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CITY OF PONTIAC  
PLANNING COMMISSION  
WEDNESDAY, AUGUST 7, 2019  
6:30 P.M.  
A meeting before the Planning  
Commission, at 47450 Woodward Avenue, 2nd Floor,  
Council Chambers, Pontiac, Michigan 48342.

BOARD COMMISSIONERS:

- Dayne Thomas, Chairman
- Ashley Fegley, Vice Chair
- Mayor Deirdre Waterman, Commissioner
- Mona Parlove, Commissioner
- Christopher Northcross, Commissioner
- Lucy Payne, Commissioner
- Hazel Cadd, Commissioner

CITY OFFICIALS PRESENT:

- Vernon Gustafsson, City Planning Manager
- Donovan Smith, City Planner

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)  
Certified Shorthand Reporter

1 MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING  
2 COMMISSION:  
3 CARLTON JONES  
4 H. BILL MAXEY  
5 BRETT REYNOLDS  
6 BILL MASSIE  
7 ROBERT FICANO  
8 JAMEL SAFIDINE  
9 BRUCE ROSENTHAL  
10 BILLIE SWAZER  
11 COLEMAN YOAKUM  
12 CHUCK JOHNSON  
13 JAMES LEACH  
14 MATT FARRELL  
15 ROBERT BASS  
16 GRAHAM CASSANO  
17 MARY PIETILA  
18 ROS HARTIGAN  
19 IRENE WRIGHT  
20 DANIEL MARTINEZ  
21 PETERSON CULLIMORE  
22 JUSTIN DUNASKISS  
23 SCOTT KEHRER  
24 JOE BROWN  
25 MANUEL FERRAIUOLO

1 CALL TO ORDER: Chair Thomas called the meeting  
2 to order at 6:31 p.m.

3 ROLL CALL (PRESENT):

4 Dayne Thomas, Chairman

5 Lucy Payne, Commissioner

6 Mayor Deirdre Waterman, Commissioner

7 Christopher Northcross, Commissioner

8 Mona Parlove, Commissioner

9 EXCUSED: Hazel Cadd, Commissioner

10 Ashley Fegley, Vice Chair

11 CHAIRPERSON THOMAS: Good evening,  
12 ladies and gentlemen. Welcome to Pontiac City  
13 Planning Commission meeting for Wednesday, August 7,  
14 2019. We've got four items on our public hearing  
15 agenda tonight, and we always want to allow proper  
16 time for public speakers to have ample time to state  
17 their case. I'd like you to kind of measure your  
18 time. I don't like to set the clock because I like  
19 to give people ample time to state their case, but  
20 I'd like for you to kind of measure around the three  
21 minutes, but kind of be expedient, if you will, make  
22 your case so we can move on with regard to -- proper  
23 time for those that are all here tonight.

24 So I always like to introduce our  
25 Planning Commissioners. Commissioner Northcross is

1 not here yet. Commissioner Cadd is excused.  
2 Honorable Mayor Dr. Deirdre Waterman is to my far  
3 left. City Planning Manager Vern Gustafsson is to  
4 my immediate left. Mona Parlove to my far right.  
5 Commissioner Lucy Payne, next. And then I'm  
6 chairman Dayne Thomas.

7 So, Mr. Gustafsson, roll call, please.

8 MR. GUSTAFSSON: Sure. Chair Thomas.

9 CHAIRPERSON THOMAS: Present.

10 MR. GUSTAFSSON: Vice Chair Fegley,  
11 she was excused. Commissioner Cadd excused.  
12 Commissioner Northcross is excused. He should be  
13 here. He said he was going to.

14 Commissioner Parlove.

15 COMMISSIONER PARLOVE: Present.

16 MR. GUSTAFSSON: Commissioner Payne.

17 COMMISSIONER PAYNE: Present.

18 MR. GUSTAFSSON: Mayor Waterman.

19 MAYOR WATERMAN: Present.

20 MR. GUSTAFSSON: Okay. We have a  
21 quorum.

22 CHAIRPERSON THOMAS: I see here  
23 approval of agenda.

24 MR. GUSTAFSSON: We have decided to  
25 either add in an item or remove an item right at the

1 meeting, so on this particular case, we did have an  
2 amended agenda coming out today. With that I just  
3 want to make sure we approve there is no other  
4 additions or deletions at this time. The amended  
5 agenda is the correct agenda.

6 CHAIRPERSON THOMAS: So everyone has  
7 the agenda. We need to take a vote, correct?

8 MR. GUSTAFSSON: Correct.

9 CHAIRPERSON THOMAS: May I have a  
10 motion to approve the amended agenda, please.

11 COMMISSIONER PARLOVE: I make a motion  
12 to approve the amended agenda.

13 CHAIRPERSON THOMAS: May we have a  
14 second?

15 MEMBER PAYNE: Second.

16 CHAIRPERSON THOMAS: We have a motion  
17 second and support. All those in favor say "aye."

18 (All ayes.)

19 CHAIRPERSON THOMAS: Any opposed?

20 (None opposed.)

21 CHAIRPERSON THOMAS: Motion passes.

22 Next is communications. And so, Mr.  
23 Gustafsson, I will turn this to you.

24 MR. GUSTAFSSON: Yeah. Thank you,  
25 Chair Thomas. This is for the Commission to give

1 you an update in regards to a package liquor license  
2 that was received -- that was granted an appeal  
3 actually from City Council. Back on April 3rd, the  
4 Planning Commission denied a special exemption  
5 permit. And the information I'm referring to was  
6 attached with the amended agenda, that the  
7 Commission, after reviewing and based on or  
8 technical review, public comments and also from the  
9 Commission themselves, we scheduled a vote it was  
10 unanimous vote 5 to 0 to deny the special exemption  
11 permit at Joslyn Beverage. Rationale was it didn't  
12 meet the ordinance requirements. There was two  
13 churches located within 500 feet, plus within the  
14 mile of that particular store there was already  
15 three existing beverage -- alcoholic beverage  
16 businesses that were located there.

17 (Commissioner Northcross entered the  
18 chambers.)

19 MR. GUSTAFSSON: The applicant did  
20 submit a request to appeal the Planning Commission  
21 decision within the ten days that are required  
22 according to the ordinance, and it was submitted to  
23 me as required.

24 On July 16th, the City Council granted  
25 an appeal to allow the sale of liquor at that

1 particular store. They already had beer and wine at  
2 that particular establishment. The Mayor, following  
3 that meeting, did prepare a veto resolution to  
4 appeal of the SEP, special exemption permit to sell  
5 liquor. And then what happened is that following  
6 that veto, the Mayor read into the minutes the veto  
7 and the rationale. Obviously didn't meet the  
8 ordinance requirements. Myself in particular, the  
9 Planning Manager, was not able to build our case to  
10 explain that we are in violation of our Ordinances  
11 by granting this appeal.

12 The councilperson did vote  
13 supermajority of five votes over the Mayor's veto  
14 and approved that appeal to grant that SDD packaged  
15 liquor license.

16 They then, in turn, following that  
17 evening, they passed another resolution asking the  
18 City attorney to craft language as relates to  
19 packaged liquor sales either in the municipal code  
20 or in the zoning ordinance. And our city attorney  
21 is still figuring that out. But they're kind of --  
22 now that they undid this, and voted against the  
23 Ordinances, now we want to make the changes.  
24 There's been some recent laws from the Liquor  
25 Control Commission that kind of relaxed those

1 standards. They, councilpersons, would kind of like  
2 to take a look at that closer and see how they could  
3 make adjustments in our proper zoning ordinance for  
4 municipal codes. So it's kind of the cart before  
5 the horse in regards to allowing this and still very  
6 surprised that they would go against the Planning  
7 Commission's decision, our Planning Division's  
8 technical review and also for the fact that we  
9 really did not have an opportunity to build our case  
10 in front of them even though they did have the  
11 information.

12 So with that being said, I just want  
13 to bring this forth to you, ask you in regards to --  
14 I want to hear what your particular thoughts are. I  
15 want to hear what we should do in regards to next  
16 steps from our standpoint as a Planning Commission  
17 and directing me in regards to where to go next  
18 step.

19 Madame Mayor, since you're sitting  
20 there at the meeting if you would like to include  
21 any further remarks.

22 MAYOR WATERMAN: I'd be happy to do so  
23 in order to -- in consideration we have a full  
24 schedule here, but I bring this communication that  
25 you have in your packet that is part of the



1 information about this particular item that has been  
2 prepared by the Planning Department it includes the  
3 statement I made to the veto. And I might read this  
4 into the record here.

5 I think because I sat on the Planning  
6 Commission when the Planning Commission did have the  
7 initial denial, was also at the meeting in which the  
8 City Planner, as per his responsibility, was  
9 attempting to discuss the item, and was not allowed  
10 to do so, which was troubling for me at the time,  
11 and also after Council did go ahead and vote on it  
12 anyway, and they did so with the statement  
13 afterwards about how -- from the pro tem, I think  
14 who said the City doesn't have to obey its own  
15 ordinances. That was kind of troubling for me to  
16 ferret that all out.

17 So I will read the veto statement,  
18 read into the record now.

19 The reason this communication is here  
20 before the Commission is because it poses a problem  
21 for Commissioners who try to decide things based  
22 upon the Ordinances and the laws as they stand. And  
23 if there's a different standard for some people it  
24 poses a problem for us, because it denies certain  
25 people on the basis of standards, and then somehow

1 for some unknown reason to us, you know, someone  
2 else gets granted that then we have a problem in  
3 terms of what this law says, as well as to the City,  
4 because it did not define the same fair standards.

5 Now, the Council did admit that they  
6 had -- not pertaining to the proper code and the  
7 ordinance, by the fact that they said to the City  
8 attorney, as you have here in your packet, please  
9 redraft the ordinance so it will cover us for what  
10 we did. But that is put in the wrong sequence. And  
11 so it doesn't sustain to help us make sure that  
12 we're following the right procedures.

13 So for your purposes and maybe and  
14 Planning Commissioners are feeling that they're in  
15 the same quandary as I felt, how we need to be  
16 guided by the decisions, then perhaps there should  
17 be some communication, maybe through the Planner  
18 from the Planning Commission to Council helping us  
19 to understand these parameters and how they're set.

20 So I will read into the record my  
21 particular thoughts about it. Of course I'm just  
22 one vote on the Planning Commission and I will share  
23 that with the Commissioners, and you can do as you  
24 feel comfortable with doing that.

25 This was a statement that I issued

1 that reads as follows: On July 16, 2019 the City  
2 Council approved an appeal of the Planning  
3 Commission decision to grant the special designated  
4 distributor license at parcel number 64-14-16-42-030  
5 also known as 1124 Joslyn Avenue for the applicant.  
6 I am vetoing this item, not only due to its  
7 uncertainty, but also for several other reasons.  
8 The Planning Commission has used the same criteria  
9 obligated by the Zoning Ordinance in the past to  
10 reject other applicants who did not meet the  
11 criteria, and City Council has upheld those  
12 rejections.

13 In this case, it is uncertain why this  
14 applicant was not held to the same standards as  
15 other applicants in the past. It is even more  
16 troubling, when viewed in the context of the Council  
17 president went to extraordinary means to prevent any  
18 discussion on this matter.

19 The Planning Commission reviewed the  
20 requirements set forth in Section 2.515 of the  
21 Zoning Ordinance and Section 10.188 of the Pontiac  
22 Municipal Code and determined that the proposed sale  
23 of packaged liquor does not comply at that site with  
24 the City of Pontiac Zoning Ordinance.

25 The sale of packaged alcoholic

1 beverages prohibited to be located less than  
2 500 feet from the property of a place of worship,  
3 park, playground, daycare facility or K through 12  
4 school. St. Paul Community Lutheran Church and the  
5 Bible Fellowship Christian Church are located within  
6 500 feet of 1124 Joslyn Avenue. No more than two  
7 properties which sell packaged alcoholic beverages  
8 are permitted within one mile. Currently three  
9 retail stores, Joslyn Market, Trademark Liquor and  
10 Kings Liquor sell packaged and alcoholic beverages  
11 within one mile of Joslyn Beverage located at 1124  
12 Joslyn Avenue.

13 On April 3rd, 2019 a public hearing  
14 was held. The Planning Commission vote 5 to 0 to  
15 deny the request to sell packaged liquor at 1124  
16 Joslyn Avenue. At City Council meeting on  
17 July 16th, 2019, the Planning Manager was not  
18 recognized to present the Planning Division's  
19 technical review and Planning Commission's reasons  
20 to deny the special exemption permit request to sell  
21 packaged liquor at 1124 Joslyn Avenue.

22 In addition, there seemed to be a rush  
23 to judgment with Council president during the  
24 meeting, censoring any discussion about this agenda  
25 item and refusing to allow anyone to speak about the

1 issue or their concerns.

2 As Mayor, I attempted to indicate  
3 there was a point of order in question that was not  
4 recognized and indeed was shot down. Council  
5 proceeded to vote despite all objections.

6 It was also noted that although this  
7 was just the first action item of many on the  
8 evening's agenda, both Councilwoman Patrice Waterman  
9 and Councilwoman Mary Pietila left the meeting  
10 seemingly deciding not to participate in the vote,  
11 signed Mayor Deirdre Waterman.

12 CHAIRPERSON THOMAS: Thank you, Mayor.  
13 Let me -- before I go to my fellow Commissioners, I  
14 would say this is unprecedented and that we were  
15 overruled without cause. I have been and this  
16 Commission has been consistent basically not looking  
17 favorably about combining liquor with gas. You  
18 know, to kind of put it in perspective, there isn't  
19 anyone going into a gas station to buy a bottle of  
20 top-shelf bottle of Cognac or Bourbon, or maybe a  
21 20-year-old \$100 bottle of single malt scotch. You  
22 know, the contrary, they're basically looking to  
23 pick up a two and a half ounce airline bottle of  
24 Vodka or some such -- something of that nature, and  
25 it's to drink and go. So that's reckless and it's

1 imprudent and basically I've stood by the idea if  
2 you want to open a liquor store, there are plenty of  
3 places to open a liquor store, but the idea of  
4 putting liquor and gas together is not favorable, in  
5 my opinion. I have voted against it virtually every  
6 time and with cause.

7 So those are my comments and I'm going  
8 to welcome Commissioner Northcross and also seek his  
9 comments.

10 COMMISSIONER NORTHCROSS: Good  
11 afternoon. Good afternoon. Yes, I'm confused. One  
12 of the items I understand is that the Planning  
13 Commission serves to advise the City Council. And  
14 the advice is given with the understanding we're  
15 reviewing the City Ordinances, and other items to  
16 give some input to the City Council and direction to  
17 the City Council on different directions one should  
18 go in, particularly the land use of the City.

19 I'm a little confused now about  
20 whether we're all in sync. In my mind there's this  
21 question, this activity, but then you also have all  
22 of the work that we have done previously on the  
23 master plan, and we have amended the master plan to  
24 include the safe streets package. We're working now  
25 on the parks package. There were a number of items

1 that we suggested that the City Council undertake in  
2 terms of Ordinance revision, land use revision. All  
3 of this has not happened. And I'm just wondering,  
4 looks like there's a reset that we need to bring  
5 about with the City Council, the Planning Commission  
6 and the citizens of Pontiac somehow. One of the  
7 things I would suggest is that we start talking  
8 about the revision of our master plan which is due  
9 to occur. Maybe this is a good chance for us to  
10 talk about what current ordinances we have in place,  
11 what changes we want to make and what we as a city  
12 seem to need to do in terms of the land use to  
13 better the City. And let me explain. What I mean  
14 by bettering the City is work to improve the  
15 certainty of development for all of our children in  
16 Pontiac. That is what I mean by the development of  
17 the City. Now, where other folks go, I don't know.  
18 But that's where we may need to discuss this.

19 But, right now, boy, I'm thinking  
20 maybe there needs to be a major reset to occur.

21 CHAIRPERSON THOMAS: Thank you very  
22 much. Commissioner Parlove, please.

23 COMMISSIONER PARLOVE: Thank you,  
24 Dayne. Thank you, Mayor Waterman and Vern for  
25 bringing all of this information forth. And to I

1 say I'm a bit confused is an understatement. This  
2 is completely nonsensical to me. I don't understand  
3 how these dots are connecting together. If the  
4 Ordinance is what it is, and that's how we have been  
5 advised to consider information when it come to us  
6 from petitioners, and we do that, and then when we  
7 release our decision, and for no clear reason the  
8 City Council takes our decision and completely  
9 disregards it, apparently handles this decision in  
10 an unorthodox way in how they have considered it,  
11 and then an "Oh by the way moment", will the  
12 attorney please make sure that we have done what we  
13 have done in a proper fashion, this just -- this is  
14 crazy to me.

15 So, at this moment, I stand by the  
16 decision that we have made in the past. I looked  
17 over our package tonight. Nothing has changed. We  
18 still have the liquor stores that are more than the  
19 conflicts are allowed within the geographic of this  
20 petitioner. We still have churches that are there.  
21 Nothing has changed. So why the City Council feels  
22 that they can capriciously make this decision is  
23 nothing I'm in agreement with that. So I'll leave  
24 it at that for the moment.

25 CHAIRPERSON THOMAS: Thank you very



1 much. Commissioner Payne, please.

2 COMMISSIONER PAYNE: Good evening and  
3 let me first thank the petitioners for their  
4 interest within the City of bringing businesses  
5 here. But I do have a concern. I'm not confused,  
6 but I'm concerned because first of all we're  
7 supposed to be a healthy Pontiac. And I can't see  
8 liquor being sold at gas stations to be a healthy  
9 factor for not only the community, but the people  
10 that actually come through and pass through our city  
11 for gas, and they're able to get liquor. And I'm  
12 sure that if our Oakland County Sheriff officers  
13 were right there at the end of the driveway, that  
14 they could very easily end up catching people who  
15 have been drinking, bottles open. Not only that,  
16 the access that this brings for our youth in the  
17 City. These areas are very close to our  
18 neighborhoods. I just think that we need to -- and  
19 the other thing, when I'm reading through this  
20 packet, I was very concerned that, first of all, the  
21 Ordinance has -- already have their measurements  
22 within the ordinance, and then what we do is to  
23 accept an outside company to do our measurement or  
24 our surveys for us. That, to me, is not being a  
25 good representative of our City when we decide to

1 let someone come in and make changes.

2 One of the things that I came up with  
3 is that we need the committee for our ordinance to  
4 come about and look at this really closely, and  
5 start finding out just exactly what is it that the  
6 City wishes to have. Would you like to have alcohol  
7 beverages on say every other block? Because that is  
8 what's happening. I had one petitioner who actually  
9 came before us and said that this is a big business  
10 and it makes money. But it makes money on the cost  
11 of -- who is -- what is the cost of this? It's  
12 our -- it's our health, it's our children's health,  
13 it's our -- the adult's health. I mean, is that  
14 really what we want within our City?

15 FROM THE AUDIENCE: Yes.

16 FROM THE AUDIENCE: No.

17 COMMISSIONER PAYNE: Now, my  
18 understanding is if you go in different cities --  
19 you know, sometimes you just don't see this kind of  
20 thing happening in other cities, and maybe you may  
21 see -- I read here that there was one gas station in  
22 I think Birmingham that had gas (sic) well oh  
23 well -- I mean that had gas and liquor. Oh well,  
24 okay? That's Birmingham. But here in the City, I  
25 would like for us to try to keep this a safe and

1 healthy city, and I don't see that as being safe.  
2 And I like for us to stand our ground when it comes  
3 to making decisions about what's best for our City.  
4 And that's my comment.

5 CHAIRPERSON THOMAS: Thank you. My  
6 closing comment is as I've already stated and our  
7 Commissioners have stated that it's imprudent and  
8 arguably reckless to combine liquor and gas for the  
9 reasons that we stated it also sets a legal  
10 precedent. So the next time we turn down a gas  
11 station/liquor combination for cause, then that  
12 petitioner is going to come forward and say "Oh,  
13 wait a second. No, no, no, you set a precedent  
14 because you approved so and so."

15 FROM THE AUDIENCE: Right.

16 CHAIRPERSON THOMAS: So this needs to  
17 be corrected. If we're up here doing our research,  
18 going to these committees, looking at ordinances,  
19 making our decisions, then we need to have the  
20 Council follow what we're doing or write a letter to  
21 us with cause, we need to meet with you, we're going  
22 to overrule and here are the reasons why. And we  
23 didn't see that. I haven't seen it. And we're  
24 sitting here tonight discussing it. And we're going  
25 to talk about another case here on the first item --

1 the next item on public hearings. So again this is  
2 unprecedented. It's reckless and it's imprudent.

3 So my suggestion is that somehow a  
4 letter be written, for the record, legal record,  
5 and -- and so those are my final comments. Any  
6 further comments?

7 COMMISSIONER PARLOVE: So where do we  
8 go from here? Now what, is my question.

9 CHAIRPERSON THOMAS: Well, I mean --

10 MR. GUSTAFSSON: No, I -- in talking  
11 with Dayne, a little bit about this, and obviously  
12 Mayor Waterman, I think we have the ability, in  
13 regards to -- we can't obviously reverse that  
14 decision, but we can go on record and explain to  
15 them the passion that we just heard -- that I just  
16 heard from all of you here, that could be drafted in  
17 a letter and send over to the Council addressed from  
18 you.

19 COMMISSIONER PARLOVE: So it's not  
20 going to change anything that happened at City  
21 Council, but for us now, at this moment, as we're  
22 playing this out in realtime, City Council  
23 completely went around us, made this decision,  
24 approved this petitioner and then said, oh, by the  
25 way, attorney, go fix this, and here now we sit with

1 these petitions in front of us and it makes me  
2 uncomfortable trying to render a decision until we  
3 get something that we know is accurate. Because  
4 we're giving these people potentially inaccurate  
5 answers and that's not fair to them either. So  
6 we're -- what do we -- our hands are tied. This is  
7 crazy.

8 MR. GUSTAFSSON: Yeah. And I think  
9 that also as part of our -- the City in talking with  
10 our City attorney, and talking a little bit further  
11 in regards to what other actions or what else he  
12 would suggest to recommend and we'll keep you  
13 updated in regards to that even in between our  
14 meetings, our regular scheduled meetings or any  
15 special meetings that we have, communication with  
16 the Commission to see what we can find out.

17 CHAIRPERSON THOMAS: Okay. Without  
18 further ado then, next item is minutes for review  
19 from June 26th, 2019. And I will go to Commissioner  
20 Northcross, please.

21 COMMISSIONER NORTHCROSS: No changes.

22 CHAIRPERSON THOMAS: Mayor Waterman,  
23 please.

24 MAYOR WATERMAN: No corrections.

25 CHAIRPERSON THOMAS: Mayor -- are you

1 mayor now?

2 COMMISSIONER PARLOVE: Yeah.

3 CHAIRPERSON THOMAS: Commissioner  
4 Parlove?

5 COMMISSIONER PARLOVE: No changes.

6 CHAIRPERSON THOMAS: Commissioner  
7 Payne?

8 COMMISSIONER PAYNE: No corrections.

9 CHAIRPERSON THOMAS: I abstain because  
10 I didn't have time to read 130 pages of minutes, so  
11 hopefully it -- hopefully it all says what we  
12 thought it would say, and --

13 MR. GUSTAFSSON: It does.

14 CHAIRPERSON THOMAS: Okay. May we  
15 have a motion to approve the minutes?

16 COMMISSIONER PARLOVE: I make a motion  
17 to approve the minutes.

18 CHAIRPERSON THOMAS: May we have a  
19 second and support?

20 MEMBER PAYNE: Second and support.

21 CHAIRPERSON THOMAS: All in favor say  
22 aye.

23 (All ayes.)

