

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

**COMMISSIONERS:** Chairman Dayne Thomas  
Mayor Deirdre Waterman  
Ms. Hazel Cadd  
Ms. E. Ashely Fegley  
Ms. Patricia Hollis  
Ms. Lucy Payne

**CHAIRPERSON THOMAS CALLED THE MEETING TO ORDER AT 6:37 P.M.**

**ROLL CALL: PRESENT:** Thomas, Hollis, Waterman, Payne, Cadd (arrived at 6:40 p.m.).

**EXCUSED:** None.

**ABSENT:** Hudson, Fegley

Mr. Sabo reported a quorum present.

**COMMUNICATIONS:** None.

**MINUTES FOR REVIEW:** December 4, 2013 (pending), January 8, 2014 (pending)

**PUBLIC HEARINGS AND SITE PLAN REVIEWS:**

**5.1 PROPOSED ZONING TEXT AMENDMENTS**

PRESENTATION OF PROPOSED ZONING TEXT AMENDMENTS GIVEN BY MR. SABO.

The Mayor and City Council have requested the Planning Commission schedule a public hearing to consider zoning text amendments to create approval conditions to allow Mobile Food Vehicle Vendor establishments in the City of Pontiac.

**TO AMEND SECTION 2.201 TABLE 2 – USES PERMITTED BY DISTRICT ACCESSORY TEMPORARY AND OTHER USES OF THE ZONING ORDINANCE TO ADD A SPECIAL EXCEPTION USE FOR MOBILE FOOD VEHICLE VENDORS**

**TO AMEND SECTION 7.207 – DEFINITIONS: USE DEFINITIONS ACCESSORY, TEMPORARY AND OTHER USES OF THE ZONING ORDINANCE TO ADD DEFINITIONS FOR MOBILE FOOD VEHICLE AND MOBILE FOOD VENDOR**

**TO AMEND ARTICLE 2 CHAPTER 5 – DEVELOPMENT STANDARDS FOR SPECIFIC USES OF THE ZONING ORDINANCE TO ADD SECTION 2.544 MOBILE FOOD VEHICLE VENDORS**

Comm. Hollis inquired of the types of beverages and whether that included or permitted alcohol. Mr. Sabo indicated he did not include alcohol and does not anticipate vendors selling alcoholic beverages but will include non-alcoholic beverages only for clarification purposes under Section 2.544 (P)(i).

Comm. Cadd inquired of the required sanitary facilities and whether those facilities can be brick and mortar or porta-john facilities. Mr. Sabo indicated that if vendors provide table and chairs for their customers, they will need to provide sanitary facilities for them as well. Vendors can work out agreements with neighboring businesses for the use of their facilities or can provide the porta-john facilities.

Comm. Cadd inquired on the clarification of A or B streets. Mr. Sabo indicated that “A” streets are non-neighborhood streets i.e. Woodward Avenue, University Street, Perry Street, Huron Street, M-59, Orchard Lake. “A” streets would be arterial streets and are mini highways connecting to a larger road network. “B” streets are streets that will get you to a larger highway or freeway i.e. Baldwin Road, Howard Street, Sanford. All other streets are considered “C” streets.

Comm. Cadd inquired about set ups in parks and recreation areas. Mr. Sabo indicated that it was not included in the amendments but could be excluded to maintain the sub sanctity at public parks.

Comm. Cadd inquired about the cost of special exception permits. Mr. Sabo indicated that costs would remain the same for any other permit. It would cost \$990.00 for the site plan review and \$1,000.00 for the special exception permit. Application fees are non-refundable.

Mayor Waterman commented that the proposed amendments clearly capture what the Mayor and City Council wanted to establish and fits all necessary criteria.

Comm. Payne inquired whether there was a limitation on vendors and how many vendors can be in certain areas. Mr. Sabo indicated that the initial limitation would be ten (10) vendors. Once the city reaches its limit of ten (10) vendors, the city can reconsider whether to increase the limit or keep it the same.

Comm. Payne inquired whether the lots being occupied by the vendors were vacant or city owned lots or private owned lots. Mr. Sabo indicated that vendors will need the permission of the lot owner to occupy that space.

Comm. Payne inquired about the garbage disposal. Mr. Sabo indicated that the he would need to review his notes and revisit the issue as only the location of garbage receptacles were required.

