

1 MEETING: City of Pontiac Planning Commission Meeting  
2 Minutes on Wednesday, October 7, 2015, Pontiac City Hall,  
3 48450 Woodward Avenue, Pontiac, Michigan 48342  
4 COMMISSIONERS: Chair Dayne Thomas  
5 Ashley Fegley  
6 Ms. Mona Parlove  
7 Ms. Lucy Payne  
8 Mayor Deirdre Waterman  
9 Ms. Hazel Cadd  
10 Mr. Christopher Northcross  
11  
12 FROM THE CITY: C. James Sabo, City Planner  
13 Gordon Bowdell, City Planner  
14  
15 CHAIRMAN THOMAS CALLED THE MEETING TO ORDER AT 6:32 p.m.  
16  
17 ROLL CALL:  
18  
19 PRESENT: Comm. Lucy Payne, Chair Dayne Thomas  
20 Ashley Fegley, Comm. Deirdre Waterman,  
21 Comm. Hazel Cadd, Comm. Parlove,  
22 Christopher Northcross  
23  
24 Mr. Sabo reported a quorum present.  
25  
26 COMMUNICATIONS: None.  
27  
28 MINUTES FOR REVIEW: September 2, 2015  
29  
30 COMM. NORTHCROSS MADE A MOTION TO ACCEPT THE MINUTES  
31  
32 COMM. PARLOVE SECONDED  
33  
34 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
35 Parlove, Northcross  
36 NAYS: None  
37 ABSTAIN: None  
38  
39 Vote 7-0-0 motion carries  
40  
41 PF-15-66, SITE PLAN REVIEW/SPECIAL EXCEPTION PERMIT - RETAIL  
42 SALES (packaged alcoholic beverages)  
43  
44 PROPERTY ADDRESS: 1368 Baldwin Ave.  
45 LOCATION: Parcel Number 14-17-205-002  
46  
47 APPLICANT: Hani Awdish

S T O R M R E P O R T I N G  
(810) 441-0898

1 Presentation of facts given by Mr. Bowdell.  
2  
3 Mr. Mark Ross, Attorney for Applicant who did not state his  
4 address, stated that the zoning ordinance didn't exist at  
5 the time they had the liquor license, and stated that  
6 Subsection D is a grandfather clause basically that says,  
7 had this been existing on or before October 19th, it could  
8 continue to operate as long as they qualify. He also stated  
9 that he didn't file the application for a specialty permit  
10 because he didn't think they needed to and that they've been  
11 in compliance when the Master Plan was changed in 2014.  
12 Under his research, he claims they were compliant so they  
13 didn't have any zoning ordinance to comply with when it was  
14 changed. He also stated that when the ordinance changed,  
15 the City them down, told them to stop selling alcohol. He  
16 claims, had he been advised, he wouldn't have done it that  
17 way. He stated that Subsection D is the grandfather clause  
18 they qualify for and that the ordinance is read there's no  
19 "and" in any of it, he believes A, B and C applied to a new  
20 application and that this was not a new application, they  
21 were an existing conforming use at the time the ordinance  
22 was changed. He asked that the ban be lifted and they be  
23 allowed to continue to sell the beer and wine and that it is  
24 not a liquor license.

14 COMM. NORTHCROSS ASKED ABOUT THE TIMELINE.

15 Mr. Ross answered that the liquor license was issued in May  
16 of 2014.

17 Mr. Sabo explained that it wasn't the ordinance, it was the  
18 Master Plan that was updated in 2014.

18 COMM. NORTHCROSS THEN ASKED WHEN THE CONTACT BETWEEN  
19 MR. ROSS' CLIENT AND THE CITY OCCURRED.

20 Mr. Ross answered July of 2015.

21 COMM. NORTHCROSS REFERRED TO PRE-MEETINGS PRIOR TO OBTAINING  
22 ANY LIQUOR LICENSES AND ASKED THAT THE APPLICANT CONTACT THE  
23 CITY BEFORE COMMITTING TO ANYTHING.

