning.

The structure would have to be demolished and rebuilt as a duplex to remain compliant with the zoning ordinance. This is cost prohibitive.

D. Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

The R-3 district does introduce some new uses, such as boarding houses and mixed-use buildings, but these require special exception permits which gives the planning commission control over the development of the site.



Figure 4: Rendering of Proposed Parking Lot Layout

E. The capacity of the City's utilities and services are sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

The City's utilities and services are sufficient to accommodate the proposed use. The site has previously operated as multifamily residential and the city's utilities can accommodate the continuation of this use.

F. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

The proposed use of the site is not changing from the historical use of the site. Dwight Ave and Mark Ave are well suited to accommodate residential and multi-family traffic.

G. The boundaries of the requested rezoning district are reasonable in relationship to surroundings and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

The applicant is requesting three (3) parcels be rezoned. The properties proposed to be zoned for R-3 would allow for the multi-family residential use and the associated parking lot.

H. If a rezoning is appropriate, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

The applicant worked with City Staff to determine the appropriate zoning district for this property and the types of uses being proposed. The R-3 zoning district was selected because it represents the least change necessary to permit multifamily residential.

I. If the request is for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the

use.

It would not be appropriate to amend the R-2 district to allow for multifamily residential.

J. The requested rezoning will not create an isolated or incompatible zone in the neighborhood.

There are R-3 zoned parcels nearby within this existing neighborhood.

Staff Recommendation

Staff recommends approval of the rezoning with any potential conditions supplied by the applicant. At this time, no conditions have been supplied by the applicant.

SAMPLE MOTION TO APPROVE:

I move to RECOMMEND APPROVAL of the proposed rezoning of 95 Mark Ave, 94 Dwight Ave, and 104 Dwight Ave from R-2 to R-3 based on the findings of fact identified in the staff report.

SAMPLE MOTION TO DENY:

I move to RECOMMEND DENIAL of the requested rezoning of 95 Mark Ave, 94 Dwight Ave, and 104 Dwight Ave from R-2 to R-3 based on the following findings of fact:

1. It does not meet standard ____ based on the fact that...

SAMPLE MOTION TO POSTPONE

I move to POSTPONE the requested rezoning of 95 Mark Ave, 94 Dwight Ave and 104 Dwight Ave from R-2 to R-3 until the regularly scheduled September 4, 2024 Planning Commission meeting.



Application for Zoning Map Amendment

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800 F: 248.758.2827

Property/Project Address: 95 Mark Ave

Sidwell Number: 104 Dwight - 1430476001

Date: 07-03-24 95 Mark - 1430476023

Office Use Only

PF Number: _____

Instructions: Completed applications with appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days prior to the regularly scheduled Planning Commission meeting. Applications must be complete in all respects with supporting documents such as site plan, property survey etc. Planning staff will schedule the application for consideration by the Planning Commission in accordance with the attached schedule. Incomplete applications will delay the review process.

Applicant (please print or type)

Name	Marshall Hawies		
Address	4475 Linwood St		
City	West Bloomfield		
State	MI		
ZIP Code	48324		
Telephone	Main:	Cell: 248 508 6255	Fax:
E-Mail	Marshall.Hawies@gmail.com		

Project and Property Information

Name of Proposed Development: 94 dwight Ave

The subject property is located at 95 Mark on the N / S / E / W side of E. Telegraph between Heron and Elizabeth.

The property is zoned: MARK-R2 // Dwight - R3

Proposed Zoning District: Proposed R3 zoning

It is proposed that the property will be used as: Parking & MF Units

The subject property is legally described as follows (include sidwell numbers):

95 Mark = T3N, R1E, SEC 3, Grandview

Property Owner Information

Name	94 Dwight M & C LLC		
Address	9475 Linwood St.		
City	West Bloomfield		
State	MI		
ZIP Code	48324		
Telephone	Main: 248 508-6255	Cell: 248 508-6255	Fax:
E-Mail			

Are you the Owner Agent/rep. of the owner Other _____

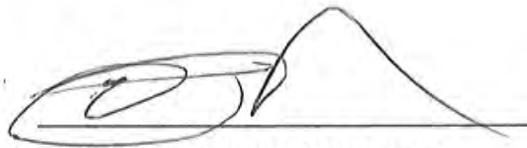
The proposed will be used for the following purpose (provide as much detail as possible with photographs, sketches, site plans, written documents, etc.).

Parking & Renovating the building on 94 Dwight Ave.

Sate the reason for the Zoning Map Amendment, particularly the manner in which the City will benefit if the amendment is approved and why such change will not be detrimental to the public welfare and/or the property rights of other persons located in the vicinity of the site.



Signature of Owner



Signature of Applicant

*State of Michigan
County of Oakland*

On this _____ day of _____, A.D., 20_____, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

*Notary Public, Oakland County, Michigan
My Commission Expires: _____*





94 Dwight

Interior and Exterior Renderings

























COMMUNITY DEVELOPMENT DEPARTMENT

TO: **Planning Commission**
FROM: Mark Yandrick, Planning Manager
DATE: August 2, 2024
RE: Zoning Text Amendment: Window Transparency

Executive Summary:

The following is a City-initiated text amendment to improve the City's aesthetics by requiring additional regulations in multi-family and commercial zoning districts to enhance the window transparency requirements and restrict blacking out and boarding up of windows.

Staff recommends Planning Commission recommend APPROVAL of this item to City Council.

Overview:

The current code requires 40% transparency but the regulations primarily only apply to businesses seeking approval to operate and the code does not provide enough regulations for vacant properties or existing properties to have modified their facades.

City staff are using the City's 2014 Master Plan implementation strategy:

Create pedestrian-friendly site design standards for all residential, commercial and mixed-use districts

The current blackout and boarding up of windows, where there is no transparency, limits the pedestrian scale appearance of street frontages of the City. This ordinance allows the City to work with property owners to correct many of these modifications that do not align with current and/or future goals to revitalize the City. This also assists the City that buildings are not operating with uses that are not permitted or do not have proper Certificates of Occupancy.

Staff Recommendation

The Planning Commission is a recommending body for zoning text amendments. The final decision lies with City Council. Staff recommends Planning Commission recommend APPROVAL to City Council.

Sample Motions

SAMPLE MOTION TO APPROVE:

I move to recommend APPROVAL of the Zoning Text Amendments for proposed changes of the zoning code outlined in the staff report.

SAMPLE MOTION TO DENY:

I move to DENY of the Zoning Text Amendments for proposed changes of the zoning code outlined in the staff report for the following reason(s): _____

SAMPLE MOTION TO TABLE:

I move to TABLE of the Zoning Text Amendments for proposed changes of the zoning code as outlined in the staff report for the following reason(s): _____

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF PONTIAC

ORDINANCE NO.

ZONING ORDINANCE TEXT AMENDMENT

AN ORDINANCE TO AMEND THE CITY OF PONTIAC ZONING ORDINANCE TO ADD REQUIREMENTS FOR WINDOW TRANSPARENCY TO INCLUDE:

ADD ARTICLE 4, CHAPTER 2, SECTION 4.207 REGARDING WINDOW TRANSPARENCY REQUIREMENTS.

THE CITY OF PONTIAC ORDAINS:

ADD ARTICLE 4, CHAPTER 2, SECTION 4.207 REGARDING WINDOW TRANSPARENCY REQUIREMENTS.

- A. **Window Transparency Requirements.** No more than 20% of ground floor level windows of all buildings located in the R-3, C-O, C-1, C-2, C-3, and C-4 districts may be opaque in appearance except as set forth in Sections 2.551 – 2.559. Windows in all districts must be maintained with glass or other permitted glazing materials. Boarding up or blocking windows with plywood, Masonite, particle board, or other lumber product is strictly prohibited except in the following situations:
 - a. When necessary to prevent trespassing following damage by fire, tornado or other catastrophe for a reasonable period following said catastrophe not to exceed twelve (12) weeks unless extended by way of approval from the Planning Division for good cause shown.
 - b. When authorized by law for the City or Waterford Township Fire Department to do so, or when the public health, safety and welfare are endangered by the condition of any such structure.
 - c. When necessary during the building process prior to a Certificate of Occupancy being issued by the City.



COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Corey Christensen, Senior Planner

DATE: August 2, 2024

RE: Staff Report: Revision to the Approved Site Plans for 484 Auburn Ave. (14-33-205-034)

Executive Summary

The applicant for SPR 23-029 454 Auburn Ave previously received site plan approval from the Planning Commission for multifamily residential at this location on February 7, 2024. The applicant is returning to the Planning Commission to receive approval for modifications to the proposed façade.

Staff recommends the Planning Commission work with the applicant to find an alternative solution to prevent the long flat façade along Auburn Rd.

Request

The zoning ordinance requires private frontages with no front parking to comply with the standards in section 2.408. Due to escalating building costs, the applicant needs to revise their plan in order to remain within their budget. Some of the cost reduction will come from the exterior façade design. The original design included balcony enclosures and burnished blocks around the base of the structure with brick around the midsection and composite panel siding along the top. The applicant has revised this design to remove the enclosures around the balconies and the burnished block entirely. The balconies will no longer have walls to each side, and the top balconies will no longer have roofs. The amount of brick has also been reduced. The applicant is proposing a larger variety of siding colors to compensate for the increased area composed of composite siding. The applicant is proposing to stagger the coloring of the composite to break up the long flat façade. Rather than the setbacks created by the covered balconies as is found in the original design, the façade will now be flat but the juxtaposition between the brighter blue and green composite with the more muted grey composite is intended to create the appearance of a broken-up façade.

The proposed design is compliant with the standards for streetfront facades found in section 2.408 of the zoning ordinance. The height, area, placement, and setbacks of the proposed structure will not be altered as part of this request. The applicant is only seeking approval for the revised façade design.

Case History

Planning Staff encouraged building offsets when staff met with the applicant in the pre-application meeting. Constructing a five (5) story building on Auburn Road around where many 1-2 story commercial and residential buildings exists outlined a change to the

The applicant's original façade design was reviewed by the Planning Commission and approved on February 7th, 2024. The minutes indicate the Planning Commission spoke approvingly of the proposed design and complimented the applicant on their selection of materials and the aesthetic quality of the façade renderings. On March 22nd, 2024 the Final Site Plans for this project were approved by City Staff

with the same façade design as viewed by the Planning Commission. On July 12, 2024, the applicant reached out to City Staff to request an amended approval for a new façade design. Staff reviewed the proposed design on Tuesday, July 29th and determined the alterations were significant enough to justify bringing the request to the Planning Commission.

Amendments

In the zoning code, staff can approve minor changes to a Preliminary Site Plan. However, this façade change is significantly different than what was presented to Planning Commission, which is why is deferring this amendment to Planning Commission for their review.



Figure 1: Original Approved Façade



Relevant Regulations

Section 2.408 provides the design requirements for street front facades.

Section 6.207(C) *Revisions to Approved Site Plans* provides the process for approving revised site plans:

Section 6.207(C) Revisions to Approved Site Plans. Minor revisions to an approved site plan may be administratively reviewed by the zoning administrator, provided that such changes do not materially alter the approved site design, intensity of use or demand for public services. Revisions to an approved site plan that are not considered by the planning administrator to be minor shall be reviewed by the Planning Commission as an amended site plan, following the procedures of Section 6.204 and the criteria of Section 6.205.