24 CHAIRPERSON THOMAS: Any nays?

25 Unanimous for yeses and I guess we have a --

1 MR. GUSTAFSSON: Yeah -- approved.

2 CHAIRPERSON THOMAS: Now we go to  
3 public hearings. First item is 6.1 Zoning Text  
4 Amendment temporary construction fencing Ordinance  
5 and Mr. Gustafsson will present, please.

6 MR. GUSTAFSSON: Okay. Thank you very  
7 much, Chair Thomas.

8 (Presentation of facts given by Mr.  
9 Gustafsson.)

10 6.1 ZONING TEXT AMENDMENT - TEMPORARY  
11 CONSTRUCTION FENCING ORDINANCE.

12 CHAIRPERSON THOMAS: The way that we  
13 handle public hearing is that we'll engage my fellow  
14 Commissioners for comments or questions. In this  
15 case we don't have a Petitioner, but it will be to  
16 the Planning Manager. After those comments or  
17 questions are finalized, I'll then open it to public  
18 hearings. We'll then close public hearings and then  
19 we'll come back here for a motion and a vote.

20 So, may I go to Commissioner  
21 Northcross, please.

22 COMMISSIONER NORTHCROSS:  
23 Clarification. I guess this will -- will require a  
24 site plan review for just -- this -- let me ask it  
25 this way: Will this require a site plan review for

1 any construction permit?

2 MR. GUSTAFSSON: Similar to what we do  
3 now for any type of -- we do a site plan review,  
4 yes. So, it depends on the type of construction.  
5 So, if, for instance, they are just going in and  
6 restriping a parking lot that's existing, it's not  
7 expanding any parking or anything like that, then  
8 no, we would just do kind of an administrative  
9 review and approval and so forth. Something like  
10 that I would say, no. I would say that this is  
11 something where you're talking about major  
12 construction, stockpiling of earth and so forth  
13 around the site that would require it to have the  
14 temporary construction fencing.

15 COMMISSIONER NORTHCROSS: Okay. Okay.  
16 So, it will be -- the steps are one, the initial  
17 site plan review to determine if the fencing is  
18 needed?

19 MR. GUSTAFSSON: Correct.

20 COMMISSIONER NORTHCROSS: And then if  
21 the fencing is needed, the fencing will be  
22 constructed according to this temporary construction  
23 fencing?

24 MR. GUSTAFSSON: That's correct.

25 COMMISSIONER NORTHCROSS: Okay. Okay.



1 Thank you.

2 CHAIRPERSON THOMAS: Thank you. Mayor  
3 Waterman, please.

4 MAYOR WATERMAN: We have worked on  
5 this for quite a while through the interprocesses  
6 and then the Administration and this is something  
7 that we worked on, we're excited. The Council  
8 president and some of the other Council members  
9 wanted this to be drafted and I think it fills the  
10 need of the community for a number of sites that  
11 we've had a lot of complaints in terms of the  
12 construction debris getting out into the  
13 neighborhoods. Well, that's the purpose of it.

14 I think that what's -- what you don't  
15 have available to you that we also reviewed is the  
16 cost of the efforts -- sites to do this, but we did  
17 study that as well at the beginning of the process.  
18 I see that that's -- that's not necessarily here,  
19 but I'm anxious to hear what the public comment will  
20 be about this.

21 CHAIRPERSON THOMAS: Commissioner  
22 Parlove, please.

23 COMMISSIONER PARLOVE: Nothing to add  
24 at this time.

25 CHAIRPERSON THOMAS: Okay.

1 Commissioner Payne, please.

2 COMMISSIONER PAYNE: Well, the only  
3 thing that I had in regards to -- but, Mr.  
4 Gustafsson cleared it, because I had put here  
5 actually a question mark in regards to safety  
6 signage, and making sure that signage is easy to  
7 read and directions are clear. So, that -- because  
8 I've seen some construction sites that did not have  
9 signage.

10 MR. GUSTAFSSON: Correct.

11 COMMISSIONER PAYNE: And that's --  
12 safety --

13 MR. GUSTAFSSON: Right. And I think  
14 I'm definitely concerned and I think equally as what  
15 you're suggesting in regards to the actual  
16 directional signs and stop signs and gates as  
17 they're coming and safety regulations and so forth.  
18 A lot of communities I have been to, they have like,  
19 hours of operations, it's very clear, you know, when  
20 a construction can begin and when it can't and so  
21 forth.

22 COMMISSIONER PAYNE: That will be  
23 great.

24 MR. GUSTAFSSON: Yeah.

25 COMMISSIONER PAYNE: Okay.

1                   CHAIRPERSON THOMAS: Thank you. This  
2 looks pretty straight ahead to me. I mean, if for  
3 safety you're bringing all kinds of items, temporary  
4 signage goes up and construction comes down before a  
5 certificate of occupancy. I mean, I don't see --  
6 frankly, I'm surprised that we don't have this  
7 already.

8                   So anyhow without further ado, I'm  
9 going to open up public hearing. So anyone that  
10 would like to come forward please come forward.  
11 Slow down up there. I don't want to have a crash at  
12 the podium. Good evening.

13                  MR. JONES: Good evening.

14                  CHAIRPERSON THOMAS: We know who you  
15 are -- or at least I know who you are, but for the  
16 record, please state name and address for the  
17 record.

18                  MR. JONES: Yeah, Carlton Jones, 2313  
19 Oaklawn Drive, Pontiac, Michigan.

20                  CHAIRPERSON THOMAS: Good evening.

21                  MR. JONES: My question is, who is  
22 responsible for maintaining this up -- once it's put  
23 up? Is it -- is it the property owner, contractor;  
24 who is responsible for maintaining it?

25                  MR. GUSTAFSSON: Whoever pulls out the

1 -- I would say permit to install it. So, it could  
2 be the property owner of a residential or it could  
3 be the contractor itself that is doing the work  
4 could be doing it, either one. So either a resident  
5 or non-resident --

6 MR. JONES: Whoever is -- it's really  
7 a part of the permitting process?

8 MR. GUSTAFSSON: Yeah, they would  
9 receive like a zoning permit from us, yes, that is  
10 correct.

11 MR. JONES: Okay. And is the idea  
12 that you can't see once you put it up, that it has  
13 to be -- you can't see what's going on on the other  
14 side for the construction?

15 MR. GUSTAFSSON: It -- I wouldn't say  
16 it's a hundred percent opaque -- well, in  
17 residential, yes, the snow -- the four-foot snow  
18 fence is your typical green type of -- with the  
19 holes in it, that obviously can be very visible into  
20 the site. However, a six-foot chain-link fence that  
21 is with a BINO or fabric-type of screening, I  
22 wouldn't say it's a hundred percent opaque, but it  
23 does minimize the sightlines. They're in there to  
24 you know, refrain from any debris that is blowing  
25 off the site, any type of sand, same thing with dirt

1 on some windy days. Same thing with -- and also it  
2 protects, you know equipment, if it's -- if it's  
3 fenced and gated in so equipment can't find its way  
4 of being removed illegally.

5 MR. JONES: And I think it's a good  
6 idea to have proper boundaries for the construction  
7 area for safety and everything, but just be  
8 conscious that sometimes when they come and put up  
9 barriers, before you even know what's going on you  
10 don't even really have an idea of what's happening  
11 on the other side of what construction to at least  
12 be conscious for your community, your street, or  
13 whatever.

14 MR. GUSTAFSSON: Okay.

15 MR. JONES: So, I think we just need  
16 to be conscious that we can be seeing what's  
17 happening -- what construction is happening in our  
18 areas.

19 MR. GUSTAFSSON: Sure.

20 MR. JONES: Thank you.

21 MR. GUSTAFSSON: Very good point.

22 CHAIRPERSON THOMAS: Thank you. Any  
23 further public comments? Please state your name and  
24 address for the record, please.

25 MR. MAXEY: H. Bill Maxey. Strong

1 Senior of SEMCOG.

2 CHAIRPERSON THOMAS: Good evening.

3 MR. MAXEY: I might have it sort of  
4 confused, I wanted to speak about the liquor  
5 license, am I out of order?

6 CHAIRPERSON THOMAS: No, that's the  
7 next item or in public comments, but this is with  
8 regard to temporary construction fencing.

9 MR. MAXEY: I'll take my seat before I  
10 bring my bullets.

11 CHAIRPERSON THOMAS: Okay. Any  
12 further comment with regard to temporary  
13 construction fencing?

14 MR. REYNOLDS: Good evening. Brett  
15 Reynolds, 50 Dakota, Pontiac, Michigan. I have a  
16 question regarding this snow fence. I was recently  
17 at the -- when the demolition of Bethune School was  
18 happening recently and they had the orange snow  
19 fence around an excavation hole. It didn't go all  
20 the way around it and they had it blocking the front  
21 of the school as well. And the contractor and the  
22 construction people had daily dropped the fence  
23 entirely to the ground, because it's so flimsy and  
24 can be gone through with a pair of scissors or a box  
25 cutter or anything like that. And it in no way

1       impeded me from entering the space, seeing all of  
2       the asbestos, going through and doing this.

3               Also, because that snow fencing is not  
4       sturdy in any -- any way, you can't affix permits or  
5       anything to it. And they had no permits for display  
6       anywhere on site the day that I was there. And they  
7       said, "Well, we can't put it on this." So, that's  
8       an issue. I was wondering if you might consider  
9       cyclone fencing, the four-foot wooden slat cyclone  
10      fencing that comes in -- in roles, because it does  
11      stop the -- the spread of dust and debris. It is  
12      sturdy, it can't be quickly pushed to the ground and  
13      raised back up. And I just think it would be more  
14      permanent barrier and maybe a better solution.

15              CHAIRPERSON THOMAS: We'll answer that  
16      -- any questions -- technically in public hearings  
17      we aggregate the questions and we reply to those  
18      questions once we close public hearing.

19              MR. MASSIE: Dayne?

20              CHAIRPERSON THOMAS: Yes, Bill.

21              MR. MASSIE: I'd like -- I'm here for  
22      a totally different reason, but I -- I would -- just  
23      -- I can't help but want to shed a little bit of  
24      light on the -- trying to -- to do that.

25              CHAIRPERSON THOMAS: Name and address?

1 MR. MASSIE: Oh, Bill Massie and I  
2 live at 1304 Otter Avenue in Waterford. And I own  
3 the Wessen Lawn Tennis Club here in Pontiac. So,  
4 just -- I'm just recalling, because I'm thinking  
5 about getting these things these days. We put  
6 six-foot high temporary fence around the pool at  
7 Wessen Lawn Tennis Club, that's the only thing we  
8 did during construction and that was there for seven  
9 months. That cost me about -- about \$6,000 to do  
10 that 60 feet by 80 feet. I just worry about the  
11 exorbitant cost of development if one were -- for  
12 instance, if I were to have had to put eight acres  
13 of temporary fencing, if you do the math based on 60  
14 and 80 feet that six feet high. No one will  
15 purchase that, they'll rent it, that's what I had to  
16 do, I'm -- I'm just putting it out there. That the  
17 cost of development possibly in my case would have  
18 been so prohibitive that I wouldn't have done the  
19 project. I will just put that out there, that's  
20 just my perspective.

21 CHAIRPERSON THOMAS: That's fine. Any  
22 further public comments? Okay. I'm going to close  
23 public comments and maybe perhaps you can answer  
24 that question with regard to --

25 MR. GUSTAFSSON: The snow fencing? I



1 think you are correct, I mean, it isn't the most  
2 sturdy, but in regard -- as a single family  
3 residential type project, it -- because of the  
4 narrowness and the tight, close quarters of homes  
5 here in the City of Pontiac, it might be doable. I  
6 would say you were referring to, I would -- I would  
7 recommend the six-foot chain-link fencing with  
8 screening. I wouldn't have done just snow fencing  
9 on something like that. So, I mean, that's -- we  
10 would recommend -- if the Ordinance passes the way  
11 it's written, we would require it. And as related  
12 to cost, it's a good point. I -- I would -- most  
13 projects -- you know, aside from a -- I've worn many  
14 hats and working on the construction side for  
15 private firms, I mean, we -- we typically -- we did  
16 rent them out, because it was cheaper than obviously  
17 having to buy a product like that.

18 CHAIRPERSON THOMAS: Okay. Unless  
19 there are any further comments or questions -- or I  
20 should say are there any further comments or  
21 questions? Then I'm going to seek a motion, please.

22 COMMISSIONER NORTHCROSS: Okay. I'll  
23 do it. I make a motion to approve amending the  
24 Zoning Ordinance of the City of Pontiac, Oakland  
25 County, Michigan by adding temporary construction

1 fencing regulations and refer recommendation to City  
2 Council. The Ordinance include revisions to: Amend  
3 Article 4, General Provisions, Chapter 1 Accessory  
4 Structures and Fences, Section 4.103 Fences Or Walls  
5 and add Item E. Temporary Construction Fencing.

6 CHAIRPERSON THOMAS: Okay. May we  
7 have a second or support, please?

8 COMMISSIONER PARLOVE: I'll support.

9 CHAIRPERSON THOMAS: Okay. We have a  
10 motion and second and support. Any further comments  
11 or questions? Mr. Gustafsson, roll call, please.

12 MR. GUSTAFSSON: Yes. Commissioner  
13 Northcross?

14 COMMISSIONER NORTHCROSS: Yes.

15 MR. GUSTAFSSON: Commissioner Parlove?

16 COMMISSIONER PARLOVE: Yes.

17 MR. GUSTAFSSON: Commissioner Payne?

18 COMMISSIONER PAYNE: Yes, to approve.

19 MR. GUSTAFSSON: Mayor Waterman?

20 MAYOR WATERMAN: Yes.

21 MR. GUSTAFSSON: And Chair Dayne  
22 Thomas?

23 CHAIRPERSON THOMAS: Yes, to approve.

24 MR. GUSTAFSSON: Unanimous 5-0.

25 AYES: Thomas, Parlove,

1 Northcross, Waterman, Payne

2 NAYS: (None.)

3 ABSTAIN: (None.)

4 MOTION CARRIES 5-0-0

5 CHAIRPERSON THOMAS: Good. It passes  
6 unanimately, okay. So, congratulate you I guess,  
7 because there's no petitioner to congratulate. So,  
8 good luck -- good job.

9 MR. GUSTAFSSON: Yeah.

10 CHAIRPERSON THOMAS: And now you get  
11 another job to go to work and write up the  
12 Ordinance.

13 Okay. So, the next item we -- we  
14 shall go and here we go again, another liquor and  
15 gas station combination. And so, Mr. Gustafsson  
16 will present, please.

17 MR. GUSTAFSSON: Okay.

18 (Presentation of facts given by Mr.  
19 Gustafsson.)

20 6.2 SEP 18-09

21 PROPERTY ADDRESS: 355 W. WALTON BLVD

22 PARCEL NO: 14-07-483-011

23 APPLICANT: BARRICK PROPERTIES

24 CURRENT ZONING: C-1 LOCAL BUSINESS

25 DISTRICT

1                   PROPOSED USE:   SDD LIQUOR LICENSE -  
2                                   RETAIL SALES.

3                   CHAIRPERSON THOMAS:   And the  
4                   Petitioner is here?

5                   MR. GUSTAFSSON:   Yes, they are.

6                   CHAIRPERSON THOMAS:   Petitioner,  
7                   please come forward and state your name and address  
8                   for the record, please.

9                   MR. FICANO:   Good evening.   Mr.  
10                  Chairman.   My name is Robert Ficano on behalf of the  
11                  Petitioner along with my partner here, Bruce  
12                  Rosenthal, and the Petitioner is here as well.

13                  Madam Mayor and rest of the members of  
14                  the Commission, we are obviously in total agreement  
15                  with the -- with the recommendation of the Planning  
16                  Director.   Some of the history is there was a -- if  
17                  I recall correctly, there was a Bonanza store -- I  
18                  apologize -- wrong one -- that at this point  
19                  measurements were new, presented to the Planning  
20                  Department and they have approved.   We met with them  
21                  two or three times now, to further seek if there's  
22                  anything else that the Petitioner has to do, but at  
23                  this point I'm told that it meets all the  
24                  requirement and that it -- it should be approved by  
25                  the Planning Commission and without even necessarily

1 going in front of the City Council automatically by  
2 Ordinance it should take effect.

3 MR. SAFIDINE: My name is Jamal  
4 Safidine, I'm the owner of the gas station at 355  
5 Walton. So, I just want to give kind of a little  
6 background about all of this. So I did come in here  
7 in November and as you said, you've always kept your  
8 word, you pretty much said you've never allowed  
9 anything in this and you would never. But, I did my  
10 research, actually, your guys' footage was  
11 incorrect, so obviously, that could have been a  
12 mistake, maybe not, whatever. But then I found out  
13 also that there was locations with beer and wine in  
14 the City already in gas stations. So that was also  
15 odd. And your guys' license, which I want to make  
16 sure everyone understands it is specific to packaged  
17 alcohol, it doesn't mean liquor. It's one license  
18 that it's an approval, so to even sell beer and wine  
19 you have to be approved through this. So, nobody  
20 should have been even selling beer and wine in any  
21 gas station or anything without this beer/wine  
22 liquor package alcohol license technically. So,  
23 even if we only wanted to sell beer and wine,  
24 because liquor wasn't the right idea, we still have  
25 to be approved for the whole thing just to even be

1       able to do that.

2                   So, like you said, there's a lot of  
3       stuff in this City obviously I feel needs to be  
4       changed and reworded and figured out. But as of  
5       this time, I meet all requirements. There's several  
6       requirements in the area that have to be met to even  
7       get approved. I've met everything. Other people  
8       have not met anything, kind of like we talked about  
9       earlier and have been approved. So, I just hope  
10      that we're on the same page here and, you know,  
11      there's plenty of customers who came in and can't  
12      wait for this to happen.

13                   So, I know you said, you know, who  
14      comes in for \$100 bottle of malt liquor, not a lot,  
15      but --

16                   CHAIRPERSON THOMAS: Not malt liquor.

17                   MR. SAFIDINE: -- but there's a ton of  
18      people for it Bud Light and --

19                   CHAIRPERSON THOMAS: Smooth bottle of  
20      scotch. Malt liquor is in a can.

21                   MR. SAFIDINE: -- whatever, I don't  
22      sell it yet so, I'm not quite sure. But --

23                   CHAIRPERSON THOMAS: I mean, malt  
24      liquor is really the issue that we're talking about,  
25      grab and go and in the car.

1                   MR. SAFIDINE: We have enough people  
2 who are-- yeah, but there's -- there's definitely a  
3 ton of people that are interested in this, so I want  
4 to make that aware.

5                   MR. ROSENTHAL: Good evening,  
6 Commission. I thank you for giving me a couple of  
7 minutes on this.

8                   CHAIRPERSON THOMAS: Your name and  
9 address for the record, please?

10                  MR. ROSENTHAL: I'm sorry. Bruce  
11 Rosenthal, 4301 Orchard Lake Road, West Bloomfield,  
12 Michigan. I apologize. Just -- I want to be clear,  
13 I -- I know in listening to your earlier agenda  
14 items about compliance with the Ordinance, I just  
15 want to make sure there's no confusion, we're not  
16 here as a Joslyn Liquor or whatever the name. We  
17 came here with a candidate who did comply with the  
18 Ordinance. We aren't -- we aren't seeking to do  
19 anything to circumvent your Ordinance and I just  
20 hope that -- that you all take that into  
21 consideration this -- on a pass/fail basis we've  
22 worked through Mr. Gustafsson's department as well  
23 as others and all of the criteria have been met when  
24 you cast your vote. Thank you for the time, I do  
25 appreciate it.

1 CHAIRPERSON THOMAS: Thank you.

2 Before I go to my fellow Commissioners, I'm going to  
3 go on record once again. Since I've been sitting in  
4 this chair since 2012, this Commission has never  
5 approved liquor in a gas station. Now whatever may  
6 have been done before that, we don't stand up to  
7 that -- to that test. But I can tell you that this  
8 Commission has never approved it. And for those  
9 reasons, again, no one is walking into a gas station  
10 to buy a top-shelf bottle of liquor, you know, 50,  
11 75, 100, 150 dollars. They're looking to pick up a  
12 two-and-a-half bottle -- ounce airline bottle of  
13 liquor and get in their car and grow -- go. It's  
14 reckless and it's imprudent.

15 Now, you come here with a special  
16 exception and special exceptions means to me that  
17 there must be a compelling reason to approve gas --  
18 a gas station with liquor and I see absolutely no  
19 compelling reason from my position. However, if you  
20 passed the Ordinances, then I guess we're  
21 technically obligated. But I can tell you right  
22 now, I -- I -- it's a law that needs to be changed.  
23 We got people that are dying on roads out there.  
24 I've got -- I've got an acre of land that I -- that  
25 I recovered, rehabbed and made an orchard and a



1 vineyard out of from a derelict piece of land.  
2 Every weekend I pick up -- because there's a store  
3 just down the street, I pick up probably a 13 gallon  
4 bag of liquor bottles. And that's what happens in  
5 our City. Now, that doesn't happen with \$100 bottle  
6 of Scotch or \$100 bottle of Bourbon, but it does  
7 happen with two-and-a-half -- two-and-a-half,  
8 five-ounce, six-ounce bottle of -- of inexpensive  
9 liquor.

10 So, those are my comments and I go to  
11 Commissioner Northcross, please.

12 COMMISSIONER NORTHCROSS: I'm curious,  
13 is there a map of the measurements we made and a map  
14 of the survey -- of the surveyor's measurements?

15 MR. GUSTAFSSON: It is in your packet,  
16 and it is on the screen also for us. The -- there  
17 is a colored map -- here let me go back.

18 COMMISSIONER NORTHCROSS: Yeah. I was  
19 trying to understand the difference between the two.

20 MR. GUSTAFSSON: So, let me show you,  
21 so this measurement here, what it does show is if  
22 you took the measurement from the entrance using  
23 the -- thank you, Donovan. Kind of enhancing a  
24 little bit here. So, basically this is the system  
25 that we use, that we measured from, that we use for

1 mailing in regards to distances and so forth when we  
2 send out mailing for notices for a public hearing  
3 such as this. And what we did was we measured from  
4 the actual storefront, the actual door to the  
5 closest edge of their property line, okay? The --  
6 the Ordinance does not particularly -- the Ordinance  
7 does not give specific dimension or requirements in  
8 regards to that measurement, okay? So, then -- so  
9 there's that one. I'll be able to change it here in  
10 a second. Maybe not.

11 MR. SMITH: I got it. There you go.

12 MR. GUSTAFSSON: Thank you. All  
13 right. Okay. Black and white. Here we go. Here  
14 is -- this is Telegraph heading a little bit  
15 north/south. You got Walton Boulevard heading east  
16 and west. The lot lines, here's the residential  
17 street that goes -- just west of that intersection.  
18 The BP gas station building here. And they took  
19 three measurements actually, the closest being  
20 515 feet from the door. That's the one I have  
21 measured, but there's actually greater, there's a  
22 135-foot measurement to the other door. And then  
23 it's measured along the line from -- from there  
24 along here, using surveying equipment, right to the  
25 property line of Marimount Church, okay?