24 Mr. Ross explained the Applicant had been at that location  
25 for 20 years.

24 Mr. Hani Awdish, the Applicant, stated he pays 13- to  
25 \$14,000 per year in taxes for the building and asked who is  
going to pay those if he has to close his business, that  
he's 60 years old, still working and dollar items are dead

- 1 which is why he would like to sell beer and wine.
- 2 COMM. WATERMAN STATED THAT THIS ISN'T THE FIRST TIME THAT  
3 THE CITY HAS HAD TO SORT THIS KIND OF PROBLEM OUT AND IT HAS  
4 ALSO BEEN A PROBLEM FOR COMMUNITIES ACROSS THE STATE AND  
5 ASKED MR. SABO TO CLARIFY THE LANGUAGE AND WHAT THE  
6 REQUIREMENTS ARE.
- 7 Mr. Sabo read from Section 2.515, Article II, Chapter 5 of  
8 the Zoning Ordinance.
- 9 Mr. Ross pointed out that the word "and" is only between A  
10 and B and not the rest.
- 11 COMM. PARLOVE REMINDED THE BOARD THAT THERE IS A CHURCH  
12 ACROSS THE STREET AND THANKED THE APPLICANT FOR HIS PATIENCE  
13 WHILE THE BOARD SORTS THIS OUT.
- 14 COMM. PAYNE CLAIMED BECAUSE OF HOW MANY CHILDREN COME TO  
15 DOLLAR STORES SHE HAS A REAL PROBLEM WITH THEM SELLING  
16 ALCOHOL.
- 17 CHAIR THOMAS STATED THAT THE BOARD HAS NOT VARIED ON A AND B  
18 AND THAT GRANTING ANOTHER LIQUOR LICENSE IS NOT SOMETHING  
19 THE BOARD IS INCLINED TO DO.
- 20 Patty McBride, 20 E. Sheffield, Pontiac, Michigan stated  
21 that she has had problems with the Applicant not keeping  
22 bulbs in lights that the City required in the past and  
23 debris from the store around her home and pointed out how  
24 many places in the area already sell liquor so she is  
25 against the special exception permit.
- 26 Linda Hasson, 1075 Williamson Circle, Pontiac, Michigan  
27 spoke about how she called the LCC and found out that it is  
28 up to the City and she is against the special exception  
29 permit.
- 30 Pamela Reaves, 494 Fourth Avenue, Pontiac, Michigan wanted  
31 it to be known that she is against the special exception  
32 permit.
- 33 Mike Seema spoke in support of the applicant and stated that  
34 they have 400 neighbors who signed a petition also in  
35 support of the applicant.
- 36 CHAIR THOMAS CLOSED PUBLIC COMMENT.
- 37 COMM. NORTHCROSS STATED THIS WAS AN UNFORTUNATE SITUATION.

- 1 COMM. CADD STATED THERE ARE ALREADY TOO MANY PLACES IN THE  
2 AREA THAT SELL ALCOHOL AND REITERATED ABOUT THE NEIGHBORING  
3 CHURCH AND CONCERN FOR CHILDREN.
- 3 COMM. WATERMAN STATED SHE APPRECIATED THE APPLICANT DOING  
4 BUSINESS IN PONTIAC FOR 20 YEARS AND OFFERED ANY SUPPORT THE  
5 APPLICANT DESIRES WITHIN THE RULES AND ORDINANCES.
- 5 COMM. PARLOVE COMMENTED THAT PONTIAC IS ALREADY SATURATED IN  
6 ALCOHOL.
- 6 COMM. PAYNE ASKED THE APPLICANT HOW LONG THEY SOLD BEER AND  
7 WINE.
- 8 Mr. Awdish answered that it was for nine months and asked if  
9 he could address Ms. McBride's comments.  
9 CHAIR THOMAS DENIED HIS REQUEST.
- 10 COMM. WATERMAN MADE A MOTION TO DENY THE SITE PLAN  
11 REVIEW/SPECIAL EXCEPTION PERMIT.
- 11 COMM. PARLOVE SECONDED
- 12 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
13 Parlove, Northcross  
14 NAYS: None  
14 ABSTAIN: None
- 15 Vote 7-0-0 motion carries
- 16 SITE PLAN REVIEW/SPECIAL EXCEPTION PERMIT
- 17 PF-15-68, SITE PLAN REVIEW - TO ADD THE ADDITIONAL USE OF  
18 AUTO SALES.
- 18 PROPERTY ADDRESS: 520 E. Columbia Ave.  
19 LOCATION: Parcel Number 14-16-326-028
- 20 APPLICANT: McNeal Automotive, LLC
- 21 Presentation of facts given by Mr. Bowdell
- 22 Mr. McNeal, Applicant, for McNeal Automotive, 146 Beach  
23 Street, Pontiac, Michigan introduced his office manager,  
24 Kathleen Robinson.
- 24 Kathleen Robinson stated her address is 564 East Beverly.
- 25 Mr. McNeal is excited to grow his business and stated that  
he purchased the lot behind him. He also stated that he is

1 in Pontiac to stay and will be growing from seven to ten  
2 employees. He also stated that he's running at a 50 percent  
3 efficiency rate and that he wants to be like Rick from  
4 Callahan's Mufflers.