Staff Recommendation

Staff recommends the Planning Commission work with the applicant to find an alternative solution to prevent the long flat façade along Auburn Rd that softens the effect of a five (5) story building to adjacent property owners.



Application for Site Plan Review

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 454 Auburn Road

Office Use Only

Sidwell Number: 14-33-205-034

PF Number: _____

Date: _____

Instructions: Applications for Site plan Review along with the appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least **30 days** before the regularly scheduled Planning Commission meeting. Please provide four sets of complete Site Plan drawings package including an electronic copy of all drawings where possible.

Applicant (please print or type)

Name	James Pappas, President - Fusco, Shaffer & Pappas, Inc.		
Address	550 East Nine Mile Rd.		
City	Ferndale		
State	Michigan		
ZIP Code	48220		
Telephone	Main: (248)-543-4100	Cell:	Fax: (248)-543-4141
E-Mail	jpappas@fsparch.com		

Project and Property Information

Name of Proposed Development: Lighthouse Auburn Place Apartments

The subject property is location at 454 Auburn Road on the N / S / E / W side of Auburn Road between Sanford Street and S Francis.

The property is zoned: R-4 Multiple Family Dwelling Elevator Apartment

It is proposed that the property will be used as: Affordable Multiple Family Apartments

The subject property is legally described as follows (include sidwall numbers): 14-33-205-034
Assessors Plat No. 52, see attached legal description.

The property has frontage of 265.0 **feet, and a depth of** 221.46 **feet. The total property is** 58,500 S.F. / 1.34 AC **(square feet/acres).**

It is proposed that the following building(s) will be constructed (indicate number of buildings, stories, floor areas, dwelling units) (1) 5-Story Apartment Building (54,920 G.S.F.) 54 Units

Value of Construction

Estimated cost of acquisition and construction -	
Estimated Employment -	
Estimated start and completion dates -	

Property Owner Information

Name	Auburn Place Limited Dividend Housing Association L.L.C.		
Address	46156 Woodward Ave.		
City	Pontiac		
State	Michigan		
ZIP Code	48342		
Telephone	Main: (248)920-6000	Cell: (248)330-1070	Fax:
E-Mail	todd@lighthousemi.org		

Are you the Owner Agent/rep. of the owner Other _____

State why in your opinion, the approval of this Site Plan is necessary for the preservation and enjoyment of substantial property rights, and why such a plan will not be detrimental to the public welfare, nor the property of other persons located in the vicinity thereof:

Lighthouse has owned & operated the existing Beacon Townhomes housing just to the South of the parcel & has been established for over 20 years at this location. The proposal is meant to consolidate the current existing Lighthouse Beacon Townhouses with the proposed multi -family project at this parcel. This will not have significant impact on the neighboring parcels, and will not be detrimental to the public. This project will provide much needed affordable housing to the region.

Either a tree survey, prepared pursuant to Pontiac's Woodland Preservation ordinance is presented with this application OR I hereby certify that no trees with a trunk (stem) caliper/diameter of 6" or more exist on the site.

See attached Tree Survey.


Signature of Owner TODD BURK


Signature of Applicant

State of Michigan
County of Oakland

On this 10th day of October, A.D., 2023, before me personally appeared the above named person, who being duly sworn, stated he/she has read the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.



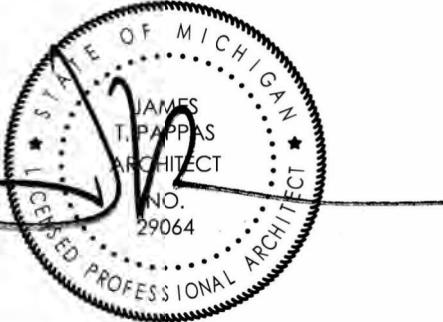
DEBORAH RENEE RHODES
My Commission Expires
August 21, 2029
County of Oakland
Acting in the County of Oakland


Notary Public, Oakland County, Michigan
My Commission Expires: 8/21/2029

✓	plan shall reflect overlapping illumination zones created by proposed fixtures	
✓	Specifications and details for each type of light fixture, including total number of lumen output, type of lamp, and method of shielding	Sec. 4.502
✓	Waste receptacle locations and methods of screening	Sec. 4.408.A,B
✓	Transformer pad location and method of screening, if applicable	Sec. 4.40.C
	Outdoor sales, display, or storage locations, and method of screening, if applicable	
✓	Locations, sizes, heights, types, and methods of illumination of all proposed signs	Sec. 5.102

✓	Building and Architectural Details	Zoning Ordinance Section
✓	General architectural drawings sufficient to convey the intended look and appearance of the building, and to indicate the type and color of building materials, detailing, and other architectural features	Sec. 2.401-2.408
✓	Detailed building façade elevations, drawn to an appropriate scale and indicating type and color of building materials, roof design, projections, canopies, awnings, window openings, entrance features, doors, overhangs, other architectural features, and any building-mounted mechanical equipment, such as air conditioning and heating units	
✓	Building floor plans with all exits clearly delineated	
✓	Entrance details, including signs and details of signs	
NA	Carport locations and details, if applicable	

✓	Access and Circulation	Zoning Ordinance Section
✓	Names of abutting streets, and width, depth, type and curbing for all streets, parking lots, sidewalks and other paved surfaces	
✓	Loading and unloading areas	Sec. 4.307
✓	Designation of fire lanes and location of signs stating "No Parking" and "Fire Lane"	
✓	Locations and dimensions of access points, including deceleration or passing lanes and distances between adjacent or opposing driveways and street intersections	
✓	Location and dimension of existing and proposed interior sidewalks and sidewalks or paths within public rights-of-way	
✓	Parking spaces (#) and maneuvering aisle dimensions (including accessible parking space(s) and access aisle dimensions), pavement markings including double striping, and traffic control signage	Sec. 4.303 Sec. 4.305
✓	Provision of bicycle parking and bike racks for parking lots larger than 25 spaces	Sec. 4.303
✓	Proposed accessible routes from accessible parking spaces to accessible building entrances, with sufficient grade information along the route to verify compliance with City building codes	Sec. 4.305



GROUND I.D. SIGN ELEVATION

1/2"=1'-0"

A horizontal scale with numerical markings at 0, 2', 4', and 8'. A thick black horizontal bar is positioned below the scale, starting at the 0 mark and extending to the 2' mark, and another thick black horizontal bar is positioned below the scale, starting at the 4' mark and extending to the 8' mark.



NORTH ELEVATION (FRONT/AUBURN ROAD SIDE)

1/8"=1'-0"

NOTE: 1. ROOF TOP EQUIPMENT WILL BE SCREENED BY ROOF PARAPETS.
2. FIRST FLOOR WINDOW AREA AT 48.6% FACADE AREA ALONG AUBURN RD. (STREETFRONT FRONTAGE).
3. SECOND THROUGH FIFTH FLOOR WINDOW AREA IS AT 31.1% OF FACADE AREA ALONG
AUBURN RD. (STREET FRONT FRONTAGE).

FSP PROJECT NO.
SQU22-278

DRAWING TITLE

EXTERIOR
ELEVATIONS &
MONUMENT SIGN

DRAWING NUMBER



FRONT (NORTH) ELEVATION (AUBURN ROAD SIDE)

1/8"=1'-0"

0 8' 16' 24'

LIGHHOUSE
AUBURN PLACE
APARTMENTS
PONTIAC, MICHIGAN

FSP FUSCO,
SHAFER &
PAPPAS, INC.
ARCHITECTS & PLANNERS
550 E. NINE MILE RD.
FERNDALE, MICHIGAN 48220
PHONE 248.543.4100 FAX 248.543.4141
www.fsparchitects.com

OWNER REVIEW
07.03.24

COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission

FROM: Corey Christensen, Senior Planner

DATE: July 31, 2024

RE: Preliminary Site Plan: Heavy Manufacturing, 225 E Columbia Ave.

Executive Summary

SPR 24-020 is a request for site plan approval by Mario Vano, on behalf of JADC Ventures, LLC, to allow for concrete crushing at 225 E Columbia. The site is developed and contains one building, material storage and parking all of which was approved by the Planning Commission in 2015. The applicant is not proposing any new buildings, instead, they are proposing to use the site for concrete crushing which is a special exception use. Special Exceptions are required to get site plan approval as part of the special exception approval. The applicant is proposing an increase in buffer vegetation to protect nearby residents from negative off site impacts, however, the proposed buffer does not appear to meet the requirements for "Type C" buffers.

Quick Facts	
Zoning	M-2 Heavy Manufacturing
Request	Site Plan Approval
Proposed Use	Concrete Crushing / Heavy Manufacturing
Parcel Size	47.61 Acres



Figure 1: Aerial of the Existing Site

Staff reviewed the initial site plans and determined the site is grandfathered and therefore no alterations to the façade of the building are required.

Staff recommends the proposed site plan be DENIED due to the fact that staff is recommending denial of the associate special exception request.

Proposal

The applicant is proposing to use the existing manufacturing site with material storage for concrete crushing. The existing building on site is 13,000 square feet and there is a large parking

area to the east. The applicant is proposing to place the concrete crusher in the center of the site where it will sit 320 feet from the north lot line, 680 feet from the west lot line, 1060 feet from the east lot line, and 900 feet from the front lot line. The crusher is less than 20 feet tall and elevations provided by the applicant demonstrate it will not be visible from off-site. The applicant is proposing 39 new trees to be placed along the west and north property line to buffer the concrete crusher from adjacent residences.

Background

The applicant received site plan approval for an outdoor storage yard on November 4, 2015. The original site plan was approved on the condition, “a berm extends along the west, north and south sides of the site inasmuch as the existing concrete foundation on the north side will allow.” These berms were added to the site. Staff met with the applicant on May 16, 2024 for a preapp meeting. Staff informed the applicant of concerns regarding noise at this meeting.

Staff Review

Staff conducted a review of the site plans on July 2, 2024, and provided feedback to the applicant. Since the site plans were approved on November 5, 2015, and the only change proposed is the new use of the site, nearly everything is grandfathered.

Items identified in **bold** below are the deficiencies in the site plan that must be addressed prior to issuing any approval.

Dimension and Development Standards – Article 2 Chapter 3

2.313 M-2 GENERAL INDUSTRIAL DISTRICT – The existing building on site meets all the required setbacks with 178.4 feet in the front, 440 feet to the west side, 1200 feet to the east side, and 736 feet to the rear. The proposed concrete crusher also meets the setbacks as identified earlier.

Private Frontage Design Standards – Article 2 Chapter 4

2.408 STREETFRONT – The existing structure appears to comply with the requirements for streetfront facades, however, the front façade is grandfathered regardless. The existing structure appears to utilize split face block and meets the 40% transparency requirements. The proposed concrete crusher does not need to meet any of these requirements.

Development Standards for Specific Uses – Article 2 Chapter 5

2.518 MANUFACTURING AND PROCESSING (HEAVY) – The ordinance states that **heavy manufacturing facilities, such as the one proposed, are permissible, “only if, in the opinion of the Planning Commission, adequate conditions exist or can be imposed that will make such uses compatible with the purposes of this ordinance and will minimize impacts on residential neighborhoods.”** In the opinion of Planning Staff this request does not provide adequate conditions to protect the neighboring residents. Staff have received complaints from neighbors regarding the noise.