1                   COMMISSIONER NORTHCROSS: So we go  
2 from front door to edge of property lines.

3                   MR. GUSTAFSSON: Yes. Right. And  
4 they did do the -- we did do the same measurement.  
5 Just -- I mean, from a stopping point and a starting  
6 point. So, we did measure from the doors on both  
7 cases, we just use different types of method of  
8 measuring using -- obviously, creating -- utilizing  
9 a professional surveyor gave us much more accuracy.

10                  COMMISSIONER NORTHCROSS: Okay. No  
11 further questions.

12                  CHAIRPERSON THOMAS: Mayor Waterman,  
13 please.

14                  MAYOR WATERMAN: I'm happy that if the  
15 measurements and the criteria have been met then it  
16 specifies how (inaudible) we're obligated to our --  
17 our Ordinances. That's why the discussion at the  
18 beginning of the meeting was so important, because  
19 it says it's not what I think, or what you think,  
20 it says what the ordinances say. And if we want  
21 that to change, then we have to change the  
22 Ordinances, I believe in that. But if the Planning  
23 Commission is happy that it meets the criteria and  
24 they have just certified that, I thank you for your  
25 persistence in doing that so we know that we are

1 operating within the bounds of the laws that are in  
2 the Ordinance.

3 CHAIRPERSON THOMAS: Thank you.  
4 Commissioner Parlove, please.

5 COMMISSIONER PARLOVE: Vern, I have a  
6 question regarding this measurement. Are we using a  
7 Google mapping initially -- ultimately for notifying  
8 residents, and also for this particular situation?

9 MR. GUSTAFSSON: Originally not.  
10 Originally the first method aerial map I showed you,  
11 yes.

12 COMMISSIONER PARLOVE: Okay. So,  
13 we've got obviously a difference of a few feet which  
14 makes a lot of difference?

15 MR. GUSTAFSSON: Correct. Go ahead.

16 COMMISSIONER PARLOVE: No, go ahead.

17 MR. GUSTAFSSON: I was going to say  
18 that we do have -- back in November, we have  
19 acquired different mapping software to we believe --  
20 probably more accurate, probably not as well as a  
21 professional surveyor would do --

22 COMMISSIONER PARLOVE: Right.

23 MR. GUSTAFSSON: -- but we can be  
24 closer.

25 COMMISSIONER PARLOVE: Okay. And I

1 think it would become cost-prohibitive for the City  
2 to measure everything, so that's not necessarily  
3 where I'm trying to go with my questions --

4 MR. GUSTAFSSON: I understand.

5 COMMISSIONER PARLOVE: -- but it  
6 sounds like there's a little bit of ambiguity. And  
7 again in fairness to everyone, Petitioner and to us  
8 as we're making these decisions so we don't keep,  
9 you know -- retracing our steps, is there still  
10 something within our Ordinance -- it sounds like  
11 there is something that we may need to clarify a bit  
12 more?

13 MR. GUSTAFSSON: And again, that is  
14 correct. Going back to our first item under  
15 "Communication" and talking about that, you know,  
16 describing that method of measurement, will be  
17 critical. And, you know, maybe as food for thought  
18 we describe in regards to where the stopping points  
19 are, I'm just thinking out loud. I mean, here we  
20 are going to be -- receiving applications in regards  
21 to medical marihuana and we were very precise in  
22 regards to how we're going to have them measured.

23 COMMISSIONER PARLOVE: Right.

24 MR. GUSTAFSSON: We could also maybe  
25 look at, you know, requesting that level of detail

1 from the surveyor being actually submitted as part  
2 of our plans, too, so --

3 COMMISSIONER PARLOVE: Okay. Because  
4 when you say it's from the front door of the gas  
5 station, for example, is it -- they're double doors,  
6 so is it the door that's closer to the next  
7 property? I mean, you're really splitting hairs at  
8 this point, so where do you stop?

9 MR. GUSTAFSSON: They did a good job  
10 of identifying -- I was -- the center of the door.  
11 Yeah.

12 COMMISSIONER PARLOVE: Okay. Thank  
13 you.

14 MR. GUSTAFSSON: I didn't pick the  
15 closest to the west and I didn't pick the --

16 COMMISSIONER PARLOVE: Thank you.  
17 That's all I have.

18 CHAIRPERSON THOMAS: Commissioner  
19 Payne, please.

20 COMMISSIONER PAYNE: Okay. Okay. I  
21 am now confused, okay? If the City Ordinance is  
22 saying 475 feet and then we have a company to come  
23 in and say 15.16 feet, I'm confused because -- I  
24 mean, help -- then that has to be changed in the  
25 Ordinance before we -- just a question, does it have

1 to be changed in the Ordinance? Because otherwise I  
2 feel that we are not following the Ordinance,  
3 because it states 475 and because another company  
4 come in. I know if I measure my driveway one way,  
5 and my son then measures it another way, we both  
6 come out with two different measurements.

7 So, how do we correct that and clarify  
8 that and make sure that it's in the Ordinance so  
9 it's not confusing to us in making these decisions?

10 MR. GUSTAFSSON: And I totally agree  
11 with you. I'll make a similar response. You asked  
12 the question a little differently than Mona did --  
13 excuse me, Ms. Parlove. And it's the same -- I'll  
14 give you kind of the same scenario is that you are  
15 correct. What Council didn't talk about -- they  
16 didn't -- you know, their resolution on -- that  
17 followed after the whole issue of 1124 Joslyn, they  
18 recommended that not to remove those distances  
19 requirements, they just asked to make sure that we  
20 clarify how they are measured.

21 Our Ordinance does say now 500 feet.  
22 The way we measured in office here at that time, was  
23 using software that we had and it measured 485 feet.  
24 But then, they had the right, obviously, to retain  
25 their own professional consultant surveyor to help

1           them to go through and verify those property lines,  
2           and data points along -- and measuring how they want  
3           to measure. Again, what we'll do is make sure that  
4           we have a clear understanding of how it is measured  
5           and requesting that maybe that same information come  
6           to us before they submit their application. Let me  
7           just say that on -- in medical marihuana ordinances  
8           and applications, every buffer is going to have to  
9           be surveyed. We're -- I'm not -- we aren't going to  
10          take the responsibility. They have to prove to us  
11          and we will double-check it, because we'll touch  
12          base with our DPW and our engineering consultants  
13          who review it to ensure that those distances have  
14          been met, make sure those surveys are correct. But  
15          we have more teeth in the Medical Marihuana  
16          Ordinance that we crafted that spell out how it's  
17          measured and where it is measured from and so forth.  
18          So, we're going to be doing the same thing with  
19          this.

20                           COMMISSIONER PAYNE: Okay. It still I  
21          think concerns me that we as a City are measuring  
22          and then we permit an outside company to come in, I  
23          should say an applicant's choice of a contractor to  
24          come in and do a measurement and we accept that  
25          measurement. I have a concern with that.



1 CHAIRPERSON THOMAS: They are -- I  
2 mean, they are certified.

3 MR. GUSTAFSSON: They are licensed,  
4 you know, so they're not -- they're not going to  
5 jeopardize their --

6 COMMISSIONER PAYNE: Doesn't mean  
7 they're on your side.

8 MR. GUSTAFSSON: Huh?

9 COMMISSIONER PAYNE: Doesn't mean  
10 they're on your side.

11 MR. GUSTAFSSON: Yeah. But they are  
12 licensed surveyors registered with the State of  
13 Michigan. I would think that they wouldn't  
14 jeopardize their professional license for the  
15 fact -- over a -- their --

16 COMMISSIONER PAYNE: They're being  
17 supervised, you know --

18 CHAIRPERSON THOMAS: I'm going to open  
19 to public hearing. Public hearing is open. Anyone  
20 that would like to comment, please come forward.  
21 And once again we'll -- we'll gather any questions,  
22 we'll aggregate those questions, we'll answer the  
23 questions on the back side, and then we'll come back  
24 here for final vote.

25 MS. SWAZER: Hello. I'm Billie

1 Swazer, 1619 Marshbank in Pontiac.

2 CHAIRPERSON THOMAS: And could you  
3 pull the microphone just a little bit closer,  
4 please? Thank you.

5 MS. SWAZER: That's the only way it  
6 works. We got the Cadillac of micro suck systems  
7 here. I'm Billie Swazer, 1619 Marshbank Drive in  
8 Pontiac. And I would hope that you didn't give this  
9 man a license. I live right around the corner, not  
10 too far from it in Parkside Preserve of the north.  
11 And guess what? I have to go through that corner to  
12 get anywhere. And yes, they will be just getting  
13 the disposable liquor, drink and go and kill. And  
14 so, if you give it to them, I'm going to be calling  
15 Oakland County any time I see anybody drinking and  
16 driving so that they can get arrested. Thank you.

17 CHAIRPERSON THOMAS: Thank you.

18 MR. MAXEY: Good evening, once again.  
19 H. Bill Maxey, Strong Senior of SEMCOG. I advocate  
20 health. Do you realize the biggest challenge in the  
21 City now is health of our seniors? Our people in  
22 general, they have great health problems and liquor  
23 is contributing to a vile nature. Have you asked  
24 the citizens that they want overall a liquor store  
25 on the corner? I heard you said "In the Ordinances

1 this, we measured here, we measured, we measured."  
2 What about the citizens, the young man said "I have  
3 talked to", who did you talk to? In this particular  
4 area I know, because I'm a 24 and 7 -- 24 and 7  
5 trailblazer in this City. And people you're talking  
6 to are repetitively and repeatedly drinking. These  
7 are the people that I have to make sure they have  
8 water, make sure they're in a process to get a home,  
9 make sure that they're locked up. We have a pro  
10 bono attorney. Our City needs to get rid of many of  
11 these stores. It's almost as many liquor stores as  
12 there are churches on the corner. Do you realize  
13 right now that (indecipherable) receive, there is a  
14 health seminar going on about one of our citizens  
15 here in the City of Pontiac. We don't need an  
16 increase. Now big business -- how many times does  
17 the dollar turnaround in this particular order, it's  
18 supposed to be 13 times, 13 times this community.  
19 And people of Pontiac, Mr. and Mrs. Pontiac your  
20 dollar is only worth 57 cent. You take into  
21 consideration, you've heard what the Commissioners  
22 have said. But I don't hear any other citizens  
23 coming here saying "No. No." We're the backbone of  
24 the City, health, H-E-A-L-T-H, is one of the most  
25 important things in our City and across the nation

1 now. Our people are suffering from all kind of  
2 dementia and end up having -- being crippled, or  
3 doing thing they wouldn't have done had it not been  
4 for the (indecipherable) so you run by here 80 miles  
5 an hour and buy a pack of liquor and you keep on  
6 going. I'm talking about the walking people who now  
7 walk two miles to the store to get a bottle of wine,  
8 now you're going to put a liquor store they have to  
9 walk, what, maybe half of that now?

10 What do the people want in this City?  
11 And we don't need any more liquor stores regardless  
12 of where they are. As I said, it's almost as many  
13 liquor store as churches. Your money don't  
14 turnaround here.

15 So my thing is, go to Birmingham. Go  
16 to Bloomfield, put up those stores. We're in the  
17 mode to change our City. Healthy minds, healthy  
18 body. The only true wealth in this City is the  
19 wealth of the mind and alcohol contaminates,  
20 intimidates and give bad influences to people for  
21 those who all time under the influence don't think  
22 for themselves. That's why myself and other  
23 trailblazers are here making sure that you  
24 understand what's happening to the City of Pontiac.  
25 A dumping ground. Let your dollar turn around 13

1 times in this City. Get in your car, put your car  
2 in drive and go put it up in Birmingham. Put it up  
3 in Bloomfield. And I guarantee you, when I'm over  
4 at St. Joe many of the (indecipherable) people that  
5 come -- that comes there, they're alcohol problems  
6 across the City. I'm on the committee for violence,  
7 I was asked to be one of coordinators, because we do  
8 great things in this City, okay? And the  
9 (indecipherable), if I have to get to young people,  
10 hey, you heard them marching in front of your store  
11 you go to Webster Dictionary and get an explanation  
12 of why we'll be marching in front of your store.  
13 People need to know and I bet you when I hit the  
14 streets and I bet you when I hit the media that  
15 another liquor store and the detriments -- it's not  
16 a threat, it's what we do for reality.

17 CHAIRPERSON THOMAS: I'd like for you  
18 to kind of --

19 MR. MAXEY: I work hard in this City  
20 for the health of the City. Thank you very much.

21 CHAIRPERSON THOMAS: Thank you very  
22 much. Thank you.

23 MR. YOAKUM: Good afternoon. Coleman  
24 Yoakum, 29 Waldo. Let me pull up my notes here.

25 CHAIRPERSON THOMAS: Good evening,

1 Coleman.

2 MR. YOAKUM: Good evening. Pulled up  
3 my notes. We need more access to alcohol. It is  
4 really hard for most of us who have to go really  
5 far, sometimes a mile or more to get to alcohol.  
6 This is better for those of us in our community, we  
7 need -- oh, I meant vegetables -- sorry. My bad.

8 So, anyway, I will say this is I think  
9 a problem that is plaguing our City a lot, is that  
10 we have ordinances that are loosely written, weirdly  
11 written, vague, you know, malleable in a lot of  
12 ways. I think it would be really easy to write an  
13 ordinance that says we don't provide liquor at gas  
14 stations. And I don't think that that's impeding  
15 anybody's kind of ability to sell or ability to run  
16 a business, because we also can't sell liquor at  
17 daycares, so if we can make concessions for them, I  
18 think we can say that we're not impeding business by  
19 saying that.

20 Clearly we're not doing a great job  
21 enforcing what we have if the other places we're  
22 talking about has three of these places within its,  
23 you know, prescribed area that you're not allowed to  
24 have packaged liquor. I think that these sorts of  
25 things are going to keep coming up as long as we're

1 not writing laws and writing ordinances that are  
2 tight, that make sense, that go through some sort of  
3 vetting process that -- that have the scrutiny of  
4 the people and the people who are in the industry  
5 especially who can look at these things and tell you  
6 here are the holes. And as long as we, you know,  
7 Dayne, I'm -- and I'm on your side. I absolutely --  
8 I mean, I'm going one more place. You know, there  
9 are three places within walking distance of my house  
10 and people have gotten hit in front of one them  
11 multiple times this year, because there's not a  
12 crosswalk anywhere nearby. They're drunk, they're  
13 walking to get more, they get hit by a car at night.

14 I -- I appreciate your position and I  
15 think that it's a wise position and I wish that you  
16 had more numbers. I would love to see numbers. How  
17 many people are we pulling over in the City who can  
18 say I bought this alcohol at a gas station? That  
19 would be great to know in -- in terms of propping up  
20 common sense ordinances that we can start enforcing  
21 and start putting in front of committees like this  
22 one to get asked.

23 I think the gentleman is here at the  
24 right time, because we don't have a really tight  
25 reason to not approve him. And, you know, as you

1 guys stated at the beginning of this meeting, we  
2 have to be consistent and -- and so I think  
3 consistency says he gets what he needs or what he's  
4 after. Thanks a lot.

5 CHAIRPERSON THOMAS: Thank you,  
6 Coleman. Good evening. I've met you once, but  
7 please state your name and address for the record,  
8 please.

9 MR. JOHNSON: Good evening. My name  
10 is Chuck Johnson. I'm at 455 South Boulevard East.  
11 You know, I'm a stickler for coming to this mic only  
12 because I'm concerned about what goes on in this  
13 City. Now, I'm going to stand with Commissioner  
14 Payne, because her thought was that we have per  
15 chair -- I can't get -- I can't get your name out.  
16 But anyways -- Vern. Vern, we have a City engineer  
17 according to you that has certification. And  
18 according to what has been said here, this other  
19 individual has certifications for what he is  
20 measured as it relates to this issue. I think I  
21 want to stay with our Commissioner, because her  
22 thought and feeling goes along with what she's going  
23 to see -- say yes or no to.

24 And further I'm going to go along with  
25 Brother Maxey, because we do have too many liquor



1 stores in the City of Pontiac, we don't need any  
2 more. They're on every corner. And I'm not one to  
3 knock a person that wants to make his business  
4 flourish. I was a businessman. I'm retired. To  
5 make his business flourish, generate the revenue  
6 stream that he's desirous of. But liquor, we have  
7 enough. And let's either vote it down or put it on  
8 the table and think about it Commissioner Payne's  
9 thought. I got here late, but we don't need any  
10 more liquor stores and I'm a citizen in this  
11 community. Thank you.

12 CHAIRPERSON THOMAS: Thank you very  
13 much. Any further comments -- public hearing?  
14 Okay. I'm going to close public hearing. Public  
15 hearing is closed. Do you have questions that -- do  
16 you have any questions?

17 MR. GUSTAFSSON: No.

18 CHAIRPERSON THOMAS: I'm going to go  
19 back to fellow Commissioners for any last comments  
20 or questions before we go to a -- to a motion. So  
21 Commissioner Northcross?

22 COMMISSIONER NORTHCROSS: Well, every  
23 measurement has some error in it. The question is  
24 how much error? A registered surveyor should be  
25 able to measure within, I don't know, how many

1 eighths, sixteenths, I'm not sure. But we have a  
2 difference here of about 40 feet, and it appears  
3 that using our GPS method, I don't -- I'm not sure  
4 that we can actually determine what the error is  
5 with the GPS method, whereas a registered surveyor  
6 can. So for that reason, I am inclined to take the  
7 registered surveyor's information and use that.

8 Now, that -- there's a whole other  
9 question that has been brought up here about --  
10 about better regulation of liquor and other  
11 beverages, and I would say yeah, that -- that -- I  
12 would agree that's something that needs to happen,  
13 but given what we have on the table right now, with  
14 the information that we have right now, I would say  
15 that yes, this gentleman is meeting all of the  
16 Ordinance requirements.

17 Let me throw this out again. I think  
18 I started off talking about the master plan review  
19 or reset somehow we need to do some type of annual  
20 review of our ordinances, our land use, items and  
21 certainty, the five-year review of the master plan  
22 is due now and this might be a good time of starting  
23 that reset. You know, you take your best shot at an  
24 Ordinance, you put it out there, a lot of times  
25 you've done due diligence, most of it works. But,

1 as you go along, one will find that there's  
2 additional tweaks and things that need to be made  
3 especially as you have more eyeballs on that  
4 Ordinance and more input on that Ordinance. And I  
5 think we have a series of land use ordinances here  
6 in the City that we need to tweak, we need to  
7 change, we need to make some improvements. Our last  
8 master plan I think had about 85 different action  
9 items listed, many of which included revising our  
10 Ordinance and I don't think that we've done too much  
11 to review our -- to revise our land use ordinances  
12 to this date for a whole number of reasons. But  
13 this is a good time to start.

14 But anyway, going back there, I'm glad  
15 to hear that we're going to be using a method of  
16 measuring that will be more accurate and hopefully  
17 we'll understand what our accuracy is with that --  
18 that method of measurement and in this case the  
19 surveyor, I will take a registered surveyor's  
20 information over our GPS information.

21 CHAIRPERSON THOMAS: Thank you. Mayor  
22 Waterman, please.

23 MAYOR WATERMAN: Yes, I too am glad  
24 that the Medical Marihuana Zoning Ordinance that was  
25 written more recently and more securely does have

1 more secure and measure of measuring to avoid these  
2 kind of close situations here. But I think I've  
3 said what I wanted to say and what my views were in  
4 terms of this, that we're obliged as Planning  
5 Commissioners to look at the information as  
6 presented before us and to decide on the basis of  
7 what is existing on the Ordinances right now.

8 I hear your pain, all of those who  
9 think we are saturated with the liquor licenses, I  
10 hear that, but the point of carrying that forward is  
11 to bring it before City Council, before the  
12 legislators who can change that, if that's what you  
13 wish. So I would just steer you in that direction.  
14 But I think we have a case before us and I'm  
15 listening to the recommendations of our Planning  
16 Commission and -- who has accepted the view of the  
17 surveyor, so that's my comment.

18 CHAIRPERSON THOMAS: Thank you.  
19 Commissioner Parlove, please.

20 COMMISSIONER PARLOVE: Thank you,  
21 gentlemen, for bringing this information back to us  
22 it's important for us to have so we can make  
23 well-informed and educated decisions; and thank you  
24 for those who came and spoke tonight, it's very  
25 important to hear what you have to say. We

1 definitely do not need more alcohol and I'm not  
2 saying that you shouldn't sell at your gas station  
3 what you choose to sell. For what I do, I'm in real  
4 estate and we do not question when a survey comes  
5 back, we don't take -- we don't find reason to bring  
6 another surveyor in. If someone has brought us a  
7 report we take that report at value, we don't  
8 question what is given to us. For the City to go  
9 and hire an appraiser -- or an assessor -- no, a  
10 surveyor every time to make sure every inch on a  
11 document is accurate is cost-prohibitive. There's  
12 no way that we can do that. We have far more  
13 important things to spend money on than trying to  
14 debate 15 feet.

15           So, I am in support of what these  
16 people are trying to do. Again, I appreciate the  
17 information that was brought, I appreciate what  
18 Mayor Waterman just said, but as far as what the  
19 zoning items are -- are given to us to abide by, we  
20 have a bigger issue to address. If the residents  
21 feel what we have to go by of having something  
22 within 500 feet is not acceptable to have some  
23 additional alcohol served within that area, then it  
24 needs to be reduced to 400 feet or 300 feet or  
25 whatever it is, the residents need to come forward

1 with this. We can only do what you instruct us to  
2 do. We don't have magic powers here, so we need  
3 more engagement. And you better talk to your  
4 Council people, because they have put us in a bind,  
5 and this is completely unfair to us tonight. We're  
6 trying to do our best to help you who are sitting  
7 here petitioning in front of us for what you're  
8 trying to do and we're trying to help the residents  
9 here who are here with us, we're shoulder to  
10 shoulder on this and you have a City Council that's  
11 working against us and we can't -- we don't have any  
12 power to do anything about that. But when it comes  
13 time to vote for people and when their positions are  
14 up for renewal, you better keep this in mind,  
15 because this is important for all of us. So, thank  
16 you.

17 CHAIRPERSON THOMAS: Thank you.

18 Commissioner Payne, please.

19 COMMISSIONER PAYNE: No followup.

20 CHAIRPERSON THOMAS: Okay. My closing  
21 comments are, I respect your business. I pass by  
22 your business frequently. I don't -- so the idea  
23 that you're in business and you're conducting  
24 business, I respect that. But it doesn't mean that  
25 I like the idea of the law. On the other hand, when

1 we rejected this in the past -- or when I voted to  
2 reject it in the past, it's been with cause. This  
3 troubles me a bit and because we're really splitting  
4 hairs, we have 15 feet. 500 is the cut-off, and so,  
5 and I -- and I respect the survey. I've -- I've had  
6 things surveyed before, they're licensed, they're  
7 certified. It has to go to a court of law to  
8 overturn it. So we're not going to overturn it for  
9 15 feet, but I don't like the law for the reasons --  
10 or the Ordinance for the reason I stated. I hope  
11 that when you go forward that you're prudent with  
12 operating, because we -- I can't -- I won't vote  
13 against this, because it fits within the Ordinance,  
14 it doesn't mean that I have to like it.