5 Ms. Robinson stated that some of their customers are present  
6 to speak in support of the Applicant.

7 COMM. NORTHCROSS ASKED IF THIS SPECIAL EXCEPTION WAS A NEW  
8 CATEGORY AS HE HAD NEVER SEEN THIS ASSOCIATED WITH AUTO  
9 SALES.

10 Mr. Bowdell stated that it's classified as unlimited outdoor  
11 retail sales but that includes auto sales.

12 COMM. NORTHCROSS ASKED HOW MANY PARKING SPACES ARE BEING  
13 REQUESTED AND ASKED HOW MANY THERE ARE PRESENTLY

14 Mr. McNeal stated he only needs 10 and that there are 23  
15 currently.

16 COMM. WATERMAN STATED THAT IT SOUNDS LIKE THE APPLICANT HAS  
17 GOTTEN THE IDEA ABOUT HOW TO SUCCEED IN BUSINESS AND THAT  
18 SHE HOPES THAT THE APPLICANT INCREASES HIS EFFICIENCY RATIOS  
19 AND THAT HE'LL BE BACK TO TALK ABOUT WHAT TO DO WITH THAT  
20 SOUTH LOT AND ADVISED ABOUT A CONSORTIUM OF MICRO LENDERS  
21 AND THE APPLICANT CAN GET MORE INFO AT THE ONE STOP READY  
22 SHOP AT THE OAKLAND COUNTY BLDG. AND THAT IN A PARTNERSHIP  
23 WITH OAKLAND UNIVERSITY, THERE IS AN ENTREPRENEURSHIP  
24 SERIES.

25 COMM. PARLOVE ASKED IF THE REQUESTED SPACES ARE ALREADY  
AVAILABLE AND IF THE CARS THAT ARE PARKED THERE NOW ARE IN  
THE PROCESS OF BEING REPAIRED.

Mr. McNeal replied affirmatively to both questions.

COMM. PARLOVE ASKED IF THE APPLICANT ALREADY OWNS THE LOT TO  
THE SOUTH.

Mr. McNeal stated that he will close on that lot on the  
29th.

CHAIR THOMAS INQUIRED WHERE THE APPLICANT PARKS HIS TOW  
TRUCK.

Mr. McNeal stated that is at 1170 Joslyn.

CHAIR THOMAS OPENED PUBLIC COMMENT.

- 1 Eric Ingnal, 355 Fourth Avenue, Pontiac, Michigan spoke in  
support of the Applicant.
- 2  
3 Helen Kotwicki, 505 Fourth Avenue, Pontiac, Michigan spoke  
in support of the Applicant.
- 4 Christine Ortez, 334 Fourth Avenue, Pontiac, Michigan spoke  
in support of the Applicant.
- 5  
6 Linda Hasson, 1075 Williamson Circle, Pontiac, Michigan  
spoke in support of the Applicant.
- 7 Pamela Reed, 494 Fourth Avenue, Pontiac, Michigan spoke in  
support of the Applicant.
- 8  
9 COMM. PARLOVE MOVED TO APPROVE THE SITE PLAN REVIEW/SPECIAL  
EXCEPTION PERMIT.
- 10 COMM. PAYNE SECONDED
- 11 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
Parlove, Northcross
- 12 NAYS: None
- 13 ABSTAIN: None
- 14  
15 Vote 7-0-0 motion carries
- 16 SITE PLAN REVIEW/SPECIAL EXCEPTION PERMIT
- 17 PF-15-69, SITE PLAN REVIEW - FOR RETAIL SALES OF PACKAGED  
ALCOHOLIC BEVERAGES IN THE C-2 DOWNTOWN BUSINESS DISTRICT.
- 18 PROPERTY ADDRESS: 28 N. Saginaw St.  
LOCATION: Parcel Number 14-29-477-001
- 19 APPLICANT: Pop's Party Store
- 20  
21 Presentation of facts given by Mr. Sabo
- 22 The Applicant was present earlier in the meeting but left  
before this case was called.
- 23 COMM. NORTHCROSS INQUIRED IF THE APPLICANT, LIKE THE  
PREVIOUS CASE, WAS SELLING ALCOHOL AND WAS STOPPED BY THE  
CITY.
- 24 Mr. Sabo stated that the Applicant was not in compliance  
with our standards for Section 2.515 so he was issued a  
letter and gave the Board some background on what is causing  
this continued problem.