Generally – Article 4 Chapter 2

4.202 ACCESS MANAGEMENT – There are no proposed changes to the access of the site. The site is primarily accessed off E Columbia Ave, with a restricted access to the rear along Cambridge St.

Parking – Article 4 Chapter 3

4.303 PARKING REQUIREMENTS – The existing parking lot is grandfathered and the parking requirement is not modified by the addition of a concrete crusher. The previous plans were approved with parking spaces of an adequate size. There are over 811 parking spaces on site.

Landscaping and Buffering – Article 4 Chapter 4

4.405 BUFFER REQUIREMENTS – The applicant is proposing an 8 foot tall chain link fence with privacy slats and the addition of 39 trees to the west and north property line. The ordinance requires a “Type C” buffer where adjacent to residential. To comply with the requirements for Type C buffers the applicant must provide a masonry wall with three (3) deciduous trees and eight (8) shrubs for every 100 lineal feet. The plans should be revised to comply with this requirement and calculations should be included showing the required number of trees are provided.

Exterior Lighting – Article 4 Chapter 5

Details on the existing exterior lighting were not provided. It is unclear if the site meets the requirements for shielding, light intensity, and type of fixture, however, the lighting as it exists is grandfathered.

Low Impact Development Standards – Article 4 Chapter 6

There are no natural features on site that need to be protected and according to FEMA there are no protected wetlands or floodplains that impact development on the site.

Performance Standards – Article 4 Chapter 7

4.704 NOISE AND VIBRATION – Although the supplemental document provided by the applicant indicates their testing shows decibel readings mostly within the acceptable range, the west property line is 680 feet from the concrete crusher and the applicant’s own readings suggest that at this range the crush will be between 56.8 and 58.2 decibels, which is above the 55 decibel maximum for noise at a common lot line with residences. Furthermore, staff have received complaints regarding the noise and vibration on site.

Standards for Approval

In reviewing an application for any type of site plan, the planning commission shall find the proposed development complies with the general standards in the zoning ordinance. The following are staff’s comments on each standard:

- 1. Circulation** – The site would appear to be sufficient for traffic and pedestrian circulation. There are three (3) access drives, one off of E Columbia and one off of Cambridge St. One parking lot is to the east of the material yard. The existing layout of the site is grandfathered.
- 2. Buildings** – The existing building would not appear to present any adverse impacts on adjacent properties. The use of the site as a concrete crushing operation may have negative impacts on adjacent properties. The plans should be revised to provide a masonry wall and the required vegetation to serve as a buffer.

3. **Natural Features** – *There are no existing natural features on site in need of preservation or buffering.*
4. **Site Layout and Screening** – *The plans should be revised to provide a masonry wall and the required vegetation.*
5. **Compliance with the Zoning Ordinance** – *The proposed concrete crusher appears to comply with the zoning ordinance requirements except for noise and buffering.*

Summary

The material storage yard was approved by the Planning Commission in November, 2015 but did not include approval of the use of a concrete crusher and the applicant confirmed that during the public hearing that the approval did not include the use of the concrete crusher.

While the structure and layout of the site appear to be suitable for the addition of a concrete crushing operation, the sound generated appears to exceed the maximum decibel requirements of the zoning ordinance and furthermore, neighbors have already complained about the noise levels. The proposed site plan does not provide adequate buffering from adjacent residences. The proposed landscaping is neither compliant with the minimum zoning ordinance standards for “type c” buffers nor is it sufficient to address the noise concerns of nearby residents. If the Planning Commission decides to approve this site plan it should be on condition that option one of the “type c” buffers be provided

Staff Recommendation

Staff recommends **DENIAL** of the preliminary site plan due to noncompliance with Standard #4, Site Layout and Screening.

If Planning Commission wants to consider the preliminary site plan approval after the Special Exception Approval, they may consider approval with the following recommended conditions:

1. All conditions of the associated special exception request will be honored.
2. A “Type C, Option 1” buffer, with a six to eight-foot masonry wall will be provided at all property lines that abut residentially used or zoned land and along the entirety of the north property line and along the south property line where across from residential.
3. The concrete crushing operation will comply with the noise and vibration requirements of the zoning ordinance.

SAMPLE MOTION TO APPROVE:

I move to APPROVE the requested site plan for a concrete crushing operation at 225 E Columbia Avenue based on the findings of fact identified in the staff report and with the following conditions:

1. All conditions of the associated special exception request will be honored.
2. A "Type C" buffer with a six to eight-foot masonry wall (option one) will be provided at all property lines that abut residentially used or zoned land and along the entirety of the north property line and along the south property line where across from residential.
3. The concrete crushing operation will comply with the noise and vibration requirements of the zoning ordinance.

SAMPLE MOTION TO DENY:

I move to DENY the requested site plan for a concrete crushing operation at 225 E Columbia Avenue based on the following findings of fact:

1. It does not meet standard ____ based on the fact that...

SAMPLE MOTION TO POSTPONE

I move to POSTPONE the requested site plan for a concrete crushing operation at 225 E Columbia Avenue until the regularly scheduled September 4, 2024 Planning Commission meeting for the following information _____.



Application for Site Plan Review

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 225 E. COLUMBIA

Office Use Only

Sidwell Number: 14-17-276-005

PF Number: _____

Date: 6/5/2024

Instructions: Applications for Site plan Review along with the appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days before the regularly scheduled Planning Commission meeting. Please provide four sets of complete Site Plan drawings package including an electronic copy of all drawings where possible.

Applicant (please print or type)

Name	JADC VENTURES, LLC/ MARIO VANO		
Address	12955 23 MILE ROAD		
City	SHELBY TOWNSHIP		
State	MI		
ZIP Code	48315		
Telephone	Main: 586.254.4367	Cell: 586.596.2122	Fax:
E-Mail	mvano@danitransport.com		

Project and Property Information

Name of Proposed Development: Dani's Transport/ Material Processing

The subject property is location at 225 Columbia on the N / S / E / W side of North
between Joslyn and Highwood .

The property is zoned: M-2/ Heavy Industrial

It is proposed that the property will be used as: Trucking, material processing and storage

The subject property is legally described as follows (include sidwell numbers):

14-17-276-005

The property has frontage of 1041.27 feet, and a depth of 1241.83 feet.

The total property is roughly 40 acres (square feet/acres).

It is proposed that the following building(s) will be constructed (indicate number of buildings, stories, floor areas, dwelling units):

Previous site plan approval obtained in November of 2015 for construction of a roughly 12k square foot office/repair facility for a trucking operation.

This application is for approval to conduct material processing. No new buildings are being proposed at this location.

Value of Construction

Estimated cost of acquisition and construction -	No new construction is proposed
Estimated Employment -	N/A
Estimated start and completion dates -	N/A

Property Owner Information

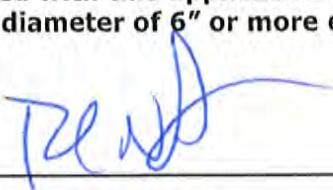
Name	Same as Applicant		
Address			
City			
State			
ZIP Code			
Telephone	Main:	Cell:	Fax:
E-Mail			

Are you the _____ Owner Agent/rep. of the owner _____ Other _____

State why in your opinion, the approval of this Site Plan is necessary for the preservation and enjoyment of substantial property rights, and why such a plan will not be detrimental to the public welfare, nor the property of other persons located in the vicinity thereof:

See attached summary and project narrative.

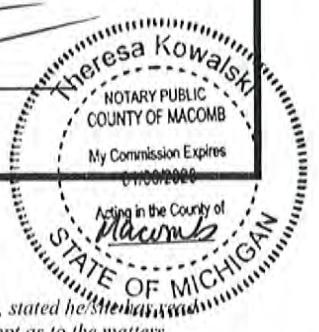
Either a tree survey, prepared pursuant to Pontiac's Woodland Preservation ordinance is presented with this application OR I hereby certify that no trees with a trunk (stem) caliper/diameter of 6" or more exist on the site.



Signature of Owner



Signature of Applicant

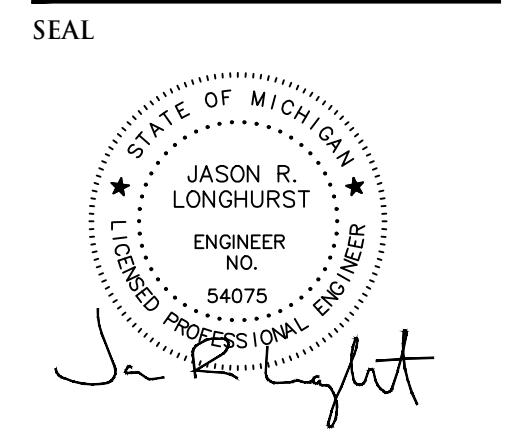


State of Michigan
County of Oakland

On this 6 day of June, A.D., 2024, before me personally appeared the above named person, who being duly sworn, stated he/she made the foregoing application, by him/her signed, and know the contents thereof, and that the same is true of his/her own knowledge, except as to the matters therein stated to be upon information and belief and so as to those matters he/she believes it to be true.

Theresa Kowalski
Notary Public, Oakland County, Michigan
My Commission Expires: 01-06-2028