15 So, those are my closing comments.

16 Unless there are any further comments or questions,  
17 then I'm going to seek a motion, please.

18 COMMISSIONER PARLOVE: Okay. I'd like  
19 to make a motion to approve SEP 18-09 Special  
20 Exception Permit for a special designated  
21 distributor, also known as SDD, packaged liquor  
22 sales license and a special designated merchant,  
23 also known as SDM packaged beer and wine sales  
24 license at 355 Walton Boulevard, parcel number  
25 64-14-07-483-011.

1 COMMISSIONER NORTHCROSS: Support.

2 CHAIRPERSON THOMAS: Okay. We have a  
3 motion and support. Any further comments or  
4 questions before we good to roll call?

5 Mr. Gustafsson, roll call, please.

6 MR. GUSTAFSSON: Commissioner Parlove?

7 COMMISSIONER PARLOVE: Yes.

8 MR. GUSTAFSSON: Commissioner  
9 Northcross?

10 COMMISSIONER NORTHCROSS: Yes.

11 MR. GUSTAFSSON: Commissioner Payne?

12 COMMISSIONER PAYNE: No, based on the  
13 City Ordinance.

14 MR. GUSTAFSSON: Mayor Waterman?

15 MAYOR WATERMAN: Yes.

16 MR. GUSTAFSSON: Chair Dayne Thomas?

17 CHAIRPERSON THOMAS: Yes.

18 MR. GUSTAFSSON: Motion passes.

19 AYES: Thomas, Parlove,

20 Northcross, Waterman.

21 NAYS: Payne

22 ABSTAIN: (None.)

23 MOTION CARRIES 4-1-0

24 CHAIRPERSON THOMAS: Congratulations.

25 I hope you'll be prudent with your license.



1 MR. ROSENTHAL: Thank you, Mr.  
2 Chairman.

3 CHAIRPERSON THOMAS: Thank you. Okay.  
4 To the next item we shall go, this is an address at  
5 1025 Cesar Chavez. And Mr. Gustafsson will present.

6 MR. GUSTAFSSON: Sure.

7 (Presentation of facts given by Mr.  
8 Gustafsson.)

9 6.3 ZMA 19-07

10 PROPERTY ADDRESS: 1025 1/2 CESAR

11 CHAVEZ

12 PARCEL NO: 14-19-129-034

13 APPLICANT: JAMES LEACH

14 CURRENT ZONING: C-3 COMMERCIAL

15 CORRIDOR

16 PROPOSED USE: M-1 LIGHT MANUFACTURING.

17 CHAIRPERSON THOMAS: Okay. Is the  
18 Petitioner here?

19 MR. GUSTAFSSON: Yes, he is.

20 CHAIRPERSON THOMAS: Please come  
21 forward and state your name and address for the  
22 record, please.

23 MR. LEACH: James Leach.

24 COMMISSIONER PAYNE: At the mic.

25 MR. LEACH: Back here?

1 MR. GUSTAFSSON: Yes, please.

2 MR. LEACH: James Leach, and I live on  
3 3444 Overton in Waterford.

4 CHAIRPERSON THOMAS: Good evening.  
5 You heard Mr. Gustafsson's presentation of your  
6 proposal -- or request?

7 MR. LEACH: Correct.

8 CHAIRPERSON THOMAS: Anything you'd  
9 like to add, or change, or modify, or enhance?

10 MR. LEACH: Well, when he spoke about  
11 the house on the rear street, the nonconforming  
12 house, that's gone now.

13 MR. GUSTAFSSON: Oh, it is now? Okay.

14 MR. LEACH: And there's a house on one  
15 side of me that's getting ready to be torn down,  
16 which would be south of me, if you're calling that  
17 north. Cesar Chavez North. The houses behind are  
18 already zoned industrial and north of me there's two  
19 lots that's zoned industrial there also. So -- and  
20 with only having a 20-foot wide driveway on Cesar  
21 Chavez, I don't have very much for retail sales if  
22 there's just an access driveway and the building's  
23 250 feet back off the road. So with somebody -- if  
24 I rent the building out, sell it or whatever, if  
25 somebody can use it to do smaller manufacturing, it

1 gives me more real estate. People might be  
2 interested in it, it might be something that would  
3 give the City more workers that -- collecting  
4 taxes and if they put manufacturing in there, the  
5 equipment might be personal property taxable. So,  
6 it could help everybody possibly. So, there's an --  
7 I don't know what to tell you.

8 CHAIRPERSON THOMAS: Okay. All right.  
9 That's -- that's good enough. Okay. Thank you very  
10 much, I'm going to go to my fellow Commissioners.  
11 To Commissioner Northcross, please.

12 COMMISSIONER NORTHCROSS: In the  
13 current use -- are there any current uses for that  
14 building?

15 MR. GUSTAFSSON: That are -- existing  
16 auto service business right now.

17 COMMISSIONER NORTHCROSS: Okay. Okay.  
18 And the idea is to go to M-1 which would be like  
19 manufacturing, that sort of thing? And that's in  
20 back of the building that has what is it? Custom  
21 color or something color?

22 MR. LEACH: Yeah.

23 COMMISSIONER NORTHCROSS: Yeah, you go  
24 through the driveway just to the side --

25 MR. GUSTAFSSON: Right.

1 MR. LEACH: Yeah, I have a driveway  
2 next to that building. There's the (inaudible)  
3 court, my driveway and then Color Touch Auto Body.

4 COMMISSIONER NORTHCROSS: Okay. No  
5 further questions. No further questions.

6 CHAIRPERSON THOMAS: Thank you. Mayor  
7 Waterman, please.

8 MAYOR WATERMAN: Yes. And I'm -- just  
9 in viewing your application and materials from the  
10 Planning Commission -- from the Planning Department  
11 rather, I see there's a question you answered here  
12 and I just wanted you to amplify that a little bit  
13 for us. It says "Please state the reason for the  
14 Zoning Map Amendment" and more and then you state --  
15 your answer is "Be better aligned with the future of  
16 the City of Pontiac."

17 Can you amplify that, how is this  
18 better aligning with the City of Pontiac? I'm just  
19 curious.

20 MR. LEACH: Well, as I said, it might  
21 bring in more --

22 MAYOR WATERMAN: Can you go to the  
23 microphone --

24 CHAIRPERSON THOMAS: Yeah, if you  
25 will, please if you can stand at the podium until

1 our fellow Commissioners can ask their questions.

2 MR. LEACH: Okay. I just feel that it  
3 could bring more workers into the City of Pontiac,  
4 it could bring more revenue to Pontiac. There's  
5 just several pluses for me and Pontiac.

6 MAYOR WATERMAN: I will pass on to the  
7 next Commissioner.

8 CHAIRPERSON THOMAS: Okay.  
9 Commissioner Parlove, please.

10 COMMISSIONER PARLOVE: Good evening,  
11 James. Thanks for coming in tonight. Right now,  
12 the use for the building, you're doing what with  
13 that again?

14 MR. LEACH: Currently my business is  
15 closed and I'm just storing some things in there.

16 COMMISSIONER PARLOVE: Okay. So, it's  
17 not active at this point, it's just --

18 MR. LEACH: No.

19 COMMISSIONER PARLOVE: Okay. It is an  
20 odd parcel based on what we have here in our packet  
21 that we can see that doesn't have sun shining on it.  
22 So, your -- your parcel actually becomes more of a  
23 destination, it's not going to be a storefront that  
24 people are going to drive by and say, "Oh, I need to  
25 stop in here." They have to know --

1 MR. LEACH: You can't see the front of  
2 the building from the street.

3 COMMISSIONER PARLOVE: Right.  
4 Exactly. So, it definitely limits what can be done  
5 on the site, so I'm sensitive to that. And any  
6 particular reason why you want it zoned as light  
7 manufacturing?

8 MR. LEACH: Well, it would give me  
9 more potential buyers for the property.

10 COMMISSIONER PARLOVE: Okay.

11 MR. LEACH: C-3 is more road frontage,  
12 you know, road -- more people to see, but up there  
13 there's -- it's -- it's not the easiest place to  
14 find --

15 COMMISSIONER PARLOVE: Exactly.

16 MR. LEACH: -- unless you know, you're  
17 looking for it. So, if somebody wanted to do a  
18 small manufacturing thing or something like that up  
19 there, years ago they built trusses and that -- that  
20 property originally was probably one of the first  
21 recycling centers in the State of Michigan.

22 COMMISSIONER PARLOVE: Oh, was it?

23 MR. LEACH: He would -- the property  
24 owner charged to tear buildings down, took them down  
25 there, took them up there and sold every part he

1       could off of the buildings, every cement block, he  
2       had his sons pounding nails on the anvil straight.  
3       Their father sold everything and anything he could  
4       up there.

5                   COMMISSIONER PARLOVE:   Interesting.  
6       So -- but that was at that time, do we know was that  
7       zoned as the commercial, was it light industrial  
8       then?  We have no idea, it was a long time ago.

9                   MR. LEACH:  I think it was before  
10       there was zoning.  It was back -- that building was  
11       built in 1948.

12                   COMMISSIONER PARLOVE:  Okay.  Okay.  
13       All right.  That's helpful.  Thank you for your  
14       information.

15                   CHAIRPERSON THOMAS:  Thank you.  
16       Commissioner Payne, please.

17                   COMMISSIONER PAYNE:  Thank you for  
18       coming before us, we appreciate that.  That was  
19       actually one of my questions, future plans for the  
20       property there.  And -- are they -- so you're  
21       selling?

22                   MR. LEACH:  Well, age and health is  
23       getting against me, so I'm either going to end up  
24       selling it, or renting it, or leasing it, or one of  
25       the three.

1                   COMMISSIONER PAYNE:  Okay.  And I  
2                   guess my next question would be to you, Mr.  
3                   Gustafsson.  In regards to the rezoning criteria, if  
4                   you look at number 3 and tell me how does this  
5                   relate to approving a -- am I reading it incorrectly  
6                   for -- that --

7                   MR. GUSTAFSSON:  What it's saying is,  
8                   is that since it has been a developed site for a  
9                   number of years, that any hydrological environmental  
10                  feature that we would like to save is totally gone.  
11                  So, it -- it really -- it can be built.

12                  So we're not -- the requirement starts  
13                  talking about making sure that -- be cognizant of  
14                  those environmental features, but since they're  
15                  already gone we can't really judge them for that  
16                  value.

17                  COMMISSIONER PAYNE:  So, when we're  
18                  talking about receiving a reasonable return on the  
19                  investment of the property, so how does that -- I  
20                  mean, I'm --

21                  MR. GUSTAFSSON:  Oh, I'm sorry.  I was  
22                  reading number 2, I was -- I'm totally sorry.  I was  
23                  looking at number 2, that probably didn't make any  
24                  sense, my answer.

25                  So -- I -- I think what we're saying



1 is, yes, I mean, he -- if you look at the second  
2 configuration, if you look at the flag lot which is  
3 what I call that kind of a lot with the long narrow  
4 entrance drive, I mean, the return on investment to  
5 take that based upon the existing zoning and the  
6 fact that it is a commercial zoning and to a  
7 configuration of the flag lot pushing the building  
8 all the way in the back, the return on them to --  
9 their investment of building a commercial building  
10 of some sort, would be very limited. So, go into a  
11 more M-1 zoning would be more appropriate than  
12 keeping it C-3.

13 COMMISSIONER PAYNE: Okay.

14 MR. GUSTAFSSON: I apologize for the  
15 mixup.

16 COMMISSIONER PAYNE: That's okay.

17 CHAIRPERSON THOMAS: Thank you. This,  
18 to me, looks pretty straight ahead. It's a very  
19 unusual piece of property, most of that through  
20 there is light manufacturing anyhow, so to me this  
21 seems like a very practical and proper thing to do.

22 So, this is a public hearing, so I'm  
23 going to open public hearing. Anyone that would  
24 like to come forward and state their case, please  
25 do.

1 MR. JOHNSON: As always, yours truly,  
2 Chuck Johnson, 455 South Boulevard East.

3 CHAIRPERSON THOMAS: Thank you.

4 MR. JOHNSON: You know, I -- I just  
5 watched James here and listened to his comments and  
6 he's the kind of a guy that I am in my retired years  
7 and I do remember whenever the property was placed  
8 where a guy would bring old lumber from demos and --  
9 and so as a matter of fact, I even shared my demo  
10 stuff with Mike Spack (ph) who was the fellow back  
11 then who did that. And I think that we should look  
12 at this not only from your point of view, Chair, but  
13 I think James is -- is like me, he's taking and  
14 trying to turn his existing assets into something,  
15 maybe monetary gain and go on with life and have a  
16 piece of property that certainly could meet what a  
17 potential developer may want to do there. Thank you  
18 very much.

19 CHAIRPERSON THOMAS: Thank you, Chuck.  
20 Thank you. Any further comments or public comments  
21 or questions? I'm going to close public hearing.  
22 Thank you. Any further comments or questions from  
23 my fellow Commissioners?

24 COMMISSIONER NORTHCROSS: Mr. Leach,  
25 I'd just like to say thank you for bringing this to

1 us. I know it takes a little bit, but I think  
2 overall, it's going to -- it's a step forward to  
3 enhancing the value of that whole corridor in terms  
4 of this property value, both yours and other folks  
5 around there. So, thank you. Thank you for taking  
6 those additional steps and bringing that forward.

7 CHAIRPERSON THOMAS: Thank you. Any  
8 further comments or questions? May I have a motion,  
9 please?

10 MAYOR WATERMAN: I'll do this one.  
11 Per the Zoning Map Amendment -- I move that per the  
12 Zoning Map Amendment in Section 6.802 and findings,  
13 I make a motion to recommend approval of ZMA 19-07.  
14 The recommendation would be presented to City  
15 Council for approval to rezone parcel number  
16 64-14-29-129-034 from C-3 corridor commercial to M-1  
17 light manufacturing.

18 CHAIRPERSON THOMAS: Thank you very  
19 much. May we have a second and support?

20 COMMISSIONER PARLOVE: I support.

21 CHAIRPERSON THOMAS: Okay. Any  
22 further comments or question before we go to roll  
23 call? Mr. Gustafsson, roll call, please.

24 MR. GUSTAFSSON: Yes. Mayor Waterman?

25 MAYOR WATERMAN: Yes.

1 MR. GUSTAFSSON: Commissioner Parlove?

2 COMMISSIONER PARLOVE: Yes.

3 MR. GUSTAFSSON: Commissioner Payne?

4 COMMISSIONER PAYNE: Yes, to approve.

5 MR. GUSTAFSSON: Commissioner

6 Northcross?

7 COMMISSIONER NORTHCROSS: Yes.

8 MR. GUSTAFSSON: And Chair Dayne

9 Thomas?

10 CHAIRPERSON THOMAS: Yes.

11 MR. GUSTAFSSON: Motion passes 5-0.

12 AYES: Thomas, Parlove, Payne,

13 Northcross, Waterman.

14 NAYS: (None.)

15 ABSTAIN: (None.)

16 MOTION CARRIES 5-0-0

17 CHAIRPERSON THOMAS: Congratulations.

18 Let us know how we can help. Good luck to you.

19 Thank you very much. Okay. So, the next item we --

20 the last item on our public hearing, this is VSA

21 18-03. This is basically street vacations. So I

22 will turn it to Mr. Gustafsson for presentation,

23 please.

24 MR. GUSTAFSSON: Thank you.

25 (Presentation of facts given by Mr.

1 Gustafsson.)

2 CHAIRPERSON THOMAS: I think  
3 Petitioner is here. Mr. Massie, please come forward  
4 and state your name and address for the record  
5 please.

6 MR. MASSIE: My name is Bill Massie,  
7 and I live at 1304 Otter Avenue in Waterford. I am  
8 the owner of the Wessen Lawn and Tennis Club. I was  
9 formerly the Architect-in-Residence at Cranbrook  
10 Academy of Art and now I am the Director of Design  
11 Technology at the University of Kentucky, as well as  
12 being a -- two years ago, I opened a partnership  
13 with John Hantz on some of this property and I can  
14 explain that a little bit later if need be.

15 And I'll let Matt, my co-colleague in  
16 -- in this talk -- introduce himself. Thank you, by  
17 the way. Nice to see all of you.

18 MR. FARRELL: Good evening, everybody,  
19 Mayor Waterman, Commissioners, Chairman. My name is  
20 Matt Farrell, 8722 South Shore Drive in Clarkston,  
21 Michigan. I represent as an advisor to John Hantz  
22 and have been involved in this project for the last  
23 couple of years of his engagement and investment in  
24 trying to help improve the property. These roads  
25 have been vacated for a number of years

1 functionally. I believe the housing project there  
2 was torn down sometime in 1999 to 2000. The roads  
3 do exist, they're grown over, the power poles have  
4 been knocked down. We spent a considerable amount  
5 of time working with the City, its administration  
6 and the DTE and Consumers last year with the help of  
7 the City to decommission electric and make sure that  
8 it was safe to be able to access the site. Shortly  
9 thereafter, working with the City, Mr. Hantz and our  
10 team worked collectively and did a clean-up weekend.  
11 We hauled close to 14, 40-yard dumpsters of garbage  
12 off of that property to help clean up the area. For  
13 those who don't know what a 40-yard dumpster is,  
14 it's a large gravel train size trailer. And myself  
15 personally, Mr. Hantz's staff, a lot of my stuff,  
16 multiple vehicle and trucks went out and the Council  
17 -- some of the Council members and others joined us  
18 and that day it was a rainy and wet weekend, but we  
19 got it all done. Unfortunately, that was done back  
20 in the October-ish timeline and we're already seeing  
21 trash starting to pile up again.

22 So, the goal of this is to get to a  
23 white box and have somebody responsible for  
24 maintaining, cleaning and keeping that property safe  
25 and clean of debris. And to the extent we can go

1 forward the vacation, then Mr. Hantz can spend  
2 necessary dollars and hire the right professionals  
3 to come up with long-term master plans that make  
4 sense for this property for the next 30 years plus.  
5 And that is the intent.

6 CHAIRPERSON THOMAS: Thank you very  
7 much.

8 MR. FARRELL: You're welcome.

9 CHAIRPERSON THOMAS: This is the last  
10 item on public hearing, but I'd like to make an  
11 opening comment here which is, this is a parcel that  
12 has a lot of motion and there are -- the opinions on  
13 this are polar opposites. And -- but I'd like to  
14 remind everyone that, as you said, I think that this  
15 has been vacant and derelict since 1999 -- well,  
16 vacant since 1999. This City doesn't make a lot of  
17 tax revenue on vacant parcels, so the idea of having  
18 vacant land sitting there doesn't do anyone any  
19 good. Either to pay -- pay for the roads, pay for  
20 services, even take care of the local area.

21 So, I'm going to turn it to my fellow  
22 Commissioners and once again, we'll -- yes.

23 MR. GUSTAFSSON: Just, if I -- if I  
24 may through the Chair, I do want to provide a little  
25 bit of clarity. If you look at his graphic here, it

1 definitely highlights the roads that are being  
2 vacated and that is strictly -- all we are approving  
3 is the roadways.

4 And if you look over here you can see  
5 a faint red line that runs along, that is the edge  
6 of the -- the property, and also with areas within  
7 this yellow line -- so within the lake itself is  
8 actually owned by the City. That is in no way what  
9 we're talking about doing. Any vacation of that  
10 current property that is owned by the City right now  
11 including this open-space park area which has been  
12 referred to as "Crystal Lake", okay? I just wanted  
13 to go with that on record for everybody here and  
14 then also for the Commission to understand those.  
15 Okay.

16 CHAIRPERSON THOMAS: Thank you.

17 MR. GUSTAFSSON: That's it.

18 CHAIRPERSON THOMAS: Commissioner  
19 Northcross, please?

20 COMMISSIONER NORTHCROSS: Well, Mr.  
21 Gustafsson is hitting on one of the points that I  
22 wanted to have additional clarity on. I was looking  
23 at the map. Can -- can that be enlarged maybe  
24 just -- let's look at the very southern tip of the  
25 peninsula to see the difference between the red line



1 and the -- okay. So, the shoreline will continue to  
2 be owned by the City? And out into the lake --

3 MR. GUSTAFSSON: Correct.

4 COMMISSIONER NORTHCROSS: -- the City  
5 will retain property rights?

6 MR. GUSTAFSSON: Right.

7 COMMISSIONER NORTHCROSS: Okay. And  
8 the applicants currently own this land?

9 MR. GUSTAFSSON: Yes -- yes, they do.

10 COMMISSIONER NORTHCROSS: So, they've  
11 -- they've already taken the necessary steps to  
12 start to purchase this land and --

13 MR. GUSTAFSSON: It's already -- it's  
14 been purchased for a couple of years.

15 COMMISSIONER NORTHCROSS: Okay. And  
16 the issues with the Water Resource Commission, those  
17 have been all handled? I know they did give us  
18 something on August the 2nd --

19 MR. GUSTAFSSON: Correct.

20 COMMISSIONER NORTHCROSS: -- about an  
21 easement?

22 MR. GUSTAFSSON: Correct. Which --  
23 which is typical standard language and they actually  
24 provided me with a -- once we are done here, we  
25 would take this street vacation request to City

1 Council and they have given me a resolution with  
2 appropriate language to use.

3 COMMISSIONER NORTHCROSS: Yeah, that  
4 property has increased. I think the -- the project  
5 was Clinton River drain number 3, which completed a  
6 series of drains from the Mill damn, through there,  
7 through -- through town. I'm not sure which one, 1,  
8 3 or 3, but there were a series of drains, and the  
9 water flow and other things have really improved  
10 with that -- with the completion of that drainage  
11 program. Yes. Yes. That's -- that's greatly  
12 improved the liveability of that whole property.  
13 I'm glad to see that the City is retaining that  
14 water frontage. I think that has some real  
15 possibilities for that whole lake. In fact, one  
16 time one of the thoughts on Clinton River drain  
17 number 3 was that, that area would become swimmable  
18 at certain periods of time, you know, once things  
19 had settled down with the lower flow rates. And in  
20 fact, they're even thinking that there would be well  
21 points installed that would pump water into Crystal  
22 Lake and make it swimmable. Now, the water levels I  
23 guess have continued to drop at a rate where those  
24 well points were never -- that I know of, never  
25 installed. But there's still -- still a very --

1 it's becoming a very nice piece of property there  
2 all along Bagley Street which used to flood.

3 My original birth home was on Esther  
4 Street and that's been reworked now, but I do  
5 remember the floods on Esther Street that we would  
6 have in the Springs and Falls that -- that are now  
7 no longer current because of that drainage --  
8 because of that drainage project.

9 So, yes, there are some things  
10 happening and, yeah, it's good to see us starting to  
11 move forward and get some things gone.

12 MR. MASSIE: Mr. Chairman, if I might  
13 add one thing?

14 CHAIRPERSON THOMAS: Yes.

15 MR. MASSIE: Thank you. To that -- to  
16 that point. It's -- it's interesting when I  
17 purchased the property that is shown in the other  
18 aerial photograph, I did some of my own research and  
19 due diligence and it's interesting that in 1978 as a  
20 note of interest, that's when all of those -- those  
21 waterways were starting to be controlled. This area  
22 all of the way up to the tennis club in 1978 was  
23 completely under water at -- at one time and that's  
24 when an informal vacating of those roads happened.  
25 In fact, there were only three houses out there and

1 those were demolished and the roads that are  
2 highlighted at this moment, are what I would refer  
3 to as -- in my own language, as a paper road. They  
4 -- they do not exist. There's a little bit of  
5 infrastructure there, but there is no -- there is no  
6 asphalt, there are no curb cuts, there is nothing.  
7 There's some derelict poles, there's some derelict  
8 road bumpers, but in 1978, is when -- and it's some  
9 time after 1978 is when someone, actually literally  
10 removed the roads themselves.