- 1  
2 COMM. WATERMAN INQUIRED IF THE APPLICANT CAME FOR A SPECIAL  
3 EXCEPTION PERMIT BEFORE STARTING ANY KIND OF DISTRIBUTION.
- 4  
5 Mr. Bowdell stated that they obtained a license without  
6 local approval so, therefore, were selling and got shut  
7 down.
- 8  
9 COMM. WATERMAN ASKED HOW MANY BUSINESSES IN THE AREA ARE  
10 ALREADY SELLING ALCOHOL.
- 11  
12 Mr. Sabo indicated three.
- 13  
14 COMM. PARLOVE ASKED IF THE LOCATION WAS A PREVIOUS BUSINESS  
15 THAT HAD A LICENSE TO SELL ALCOHOL.
- 16  
17 Mr. Sabo stated that it was not.
- 18  
19 COMM. PAYNE VOICED CONCERN THAT THERE ARE A LOT OF TEENAGERS  
20 FREQUENTING THE CLUBS IN THE AREA SO THEY MAY ASK ADULTS TO  
21 PURCHASE ALCOHOL FROM THE APPLICANT'S ESTABLISHMENT AND WAS  
22 CONCERNED ABOUT IT BECOMING A HANGOUT.
- 23  
24 CHAIR THOMAS INQUIRED WHETHER THEY WANTED TO SELL LIQUOR OR  
25 JUST BEER AND WINE.
- 26  
27 Mr. Sabo replied that speaking with the Applicant he says  
28 it's just beer and wine but he can confirm.
- 29  
30 CHAIR THOMAS STATED THAT THE BOARD CERTAINLY DOESN'T WANT  
31 YOUNG PEOPLE WALKING DOWN THE STREET TRYING TO SLIP IN AND  
32 OUT OF THERE FOR LATE NIGHT PURCHASES OF ALCOHOL.
- 33  
34 COMM. WATERMAN SUGGESTED TABLING THE ISSUE SINCE THE  
35 PETITIONER ISN'T PRESENT.
- 36  
37 CHAIR THOMAS OPENED THE PUBLIC COMMENT.
- 38  
39 Patricia Yulkowski, from 30 North Saginaw next door voiced  
40 her hope that folks who have made tremendous investments are  
41 not negatively impacted.
- 42  
43 Linda Hasson, 1075 Williamson Circle, Pontiac, Michigan  
44 voiced concern about vagrants and stated that she is not  
45 sure that having that type of store is going to help the  
46 situation in Pontiac.
- 47  
48 CHAIR THOMAS CLOSED PUBLIC COMMENT.
- 49  
50 COMM. NORTHCROSS MOVED TO DENY.

1 COMM. PARLOVE SECONDED  
2  
3 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
4 Parlove, Northcross  
5 NAYS: None  
6 ABSTAIN: None  
7  
8 Vote 7-0-0 motion carries  
9  
10 SITE PLAN REVIEW  
11  
12 PF-15-72, SITE PLAN REVIEW - TO CONSTRUCT A 2,075 SQ. FT.  
13 BLDG ADDITION ON THE NORTH SIDE OF EXISTING SITE.  
14  
15 PROPERTY ADDRESS: 1461 N. Perry St.  
16 LOCATION: Parcel Number 14-29-282-031  
17  
18 APPLICANT: Rick Callahan  
19  
20 Presentation of facts given by Mr. Bowdell  
21  
22 COMM. NORTHCROSS INQUIRED IF THE ADDITION WAS FOR THE  
23 PURPOSE OF STORING AUTOMOBILES.  
24  
25 Rick Callahan, 780 Wagner Drive, Rochester Hills, Michigan  
replied affirmatively.  
COMM. CADD INQUIRED IF THERE IS ADEQUATE LIGHTING AT THE  
SITE.  
Mr. Callahan replied in the affirmative.  
COMM. WATERMAN STATED SHE IS HAPPY TO SEE BUSINESSES IN  
PONTIAC EXPAND AND STATED THAT IF THE MAYOR'S OFFICE COULD  
BE OF ANY ASSISTANCE TO THE APPLICANT FOR HIM TO FEEL FREE  
TO CALL.  
COMM. PARLOVE INQUIRED ABOUT THE REDUCTION IN LANDSCAPING.  
Mr. Sabo explained the modifications.  
COMM. PAYNE INQUIRED IF THERE WAS GOING TO BE AUTO REPAIR AT  
THE REQUESTED ADDITION.  
Mr. Callahan replied that there wasn't going to be and that  
the purpose was just to store his personal vehicle  
collection.  
COMM. PARLOVE MOTIONED TO APPROVE THE REQUEST.