Comm. Payne inquired whether existing brick and mortar businesses would need to acquire a license if they decided to grill outside. Mr. Sabo indicated that those establishments already have a license where those provisions already exist and therefore would not need another permit.

Comm. Payne inquired whether this license will cover vendors wanting to sell other items besides food. Mr. Sabo indicated that provisions for vendors selling items other than food already exist under the Fireworks Laws, in which the State is overseeing.

Comm. Thomas commented that Mobile Food Vehicles can be a very viable business to the city of Pontiac and fully supports the idea.

Comm. Cadd inquired whether the limitation of ten (10) vendors would be to the city or the district. Mr. Sabo indicated the limitation would be ten (10) to the city.

**CHAIRPERSON THOMAS DECLARED PUBLIC HEARING OPEN.**

Chuck Johnson, a Pontiac business owner commented that there will need to be a lot of fine tuning that needs to be done by the Mayor and the Licensing Department. Mr. Johnson commented that brick and mortar competition should be at least 100 feet from the food vendor. He also strongly recommended that table and chairs should not be allowed for mobile units.

**CHAIRPERSON THOMAS DECLARED PUBLIC HEARING CLOSED.**

Comm. Thomas agreed with Mr. Johnson and stated that there would need to be a certain distance between brick and mortar business and the perspective Food Vendor. The distance would need to be agreed upon.

Comm. Cadd inquired once the Food Vendor has a special exception permit, are they allowed to change locations or are they to stay in one specific location. Mr. Sabo indicated that the special exception permit was location specific.

Comm. Payne commented that the possibility of increasing the number of vendors can be a problem with infringement of other businesses. The limitation on the number of vendors needs to be carefully chosen.

**COMM. HOLLIS MADE A MOTION TO ACCEPT THE PROPOSED TEXT AMENDMENTS; TO ADD NON-ALCOHOLIC BEVERAGES TO SECTION 2.544 (P)(i); TO ADD TABLE AND CHAIRS MAY BE PROVIDED FOR CUSTOMER USE ONLY IF ARRANGEMENTS ARE MADE AND DOCUMENTATION IS PROVIDED FOR SANITARY FACILITIES WITHIN 100 FEET TO SECTION 2.544 (K); TO ADD TRASH RECEPTICLES SHALL BE PROVIDED TO SECTION 2.544(K).  
COMM. CADD SUPPORTED.**

**VOTE:**           **AYES:**           Waterman, Hollis, Payne, Cadd, Chairman Thomas.  
                  **NAYS:**           None.  
                  **ABSTAIN:**     None.

Vote 6-0-0 for acceptance of the proposed text amendments.

**NEW BUSINESS:**   None.

**UNFINISHED BUSINESS:** Mr. Sabo indicated that the Master Plan Steering Committee will move forward. Mayor Waterman has volunteered to be a part of the Committee. There are a couple of options to proceed. There is a suggestion to have less than a quorum of planning commissioners. There can be four (4) planning commissioners and notice is not required for those meetings or it can be maintained to three (3) commissioners to avoid the Open Meetings Act notification. Comm. Cadd and Chairman Thomas have volunteered for the Master Planning Committee.

The Master Planning Commission now consists of Mayor Waterman, Chairman Thomas and Comm. Cadd.

Mr. Sabo also indicated that Mayor Waterman had previously requested a biography, by way of email, from all the members of the Zoning Board and the Planning Commission. All board members are asked to submit a biography and attach a resume to this request. A survey will be sent out by Mr. Sabo for board members and commissioners as well. Mayor Waterman would like to capture a database and bring all pertinent information up-to-date and would like co-operation from all to collect this information.

**OTHER ITEMS:** Chairman Thomas would like to clarify that the proposal to repurpose the old GM building, located off of South Boulevard, has been improperly described as a lockdown. It will be a vocational training facility for at risk Pontiac youth between the ages of 18-24 as an attempt to prevent them from becoming felons or entering into the system. The facility will house 1,500 students with live-in facilities. The funding and curriculum are still at the beginning stages.

**PUBLIC COMMENTS:** Chuck Johnson, 21 Paddock, commented on the importance of Mayor Waterman being a part of the Planning Commission. He stressed the importance of the Planning Commission meetings to the citizens of Pontiac because it would allow them to have knowledge of what is or will be happening within the city of Pontiac. He stated that the meeting should be televised.

**ADJOURNMENT:** 7:57 p.m.