11 So, I just wanted to add that and  
12 that's -- that's where a lot of that -- now of  
13 course that doesn't happen, that the -- that the  
14 waterways and the control of the flow of the water  
15 is completely managed.

16 COMMISSIONER NORTHCROSS: In the  
17 master plan, many -- I think some of the areas along  
18 Bagley and over into that area, we're looking at  
19 that being a -- for parks and other types of  
20 activities, recreational.

21 MR. MASSIE: Another clarification as  
22 well is that I believe -- I mean, I don't know if  
23 this is pertinent. But, it says just in this  
24 announcement that the current zoning is R-1 and R-3.  
25 If I'm -- - if I'm correct, I came to Planning when

1 I purchased the Hayes Jones Community Center to  
2 develop that, my intention was to develop a  
3 recreational site to produce an ATP level tournament  
4 which would bring in approximately \$4 million  
5 annually and I had mentioned that, I had graphics to  
6 show that and everything else.

7 And so, I believe I -- it cost me  
8 \$16,000 to go through the Zoning Board of Appeals to  
9 make that recreational property. So, in fact, I  
10 don't know if everyone understands, but the property  
11 in -- in -- if you can go back to the other graphic,  
12 that -- that property where those roads in between  
13 all of those properties to my mind, are in fact  
14 zoned recreational, just to your point.

15 COMMISSIONER NORTHCROSS: Mr.  
16 Gustafsson, you've answered many of my questions.  
17 I'll sit back and listen.

18 CHAIRPERSON THOMAS: Thank you very  
19 much. Mayor Waterman, please.

20 MAYOR WATERMAN: Little history here.  
21 The area in question where the streets are to be  
22 vacated is actually the parcel that was, as you  
23 said, the home of the former subsidized housing that  
24 were torn down by HUD. And they were controlled by  
25 the Pontiac Housing Authority, which once they got

1 that waiver from HUD was able to sell the peninsula  
2 property, so that has been sold to Mr. Hantz.

3 And it is important for the City,  
4 because it is an extreme asset of the remainder of  
5 the easement the City owns. This is the largest  
6 undeveloped lake parcel, lakefront parcel in all of  
7 Oakland County. So, it is of extreme access for the  
8 people to see that this creates that natural beauty  
9 and maybe restores lake access again, particularly  
10 because that peninsula property that John Hantz  
11 bought to the west of that is the park, what used to  
12 be Crystal Lake Park that we hope at some point to  
13 restore and we need that waterfront access, so --  
14 it's all part of the plan and we hope that that will  
15 be developed at some later point in time.

16 So, we have worked with Mr. Hantz and  
17 as he's come to town, didn't have quite an idea what  
18 he wanted to do with it at first and had offered  
19 several options to purchase all of the easements.  
20 Of course that wasn't well received, because that --  
21 people wanted to have some public access to the  
22 lake. And then another process and he's been kind  
23 of working through what he wants to do with it. So  
24 we're -- we're waiting to see and hoping this area  
25 might be developed in a way that's conducive and

1 satisfies the needs for this particular beautiful  
2 lakefront property.

3 And so things started to move a little  
4 bit with that, and that -- it's something -- you  
5 have something to do with it, Mr. Massie.

6 MR. MASSIE: Yes.

7 MAYOR WATERMAN: Having been now twice  
8 at the Council meetings, and for those who don't  
9 know, is the owner of the Wessen Lawn and Tennis  
10 Club that used to be Hayes Jones Community Center,  
11 you have offered that property back to the City.

12 So the Council now is considering  
13 whether or not they want to undertake the offer to  
14 purchase that and again, restore it as a Hayes Jones  
15 Community (inaudible) when it was Hayes Jones  
16 Community Center. So you've done a beautiful job  
17 with that, and it gives us an idea of the kinds of  
18 things that can be developed in that area. And now  
19 that that is -- we've got some movement in terms of  
20 how that area is developed, vacating the streets so  
21 Mr. Hantz can see where he wants to develop that  
22 property as part of the overall development of that  
23 area I think is a plus for the City.

24 MR. MASSIE: I appreciate that. I  
25 will take some of the responsibility. I'm also

1 working on a project in Northern Michigan for Mr.  
2 Hantz in terms of a building project, which -- which  
3 is going along very well. And I -- I'm actually the  
4 one of the people that has counseled Mr. Hantz, not  
5 only have we developed a partnership, but as -- as a  
6 designer, I -- I'm in part the reason that I've been  
7 saying that -- that we need to vacate those streets,  
8 we need to have a kind of, what I would refer to as  
9 a "Tabula Rasa" to move a development agenda forward  
10 and figure out what we're going to do, because the  
11 configuration -- simply the configuration of the  
12 streets in my mind, will be prohibitive to think and  
13 master plan and conceptualize the possibilities of  
14 making that quite a beautiful piece of property and  
15 that -- and that is the intention. The exact  
16 intention of what to do? I'm -- I'm here to  
17 represent the fact that we don't know. But, the  
18 intention is we need to know whether or not we can  
19 vacate the streets. We believe that we should be  
20 able to vacate the streets, we don't see any reason  
21 why not to vacate the streets to allow us to move  
22 forward in developing that site.

23 MAYOR WATERMAN: We thank you for your  
24 involvement as you have reacquainted those who  
25 didn't know what your involvement has been in doing



1 that. And we hope if the rest of the Commissioners  
2 agree that by vacating the streets that will unlock  
3 that greater vision, and be able to develop that  
4 into the (inaudible) area like we hoped we can see  
5 (inaudible.)

6 CHAIRPERSON THOMAS: Thank you very  
7 much. Commissioner Parlove, please.

8 COMMISSIONER PARLOVE: Gentlemen,  
9 thank you for being here --

10 MR. MASSIE: You're welcome.

11 COMMISSIONER PARLOVE: -- and  
12 continuing to be a part of our community. When we  
13 had worked on the master plan, which I can't believe  
14 we have to work on it again, already time has flown  
15 so quickly, when we specifically talked about this  
16 site we had talked about making sure that the  
17 waterfront was available to the residents and it  
18 sounds like that's something that will be  
19 accomplished with your plan, so --

20 MR. MASSIE: We're -- we are in front  
21 of you really to only talk about the nature of  
22 vacating those roads. The -- the City -- there's no  
23 dispute about the perimeter or anything at this  
24 point in any way. You know, it's effectively just  
25 the removal of the physical roads and the ability

1 for us to then think about how then can we use the  
2 property.

3 COMMISSIONER PARLOVE: Sure, that  
4 makes sense. So it sounds like we're -- we're  
5 achieving what we had hoped when we had first talked  
6 about the parcel?

7 MR. MASSIE: And -- and I would also  
8 add, part of this comes from exactly what Matt was  
9 talking about, which is the roads, in my opinion,  
10 Vern, this would be my opinion, my opinion the roads  
11 would cost, to get them to the standards that they  
12 need to be, if we couldn't do this, would be  
13 massive. In fact, the roads to the north, in my  
14 estimation, would cost 4 to \$5 million just to put  
15 back.

16 The -- the ability to repair those  
17 roads after sitting for effectively 18 plus years  
18 here, and from 1978, they're gone on the -- on the  
19 other portions, would be -- would be prohibitive and  
20 also it would -- it would cost the City a great deal  
21 of money. We're hoping that -- that this is met  
22 with open arms, because we're opening to develop  
23 this in such a way that once again, we can do -- we  
24 can do something really interesting and become --  
25 and have it become a huge asset for the City of

1 Pontiac.

2 COMMISSIONER PARLOVE: Sure. And I  
3 understand that if you take the roads out it gives  
4 you that blank slate.

5 MR. MASSIE: Yeah. Yeah.

6 COMMISSIONER PARLOVE: I totally  
7 support that. So, sounds good to me. Thank you.

8 MR. GUSTAFSSON: Commissioner Payne,  
9 please.

10 COMMISSIONER PAYNE: Well, good  
11 evening and thank you for making that site such a  
12 beautiful site. I mean, it's really done really  
13 well.

14 MR. MASSIE: Thank you.

15 COMMISSIONER PAYNE: One -- well,  
16 you've answered two of my questions in regards to  
17 the undeveloped streets. And you don't know what  
18 you're going to do with the undeveloped streets, so  
19 that's the second question you've answered.

20 In regards to -- property value, is  
21 there a property value on those streets and that's  
22 just something I just wanted to know or --

23 MR. GUSTAFSSON: In regards to the  
24 value of?

25 COMMISSIONER PAYNE: Of the -- of the

1 streets that are not being used now. We normally  
2 just kind of -- taking away streets and --

3 MR. GUSTAFSSON: Well, there is --  
4 there's public utilities. Public utilities are  
5 underneath there. There's a number of utilities I  
6 believe under virtually every road, so they would be  
7 functioning of that value, because of those  
8 utilities they're going to be there and maintained  
9 for the development -- for future development.

10 COMMISSIONER PAYNE: Okay. Thank you.

11 CHAIRPERSON THOMAS: I just have one  
12 question, Bill.

13 MR. MASSIE: Sure.

14 CHAIRPERSON THOMAS: As an architect,  
15 which you are, a well highly respected architect, it  
16 would be a fair assumption that any coherent  
17 redevelopment in that area cannot take place unless  
18 there is really vacation -- vacating the streets.

19 MR. MASSIE: That's correct. And also  
20 I would further add, my opinion would be that if Mr.  
21 Hantz, which he has no intention of doing, but if he  
22 were going to sell the property, if he were going to  
23 turn around and sell it, because for whatever  
24 reason, the -- the ability to do that currently  
25 relative to those streets would be prohibitive.

1 Basically they're not in good enough shape to  
2 develop and they're not configured in my mind, from  
3 a design -- and this is very malleable thing, but to  
4 my mind when I look at the -- at the property and if  
5 I were going to -- if I were going to put single  
6 family houses on there, then -- then the  
7 relationship of the size of those houses whether  
8 they could be market rate, subsidized, whatever  
9 those things are, that would really have to change.

10 If you look at this, this doesn't  
11 follow any grid system, any pattern. It's really  
12 not -- it really wasn't developed for a maximum -- a  
13 maximum density which -- which I believe is probably  
14 -- if there's one thing that I might know, it's  
15 probably not to do that again. And -- and -- and I  
16 think that that's the -- that's really -- that's  
17 really the problem.

18 CHAIRPERSON THOMAS: So my last  
19 question would be, said another way, virtually no  
20 developer is going to come in with any kind of plan  
21 until he's got a clean slate or there is a clean  
22 slate so that you can conceptualize?

23 MR. MASSIE: That's exactly right.

24 CHAIRPERSON THOMAS: And probably in  
25 the higher density, multiple dwelling, but anyhow

1 that answers my question.

2 So, this is a public hearing so I'm  
3 going to open public hearing. Public hearing is  
4 open. Please come forward and state your name and  
5 address for the record, please.

6 MR. BASS: Good evening. My name is  
7 Robert Bass, president of Woodward Estates  
8 Neighborhood Association in District 1. And that is  
9 in our district and we have no problem with the  
10 vacation of the streets. And in fact, we've hoped  
11 for a couple years that it would go on and get done,  
12 because we've had many talks regarding that  
13 peninsula. And also even though there was no  
14 development plan, we had talks about getting it  
15 cleaned up. That means all of the overgrowth and  
16 debris so they can be seen from every area, because  
17 that's part of what's wrong with Pontiac. All of  
18 the overgrowth that it not look attractive. And we  
19 wanted it to be attractive to real estate, whomever.  
20 And that's what they said they would do. They said  
21 they would clean it up. And it puts them on the  
22 road to starting with the infrastructure. So,  
23 whatever plan they come up with, hopefully we'll  
24 still be in the process of getting presentations and  
25 having our say. We know that we have our say here.

1 We know that we have a say at Council. So, before  
2 we get to that point, that's when we want to  
3 continue those conversations.

4 Now some of the other streets that's  
5 been talked about, I don't -- I don't know exactly  
6 where they are located right now, but we -- we  
7 didn't have that conversation, I didn't get a  
8 presentation at our meetings regarding that. But I  
9 do support the vacation of those streets. Thank you  
10 so much.

11 CHAIRPERSON THOMAS: Thank you very  
12 much. Please state your name and address for the  
13 record please.

14 MR. CASSANO: My name is Graham  
15 Cassano, 278 West Iroquois Road. And I am a  
16 professor of sociology at Oakland University and I  
17 mention that, because I come here both as an  
18 interested resident and as a scholar. I'm writing a  
19 book right now with Professor Jon Carroll an  
20 archeologist and Professor Dan Clark a historian at  
21 Oakland University on this piece of property and in  
22 particular, on the Lakeside Housing Project. And I  
23 mention this because there are a couple of things  
24 that I think are worth noting. The first is that  
25 the Lakeside Housing Project that's been demolished

1 was the first housing project in southeastern  
2 Michigan and in -- the first in Oakland County as  
3 well and is a historical landmark and this -- this  
4 land is important historical land. In addition to  
5 that, it's right now public land.

6 Now a lot of people don't know that  
7 and the reason I started writing about the Lakeside  
8 is riding along the Clinton River Trail from my  
9 house, I -- I kind of stumbled on it and I was  
10 astounded as Mayor Waterman has mentioned by the  
11 physical beauty of the space.

12 Now, I -- I understand why Mr. Hantz  
13 and Mr. Massie want the roadways and I understand  
14 that there's been some talk about preserving access  
15 to the lake, but nobody is making a promise, there  
16 are no guarantees. There's no plan for development.  
17 Right now the roadway that runs along the outside of  
18 the peninsula is actually connecting two parks on  
19 either side of the peninsula. If that roadway  
20 easement is given away to Mr. Hantz and Mr. Massie,  
21 we lose that connection. People will no longer have  
22 access to those parks. I mean, it's true they'll be  
23 there, but they won't be used.

24 Now as a sociologist and someone who  
25 teaches in criminal justice as well, I can tell you



1 that the way we keep people safe is to have our  
2 public space used. The way you keep it used is give  
3 people access to it, let them know that it exists.  
4 If they don't have access to it, if they don't know  
5 it exists, then it's of course not going to be safe.  
6 This could be lovely -- especially just along the  
7 lakeside, could be a lovely public park. In fact,  
8 it should be a lovely public park, that's our road  
9 that right now Mr. Hantz and Mr. Massie want in  
10 their possession. We lose our parkland if we give  
11 away that road. We lose healthy Pontiac, right? I  
12 mean, part of what we need for a healthy Pontiac is  
13 green space. That's incredible green space there.

14 Now, again, I'm not making the  
15 argument that you shouldn't give Mr. Massie and Mr.  
16 Hantz some of the easements. But I think it would  
17 be a serious mistake to give away the easement on  
18 the outside of a peninsula. The name of the road is  
19 Walters, I believe. And I think it will be a  
20 serious mistake to give that easement away. Thank  
21 you.

22 CHAIRPERSON THOMAS: Thank you.

23 MR. MASSIE: Could I -- can I respond?  
24 Is it possible for me to respond?

25 CHAIRPERSON THOMAS: We'll -- we have

1 another public comment and we'll --

2 MR. MASSIE: Sure. Sure.

3 CHAIRPERSON THOMAS: -- we'll bring  
4 you back, Bill.

5 MR. MASSIE: Thanks.

6 MS. PIETILA: My name is Mary Pietila  
7 as you all well know. I live at 195 West Kennett.  
8 At this time I am also a Councilperson, so I have to  
9 explain that to you. What the gentleman is talking  
10 about as being Walters is also known as Howard  
11 McNeil. It was known as Howard McNeil back in the  
12 '80s when it wasn't safe for me to be out there.

13 The parks are not going to be  
14 eliminated if you vacate Howard McNeil, because you  
15 can access the Crystal Lake Park by coming down Lake  
16 Street. You can also access the other park when you  
17 come down Gillespie off of Bagley. So, there is no  
18 reason why they shouldn't be. They already own the  
19 property, it's not public property.

20 Mr. Hantz bought that property I  
21 believe in 2016 and they paid for it just to come in  
22 front of the Planning Commission in June 12th of  
23 2017, but it's taken that long.

24 That property has been sitting there  
25 -- I was a property manager over at Woodcrest

1 Commons when we moved the last resident off of that  
2 site and into Woodcrest Commons, because they had to  
3 move off of that, it wasn't safe any longer. So,  
4 when we have property that has sat there since 2000,  
5 this is 2019, that's 19 years that we haven't gotten  
6 anything for it, we haven't given anything for it,  
7 we haven't done anything to it, including cleanup,  
8 until last year.

9 So I'm going to ask that you please  
10 utilize that property, allow them to build on it.  
11 Allow them to develop it. That is what this City  
12 has always said we wanted to do was development.  
13 This is a perfect spot, a perfect example of what  
14 needs to be developed and we have people here that  
15 are willing to develop it. Mr. Massie has already  
16 spoke to you, Mr. Farrell has already spoke to you  
17 and they have shared what the thoughts are and what  
18 the outlines are. We've all been over to the Bowen  
19 Center, if you have any interest in that property  
20 you have been to the Bowen Center and you have seen  
21 the drawings, you have been there when we gave our  
22 ideas, what we wanted to happen over there, you have  
23 heard them talk about it. It's not necessarily  
24 anything that they're just wasting their time. They  
25 have given us many hours. They have shared with us

1 Councilwomen Waterman and Mr. Bass over here with  
2 Woodward Estates Association have been gracious  
3 enough to open their meeting for everybody and  
4 anybody in the City to come and to be able to be a  
5 part of that. I'm going to ask you to please  
6 consider favorably allowing them to vacate those  
7 streets, we have been waiting long enough to see  
8 those streets being used for something. Thank you  
9 very much.

10 CHAIRPERSON THOMAS: Thank you very  
11 much.

12 MR. YOAKUM: Coleman Yoakum, 29 Waldo.  
13 I'm -- I'm with Mr. Cassano that this is a beautiful  
14 piece of property, there are good number of citizens  
15 who do love that space for what it is right now and  
16 I know that that is not how it's going to stay and  
17 development is great, I'm very excited about that.  
18 A couple of things I haven't heard is who is paying  
19 for the -- for this project and who is paying to  
20 tear those up, we haven't -- that hasn't come up in  
21 either side of the conversation yet. And the other  
22 thing is that -- that this is -- and I'm in a lot of  
23 meetings, a lot of meetings downtown and people who  
24 talk about the future of the City and there are  
25 great plans and great things that are coming

1 together and people who -- citizens who are sitting  
2 down and really creating really exciting ideas and  
3 things like that and just one of those is the  
4 walkability, bikeability plan that's coming  
5 together, it has come together and is great. And  
6 there are a number of us in this room who talk often  
7 about what does it look like to -- to run a bike  
8 route through here and through this part of town and  
9 I'm excited to see sort of as the plans come  
10 together and the development plans do come together,  
11 that I hope that that is part of the plan. And a  
12 far future -- and this might be my -- my -- my  
13 paranoia, and I'll say this and then I'll take my  
14 answers off the air, because I brought my wife here  
15 on date night and she's not happy. And so, it is  
16 that -- if -- should it ever come up, in these  
17 meetings all the time we talk about -- we look back  
18 and we want to kick somebody in the butt that  
19 doesn't exist anymore for deciding to bury the  
20 Clinton River Trail -- or the Clinton River. And we  
21 talk all the time about how great it would be to  
22 have a water feature, a piece of property along this  
23 part of town that is near water. And -- and should  
24 the conversation ever come up in the future and I  
25 believe Mr. Massie that it never will, about giving

1 up the access to that water that we don't do that.  
2 Then this is the next vote about burying the Clinton  
3 River and I don't want to be on the wrong side of  
4 that and have my kids 50 years from now wanting to  
5 kick me in the butt for being part of that.

6 So thank you guys much. I'm going to  
7 go on a date. We'll see you later. Have a good  
8 night.

9 CHAIRPERSON THOMAS: Thank you very  
10 much.

11 MR. JONES: Carlton Jones, I'm back  
12 again from Pontiac. I want to say I got some  
13 history with this property. Years ago back when it  
14 was demolished and I was engaged with the House  
15 Commission. And even at that particular time we  
16 realized how important this piece of property was to  
17 the City. And what I want to is to say all of our  
18 residents and I think it would be great to have the  
19 Commissioners do their job as planners, we have to  
20 start trusting doing our proper due diligence in  
21 vetting our developers when they come to town.  
22 Because when the -- when quality developers come to  
23 town, we got to be very much in tune to working with  
24 them and don't be so much us and them. Quality  
25 developers when they come, there is a process that

1 they go through to do their due diligence and to get  
2 property properly in a position that they can  
3 develop it. And this property I think in asking for  
4 vacation is in -- right in line with a good quality  
5 developer who wants to see before they go into  
6 saying what they're going to do with it.

7           So just know that when we do have  
8 people come and we do our due diligence of making  
9 sure that they're quality developers and have a  
10 Planning Commission and zoning people doing their  
11 job, that's what we want. We want to start seeing  
12 how we can embrace them, and try to see how we can  
13 help them so we can develop our City, because  
14 there's no way that property should have been  
15 sitting even though I know it was in the hands of  
16 HUD and being like that for so many years. So, I --  
17 I think what Mr. Massie has demonstrated what he did  
18 with that Hayes -- Hayes Jones Center gives us an  
19 indication of what quality developers do when they  
20 come to your City. So I think we as people here in  
21 Pontiac who care about it, we got to start trying to  
22 find some way to make sure when we doing our vetting  
23 of the developer, we really do need to check them  
24 out. But once they do qualify, we need to see how  
25 we can start embracing and work with them to get

1 what we want with the developers. Thank you.

2 CHAIRPERSON THOMAS: Thank you very  
3 much, Carlton.

4 MS. HARTIGAN: I'm Ros Hartigan, 278  
5 West Iroquois Road. I just want to point out that  
6 my concern I -- I -- it is a beautiful piece of  
7 property, everybody I think is in agreement of that,  
8 but a lot of the waterfront is owned by the City and  
9 particularly the tip point is really only access by  
10 Karl Walters Drive. So my concern would be,  
11 definitely vacation of the interior streets, but if  
12 we -- if the City gives away the land with Karl  
13 Walters Drive I don't know how anybody is going to  
14 get to that park at the end. There's no -- I don't  
15 see any public access.

16 So, I -- I appreciate that those roads  
17 are not serviceable and there's no real way to  
18 restore them to serviceability, but I don't think  
19 that it makes sense for Pontiac to give away that  
20 land. It's like I -- and I know that -- I also  
21 appreciate the tennis courts, I think they're  
22 beautiful, I -- I -- I'm not saying that -- that Mr.  
23 Massie and Mr. Hantz are not good developers, I just  
24 think Pontiac needs some assurances or some recourse  
25 to keeping access to those parks.



1 CHAIRPERSON THOMAS: Thank you very  
2 much.

3 MR. REYNOLDS: Again, Brett Reynolds,  
4 50 Dakota, Pontiac, Michigan. I'm relieved to see  
5 Mr. Massie here, because I was doing some research  
6 myself on this project and I was confused as to the  
7 ownership of 16 of the parcels that are owned by  
8 PLTC 2, 3 and 4 and then there's the one parcel  
9 that's owned by Hantz Pontiac 1.