1 COMM. WATERMAN SECONDED.  
2  
3 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
4 Parlove, Northcross  
5 NAYS: None  
6 ABSTAIN: None  
7  
8 Vote 7-0-0 motion carries  
9  
10 SITE PLAN REVIEW  
11  
12 PF-15-73, SITE PLAN REVIEW - FOR A PROPOSED SITE DEMOLITION  
13 AND NEW CONSTRUCTION BUILDING FOR A RETAIL FAMILY DOLLAR  
14 STORE.  
15  
16 PROPERTY ADDRESS: 735 Baldwin Ave., former gas station.  
17 LOCATION: Parcel Number 14-20-176-008, 009, 010  
18  
19 APPLICANT: Telkap Partners  
20  
21 Presentation of facts given by Mr. Sabo  
22  
23 Mr. Isam Yaldo, 31000 Northwestern Highway, Ste 110,  
24 Farmington Hills, Michigan stated that it is a vacant,  
25 existing building and that they may have some environmental  
issues.  
26  
27 COMM. NORTHCROSS INQUIRED WHETHER THE PROPOSED PLAN MEETS  
28 THE CITY'S REQUIREMENTS  
29  
30 Mr. Sabo stated that he is unsure as he hasn't been able to  
31 review the more detailed plans.  
32  
33 COMM. NORTHCROSS ASKED THE APPLICANT IF HE FEELS HE WILL  
34 HAVE TROUBLE COMPLYING WITH THE REQUIREMENTS.  
35  
36 Mr. Yaldo replied in the negative and indicated several  
37 locations of other Family Dollar Stores.  
38  
39 COMM. CADD ASKED IF THE APPLICANT WAS PLANNING ON SELLING  
40 PACKAGED LIQUOR.  
41  
42 Mr. Yaldo stated that he doubts it but that in their lease  
43 there is a clause that they have a right to apply for a  
44 license to.  
45  
46 COMM. WATERMAN ASKED WHAT THE GROWTH PATTERN IS AND IF THEY  
47 ANTICIPATE A LOT MORE OF THESE.

1 Mr. Yaldo stated they can be two miles apart.

2 COMM. WATERMAN ASKED MR. SABO IF HE WOULD GIVE THE BOARD A  
3 PICTURE IN THE BOARD'S MINDS OF WHAT IS BEING PRESENTED.

4 Mr. Sabo indicated what sort of materials are being proposed  
5 for the new construction.

6 COMM. PARLOVE INQUIRED IF THE APPLICANT HAD BEEN BEFORE THE  
7 BOARD PREVIOUSLY.

8 Mr. Yaldo stated he had and he was denied.

9 COMM. PAYNE INQUIRED OF THE APPLICANT IF IT WAS HIS PLAN TO  
10 COMPLY WITH THE RECOMMENDATION.

11 Mr. Yaldo replied, "Absolutely."

12 CHAIR THOMAS INQUIRED HOW MUCH WOULD BE INVESTED IN  
13 CONSTRUCTION COSTS AND HOW MANY EMPLOYEES THERE WOULD BE.

14 Mr. Yaldo replied that it was in excess of a million dollars  
15 and eight employees.

16 COMM. PAYNE ASKED THE APPLICANT WHAT DATE HE EXPECTED TO BE  
17 OPENING THE NEW SITE.

18 Mr. Yaldo replied it would be July or August, as he expects  
19 to start construction in March.

20 COMM. NORTHCROSS MOVED TO APPROVE.

21 COMM. CADD SECONDED.

22 VOTE: AYES: Payne, Thomas, Fegley, Waterman, Cadd,  
23 Parlove, Northcross

24 NAYS: None

25 ABSTAIN: None

26 Vote 7-0-0 motion carries

27 COMM. PARLOVE INDICATED THAT ULTIMATE SOCCER WAS LOOKING FOR  
28 EMPLOYEES LOCALLY AND THAT YOU CAN APPLY AT LAFAYETTE MARKET  
29 AND ANNOUNCED CHARLOTTE BURCKHARDT'S RETIREMENT.

30 COMM. NORTHCROSS MADE SOME ANNOUNCEMENTS ABOUT UPCOMING  
31 EVENTS.

32 COMM. WATERMAN MADE SOME ANNOUNCEMENTS AND DESIRE TO FURTHER  
33 DEVELOP OUR ECONOMIC DEVELOPMENT RESOURCES.

1 CHAIR THOMAS MADE SOME COMMENTS ABOUT DUMPING.

2 COMM. WATERMAN MOVED TO ADJOURN.

3 COMM. NORTHCROSS SUPPORTED.

4 ADJOURNMENT: 9:02 p.m.

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