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257



PROJECT
Dani's Transport North -
Former MFD 25 Site

CLIENT
CDM Leasing
12955 23 Mile Road
Shelby Twp, MI 48315

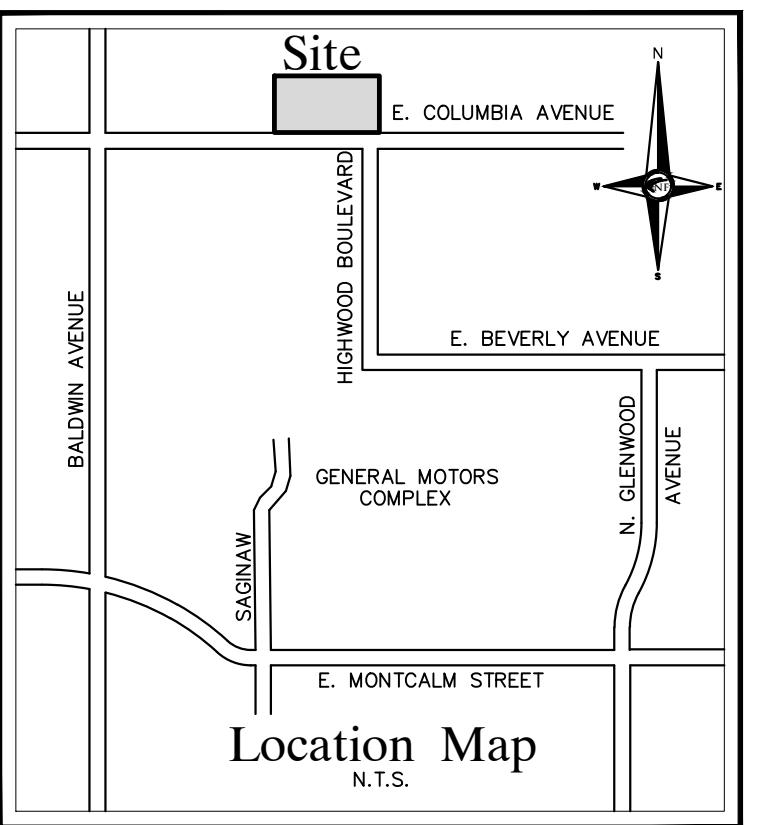
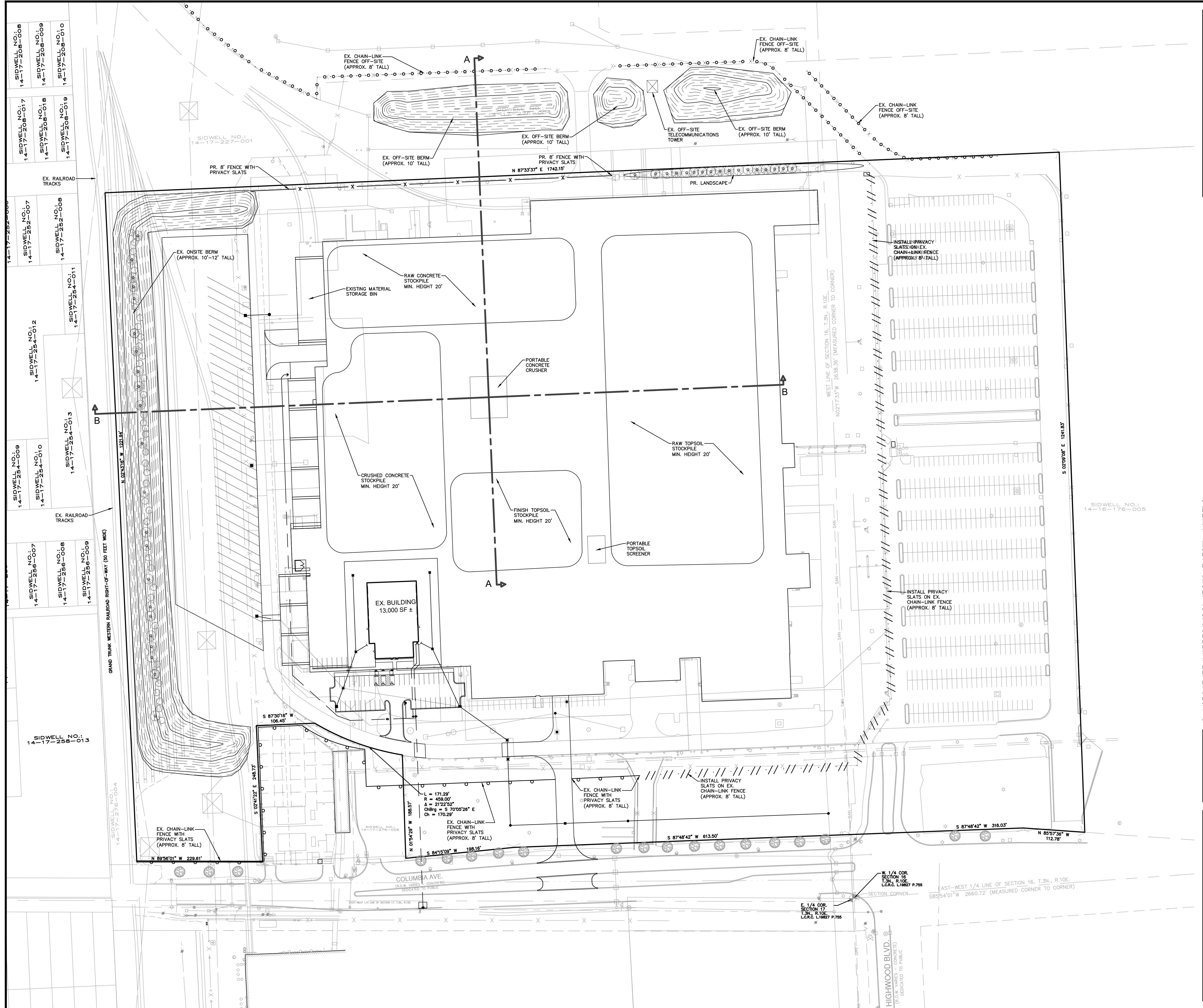
Contact:
Mr. Chris Cousino
Phone: (586) 254-4367
Email:
ccousino@deiproPERTIES.com

PROJECT LOCATION
Part of the NW 1/4 of Section 16, T.3N, R.10E
of Section 17, T.3N, R.10E, Oakland County, MI

SHOOT
Soil Erosion and
Sedimentation Control Plan



Know what's below
Call before you dig.



Location Map
N.T.S.

Site

E. COLUMBIA AVENUE

HIGHWOOD BOULEVARD

E. BEVERLY AVENUE

BALDWIN AVENUE

SAGINAW

E. MONTCALM STREET

N. GLENWOOD AVENUE

GENERAL MOTORS
COMPLEX

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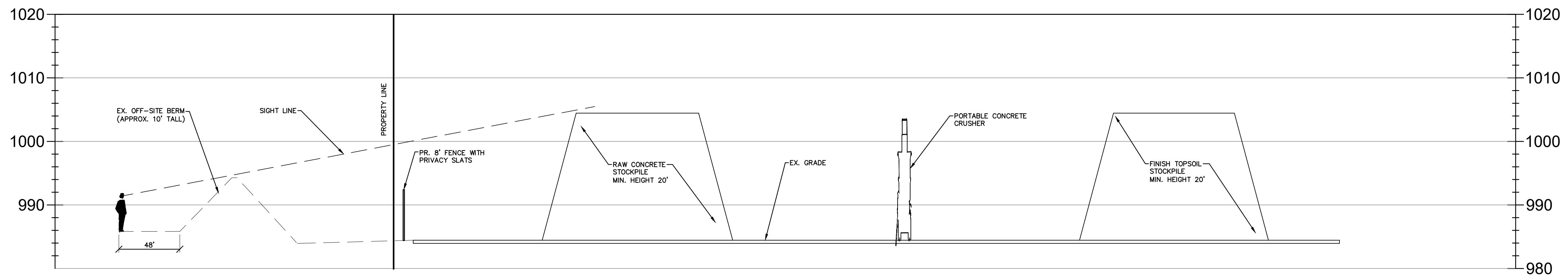
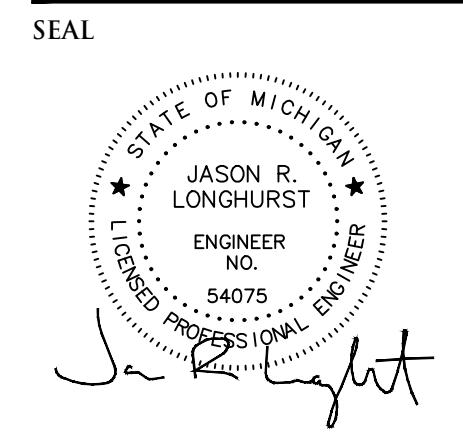
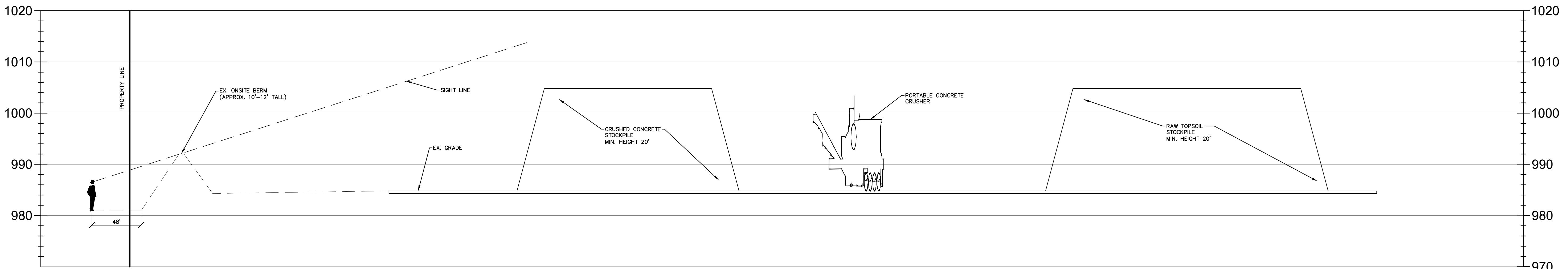
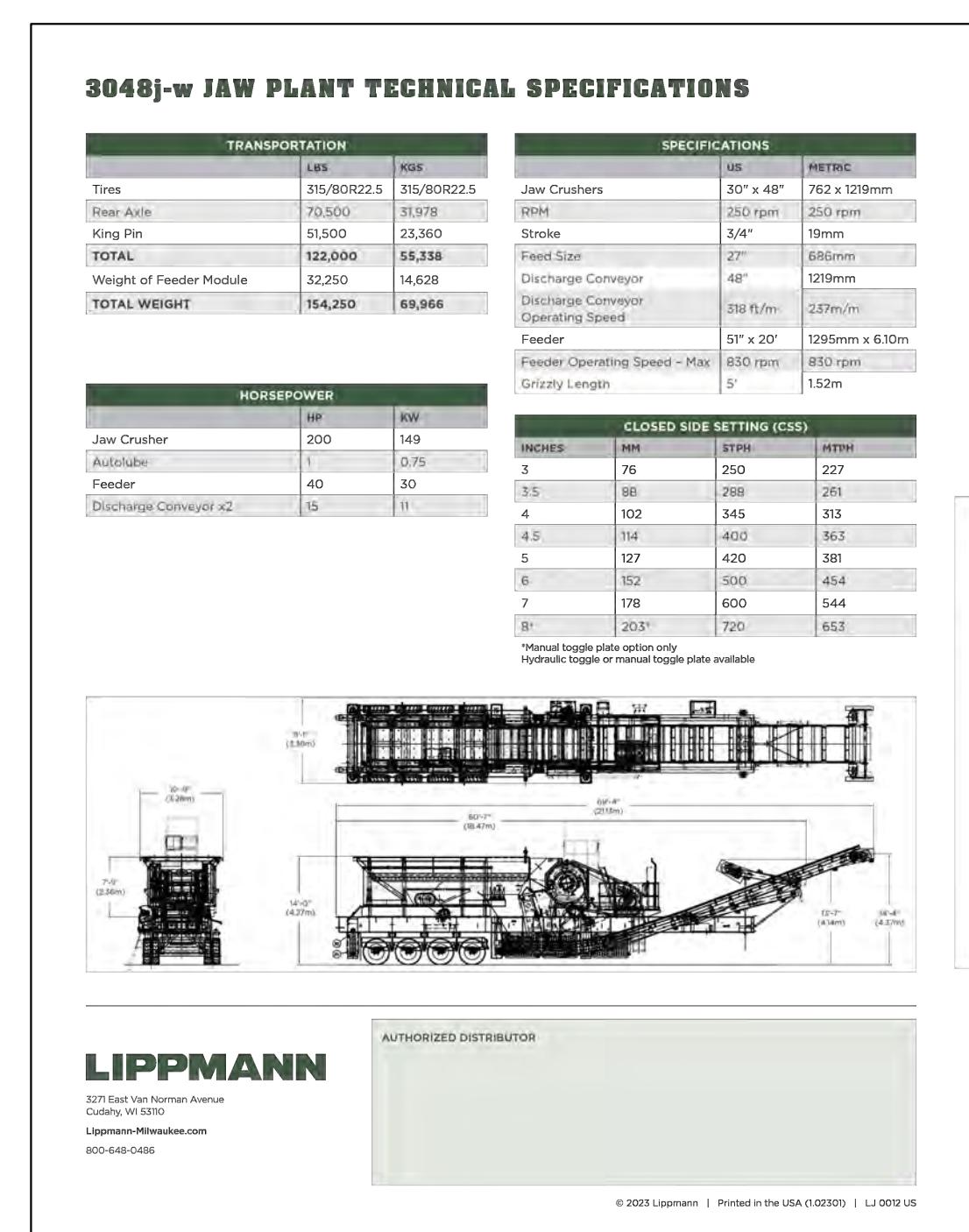
E. COLUMBIA AVENUE

HIGHWOOD BOULEVARD

E. BEVERLY AVENUE

BALDWIN AVENUE

SAGINAW


 EXISTING SITE CROSS-SECTION 'A'
 SCALE: VERTICAL - 1" = 10', HORIZONTAL 1" = 50'

 PROJECT
 Dani's Transport North -
 Former MFD 25 Site

 EXISTING SITE CROSS-SECTION 'B'
 SCALE: VERTICAL - 1" = 10', HORIZONTAL 1" = 50'

 Know what's below
 Call before you dig.