10 I was -- I concur entirely with our  
11 historian and scholar here that one of the things  
12 that I think is an emotional pull for a lot of  
13 people in the City is that, that land had a  
14 bittersweet and also proud at one point, heritage  
15 and means a lot to people and to see all of these  
16 streets disappear with no plan to memorialize or to  
17 have it built into the plan, is concerning to me.  
18 The perimeter street I think it's imperative that it  
19 be retained. I just think it's absolutely  
20 imperative to landlock the asset. There is no  
21 perimeter road on Crystal Lake. And this is the  
22 only spot that there is. I don't know if that's a  
23 concern for emergency vehicles and such. I know  
24 that somebody I was quite close to, his brother  
25 drowned in that lake and they came through the

1 Lakeside properties to -- to perform the emergency  
2 services and such. A couple other things is I think  
3 that the idea of conceptualizing and the idea of  
4 dreaming is to imagine what it could be. But I  
5 don't think you have to vacate anything to imagine.  
6 I think that you could actually -- I think we put  
7 the cart before the horse here. I think there  
8 should be a plan. I think there should be several  
9 plans. You know, a design competition, I don't  
10 know, but -- but -- of how to best use this land.  
11 If those were canals, nobody would dream of vacating  
12 them or filling them in. They wouldn't be  
13 obstructions to this gorgeous piece of property if  
14 they were retained in some way. If they were  
15 asphalt roads they were -- it reminds me of Central  
16 Park in New York, it reminds me of there was no  
17 reason to have Central Park in New York, nobody  
18 imagined that this sheet metal and these fields  
19 where nobody lived would ever be of use to the City.  
20 I think we're missing a great opportunity here to  
21 have some type of mixed use. I'd also like to add  
22 that the -- your point is very well taken. That  
23 it's a connection to the two parks that's important.  
24 Having two separate accesses does not in any way  
25 empower people to take and make use of that land and

1 the lakefront.

2           There's a -- I have a couple other  
3 points, but I was -- you know, I'm also concerned  
4 that there are currently so many violations on this  
5 land. There's an -- there's an open violation  
6 that's been going on for months about dumping. And  
7 there's another inspection on the 12th regarding  
8 this. So, I don't -- I have concerns about that.  
9 And also Mr. Hantz is a somewhat controversial  
10 figure in the City of Detroit for land speculation  
11 and what they consider a land grab and then selling  
12 back to Fiat Chrysler and trading properties and  
13 displacing people of color from their -- their  
14 properties with the Woodland Farms -- with the farms  
15 -- with the farms and that's documented, anybody can  
16 read, there are newspaper articles about this. So I  
17 don't think we need to jump to vacating this land.  
18 I think that we might have them come up with a plan  
19 and then vacate properly after that. So, those are  
20 my points. Thank you.

21           CHAIRPERSON THOMAS: Thank you.

22           MR. JOHNSON: Thank you very much.

23 Chuck Johnson again, 455 South Boulevard East.

24           I'm very pleased to know that Bill  
25 Massie is a part of this endeavor along with the

1 developer and others, because I know that if  
2 anything happens on this property, it's going to be  
3 upper -- upper class, whatever.

4 And I agree with each person that came  
5 to the mic and spoke tonight in favor of the  
6 vacation of the roads. It's paramount that they  
7 need to be done. And to the historian, this is not  
8 the original project as you may call it. We had a  
9 project before that which is called the old projects  
10 and they built these and this came along the second  
11 time around.

12 Anyways, I was also happy that Carlton  
13 was here, because he's the man who worked for the  
14 Housing Commission and I was allowed to do the  
15 demolition of the projects. And at that time, Mayor  
16 Walter Moore reserved the -- the opportunity to keep  
17 the roads and the infrastructure in place in hopes  
18 that someone would come along and do a development  
19 or build some houses and we had a lot of speculators  
20 back then and a lot of overview and a lot of  
21 thoughts and a lot of talk. Well, now we have  
22 someone, a bird in the hand, if you will, that's  
23 going to look favorable at developing the property  
24 and again, Bill Massie is -- is key in this along  
25 with the -- the owner. And I'm just hopeful that

1 you approve what they want here tonight.

2 I know they have some more hurdles  
3 they got to jump before they even take the roads out  
4 or vacate them is what we're talking about, because  
5 we do have the utilities that Gustafsson made  
6 mention. Those have to be addressed when you take  
7 the roads out, you got all your utilities  
8 underground that could get damaged or whatever.

9 So with that in mind, I like to think  
10 that this developer can -- can get the job done.  
11 Thank you very much.

12 CHAIRPERSON THOMAS: Thank you.

13 MS. WRIGHT: Good evening. My name is  
14 Irene Wright. And I think we can all agree that it  
15 is okay to disagree. However, we have had very open  
16 relationships with Mr. Massie. I think one of the  
17 positiveness of this is that as development comes in  
18 and we treat our developers as welcome to this City,  
19 more will come.

20 And I guess I want to look at it from  
21 an economic perspective, because I'm a senior  
22 citizen, and the more economy that comes in to our  
23 City, I think it will help reduce our taxes and I'm  
24 also in sociology and I understand the perspective  
25 of a person and the socialist nature. However, we

1 need to take one step at a time. And my head says  
2 "Why not? Why not invest? Why not take the  
3 opportunity to see?" And I also agree that you  
4 know, as we go into phases, we can then go back and  
5 address those issues. But to leave the property the  
6 way it is right now, to not vacate those roads,  
7 would leave us in a dismal situation.

8 So I concur with Woodward Estate, with  
9 -- I think our Council person and I hope that the  
10 vote tonight will be positive. Thank you.

11 CHAIRPERSON THOMAS: Thank you. Are  
12 there any other public comments? Okay. How many  
13 more public comments do we have? And I -- and I'd  
14 like to -- and I say this, we're working into the  
15 night and we still got items on here. If you have a  
16 fresh case, something fresh to say, then we want to  
17 hear it. But if we're going to kind of go over the  
18 same ground, but anyhow -- go ahead, please.

19 MR. MARTINEZ: Daniel Martinez. I own  
20 the Alley Cat Cafe in Downtown Pontiac. And I'm  
21 here kind of selfishly. I'm looking for more growth  
22 in the Downtown area. And one thing that I'm seeing  
23 is we have this great opportunity with Beaudette  
24 Park, the Clinton River Trail, I always crack up at  
25 the little sign here in the corner, because Clinton

1 River Trail if you look at website it tells you  
2 there's a section where it goes through Pontiac  
3 where we don't know what to do yet. It -- it  
4 basically spells that out, it's like we get to  
5 Pontiac and we stop and then we'll start on the  
6 other side once we get out of Pontiac and that's  
7 just kind of silly as far as I'm concerned.

8 What you've done with the -- the  
9 tennis courts and that facility is great. Everyone  
10 that's around here that bikes along there and all  
11 that is all concerned about closing off the access  
12 to water and I have a feeling just based on what you  
13 have done with that facility, you'll make the most  
14 of that space. And if somehow the Clinton River  
15 Trail can run along the river and come back out all  
16 the way to Bagley and be part of this greater  
17 recreational area, we have a beautiful 18-hole golf  
18 course, it's been taken over privately, but is a  
19 public course and it's -- I've played it recently,  
20 they did a very nice job on that course. The tennis  
21 courts, I would hate to see them sold. I know  
22 there's reasons why you're considering selling it, I  
23 hate to see it go, because it's part of a piece of  
24 something that's bigger. Golf courses, the only  
25 grass courts, tennis courts in the midwest, maybe

1 larger area, the beautiful lake have parks. We're  
2 really working hard on getting the skateboard park  
3 at Rotary Park which is right across the street from  
4 Wesson Tennis Courts, which would be another  
5 addition.

6 So from Beaudette Park all the way to  
7 Telegraph all the way to Woodward, it's all  
8 recreation that we don't make the most of. All  
9 right. So, I don't want them to stop what they're  
10 doing. I want them to put that in the back of their  
11 head as to part of what they're doing. You're in  
12 the dead center of what could be a great  
13 recreational facility for Oakland County. We're not  
14 even talking about Pontiac. We're talking about  
15 bigger picture. And so, that's really all I have to  
16 say is that if -- if we -- if you to approve for  
17 them to remove the roads, that they consider that  
18 it's still part of something bigger and when they  
19 build it, that they build it with these things in  
20 mind. The little riverside road or bike path,  
21 something that's beginning to contribute to the  
22 community and make it -- we'll all be better for it.  
23 So --

24 CHAIRPERSON THOMAS: Thank you. Well  
25 said. And you run a good business.



1 MR. MARTINEZ: All we got to do is  
2 make a little money, more residents.

3 FROM THE AUDIENCE: Don't we all?

4 MR. CULLIMORE: Good evening.  
5 Peterson Cullimore, I'm at 578 West Iroquois. We  
6 moved to Pontiac three years ago. Large reason was  
7 the green space, the access to the Clinton River  
8 Trail right from Seminole Hills. I too stumbled  
9 upon it, this great piece of land. I just ask that  
10 everyone consider the bigger vision of activating  
11 the water in the natural spaces and resources that  
12 the City has. I'm all -- I'm all for development of  
13 the property, but with just a little bit of  
14 conservation on the public-owned green space. So,  
15 thanks.

16 CHAIRPERSON THOMAS: Thank you. Can I  
17 see a show of hands of how many other public  
18 comments are coming forward? Okay. So this is last  
19 public comment? All right.

20 MS. SWAZER: Hello, I'm Billie Swazer,  
21 1619 Marshbank. And I'd like to first of all  
22 correct you, Ms. Pietila. We see where that round  
23 part that come out and just kind of stops above the  
24 peninsula, that's Branch Street and then just south  
25 of that is Howard McNeil. It's not Walter, they're

1 not the same street. Walter was put in later,  
2 because the police couldn't get over in that area.  
3 They never went to the projects.

4 So, the Mayor, what I would like to  
5 know is have you already sold the easements to these  
6 people? So if you haven't sold the easements, I'd  
7 like you to say that at the Council meeting, because  
8 I have concern about this property being sold. I of  
9 course lived in that area. Grew up in that area.  
10 Watched the people drown in that lake, because it  
11 does have an undercurrent. And if they develop it,  
12 go ahead, develop it. Maybe the undercurrent will  
13 get some people and they'll just go ahead and die,  
14 because it is a strong undercurrent. And it is nice  
15 to hear that there's two parks, never had one over  
16 there when I grew up off of Lake Street and neither  
17 did we have one off of Gillespie. My concern is  
18 that this is just a start.

19 When you finish vacating all this, you  
20 can start vacating the whole area, because that's  
21 what they're going to do and they going to take over  
22 the lake, and we're not -- the Pontiac residents are  
23 not going to have access to it. We're not going to  
24 get no road, we're not going to get anything, it's  
25 just going to be "Oh, we have something nice here",

1 but you know, you're all politicians of one sort or  
2 another so, do what you do -- do what you do and  
3 we'll live with what you do -- with what you do.

4 CHAIRPERSON THOMAS: Thank you. Bill,  
5 I'm going to ask you to come forward, because you're  
6 -- we're going to answer the questions and you're  
7 the best person to answer those questions.

8 MR. MASSIE: And if I -- could I  
9 respond a little? Could I respond to just a couple  
10 of things briefly --

11 CHAIRPERSON THOMAS: Yes.

12 MR. MASSIE: -- Mr. Chairman? I don't  
13 know, I guess this is out. There we go. I also am  
14 a scholar. I'm not a historian and I would never  
15 pretend, but I'm also a scholar in academic. I just  
16 want to respond a little bit to the questions about  
17 my partner, John Hantz. There have been some  
18 discussions about public sentiment relative to what  
19 he's done in Detroit. I will suggest that I am an  
20 enormous -- I would suggest that everyone should  
21 view the film Land Grab, which is a documentary film  
22 which was made about that process and talk to each  
23 and every one of the people in the community that  
24 lives very, very close.

25 I invited John Hantz to basically

1 begin our urban design program with a friend and a  
2 colleague, another scholar from Princeton University  
3 named Marshall Brown. So John and Marshall Brown  
4 came down to the University of Kentucky and when we  
5 went to Louisville and discussed urban design  
6 strategies and alternative urban design strategies.  
7 And this -- this is my point also about the  
8 vacating of the roads. We did not have a plan.  
9 There isn't a plan. But part of the construction of  
10 a plan, even if conceptualizing it is the idea to  
11 have an interim plan. The interim plan we have,  
12 that is to clean up the property, to make sure that  
13 it is not some place that -- that people can hide a  
14 body which happened very, very recently. Someone --  
15 someone was killed and then his body was dumped  
16 there for some time. I'm the biggest advocate of  
17 connecting the Clinton River Trail as a  
18 biking/walking path through that property, through  
19 the adjacent property that I own, would love to do  
20 that. I think John is amenable to many, many  
21 things. But step one is we have to -- we have to  
22 eliminate the blight and this is what John  
23 successfully did, I am -- I am arguing that is what  
24 he successfully did in Detroit.

25 And relative to the history of this

1 site, in 1948, this site was not even configured  
2 that way. This lake was prior called Mud Lake in  
3 its -- in its incarnation.

4 FROM THE AUDIENCE: Not 1948, it was  
5 Crystal Lake.

6 MR. MASSIE: Okay. I'm sorry.

7 CHAIRPERSON THOMAS: We're not going  
8 to debate.

9 MR. MASSIE: So in 1948 it was a third  
10 its size, the City -- the -- once the water was  
11 managed and after it became quote/unquote "Crystal  
12 Lake" the City of Pontiac built the island in -- in  
13 the center of the -- of the lake. So this -- this  
14 property doesn't have a 20- to 30-year history.

15 In the context of history, not just  
16 the significant histories relative to social  
17 condition, which I very much believe in, this  
18 history is long. This history is 100, 200 years.  
19 The -- the building that I purchased from the City  
20 of Pontiac was built in 1909. It was slated for  
21 demolition and that was then the Hayes -- it was the  
22 Pontiac Waterworks. Things change. Development  
23 changes. It became the Hayes Jones Community  
24 Center. It was abandoned. It was -- it was -- it  
25 was an eyesore, it was the place that people burned

1 sofas and the amount of trash that we had pull to  
2 out was incredible.

3 At the end of the day, it became what  
4 I developed it and I do want to suggest there is  
5 nobody in this room that can set -- that can suggest  
6 that I didn't do exactly what I said and part of it  
7 was a pre-plan and this is what we're talking about.  
8 The plan when -- when Mr. Hantz, myself, Matt,  
9 decide that we have a plan, we have to come to -- to  
10 Planning. We have to come to City Council. None of  
11 those things we can do on our own. We need  
12 approvals for all of those things. Those things  
13 will be formally, clearly and intelligently vetted  
14 by the City of Pontiac. We are just asking for  
15 the -- the removal or our ability to remove the  
16 roads which are a hazard, which are prohibiting our  
17 development and even -- if I will, prohibiting our  
18 ability to think clearly about how to develop it and  
19 make it an amazing place. So with that, I'll sit  
20 back down.

21 CHAIRPERSON THOMAS: Thank you very  
22 much. Okay. I'm going to close public hearing and  
23 I guess, before I go to the -- well, let me go to  
24 the Mayor, I'm not sure if you wanted to answer that  
25 question, but then I'm going to --

1                   MAYOR WATERMAN: Which question -- oh,  
2 the question about the easement? I can easily -- I  
3 answered that from the very beginning. Oops, I'm  
4 sorry. The question about the easement, I answered  
5 that at the very beginning and I can state it again  
6 that has been very critical and very important to  
7 me. That -- in fact, show that other drawing here,  
8 the one that shows the area on both sides and  
9 outlines the easement. I thought you had another  
10 one.

11                   Okay. All right. That's good enough.  
12 Although the easement isn't as easy to outline. The  
13 City owns all of the easement, all around the border  
14 of the peninsula and then we also own that -- all  
15 that property to the west of there, which is not --  
16 completely -- just to give you an idea, that is  
17 Crystal Lake, that is ours. That can remain ours.  
18 You know, they're not asking for that. And I  
19 understand you scholars and I appreciate the fact --  
20 I'm so happy that people realize that this is an  
21 asset to the City, that we need to maintain some  
22 access to this lake -- the owners -- for these  
23 owners of the City of Pontiac, because we are the  
24 owners of it and that we need to maintain that.

25                   MR. MASSIE: Just --

1                   MAYOR WATERMAN: Let me finish, Bill.  
2 I know where you're going.

3                   MR. MASSIE: Yeah.

4                   MAYOR WATERMAN: So, the streets that  
5 they're asking to be vacated, it's taken this long  
6 since they bought the property for me to ascertain  
7 there was no -- no damage to the easement rights  
8 that we have. And by easement rights, as they said  
9 there's other easement rights from the utilities,  
10 even if they develop that property, the City has to  
11 maintain those easement rights and we have to  
12 maintain access as to those easement rights unless,  
13 you know, citizens decided to sell a portion of it.

14                   But, I appreciate what you're saying,  
15 Graham, too, but when you vacate the streets just  
16 vacating the care and maintenance of the streets, we  
17 are not building in a gated community, okay? And  
18 they're still not private roads, we can still access  
19 any of the roads and any development that would be  
20 approved, the attorneys will make sure that we have  
21 a right to access our easement.

22                   MR. MASSIE: And just -- just -- yeah.

23                   MAYOR WATERMAN: Right, Bill?

24                   MR. MASSIE: You're correct, and I  
25 just want to make one clarification, because this



1 has been -- this nomenclature has been used and,  
2 Vern, you might be able to help me. Actually the  
3 property that exists around the edge, if you go back  
4 to the other aerial photograph and -- and property  
5 description, it is -- it is technically not an  
6 easement, it is just owned by the City of Pontiac.  
7 It is not -- I just want to make sure we're  
8 understanding, because easements from a planning and  
9 architectural standpoint are different than property  
10 ownership.

11 So, the property is actually two  
12 parcels -- sorry, it's a single parcel which begins  
13 at Crystal Lake and then wraps around and at some  
14 points -- and at some points outside of the water is  
15 approximately four-and-a-half feet in -- into the  
16 water. So I also just wanted to address the fact  
17 that -- that the two entry points would not be  
18 affected in any way.

19 MAYOR WATERMAN: Right. Right. And  
20 I'm sure -- assure ourselves of that. So -- and  
21 (inaudible) the larger drawing to be shown is  
22 because we're looking at the peninsula which was  
23 owned by the Pontiac Housing Authority, they have  
24 right -- HUD gave them the waiver to sell it, so  
25 they sold it to the, you know, bidder and they did

1 -- they handled that, but the City maintains the  
2 property adjacent to that.

3 Now, the other thing that would limit  
4 access is if it were a gated community. And when I  
5 first became Mayor there was a group that came to  
6 us, not Mr. Hantz, came to us and said -- ultimately  
7 they wanted to put a gated community, I said no way.  
8 So, it -- the roads are not private once they're  
9 vacated, it just means the City doesn't have to  
10 maintain them. And right now, they're responsible,  
11 Mr. Hantz is responsible for keeping the property --  
12 peninsula clean and free of blight. But the City  
13 has had to do the roads, you know, and so by  
14 vacating the roads then Mr. Hantz becomes  
15 responsible for making sure those are maintained and  
16 there's not blight, and as you said, dumping and all  
17 of those things going on at that property which has  
18 a been a problem for us, you know.

19 So, I like that we're looking at that  
20 whole area and I think if we even talk about this  
21 whole recreational corridor, it's shown as that, the  
22 new master plan for Parks and Recreation that's  
23 currently being drafted. It's not just Crystal Lake  
24 Park, it's not just the lakefront, this is also --  
25 we've got Rotary Park just above that beautiful

1 park, you know, has potential. We also have the  
2 Clinton River Trail as you mentioned, we also have  
3 ball and tennis, so it's a whole recreational  
4 corridor in that area that's going to be further  
5 developed and that's the concept too.

6 So, those are things I wanted to say  
7 and just wanted to clarify that. Yes, I hope I've  
8 answered the question once and for all, yes, that is  
9 property that's owned by us and we should never lose  
10 control of access to that. So, that's the legacy  
11 for future generations, although -- might look like  
12 -- I'd like to see what we can do develop that area  
13 and maybe revitalize Crystal Lake Park, too. There  
14 is still a boathouse from when that area was used,  
15 you know, a boathouse there. So, that's something  
16 they can get a loan to do and I hope we can  
17 visualize that maybe in the near future.

18 CHAIRPERSON THOMAS: Thank you. As I  
19 said, I closed public comments. I'd like to make a  
20 comment to this gentleman and to you as well. You  
21 know, in the world of hypotheticals or the perfect  
22 world versus the real world, I think you said it  
23 could be and it should be. And you said "If it was  
24 canals", well it isn't could be, and it isn't should  
25 be. And it sat there for 20 years vacant and

1 derelict and there isn't a laundry list of  
2 developers coming by to try to develop it, because  
3 partially the land isn't developable. So until you  
4 get it sort of to the point where you can kind of  
5 conceptualize what you can do, this Commission or at  
6 least I've been on this Commission, you know, we --  
7 we started out with the world's largest vacant  
8 industrial parcels in the world when GM left town.

9           So, you know we populated them with  
10 M-1 Concourse, with Ultimate Soccer, of course there  
11 was Wessen Lawn and Tennis Club, you know, we  
12 repurposed the entire 21-acre Wisner site, we  
13 repurposed Pontiac Central High School and as  
14 Carlton said, if you don't take a -- work with the  
15 developers that know what -- that know what they're  
16 doing and there's no one who can stand up and prove  
17 of taking over a vacant derelict piece of land and  
18 turning it into an absolute gem. I've got friends  
19 in this country and Asia-Pacific where I used to  
20 work that say they've Googled mapped and the Wesson  
21 Lawn and Tennis Center, the first lawn and tennis  
22 center built in this country in a century. You  
23 can't afford to do that anywhere. Bill Massie did  
24 it. He had a vision, he had a plan and he delivered  
25 on his promise so --

1 MR. CASSANO: Point -- point of order,  
2 Mr. Chairman --

3 CHAIRPERSON THOMAS: No, no, no. No,  
4 public hearing is closed. Public hearing is closed.  
5 Excuse me.

6 MR. CASSANO: I didn't address -- and  
7 I don't respond --

8 CHAIRPERSON THOMAS: Excuse me.  
9 Public hearing is closed for you and everyone. So,  
10 anyhow, I'm going to go to my fellow Commissioners  
11 for final comments before we go to a motion. So,  
12 Commissioner Northcross, please.

13 COMMISSIONER NORTHCROSS: One concern  
14 is -- that I'm hearing is that what happens next if  
15 -- if we do go forward. And I think that's a very  
16 good concern, what happens next and I think that's  
17 something that we as a community have to ask on this  
18 project and every other project in the City. What  
19 happens next, where are we going? It's one thing to  
20 say no, but it's another thing to say here's where  
21 we want to go, here's what we think it will look  
22 like when you get there. Here are some things that  
23 we want to see starting to happen.