 REVISIONS
 2024-06-06 - ISSUED FOR CITY REVIEW

 DRAWN BY:
 B. Girbach
 DESIGNED BY:
 T. Wood
 APPROVED BY:
 J. Longhurst
 DATE:
 June 4, 2024
 SCALE: 1" = 50'
 50 25 0 25 50 75
 NFE JOB NO. **I677-02** SHEET NO. **C2**

DANI'S TRANSPORT

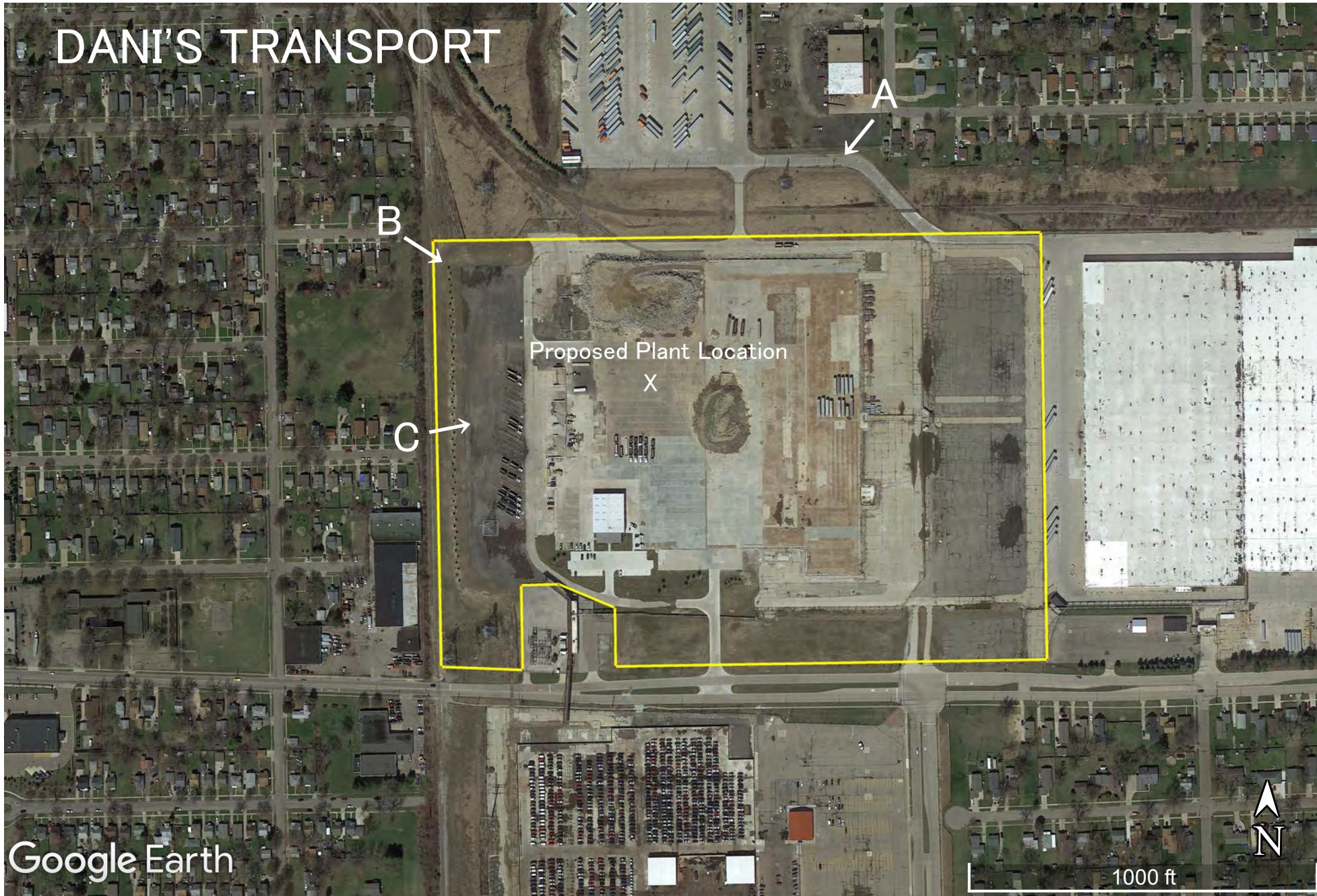


PHOTO SITE A

Proposed Plant Location Behind Stockpile





ROAD
ENDS

Proposed Plant Location Behind Stockpile



PHOTO SITE B

PHOTO SITE C

Proposed Plant Location Behind Stockpile





COMMUNITY DEVELOPMENT DEPARTMENT

TO: Planning Commission
FROM: Corey Christensen, Senior Planner
DATE: August 1, 2024
RE: Preliminary Site Plan: Personal Service Establishment/Retail, 148 E Howard St.

Executive Summary

SPR 24-024 is a request for site plan approval from Nathan Stephenson to allow for a personal service facility and retail tenant spaces at 148 E Howard St. The previous structure on the site suffered a fire and was ticketed as a "Dangerous building" by the City of Pontiac Code Enforcement team in June of 2023. The applicant subsequently applied for and received a rezoning to C-1 Local Business to allow for redevelopment of the site. The applicant is now proposing a single structure with three tenant spaces.

Quick Facts	
Zoning	Local Business C-1 (P-1 Parking Area)
Request	Preliminary Site Plan Approval
Proposed Use	Personal Service Establishment/Retail
Parcel Size	24,829 Sq. Ft.

Staff recommends the Planning Commission review the proposed site plans and provide feedback to the applicant in preparation for the September 4th Planning Commission meeting.

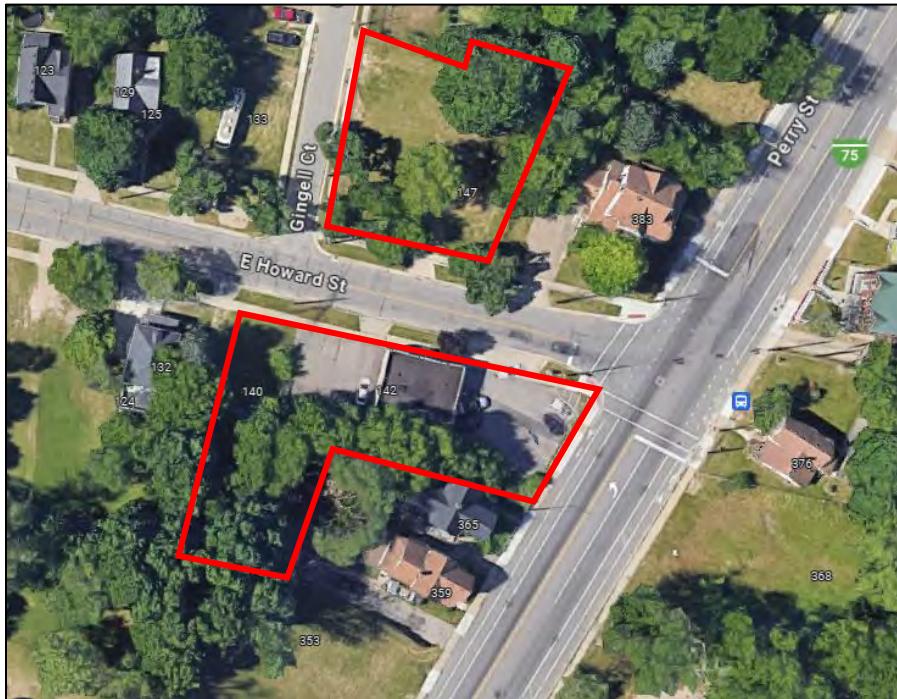


Figure 1: Aerial of the Existing Site

Proposal

The applicant is proposing a new single story retail building. The footprint of the building is 4,900 square feet with some parking to the east and the rest of the parking proposed for across E Howard St. The structure will have three tenant spaces that are currently proposed to be used as a barber shop, laundromat, and banquet space for less than 50 persons.

Background

Code enforcement first identified a dangerous building on site on June 26, 2023. The owner was notified and encouraged to begin the process of acquiring all the permits and approvals necessary to bring the structure and property into operational and code-compliant condition. The applicant was informed he would need to rezone the property and receive site plan approval for the new building.

The subject property was rezoned on January 3, 2024 by the Pontiac City Council. The two parcels south of E Howard Street, 14-28-104-009 and 14-29-239-018, were rezoned from R-2 to C-1 Local Business while the two parcels north of E Howard Street, 14-28-103-017 and 14-28-103-016, were rezoned from R-2 to P-1 Parking. The applicant submitted their site plan application on June 18, 2024.

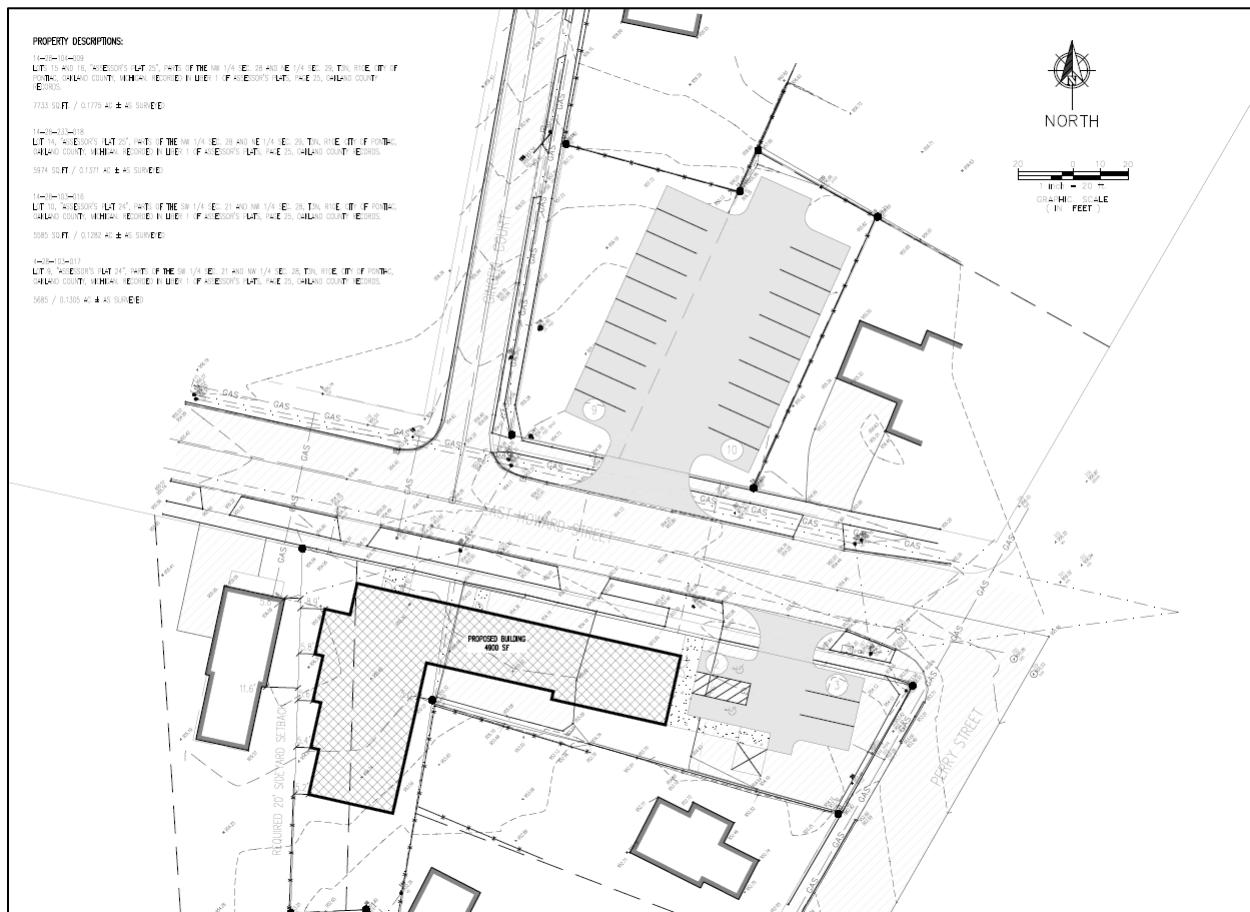


Figure 2: Proposed Site Plan

Staff Review

Staff conducted a review of the site plans on July 30, 2024, and provided feedback on lighting, landscaping, and parking to the applicant. Items identified below are the deficiencies in the site plan that must be addressed prior to issuing any approval.

1. The site plans should be revised to include the setbacks on the site plan page.
2. The two C-1 Local Business District parcels must be combined and the two P-1 Parking

District parcels must be combined. Approval of these combinations should be a condition of any future motion to approve.

3. More information is needed on the plans to verify compliance with the frontage design standards. What are the proposed materials, what is the percent coverage for each material, what is the percent transparency, and will there be any mechanical equipment or service areas visible from the right-of-way?
4. Parking lots in the P-1 district must be setback 25 feet from the right-of-way when sharing a street with residential. The parking area will need to be set back from both Gingell Court and E Howard St. by 25 feet.
5. Parking lots in the P-1 district must maintain a “Type B” buffer where adjacent to residential. A “Type B” buffer is either a six-foot masonry wall or two (2) deciduous trees, eight (8) evergreen trees, and twelve (12) shrubs per 100 lineal feet of frontage.
6. Will the second approach off East Howard Street (westernmost approach) be removed?
7. Will a crosswalk be provided for pedestrian movement across E Howard Street from the parking lots to the place of business?
8. Please identify on the plans what color the parking lot will be striped with. The ordinance permits yellow or white.
9. Please verify on the plans how the parking areas will be paved.
10. A Type A buffer is required where the C-1 Local Business parcels are adjacent to residentially zoned parcels. A “Type A” buffer can either be a six-foot masonry wall with a five-foot landscaped buffer space that includes two (2) deciduous trees for every 100 lineal feet, or no wall and a ten (10) foot landscaped buffer with one (1) deciduous tree, six (6) evergreen trees, and eight (8) shrubs for every 100 lineal feet.
11. All parcels must provide one (1) tree for every 30 feet of street frontage.
12. It is unclear from the plans if any exterior lighting is proposed. Schematics of the lights must be provided.
13. Photometrics are not required at this time but will be required at the Final Site Plan stage.

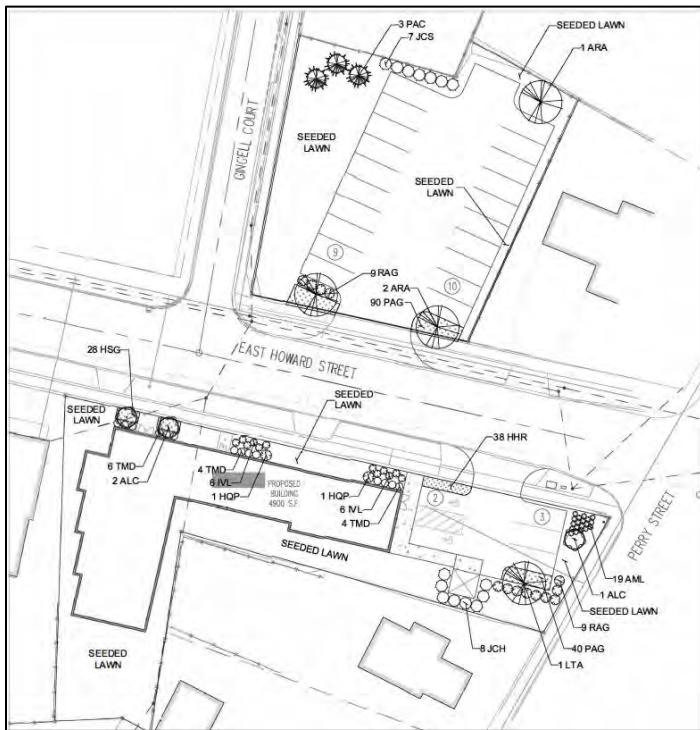


Figure 3: Proposed Landscaping Plan

Standards for Approval

In reviewing an application for any type of site plan, the planning commission shall find the proposed development complies with the general standards in the zoning ordinance. The following are staff's comments on each standard:

- a. **Circulation.** *The site is existing and there is a proper relationship between the existing streets and highways and the subject parcel. The parking plan will need to be revised to provide parking spaces of the appropriate dimensions.*
- b. **Buildings.** *The buildings and structures proposed to be located upon the premises are so situated as to minimize adverse effects upon owners and occupants of adjacent properties.*
- c. **Natural Features.** *There are no existing natural features in need of protection.*
- d. **Site Layout and Screening.** *The site layout is existing and grandfathered. No screening is required because the parcel does not abut a residential use or zoning district.*
- e. **Compliance with the Zoning Ordinance.** *Site Plans must be revised to address the deficiencies identified in this staff report.*

Summary

The structure and layout of the site appear to be suitable for the proposed use and there are no major risks to the public health, safety, and welfare. However, there are some ordinance compliance deficiencies that need to be addressed prior to bringing this forward to the Planning Commission for a formal decision.

Staff Recommendation

Staff recommends the applicant address the above items, along with any Planning Commission feedback, and plans be resubmitted by Thursday, August 15 to be considered for the September 4 Planning Commission meeting.



Application for Site Plan Review

City of Pontiac

Office of Land Use and Strategic Planning

47450 Woodward Ave, Pontiac, MI 48342

T: 248.758.2800

F: 248.758.2827

Property/Project Address: 148 E. Howard ST

Office Use Only

PF Number: _____

Sidwell Number: 14-28-104-009 14-28-733-08

Date: 6-18-24 14-28-103-016, 14-28-103-017

Instructions: Applications for Site plan Review along with the appropriate fee shall be submitted to the Office of Land Use and Strategic Planning at least 30 days before the regularly scheduled Planning Commission meeting. Please provide four sets of complete Site Plan drawings package including an electronic copy of all drawings where possible.

Applicant (please print or type)

Name	<u>NATHAN STEPHENSON</u>		
Address	<u>290 LIBERTY APT #9</u>		
City	<u>PONTIAC</u>		
State	<u>MI</u>		
ZIP Code	<u>48341</u>		
Telephone	Main: <u>(248) 894-3365</u>	Cell: <u>██████████</u>	Fax: _____
E-Mail	<u>AAEXPEDITING@YAHOO.COM</u>		

Project and Property Information

Name of Proposed Development: BARBER / SALON NORTH PERR

The subject property is located at 148 E. HOWARD on the N/S/E/W side of P between HOWARD and GLADSTONE.

The property is zoned: C-1

It is proposed that the property will be used as: BARBER shop / SALON

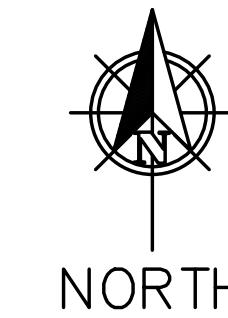
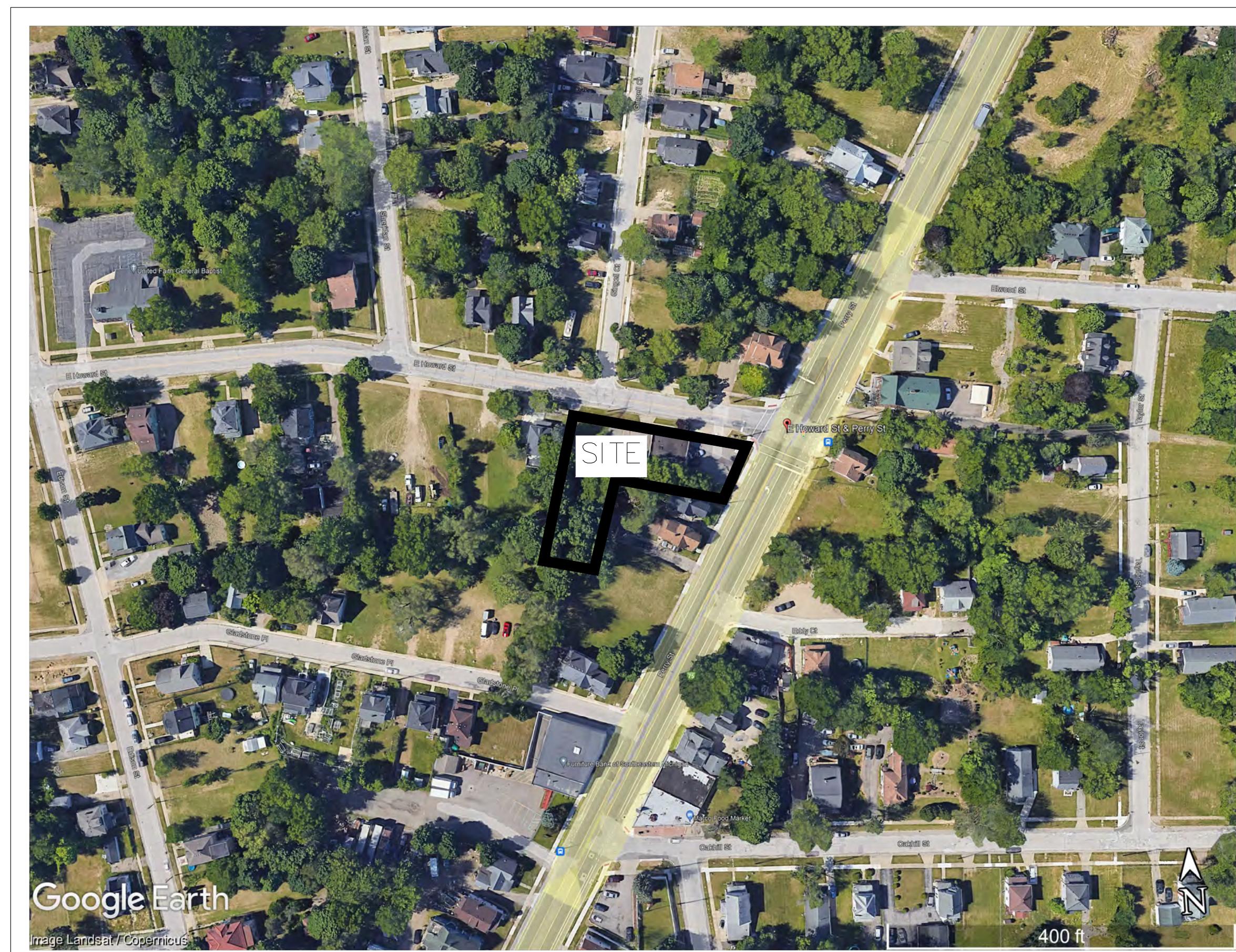
The subject property is legally described as follows (include sidwell numbers):

see site plans.