24 So, for that reason, the fact that we  
25 do retain ownership, with ownership comes

1 responsibility. Question is how are we as a City  
2 going to live up to that responsibility? To do  
3 nothing right now or to not take that next step,  
4 that doesn't relieve us of that responsibility. If  
5 we do take the next step, we still have the  
6 responsibility. So, for that reason I'm -- I'm  
7 inclined to say let's go ahead with the vacation of  
8 the streets, but you know, let's go ahead with the  
9 vacation of the streets and work on where we want to  
10 go with this property that has been sitting vacant  
11 for a while. Property that has a lot of memories, a  
12 lot of good people came out of that area. You know,  
13 who was the guy that wrote the book, "The Chicken  
14 Bone Express", what was his -- one of the dropping  
15 off points of that Chicken Bone Express was many of  
16 the folks that came up from the south was this area.  
17 There is some historic value to it, but how to we  
18 want to preserve it? How do we want to present it?  
19 How to we want to put it out there? We've got to do  
20 something. If we don't do something -- if we don't  
21 do something, we lose it. We lose it.

22 And I know, I had a friend of mine who  
23 was a master builder -- she was a master builder and  
24 she -- she gave me one time -- oh, it must have been  
25 about eight, nine years, she says "What you guys

1 doing in Pontiac sitting on that stuff? They're so  
2 mad that we bend on the puck so many times on that  
3 -- that area, when are you going to get something  
4 developed? So, I -- I do like the comments about  
5 vetting our developers and once we vetted our  
6 developers, working with our developers. So for  
7 that reason, I'll end my comments.

8 CHAIRPERSON THOMAS: Thank you very  
9 much. Any further comments or questions?

10 COMMISSIONER PARLOVE: Vern, could you  
11 -- more for the people who are listening and have  
12 spoken tonight, if everything is approved tonight  
13 for the vacation of the streets then the applicant  
14 comes up with some potential thoughts and ideas they  
15 bring it back to the Planning Department?

16 MR. GUSTAFSSON: Correct.

17 COMMISSIONER PARLOVE: And as people  
18 have been saying, "Well, we would like to make sure  
19 that we have access to water" however that happens,  
20 roads, whatever, how do we assure the public that  
21 they will have some input on what's happening with  
22 the parcel?

23 MR. GUSTAFSSON: You know, on a  
24 significant project like this, like I'm sure there's  
25 other, you know, future sites in the future in the

1 City of Pontiac that could be -- could have a  
2 similar -- I would say that we would probably have a  
3 Planning Commission meeting and post it in regards  
4 to talking about what we're doing here at Crystal  
5 Lake in that development. Yeah.

6 COMMISSIONER PARLOVE: Okay. So, just  
7 so people know, this -- things will still be  
8 communicated, it's not --

9 MR. GUSTAFSSON: Oh, yeah. Yeah. The  
10 Planning Commission meets every (sic) Wednesday of  
11 the month, you're more than welcome, as with all  
12 public meetings, you can look at the information  
13 online in regards to any package of information or  
14 any agenda items will be posted well in advance.

15 COMMISSIONER PARLOVE: And we don't  
16 meet every Wednesday, it's the first Wednesday of  
17 the month.

18 MR. GUSTAFSSON: Did I say every  
19 Wednesday?

20 COMMISSIONER PARLOVE: You did. We  
21 don't do that.

22 MR. GUSTAFSSON: First Wednesday of  
23 the month.

24 CHAIRPERSON THOMAS: Any further  
25 comments or questions?



1                   COMMISSIONER PAYNE:  Yes.  Thank you  
2                   once again.  I have comments in regards to normally  
3                   when street vacation comes to this -- the  
4                   Commissioners here or myself, I normally vote based  
5                   on a public access to it.  And the last big one was  
6                   the McLaren, I believe, where we vacated and I just  
7                   felt like that was a good thing to do, because they  
8                   have EMS coming through so the public have access to  
9                   that.  I believe it was last year or the year before  
10                  last Oakland County had a really big brainstorming  
11                  session on what we would like to see within the  
12                  County of all of the cities, and one of the things  
13                  that I brought up is that this area and the old  
14                  housing was, I said "Wow, we've got the water there,  
15                  all we need is a building and canoes and paddle  
16                  boats and fishing rods and we could draw everyone  
17                  from every City to that area."

18                  And so if we had like the old PYC, you  
19                  know, which is the old people and youth center, well  
20                  of course I think that that was just a vision that I  
21                  had, and I just think water is a very valuable tool  
22                  and it's getting where we're not going to even have  
23                  the access to water as we do now.  It's going to be  
24                  like your next gold.  And so we should make sure  
25                  that we're holding onto our water, because that is

1 so very important. I -- that's -- that's all I -- I  
2 mean, I just -- I believe that -- I have to believe,  
3 because we really don't have a lot of options here,  
4 I have to believe that you're going to do your job  
5 in making sure that the citizens here in Pontiac and  
6 other cities will be able to come and enjoy this  
7 City.

8 CHAIRPERSON THOMAS: Thank you. Any  
9 further comments or questions before we take a --  
10 may I have a motion?

11 COMMISSIONER PARLOVE: I would like to  
12 make a motion. See what I'm making a motion -- see  
13 what I'm making a motion on. I would like to  
14 request for street vacation a resolution for  
15 approval. The Pontiac Planning Commission is in  
16 receipt of street vacation request submitted by John  
17 Hantz to vacate portions of Irene Street, Warner  
18 Street, Hess Street, Clovese Street, McAffe Drive,  
19 Karl Walters Drive, Howard McNeil Street and Branch  
20 Street abutting parcel numbers 14-32-180-005,  
21 14-32-186-002, 14-32-251-003, 14-32-252-007 and 008  
22 and 009 and 010 and 014 and 015; 14-32 -253-001 and  
23 002 and 003 and 004; 14-32-255-002 and 003;  
24 14-32-326-001. See attached survey and legal  
25 description prepared by Reichert Surveying

1 Incorporated dated July 11th of 2019. Whereas the  
2 Pontiac Planning Commission finds that the subject  
3 streets are not required to remain to access to  
4 adjoining property owners and whereas the Pontiac  
5 Planning Commission finds that the proposed street  
6 vacation will not have an adverse effect on the  
7 surrounding properties and whereas the Pontiac  
8 Planning Commission finds that all permanent utility  
9 easements be obtained and recorded following to City  
10 Council approval, and now therefore be it resolved  
11 to vacant portions of Irene Street, Warner Street,  
12 Hess Street, Clovese Street, McAffe Street, Karl  
13 Walters Drive, Howard McNeil Street and Branch  
14 Street abutting parcel numbers -- and do I need to  
15 read it all again? Same parcels number as I've  
16 already said and hereby recommend for approval to  
17 City Council subject to property owners providing  
18 any and all necessary permanent utility easements.

19 CHAIRPERSON THOMAS: Thank you. May  
20 we have a support or second?

21 COMMISSIONER NORTHCROSS: Support.

22 CHAIRPERSON THOMAS: Any further  
23 comments or question before we good to roll call?  
24 Mr. Gustafsson, roll call, please.

25 MR. GUSTAFSSON: Yes. Commissioner

1 Parlove?

2 COMMISSIONER PARLOVE: Yes, to  
3 approve.

4 MR. GUSTAFSSON: Commissioner  
5 Northcross?

6 COMMISSIONER NORTHCROSS: Yes.

7 MR. GUSTAFSSON: Commissioner Payne?

8 COMMISSIONER PAYNE: Yes, to approve.

9 MR. GUSTAFSSON: Mayor Waterman?

10 MAYOR WATERMAN: Yes.

11 MR. GUSTAFSSON: Chair Dayne Thomas?

12 CHAIRPERSON THOMAS: Yes. Yes.

13 MR. GUSTAFSSON: Okay. Motion passes  
14 5-0.

15 AYES: Thomas, Parlove,

16 Northcross, Waterman, Payne

17 NAYS: (None.)

18 ABSTAIN: (None.)

19 MOTION CARRIES 5-0-0

20 MR. MASSIE: Thank you very much for  
21 your consideration and your time -- and your time.  
22 Thank you.

23 CHAIRPERSON THOMAS: Good luck. Let  
24 us know how we can help.

25 MR. MASSIE: Thank you.

1 CHAIRPERSON THOMAS: Okay.

2 MR. GUSTAFSSON: Chairman?

3 COMMISSIONER NORTHCROSS: Item ZMA  
4 19-10, 841 Auburn, that's been removed from the  
5 agenda.

6 MR. GUSTAFSSON: Yes, it has that was  
7 in the -- in the amended agenda it was taken off.

8 CHAIRPERSON THOMAS: Okay. And now we  
9 go to new business. And this item is address -- and  
10 I'm quite familiar with 7 South Glenwood Avenue.  
11 Mr. Gustafsson will present, please.

12 MR. GUSTAFSSON: Okay.

13 (Presentation of facts given by Mr.  
14 Gustafsson.)

15 7. NEW BUSINESS

16 7.1 LSL 19-33

17 PROPERTY ADDRESS: 7 S. GLENWOOD AVE.

18 PARCEL NO: 64-14-21-383-010

19 APPLICANT: MANUEL DAVID FERRAIUOLO

20 CURRENT ZONING: C-1 LOCAL BUSINESS

21 PROPOSED USE: LOT SPLIT/COMBINATION

22 RETAIL SALES.

23 CHAIRPERSON THOMAS: The Petitioner is  
24 here, correct?

25 MR. GUSTAFSSON: Yes, they are.

1 CHAIRPERSON THOMAS: Please come  
2 forward and state your name and address for the --  
3 wow, the football team's come in.

4 MR. DUNASKISS: That's right. We  
5 don't want to leave any stone unturned. Justin  
6 Dunaskiss, Dunaskiss Consulting and Development, 169  
7 Clarkston. And then we also have -- let them  
8 introduce themselves, we also have representatives  
9 from the applicants, from Rubicon Capital as well as  
10 the civil engineer for the site as well. So, I'll  
11 introduce them I guess. So, we have Manny  
12 Ferraiuolo as well as Joe Brown, both from Rubicon  
13 Capital, the applicants and the folks that have the  
14 property under contract as well our architect, Scott  
15 Kehrer with Spalding DeDecker.

16 CHAIRPERSON THOMAS: And you heard Mr.  
17 Gustafsson's presentation of -- I mean, really what  
18 we're here right -- for right now is a -- is a lot  
19 split, but anything that you would like to add to,  
20 or enhance, or modify, or change?

21 MR. DUNASKISS: Wonderful, yes. And  
22 just keeping on for the lot switch first and we'll  
23 give you just a brief kind of 20,000-foot overview  
24 what the overall vision is as we hope to be back in  
25 front of you, we have schedules for number of

1 requests all part and parcel to this, but just a  
2 little precursor and so forth on the lot combination  
3 split, there is five parcels currently. The overlay  
4 of the parcels currently, there really isn't a whole  
5 lot of rhyme or reason to how it was developed as  
6 old shopping center anchored. So by combining these  
7 even with the existing plan, it really does kind of  
8 make sense, the existing uses that kind of going on  
9 in the back of the center versus the front more  
10 commercial with some light warehousing and stuff  
11 going on. And then as it relates to the actual  
12 proposed larger development, what we're looking to  
13 bring forth is a redevelopment into a kind of New  
14 Age business park. And so capturing the cannabis  
15 industry to utilize -- to take up some of the anchor  
16 space if you will and then repurposing the overall  
17 site -- if you want to grab kind of the conceptual  
18 one -- the plan is to -- as we see these shopping  
19 centers that are anchored and Amazon taking away and  
20 so forth to repurpose them, so with new facade, new  
21 work to have an encompassing, inviting development  
22 for light manufacturing, you know, cannabis growers,  
23 processors, a grocery store, others, with the right  
24 facade and different barriers, the hope is to create  
25 a synergetic, kind of New Age -- I say -- I don't

1 have a good name for them, I'm not a marketer, but  
2 you know, don't think industrial park or, you know,  
3 a strip center, it's a business park where again,  
4 with the right facades, amenities we can attract  
5 both where we would have our proposed if we create  
6 the marihuana overlay district for grower back here,  
7 and then coming up to a robotics company anchored  
8 over here, with a mix of a new strip center with  
9 traditional retailers, mixed use service centers,  
10 repurposing the restaurant that's on site, to either  
11 a fast kind of a restaurant or someone is looking to  
12 propose the tenant who's anchoring this to propose a  
13 provisioning center, not asking for anything there,  
14 they'll apply for that.

15 Then we have a grocery anchored  
16 development here with a portion of it to be left for  
17 kind of like the rustbelt farmer's market, not  
18 necessarily brands like an east -- you know, down in  
19 Detroit an Eastern Market, but the smaller -- so you  
20 have your traditional grocer up front, that will  
21 probably take a little bit of time to catch on, but  
22 the smaller markets that also provide venue space in  
23 the back too are really kind of popular and bring a  
24 different aspect to fresh produce in addition to the  
25 you know, grocery store type of normal hours.



1           So, really what we come to you tonight  
2 we want to wet the whistle, if you will, so to speak  
3 conceptually overall what we're looking to do here,  
4 which is again, you know, redevelop this 28 acres of  
5 Glenwood Plaza and do that there would be a series  
6 of different apps will be coming in front of you,  
7 one would be create an overlay district for this  
8 area and then coming back to the request tonight as  
9 you see how we're looking to kind of split the two  
10 parcels with this combination and split of the  
11 parcels, we'd also come back and ask for -- with the  
12 conditional rezoning to have these two parcels line  
13 up also with the proposed zoning.

14           CHAIRPERSON THOMAS: Thank you. I'd  
15 like to go on record and say I sent a couple of  
16 e-mails and I want to clarify that for the record.  
17 About five or six months ago I was involved with  
18 some preliminary conversations with regard to this  
19 project and then that came through and so I've been  
20 in communication with a couple -- so I --  
21 needless -- I was born and raised there where that  
22 K-mart was, which was the largest K-mart in the  
23 world when it was built. That used to be a swamp  
24 and so when I was ten-year-old kid we used to play  
25 hockey down there, but that was then and this is

1 now, but the idea that it's been sitting vacant  
2 derelict for 20 years, I'm trying to revitalize --  
3 well, the whole neighborhood I formed a 501(c)(3)  
4 and so this is 27, 28-acre site so I'm bullish on  
5 that.

6 My criticism was with regard to how  
7 you were engaging the local residents. I made my  
8 remarks on paper and e-mail, that's not the  
9 conversation for tonight. Kind of going back to  
10 what we talked about earlier, to take the first  
11 step -- before we even get to that, we've got to do  
12 the lot split like the preliminary plan. So, I'm  
13 fully in favor of this lot split moving forward.  
14 Obviously you'll have to come through with that.  
15 You know where my heart is with regard to that  
16 market. You get that market, you'll win over every  
17 neighbor in that neighborhood. So --

18 MR. DUNASKISS: That's duly noted and  
19 that's what we're trying to get the response from  
20 the neighborhood, from the stakeholders obviously,  
21 you and, you know, and everyone, this Board  
22 Commission, we're trying to be very open and  
23 transparent with the process, making sure we're not  
24 trying to shove something here that doesn't fit. I  
25 really think the feedback that we've been getting

1 and so forth and what you'll see in part of the  
2 agreements is what we'll deliver, so we appreciate  
3 that.

4 CHAIRPERSON THOMAS: So, anyhow, I  
5 just want to make it clear that I'm a proponent, I'm  
6 -- I was critical of the plan. I was just critical  
7 of kind of last Saturday night's gathering, so I'll  
8 leave it there.

9 Go to my fellow Commissioners,  
10 Commissioner Northcross, please.

11 COMMISSIONER NORTHCROSS: Help me out.  
12 I'm having trouble visualizing. As I understand the  
13 picture that's in -- on the left, outlined in red,  
14 is the existing property that's one large piece of  
15 property?

16 MR. DUNASKISS: There's five parcels,  
17 28 acres total. The red, just so we're clear,  
18 that's the total 28 acres, if you're just looking at  
19 what we're asking for with all of the parcels  
20 combined.

21 COMMISSIONER NORTHCROSS: Okay. And  
22 then the picture on the right is?

23 MR. DUNASKISS: The new lines that  
24 we're proposing, the Spalding DeDecker engineer  
25 brought up the descriptions for and so forth. So

1 that would be what the two new parcels that would  
2 look like once you do the combination split and then  
3 as the Chair mentioned, I think it is pretty  
4 pertinent to even how it consistently you know, kind  
5 of lays out, but again full -- we're going to  
6 redevelop -- we're coming forth with other apps, but  
7 this would create the two new parcels. Pink will be  
8 one parcel, the blue would be another parcel. And  
9 that's also really just bringing consistent with  
10 kind of what's going on there and then once  
11 hopefully obtain the rezonings, then your parcel  
12 lines would also match what the zoning districts  
13 are, which I think is also is a good -- you know,  
14 move as well, you know, to keep things kind of neat  
15 and clean on zoning maps and so forth.

16 COMMISSIONER NORTHCROSS: There are a  
17 lot of lines on that -- on that -- on that picture.  
18 I'm trying to figure out what are the lot lines and  
19 it looks like there's outlines of maybe buildings?

20 MR. GUSTAFSSON: Yeah. The heavier  
21 lines represent the buildings that run along the  
22 edges of the -- the property.

23 MR. DUNASKISS: So, we're really  
24 trying to take a lot of thought into not only what  
25 we're going to redevelop, also what's there, because

1 it's a redevelopment so we're repurposing a lot of  
2 it.

3           So again, the blue all shaded, just  
4 think of color that's one parcel, the pink is  
5 another parcel and then again, this nicely shows too  
6 that even on the existing -- if we never did  
7 anything to improve this, it makes sense, I think,  
8 you know with the lot combination split, just what's  
9 already there let alone what we're proposing for the  
10 redevelopment.

11           COMMISSIONER NORTHCROSS: So we're  
12 looking at going to two instead of five?

13           MR. DUNASKISS: Instead of five  
14 parcels, yeah.

15           COMMISSIONER NORTHCROSS: Five into  
16 two.

17           MR. DUNASKISS: Yeah. And the five --  
18 I wish I had the overlay, you would see there's  
19 really no rhyme or reason, they don't match up with  
20 any buildings or anything really. They were old  
21 parcels that before this development were never  
22 combined when they did the development. So I wish I  
23 could bring that up on GIS, but the parcels really  
24 don't configure with any of the buildings or  
25 anything currently.

1                   COMMISSIONER NORTHCROSS: So we in  
2 essence have one parcel that has frontage on the  
3 street and then another parcel that does not?

4                   MR. DUNASKISS: Yeah. With, you know,  
5 commercial in the front and proposed M-1 in the back  
6 so kind of transitional zoning with it as well.

7                   COMMISSIONER NORTHCROSS: And are we  
8 talking easements for access to the parcels that are  
9 in the back there? Or that doesn't become just an  
10 orphan parcel sitting there?

11                  MR. KEHRER: The intent at the next  
12 level would be to put an easement in where you see  
13 there's an existing path that was the main road in  
14 the plaza. That's the lines that you're seeing  
15 right there and those are the curb lines actually of  
16 the existing site.

17                  CHAIRPERSON THOMAS: Would you state  
18 your name and address for the record?

19                  MR. KEHRER: My name is Scott Kehrer  
20 and my address is 2716 Mercury Court, Lake Orion.

21                  CHAIRPERSON THOMAS: Okay. Thank you.

22                  MR. KEHRER: And essentially the  
23 easement would go down as the main entrance there to  
24 the back parcel. There may be another easement  
25 designed to go directly down, but at this conceptual

1 point we didn't want to put easements on there until  
2 we get approval of the primary split.

3 COMMISSIONER NORTHCROSS: I guess that  
4 would come up if we did any site plans.

5 MR. GUSTAFSSON: Yeah, very much so.  
6 Cross-access agreements and all of that would occur  
7 at that time and that's -- that's down the road.

8 COMMISSIONER NORTHCROSS: So we end up  
9 with basically just two large parcels of property?

10 MR. KEHRER: Correct. The previous  
11 parcels were five direct lines essentially going  
12 east and west and they didn't provide it through the  
13 buildings and there was no exact reasoning with  
14 what's out there development-wise.

15 COMMISSIONER NORTHCROSS: And we want  
16 the two for what -- what would distinguish one of  
17 the new parcels from the other? What is the  
18 thinking for having just two?

19 MR. KEHRER: The zoning -- to meet the  
20 zoning that they're proposing, they wanted the  
21 parcels to exactly meet where they're designing the  
22 zoning.

23 COMMISSIONER NORTHCROSS: Okay. That  
24 goes back to the request for possibly an overlay  
25 district?

1 MR. DUNASKISS: Again, not to confuse  
2 -- no, the overlay district creates the opportunity  
3 for the growing processor and then we're also  
4 looking to, you know, straight rezone to C-1 in the  
5 front, which again, we'll have the grocery store  
6 anchored, the freestanding -- could be provisioning  
7 center or restaurant, fast/casual and then the strip  
8 center. So if you can imagine that purple shaded  
9 out here, it really kind of matches up with the  
10 proposed, you know, landscaping walls and then where  
11 commercial uses would be. And then again with this  
12 New Age business park, robotics, light  
13 manufacturing, cannabis production and processing in  
14 had the back, so it just kind of just naturally kind  
15 of lines up with the zoning and what our uses are.  
16 And again, I really think -- because also it's kind  
17 of there and how it lays out now, even if cannabis  
18 goes away or this -- which it's not, but it kind of  
19 lines up with us so it's currently going on at the  
20 site as well. Much better than what the current  
21 five parcels do.

22 COMMISSIONER NORTHCROSS: Yeah. And I  
23 guess I do have a little concern about actual  
24 cannabis growing unless it's, you know, somewhat  
25 contained in a building, which I think is --



1 MR. DUNASKISS: Always.

2 COMMISSIONER NORTHCROSS: -- and we've  
3 got the odor control and all of that -- and all of  
4 that going on.

5 CHAIRPERSON THOMAS: In fact that's in  
6 your proposal, I think, that's all gated and it's  
7 with security?

8 MR. DUNASKISS: And again, you know,  
9 we can explain as much as you want, I just don't  
10 want to overwhelm or -- but yes, you'll see with the  
11 plan there's the actual guard security area as well,  
12 so -- and there's a turn-around for folks that are  
13 not meant to go into one of those, they can easily  
14 turn around, no problem. Also it's very consistent,  
15 most of these facilities don't have near the, you  
16 know, security attention to detail and stuff that  
17 we're going through to make sure it's a holistic  
18 approach and so forth. Normally, they're just  
19 nonchalant, you wouldn't know if it's a tool and die  
20 shop or cannabis or so forth.

21 COMMISSIONER NORTHCROSS: Okay. And  
22 -- and again, the purple is where you're proposing  
23 to put the cannabis production?

24 MR. DUNASKISS: No. The production  
25 would be in the -- in the blue in the back and then

1 in front won't be much cannabis at all, maybe if  
2 they get approved, again, there's competition, but  
3 in front right where the existing restaurant is,  
4 that would be proposed for one, but if that -- the  
5 project is not contingent on that. If that doesn't  
6 be successful -- if they don't get one, then most  
7 likely a fast casual restaurant is what the interest  
8 is for that one.