The property has frontage of 227.31 feet, and a depth of 132.48 feet.

The total property is 24,977 (square feet/acres).

SITE PLAN FOR PROPOSED ONE STORY COMMERCIAL BUILDING



CLIENT

NATE STEVENSON
148 EAST HOWARD STREET, PONTIAC, MI 48342

ENGINEER



28525 BECK ROAD, SUITE 114 WIXOM, MICHIGAN 48393
O: (248) 938-4902
CONTACT: MR. MARK MAHAJAN
P: (248) 214-5913

SITE ADDRESS

148 EAST HOWARD STREET,
PONTIAC, MI 48342

PARCEL ID NUMBER

14-28-104-009
14-28-233-018
14-28-103-016
4-28-103-017

ZONING

C 1 – LOCAL BUSINESS/RESIDENTIAL MIXED USE DISTRICT

SHEET INDEX

C-1 COVER SHEET
C-2 EXISTING CONDITIONS
C-3 PROPOSED SITE PLAN

A-1 PROPOSED FLOOR PLAN

LEGAL DESCRIPTION

14-28-104-009
LOTS 15 AND 16, "ASSESSOR'S PLAT 25", PARTS OF THE NW 1/4 SEC. 28 AND NE 1/4 SEC. 29, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 1 OF ASSESSOR'S PLATS, PAGE 25, OAKLAND COUNTY RECORDS.

7733 SQ.FT. / 0.1775 AC ± AS SURVEYED

14-28-233-018
LOT 14, "ASSESSOR'S PLAT 25", PARTS OF THE NW 1/4 SEC. 28 AND NE 1/4 SEC. 29, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 1 OF ASSESSOR'S PLATS, PAGE 25, OAKLAND COUNTY RECORDS.

5974 SQ.FT. / 0.1371 AC ± AS SURVEYED

14-28-103-016
LOT 10, "ASSESSOR'S PLAT 24", PARTS OF THE SW 1/4 SEC. 21 AND NW 1/4 SEC. 28, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 1 OF ASSESSOR'S PLATS, PAGE 25, OAKLAND COUNTY RECORDS.

5585 SQ.FT. / 0.1282 AC ± AS SURVEYED

4-28-103-017
LOT 9, "ASSESSOR'S PLAT 24", PARTS OF THE SW 1/4 SEC. 21 AND NW 1/4 SEC. 28, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN. RECORDED IN LIBER 1 OF ASSESSOR'S PLATS, PAGE 25, OAKLAND COUNTY RECORDS.

5685 / 0.1305 AC ± AS SURVEYED

BASIS OF BEARINGS:

BEARINGS HEREON BASED ON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, NAD83(2011) SOUTH ZONE, ALL DISTANCES FIELD MEASURED.

FEMA NOTE:

SUBJECT PARCELS LIE IN ZONE X – AREAS OF MINIMAL FLOOD HAZARD

FIRM PANEL 26125C0368F, EFFECTIVE DATE 09/29/2006

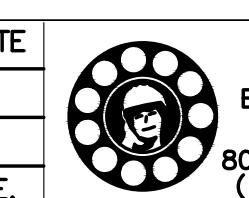


6/18/202

DATE	ISSUE	BY	DATE	ISSUE	BY	PROJECT
						PROPOSED COMMERCIAL BUILDING
						148 EAST HOWARD STREET PONTIAC, MI 48342

FAIRWAY ENGINEERING LLC
LAND DEVELOPMENT – STRUCTURAL – GEOTECH
28525 BECK ROAD, SUITE 114 WIXOM, MI 48393-4743
P: (248) 214-5913

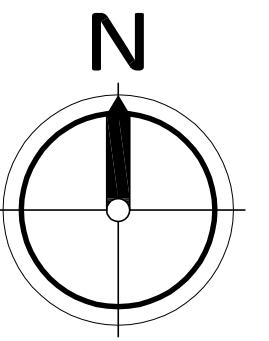
DATE	DATE	CKD. BY	DATE
DRAWN			
DESIGN	—		
SECTION	1 T-2-N. R-4-E.		



72 HOURS
BEFORE YOU DIG
CALL MISS DIG
800-482-7171
(TOLL FREE)

COVER SHEET

JOB No.	24-1015
SHEET	C-1
SHEET	1 OF 3



PROPERTY DESCRIPTIONS:

14-28-104-009
LOTS 15 AND 16, "ASSESSOR'S PLAT 25", PARTS OF THE NW 1/4 SEC. 28 AND NE
1/4 SEC. 29, T3N, R10E, CITY OF PONTIAC, OAKLAND COUNTY, MICHIGAN.
RECORDED IN LIBER 1 OF ASSESSOR'S PLATS, PAGE 25, OAKLAND COUNTY
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5685 / 0.1305 AC ± AS SURVEYED

REVISION A

TOPOGRAPHIC SURVEY		David White Land Surveying, PLLC	
OAKLAND CO. TAX ID #14-28-104-009		Boundary • Topographic • Construction • ALTA 44 DENNISON STREET, OXFORD, MICHIGAN 48371	
#14-29-233-018		Professional Land Surveyor	
#14-28-103-017		734.353.0135 dwsurveying@gmail.com	
#14-28-103-016		PREPARED FOR NATE STEVENSON	
		JOB NO. 240302 DATE 03/18/24	
		FIELD DATE 03/2024 FIELD BK 108	
		SHEET 1 OF 1 SCALE 1" = 20'	
		CHECKED KCW	
C-2			
SHEET 1			
OF 1			
		HORIZONTAL DATUM MI SPC	
		VERTICAL DATUM NAVD88 (GEOID18)	
		SOURCE MDOT CORS	
		REVISIONS REV. DATE B 06/03/24 REVISED/ADDED SEWER INVERTS A 03/19/24 REVISED SANITARY/WATER/STORM LINWORK	

LINETYPE LEGEND

— — — — —	WATERMAIN
— — — — —	SANITARY SEWER
— - - - -	STORM SEWER
— GAS — GAS —	GAS MAIN
— — — — —	UG TELCOMM
— - - - -	UG ELECTRIC
— - - - - 699 - - -	MINOR CONTOUR
— — — 700 — —	MAJOR CONTOUR
X — X —	FENCE LINE

ASIS OF BEARINGS:

SHARINGS HEREON BASED ON THE MICHIGAN STATE PLANE COORDINATE
SYSTEM, NAD83(2011) SOUTH ZONE, ALL DISTANCES FIELD MEASURED.

EMA NOTE:

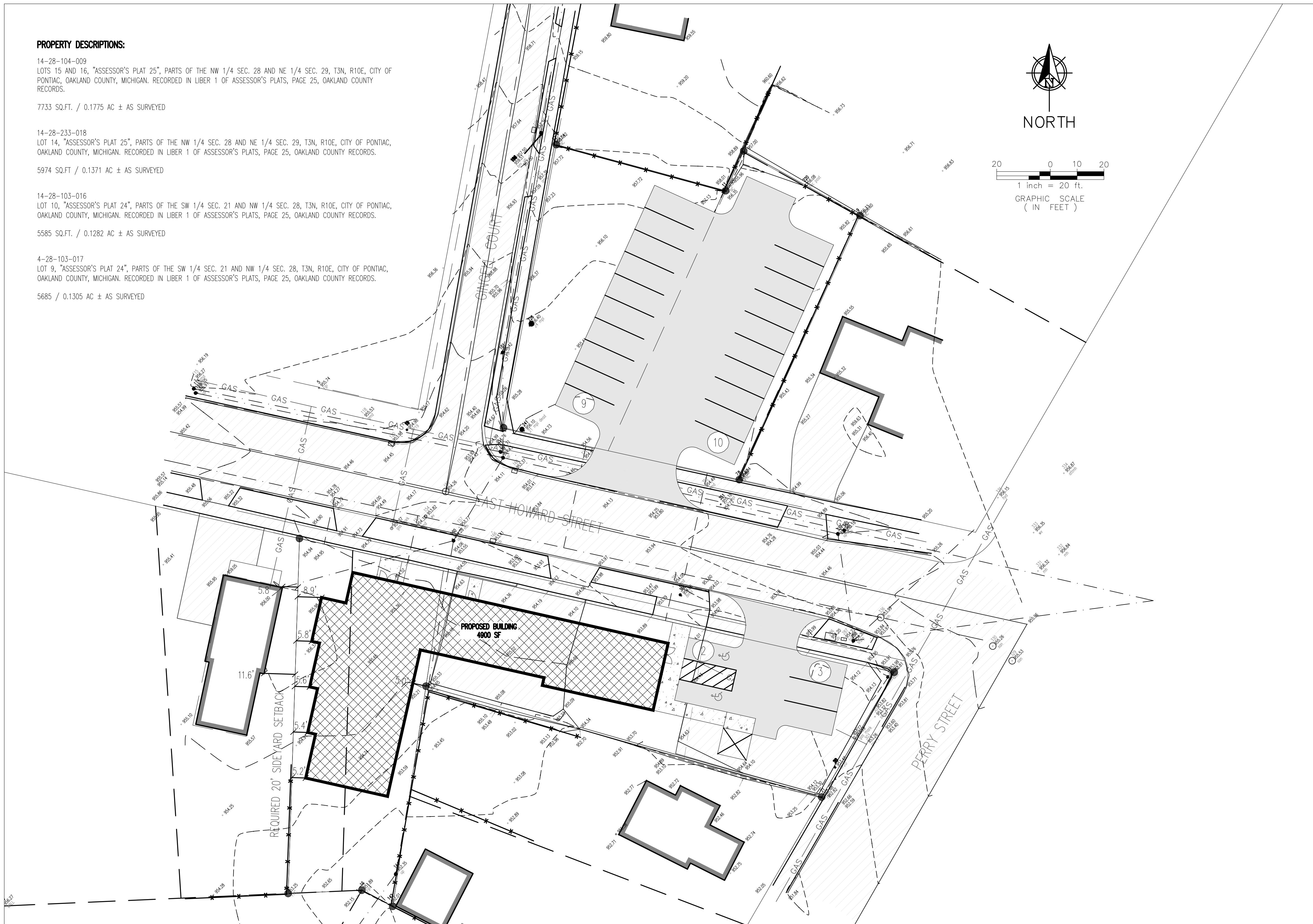
OBJECT PARCELS LIE IN ZONE X - AREAS OF MINIMAL FLOOD HAZARD
FM PANEL 06125007265 EFFECTIVE DATE 09/20/2006

NDERGROUND UTILITY INFORMATION AS SHOWN WAS
THERED IN PART FROM FIELD OBSERVATION AND IN
ART FROM RECORDS OF THE VARIOUS UTILITY
OMPANIES AND/OR MUNICIPAL RECORDS. NO
UARANTEE IS GIVEN OR IMPLIED AS TO THE
CURACY AND/OR COMPLETENESS THEREOF.