9 COMMISSIONER NORTHCROSS: Okay. Okay.  
10 Thank you.

11 CHAIRPERSON THOMAS: Thank you. Mayor  
12 Waterman, please.

13 MAYOR WATERMAN: Yes, I'll keep it  
14 kind of short since it's been a long evening as you  
15 remarked and this seems to be a lot split well  
16 explained. So, just to -- the only comments I want  
17 to make are that when medical marihuana came to  
18 Pontiac, certainly the Planning Commission supported  
19 this and wanted to make it an avenue for economic  
20 development in the City of Pontiac. So it's a  
21 business that has been accepted by the residents of  
22 the City of Pontiac and we are moving forward on  
23 that. Certain dates that people don't know, who  
24 have put this out, the provisioning center  
25 applications are due to be -- the 21-day window to

1 accept them is starting September the 9th. So, for  
2 those out there interested in that, but that is a  
3 date we can remind people.

4 In addition to the fact something that  
5 also came up and I'll just put it out over the  
6 airways for those who are interested in this  
7 particular topic, the marihuana regulatory agency  
8 associated with LARA is coming to town, they want to  
9 do a seminar on August 21st, which is a Wednesday,  
10 from 10:00 a.m. to 2:00 p.m. so those who are  
11 interested in that, they're coming particularly to  
12 talk about, you know, adult's use, which Pontiac has  
13 not opted into yet. That also gives us a chance, of  
14 the City of Pontiac, to talk about our  
15 implementation and what our ideas about medical  
16 marihuana in the City of Pontiac, so that's going to  
17 be at the Ruth Peterson Center on Baldwin, which  
18 happens to be in one of our overlay districts too.

19 So, that conveniently fits. So I just  
20 wanted to get that information out for general  
21 knowledge. And I think we are looking forward to  
22 not only the economic development, but also to the  
23 potential jobs and also to the community benefits  
24 that will bring along. And I'm hearing --  
25 (inaudible) has sent an application in, but I'm

1 really excited as mayor, other residents are about  
2 the community benefits that will be available, and  
3 that's going to be something that will be quite well  
4 received.

5 CHAIRPERSON THOMAS: Thank you very  
6 much. Commissioner Parlove, please.

7 COMMISSIONER PARLOVE: Good evening,  
8 gentlemen. Thank you for the interest in that  
9 parcel. How long has it been sitting like that,  
10 Dayne?

11 CHAIRPERSON THOMAS: 20 years, easy.

12 COMMISSIONER PARLOVE: Yeah, a long  
13 time. So thank you for the interest. A couple of  
14 questions you mentioned robotics on this site. Is  
15 that tying into the medical marihuana as well?

16 MR. DUNASKISS: No, it's a different  
17 user, I don't know if you guys want to share about  
18 the tenant or --

19 MR. BROWN: Just a possible -- he was  
20 light industrial -- I'm sorry, Joe Brown, 14156  
21 Houghton, Livonia. It is a possible tenant that  
22 will -- that will also be allowed to work in that  
23 space if it's zoned in that light industrial zoning.

24 MR. DUNASKISS: So, not related to  
25 cannabis, different robotics (inaudible) facilities

1 already near Pontiac to consolidate.

2 COMMISSIONER PARLOVE: Okay. Great,  
3 that's good to know.

4 MR. DUNASKISS: And expanding, not  
5 just consolidating.

6 COMMISSIONER PARLOVE: Good. That's  
7 great. And then curious -- curious question, have  
8 any of you been involved in this industry before or  
9 is this all something new for everybody?

10 MR. DUNASKISS: We have -- go ahead on  
11 your operation side.

12 MR. FERRAIUOLO: Manuel Ferraiuolo,  
13 4234 Bald Mountain Road, Auburn Hills, Michigan. Me  
14 and Joe have been partners for about three years  
15 studying the industry. We have to know a lot of  
16 stuff with real estate in industry. We partnered  
17 with some people who are operators, but we want to  
18 be just developers and go out and find properties  
19 and redevelop them. And so, that's been our thing  
20 for the last 3, 3-and-a-half years.

21 COMMISSIONER PARLOVE: Okay. So it's  
22 all been in Michigan so far, you've been doing it  
23 out of State, too?

24 MR. FERRAIUOLO: Just Michigan.

25 COMMISSIONER PARLOVE: Okay. Great.

1 Those are my questions. Thank you.

2 CHAIRPERSON THOMAS: Thank you.

3 Commissioner Payne, please.

4 COMMISSIONER PAYNE: Good evening and  
5 thank you for your patience and being interested in  
6 the City of Pontiac. I wanted to just make a few  
7 comments in regards to -- I appreciate the fact that  
8 you had the vision and the property there I think is  
9 a very good piece of property that you have. And  
10 for you to kind of go in and take a look at that,  
11 and say this is good, I mean, with everything that's  
12 going on there, I think that's having a good eye for  
13 development. I look at the trees in the back, I  
14 mean, you've got all kinds of things that's going on  
15 around there, which is great. And I think that  
16 normally what we do is ask our developers --  
17 normally they come in and we say, well you know, you  
18 really -- really would like for you to go to  
19 community and see what the community think -- is  
20 thinking about. My understanding from the letter  
21 that I kind of read, I kind of took that as that's  
22 what you were doing is trying to engage the  
23 community. So I really appreciate that. I don't  
24 know what that outcome was, or -- or I didn't go,  
25 because I didn't want to you know, be mixed in the

1 conflict of interest here, but I think that it's  
2 great for developers to engage themselves within the  
3 community, to kind of see where the citizens of the  
4 community minds are and what they would like and  
5 what they would support. You know, because you want  
6 to have a business here that you know that's going  
7 to be supported by the residents and perhaps other  
8 people that are living outside of the City of  
9 Pontiac. And I think that your ideas, your visions  
10 are -- are right on target because there is no City  
11 that is in greater need of a food market than the  
12 City of Pontiac. So, thank you for that.

13 CHAIRPERSON THOMAS: Thank you. I  
14 already made my comments, this is a lot split.  
15 Can't get to the site plan until we do lot split so  
16 I'm in favor so we can get down to development  
17 issues. So, any -- may I have a motion, please?

18 COMMISSIONER PARLOVE: I would like to  
19 make a motion to approve the lot split and lot  
20 combination of existing lots, parcel numbers  
21 64-14-21-383-004 and 005 and 006 and 007; and  
22 64-14-28-126-047, into two parcels. Parcel A  
23 described as part of the southwest quarter of  
24 section 21T3NR10E, City of Pontiac, Oakland County,  
25 Michigan and parcel B described as part of the

1 southwest quarter of section 21 and part of the  
2 northwest quarter section 28T3NR10E City of Pontiac,  
3 Oakland County, Michigan including lots 87 through  
4 98 of Assessor's plat number 145 as recorded in  
5 liber 15, page 52 Oakland County Records and lots 18  
6 through 45, lots 47 through 61 and lots 64 through  
7 70 of Wilkinson and Winds subdivision as recorded in  
8 liber 22, page 13 Oakland County Records.

9 CHAIRPERSON THOMAS: Thank you very  
10 much. May we have a second and a support?

11 COMMISSIONER PAYNE: Second.

12 CHAIRPERSON THOMAS: Any further  
13 comments or question before we go to roll call?

14 Mr. Gustafsson, roll call, please.

15 MR. GUSTAFSSON: Commissioner Parlove?

16 COMMISSIONER PARLOVE: Yes.

17 MR. GUSTAFSSON: Commissioner Payne?

18 COMMISSIONER PAYNE: Yes, to approve.

19 MR. GUSTAFSSON: Mayor Waterman?

20 MAYOR WATERMAN: Yes.

21 MR. GUSTAFSSON: Chair Dayne Thomas.

22 CHAIRPERSON THOMAS: Yes.

23 MR. GUSTAFSSON: And Commissioner  
24 Northcross?

25 COMMISSIONER NORTHCROSS: Yes.



1 MR. GUSTAFSSON: 5-0.

2 AYES: Thomas, Parlove, Payne  
3 Northcross, Waterman.

4 NAYS: (None.)

5 ABSTAIN: (None.)

6 MOTION CARRIES 5-0-0

7 CHAIRPERSON THOMAS: Congratulations.

8 MR. DUNASKISS: Thank you.

9 CHAIRPERSON THOMAS: Look forward to  
10 seeing you round two, as they say.

11 MAYOR WATERMAN: Mr. Chair, it looks  
12 like there's a lot of supporters who came for this  
13 particular agenda item, maybe make a mass exit. I  
14 would like to recognize Eddie McDonald (ph) from the  
15 McDonald family was here (inaudible) number of  
16 statewide organizations and happy to see him back in  
17 town.

18 CHAIRPERSON THOMAS: Thank you very  
19 much. Okay. We come to the last -- the final two  
20 items as friendly reminder to everyone, we're at the  
21 three-and-a-half hour mark and I'm sure everyone  
22 would kind of -- so -- so for both everyone here and  
23 everyone out there, let's kind of -- kind of move it  
24 along if we can, so -- in a pleasant way, in a  
25 respectful way.

1                   So anyhow, without further ado, the  
2 next item is PS 19-31, 860 East Walton Boulevard and  
3 Mr. Gustafsson will present.

4                   MR. GUSTAFSSON: Actually --

5                   MR. SMITH: I got this one.

6                   CHAIRPERSON THOMAS: Mr. Donovan Smith  
7 will present. So, this is our City Planner, Donovan  
8 Smith.

9                   MR. SMITH: Thank you. Thank you,  
10 Commissioners.

11                   (Presentation of facts given by Mr.  
12 Smith.)

13                   7. NEW BUSINESS

14                   7.2 PS 19-31

15                   PROPERTY ADDRESS: 860 E. WALTON BLVD.

16                   PARCEL NO: 64-14-15-102-001

17                   APPLICANT: NORTHERN SIGN CO.

18                   CURRENT ZONING: R-3 MULTI-FAMILY

19                   DWELLING

20                   PROPOSED USE: GROUND MOUNTED SIGN

21                   CHAIRPERSON THOMAS: Go to my  
22 fellow Commissioners to fire away questions at  
23 Donovan Smith. So, off you go, Commissioner  
24 Northcross.

25                   COMMISSIONER NORTHCROSS: Okay. This

1 sign, where will it be located, exactly what type of  
2 setbacks and --

3 MR. SMITH: The setbacks -- not all of  
4 the signs -- ground-mounted signs require setbacks  
5 in our Ordinance. I believe signs located in R-3 do  
6 not require setbacks. And there are other  
7 categories that also don't require setbacks for  
8 ground-mounted signs.

9 COMMISSIONER NORTHCROSS: That's kind  
10 of a weird intersection there. And the road seems  
11 to be lower -- much lower than the connecting Walton  
12 Boulevard and -- and it's also on a sloping --  
13 there's a slope there to the left. You're going up  
14 a hill. And I was sitting in my car looking and you  
15 have that traffic, you know, you do get little --  
16 what I call bubbles of traffic, it's where cars are  
17 stopped at one light and they're stopped at the  
18 other light. It kind of appears to give you a way  
19 of getting in and out, but boy, I was saying if you  
20 ever get out of sequence there, looking -- you may  
21 have trouble looking west to see cars that are  
22 approaching your intersection that would be like  
23 just to the east of that sign.

24 MR. SMITH: Right.

25 COMMISSIONER NORTHCROSS: And because

1 it is sloped down, that line of sight really looks  
2 like it might be impaired unless the sign is kind of  
3 setback.

4 MR. SMITH: The clear vision criteria  
5 for ground-mounted signs for that drive specifically  
6 is ten feet off the inside and ten feet off the  
7 front. Ten feet off the sidewalk and then ten feet  
8 off the drive.

9 COMMISSIONER NORTHCROSS: Ten feet off  
10 the sidewalk?

11 MR. SMITH: Yes, and that is what  
12 forms that triangle.

13 MR. GUSTAFSSON: They have to be --  
14 yeah, correct. They have to position out of there  
15 so concerns in regards to grades and all of that  
16 will be cleared from that.

17 MR. SMITH: They will be outside of  
18 that ten --

19 COMMISSIONER NORTHCROSS: Ten feet --  
20 yeah, I'm looking at some of the pictures.

21 MR. SMITH: Yeah.

22 COMMISSIONER NORTHCROSS: I just  
23 couldn't --

24 MR. SMITH: Yeah, that's an  
25 approximate, general location of where it will be.

1                   COMMISSIONER NORTHCROSS: That answers  
2 all my questions.

3                   CHAIRPERSON THOMAS: Very good. Thank  
4 you. Mayor Waterman, please.

5                   MAYOR WATERMAN: I was able to follow  
6 along the description on Commissioner Northcross'  
7 comments, so I have no questions to fire at you,  
8 Donovan, sorry.

9                   MR. SMITH: Thank you, Mayor.

10                  CHAIRPERSON THOMAS: Okay.  
11 Commissioner Parlove, please.

12                  COMMISSIONER PARLOVE: No questions.

13                  CHAIRPERSON THOMAS: And I'd also like  
14 to recognize in getting up right now the great Alex  
15 Schroeder (ph), great athlete from Pontiac Central,  
16 Western Michigan University and the Cleveland  
17 Browns. And he properly beat up Pontiac Northern  
18 when I was there and he's still a great man. Good  
19 to see you, Alex.

20                  FROM THE AUDIENCE: Thank you.

21                  CHAIRPERSON THOMAS: I'll see you  
22 soon. And come to the car show.

23                  FROM THE AUDIENCE: Thank you.

24                  CHAIRPERSON THOMAS: I'm sorry.  
25 Commissioner Parlove, please.

1 COMMISSIONER PARLOVE: No questions.

2 CHAIRPERSON THOMAS: Commissioner  
3 Payne, please.

4 COMMISSIONER PAYNE: I would just like  
5 to welcome that new look. It looks like it's a sign  
6 that's kind of been there for a little while, so I  
7 think that it would be an asset to the public and  
8 roads passing by, so --

9 MR. SMITH: I agree.

10 CHAIRPERSON THOMAS: I think it's a  
11 great looking sign, let's go. Let's have a motion.

12 COMMISSIONER PARLOVE: All right. I'm  
13 making a motion. I make a motion regarding PS  
14 19-31, I make a motion to approve the sign placement  
15 review application SP 19-31 from Northern Sign  
16 Company, 860 East Walton Boulevard, parcel number  
17 64-14-15-102-001 for the proposed Wind Song  
18 Apartments ground-mounted sign.

19 COMMISSIONER NORTHCROSS: Support.

20 CHAIRPERSON THOMAS: Second and  
21 support. Okay. Any further comments or questions  
22 before we go to roll call?

23 Mr. Gustafsson, roll call, please.

24 MR. GUSTAFSSON: Commissioner Parlove?

25 COMMISSIONER PARLOVE: Yes.

1 MR. GUSTAFSSON: Commissioner  
2 Northcross?  
3 COMMISSIONER NORTHCROSS: Yes.  
4 CHAIRPERSON THOMAS: Chair Dayne  
5 Thomas?  
6 CHAIRPERSON THOMAS: Yes.  
7 MR. GUSTAFSSON: We have Mayor  
8 Waterman?  
9 MAYOR WATERMAN: Yes.  
10 MR. GUSTAFSSON: And Commissioner  
11 Payne?  
12 COMMISSIONER PAYNE: Yes, to approve.  
13 MR. GUSTAFSSON: 5-0.  
14 AYES: Thomas, Parlove, Payne,  
15 Northcross, Waterman.  
16 NAYS: (None.)  
17 ABSTAIN: (None.)  
18 MOTION CARRIES 5-0-0  
19 CHAIRPERSON THOMAS: Great job,  
20 Donovan. Unanimous decision --  
21 COMMISSIONER PARLOVE: In record time  
22 tonight.  
23 COMMISSIONER PAYNE: Congratulations.  
24 MR. GUSTAFSSON: Here we go.  
25 CHAIRPERSON THOMAS: We're on the

1 speed dial now.

2 MR. SMITH: All right. Commissioners,  
3 it gets better. The next case we have is also a  
4 ground-mounted sign. It's planning number is  
5 PS-19-32.

6 7.3

7 PROPERTY ADDRESS: 48980 WOODWARD  
8 AVE.

9 PARCEL NO: 14-29-252-032.

10 APPLICANT: CREATIVE DESIGNS.

11 CURRENT ZONING: C-3 CORRIDOR

12 COMMERCIAL.

13 PROPOSED USE: Ground-Mounted Sign.

14 (Presentation of facts given by Mr.  
15 Smith.)

16 CHAIRPERSON THOMAS: Okay. Very good.  
17 I'll go to my fellow Commissioners for comments and  
18 questions.

19 Commissioner Northcross, please.

20 COMMISSIONER NORTHCROSS: No

21 questions.

22 CHAIRPERSON THOMAS: Okay. Mayor  
23 Waterman, please.

24 MAYOR WATERMAN: No comments.

25 Education is good.



1 CHAIRPERSON THOMAS: Okay.

2 Commissioner Parlove, please.

3 COMMISSIONER PARLOVE: No questions.

4 CHAIRPERSON THOMAS: Commissioner  
5 Payne?

6 COMMISSIONER PAYNE: Well, I guess no  
7 questions. But I -- I do -- that just seems like  
8 that would be kind of like an overkill but, no  
9 questions from me. Okay.

10 CHAIRPERSON THOMAS: Well, you did  
11 good, Donovan. You pretty much got through this  
12 without any questions -- great job of putting this  
13 together and let's put this up to a vote --

14 COMMISSIONER PARLOVE: I'd like to  
15 make a motion to --

16 MR. GUSTAFSSON: If I may, Ms.  
17 Parlove?

18 COMMISSIONER PARLOVE: Yes?

19 MR. GUSTAFSSON: It should say Oakland  
20 County Academy of Media and Technology. Thank you.

21 COMMISSIONER PARLOVE: Uh-huh. I'm  
22 ready to whip through this. Okay. I would like to  
23 make a motion to approve the sign placement review  
24 application PS 19-32 from Creative Design and  
25 Services, 48980 Woodward Avenue parcel number

1 64-14-29-252-032 for Oakland County Academy of Media  
2 and Technology ground-mounted sign.

3 CHAIRPERSON THOMAS: Okay. May I have  
4 a second and support?

5 MAYOR WATERMAN: Second.

6 CHAIRPERSON THOMAS: Okay. We have a  
7 motion and second and support. Any further comments  
8 or questions before we go to roll call? Mr.  
9 Gustafsson, roll call, please.

10 MR. GUSTAFSSON: Yes, Commissioner  
11 Parlove?

12 COMMISSIONER PARLOVE: Yes.

13 MR. GUSTAFSSON: Mayor Waterman?

14 MAYOR WATERMAN: Yes.

15 MR. GUSTAFSSON: Commissioner Payne?

16 COMMISSIONER PAYNE: Yes, to approve.

17 MR. GUSTAFSSON: Commissioner  
18 Northcross?

19 COMMISSIONER NORTHCROSS: Yes.

20 MR. GUSTAFSSON: And Chair Dayne  
21 Thomas?

22 CHAIRPERSON THOMAS: Yes.

23 MR. GUSTAFSSON: Okay. 5-0.

24 AYES: Thomas, Parlove, Payne  
25 Northcross, Waterman.

1 NAYS: (None.)

2 ABSTAIN: (None.)

3 MOTION CARRIES 5-0-0

4 CHAIRPERSON THOMAS: Congratulations,  
5 Donovan, you're 2 and 0.

6 MR. SMITH: Thank you, Commissioners.

7 CHAIRPERSON THOMAS: Batting record  
8 tonight.

9 MR. SMITH: I'll be back.

10 CHAIRPERSON THOMAS: Thank you. Thank  
11 you very much. Okay. That finishes the petition  
12 part of our -- proposal part of our Planning  
13 Commission meeting. We go to public comment so I'm  
14 going to open public comment. Please come forward,  
15 state your name and address for the record, please.

16 MR. FARRELL: Matt Farrell -- good  
17 evening, Matt Farrell, 8722 South Shore Drive,  
18 Clarkston, Michigan. First comment is thank you  
19 very, very much. It's late in the evening, we  
20 appreciate you and your services to the community.  
21 The healthy dialogue earlier this evening was great  
22 so we welcome that and looking forward to  
23 collective, congenial working relationship to move  
24 forward with the planning on Lakeside.

25 The second comment and reason why I

1 stood up this evening is to make the following  
2 comments. You're embarking on a very interesting  
3 process with medical marihuana in downtown and  
4 through your own communities. As an expert in the  
5 real estate space which I've been in for over  
6 20 years, it's been voted in, you've accepted it and  
7 now you're working through the process of approving  
8 who you choose to approve based on the merits of  
9 their applications. I'm not involved in that  
10 process. I don't desire to be involved in that  
11 process. But what I am seeing and witness and  
12 watching and how it's affecting your downtown is  
13 very real. And that is, over 30 properties have  
14 been tied up under option or under contract in the  
15 downtown setting over the last six to seven,  
16 eight months. I only encourage and implore each of  
17 you and your constituents to please work through the  
18 process as expeditiously and as effectively as  
19 possible, because all other meaningful businesses  
20 like technology companies, office users, apartment  
21 users, restaurants, are not able to make sensible  
22 real estate and pragmatic real estate decisions or  
23 business decisions come in and out of town, because  
24 of what's going on.

25 So there will be five victors in that

1 process in downtown, there will be 25 to 30 failures  
2 in that process. And the faster we get through this  
3 in the healthiest way possible, it will be healthy  
4 for the City and it will be healthy for the  
5 progression of all of the positive change that you  
6 have going.

7 So, I only express that, I'll be  
8 happen to put stats around it if you ever wish. But  
9 thank you again, I know it's late in the evening,  
10 much appreciated.

11 CHAIRPERSON THOMAS: Thank you. Very  
12 wise words of wisdom, thank you. Any other public  
13 comments? Yes --

14 MS. PIETILA: I have -- hi, guys. One  
15 closing comment, and it's only because it is so  
16 important and it is regarding the medical marihuana  
17 and the people coming to speak and to -- to apprise  
18 people of what's going on. Ruth Peterson is not in  
19 the overlay district. Ruth Peterson is on Joslyn,  
20 the overlay district is on Baldwin, that's correct.  
21 But Ruth Peterson is on Joslyn and that is not in  
22 the overlay district. So when we spread that  
23 information, I know that there are oversights, but  
24 we need to be accurate with the information.

25 MAYOR WATERMAN: You're correct.

1 MS. PIETILA: As you said before,  
2 education is a wonderful thing. Have a good night  
3 everybody and thank you for approving everything you  
4 did tonight.

5 CHAIRPERSON THOMAS: Thank you very  
6 much. Any other further public comments? Donovan  
7 or Vern, could I ask you to put up kind of my -- my  
8 case here, if you will?

9 MR. GUSTAFSSON: Yes. There.

10 CHAIRPERSON THOMAS discussed the  
11 upcoming car show.

12 MAYOR WATERMAN discussed Pontiac Car  
13 Week.

14 COMMISSIONER NORTHCROSS discussed the  
15 next steps to get the master plan revision process  
16 rolling.

17 CHAIRPERSON THOMAS: Okay. Unless  
18 there are any further comments or questions, may I  
19 have a motion for adjournment, please.

20 COMMISSIONER PARLOVE: Motion to  
21 adjourn.

22 CHAIRPERSON THOMAS: And a second or  
23 support?

24 COMMISSIONER PAYNE: Second and  
25 support.

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CHAIRPERSON THOMAS: Any further  
comments or questions? All in favor say "Aye."

(All Ayes.)

(Proceedings concluded at 10:23 p.m.)

Minutes certified by:



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/s/ Quentina Rochelle Snowden, CSR-5519  
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