CALL MISS-DIG (800) 482-7171 OR 811 AT LEAST
72 HOURS BEFORE COMMENCING ANY EXCAVATION



SCALE: 1 INCH = 20 FEET



SITE DATA

TAX ID NUMBERS:
4-28-104-009
14-28-233-018
14-28-103-016
4-28-103-017

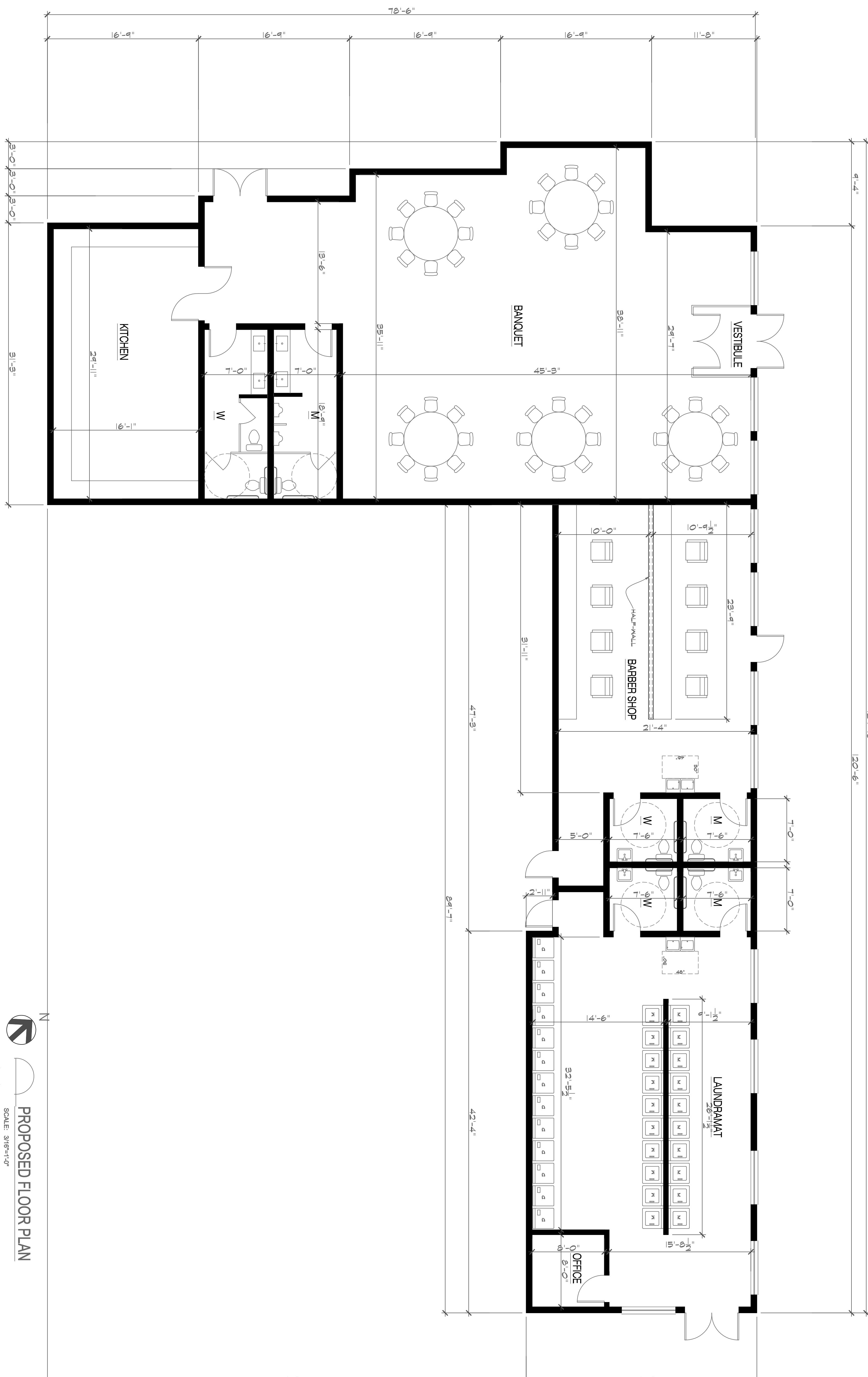
ZONING: R-2 TWO FAMILY AND TERRACE FAMILY DWELLING
PROPOSED : C-0 COMMERCIAL/OFFICE BUILDING
P-1 PARKING ACROSS THE STREET ON SEPARATE PARCEL
PARCEL AREA: BUILDING SITE : 0.31 AC
PARKING SITE : 0.26 AC
TOTAL : 0.57 AC
AREA OF DEVELOPMENT: 0.57 AC
BUILDING AREA/COVERAGE: 4900 sq ft
AREA OF PAVEMENT: 8443 SF (0.20 AC)

PARKING PROVIDED - 24 SPACES (INCL 4 HANDICAP)

SETBACKS	PROVIDED
REQUIRED FOR C-1	FRONT 8 FT
	SIDE 10 FT
	REAR 20 FT
	FRONT 8 FT
	SIDE 5.2' FT (VARIANCE IS REQUIRED)
	REAR 36 FT

REVIEWED UNDER:
2015 MICHIGAN BUILDING CODE

WALL LEGEND	
EXISTING WALL	_____
DEMOLITION WALL	-----
NEW WALL
BRICK	
MASONRY BLOCK	



A PROPOSED NEW BUILDING: COMMERCIAL BUILDING

148 EAST HOWARDS STREET
PONTIAC, MICHIGAN 48342

<h1 style="margin: 0;">FLOOR PLANS</h1>	
SHEET TITLE	THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.
THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.	

ZACK M OSTROFF & ASSOCIATES

RESIDENTIAL/COMMERCIAL DESIGNER/PLANNER

email: zack@zoarchitecture.com
PH.248.425.4190

MEMBER
A.I.

OF SERVICE IS AND SHALL REMAIN THE PROPERTY OF THE DESIGNER AND SHALL NOT BE USED IN ANY WAY WITHOUT THE PERMISSION OF THE DESIGNER.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND EXISTING CONDITIONS AT THE SITE BEFORE PROCEEDING WITH EACH PHASE OF HIS WORK.

FLOOR PLANS	
SHEET NUMBER	A-100
DATE	03.24.24
PROJECT NO.	24-034
AS NOTED	
SHEET SCALE	

DBAET NOT ENB CONSTRICTION

SCALE: 3/16"=1'-0"

A PROPOSED NEW BUILDING: **COMMERCIAL BUILDING**

148 EAST HOWARDS STREET
PONTIAC, MICHIGAN 48342

REVISIONS

**EXTERIOR
ELEVATION**

AS NOTED SHEET SCALE

AS NOTE

PROJECT NO.
24-034

24-03

DATE
07.30.2023

DATE
07.30.
SIGHT NUMBER

01.30.
SHEET NUMBER
A 10

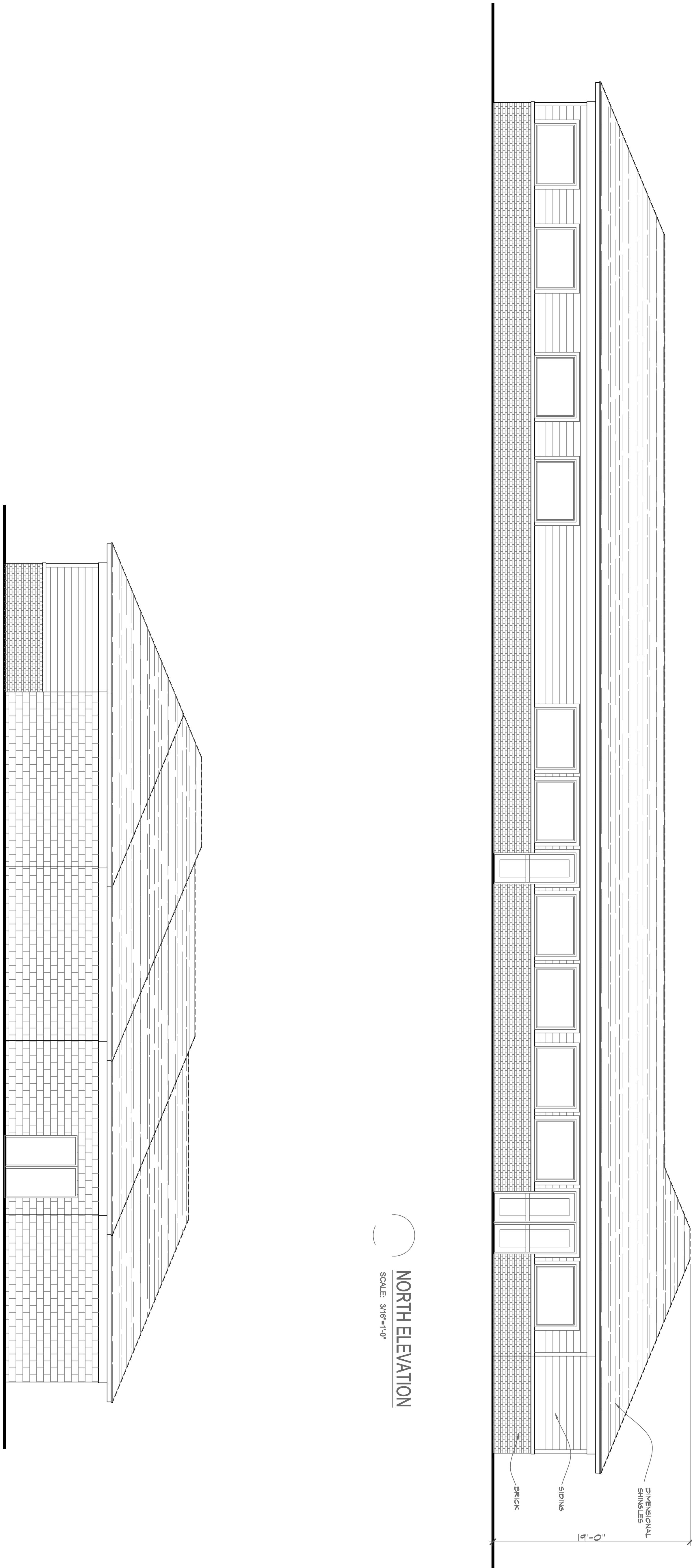
A-10 SHEET NUMBER

A-10

A-10

2

DBAET -- NOT EOF CONSTRACTION



ZACK M OSTROFF & ASSOCIATES
RESIDENTIAL/COMMERCIAL DESIGNER/PLANNER

MEMBER
AIA
BD

web: www.zoarchitecture.com
email: zack@zoarchitecture.com
PH.248.425.4190

A PROPOSED NEW BUILDING:
COMMERCIAL BUILDING

148 EAST HOWARDS STREET
PONTIAC, MICHIGAN 48342

REVISIONS

NO. DATE ADDENDUM/BULLETIN

EXTERIOR ELEVATIONS

AS NOTED

PROJECT NO.

24-034

DATE

07.30.24

SHEET NUMBER

A-101