

1 CITY OF PONTIAC - PLANNING COMMISSION

2 WEDNESDAY, FEBRUARY 3, 2021

3 6:00 P.M.

4 A meeting before the Planning  
5 Commission, via Zoom technology.

6  
7 BOARD COMMISSIONERS:

8 Dayne Thomas, Chair

9 Mona Parlove, Commissioner

10 Ashley Fegley, Vice Chair

11 Christopher Northcross, Commissioner

12 Lucy Payne, Commissioner

13 Mayor Deirdre Waterman, Commissioner

14  
15 EXCUSED:

16 Hazel Cadd, Commissioner

17  
18 CITY OFFICIALS PRESENT:

19 Vernon Gustafsson, Planning Manager

20 Donovan Smith, City Planner

21  
22 MINUTES RECORDED BY:

23 Quentina R. Snowden, (CSR-5519)

24 Certified Shorthand Reporter & Notary Public

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MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING  
COMMISSION:  
Manuel Ferraiuolo, Brand Klintworth, Brad Klein,  
Mattie Hatchett, Chris Kinaya, Ernestine McCall

1 (CALL TO ORDER: Chair Thomas called  
2 the meeting to order at 6:01 p.m.)

3 CHAIRPERSON THOMAS: The Planning  
4 Commission meeting for February 3, 2020 is  
5 officially open. So the meeting is called to order,  
6 and Mr. Gustafsson, may we do roll call, please?

7 MR. GUSTAFSSON: Sure. And I would  
8 ask each of the Commissioners to state your name,  
9 say that you're meeting virtually, and your  
10 location.

11 Okay. With that being said,  
12 Commissioner Northcross?

13 COMMISSIONER NORTHCROSS: Good  
14 afternoon. This is Commissioner Northcross. I am  
15 meeting virtually from my residence here in Pontiac  
16 on Astorwood Street.

17 MR. GUSTAFSSON: Commissioner Parlove?

18 COMMISSIONER PARLOVE: And good  
19 evening, as well. This is Commissioner Mona Parlove  
20 and I'm participating in our Planning Commission  
21 meeting on the 3rd of February 2021 and I am at my  
22 residence on Erie Road in Pontiac.

23 MR. GUSTAFSSON: Commissioner Payne?

24 COMMISSIONER PAYNE: Good evening,  
25 everyone. This is Lucy Payne, and I'm meeting

1 virtually. And also I am in the City of Pontiac at  
2 Fairway Drive. Good evening.

3 MR. GUSTAFSSON: Thank you. Good  
4 evening. Vice Chair Fegley?

5 VICE CHAIR FEGLEY: Good evening.  
6 This is Ashley Fegley. I'm meeting virtually at my  
7 residence in Pontiac, Michigan.

8 MR. GUSTAFSSON: And I don't see Mayor  
9 Waterman, but I'm sure she'll be attending shortly.

10 Okay. With that being said, we do  
11 have a quorum.

12 CHAIRPERSON THOMAS: Do you want to  
13 add me to the roll call?

14 MR. GUSTAFSSON: Sure. Sorry, Dayne,  
15 I already checked you off. Not that I forgot you, I  
16 did.

17 COMMISSIONER PARLOVE: Saving the best  
18 for last.

19 MR. GUSTAFSSON: That's right. Chair  
20 Dayne Thomas?

21 CHAIRPERSON THOMAS: Good evening,  
22 Commissioner Chair Dayne Thomas meeting virtually  
23 from my residence in Pontiac, Michigan as well.

24 MR. GUSTAFSSON: Okay.

25 CHAIRPERSON THOMAS: So I believe we

1 have a quorum?

2 MR. GUSTAFSSON: We do. I have five.  
3 I'm sure Mayor Waterman will be joining us shortly.

4 CHAIRPERSON THOMAS: Okay. We'll  
5 welcome her --

6 MR. SMITH: I'm letting Commissioner  
7 Waterman in now. All right. Everyone should be in  
8 now.

9 CHAIRPERSON THOMAS: Good evening to  
10 Mayor Waterman.

11 MAYOR WATERMAN: Good evening.

12 CHAIRPERSON THOMAS: We welcome Mayor  
13 Waterman to the meeting, so we have a full  
14 Commission this evening -- we have a full Commission  
15 this evening.

16 MR. GUSTAFSSON: Yep.

17 CHAIRPERSON THOMAS: First item is  
18 that we made a slight change to the agenda, so may I  
19 have a motion to amend the agenda as recently  
20 updated, please?

21 MR. GUSTAFSSON: And the update is to  
22 remove 6.1 site plan review for 829 Golf Drive from  
23 the agenda.

24 COMMISSIONER PARLOVE: I make a motion  
25 to remove 829 Golf Drive from the agenda this

1 evening.

2 CHAIRPERSON THOMAS: May we have a  
3 second and support, please?

4 COMMISSIONER PAYNE: Second by Lucy  
5 Payne.

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

10 MS. McCALL: I oppose. Ernestine  
11 McCall. You told me to come in this week, it's on  
12 the agenda. You said it was posted on the agenda so  
13 I don't think it should be removed. I have other  
14 people from my community that are going to -- are  
15 planning to come in also to listen. Now we have  
16 been told last week that it was going to be on the  
17 agenda this week.

18 MR. GUSTAFSSON: Correct, but with --

19 MS. McCALL: The American House.

20 MR. GUSTAFSSON: No, American House is  
21 not on the agenda. Another project along Golf Drive  
22 further --

23 MS. McCALL: I called in last week and  
24 said it was going to be on the agenda, it was on  
25 your list for the agenda for your -- that you sent

1 out this week.

2 COMMISSIONER PAYNE: Mr. Chair, I  
3 believe that's on old business down lower.

4 MS. McCALL: That's Golf Drive. I  
5 don't care where it is. It's American House. I've  
6 been trying to get in here, they told us last week  
7 come in, last week, and they were going to put it on  
8 the agenda for this meeting, and now you're going to  
9 take it off. No.

10 MR. SMITH: We should save those  
11 comments for public comment.

12 MS. McCALL: Public comment nothing.  
13 You're getting -- go to remove it from the agenda  
14 period.

15 CHAIRPERSON THOMAS: With respect --

16 MS. McCALL: That's not right.

17 CHAIRPERSON THOMAS: With respect,  
18 you're out of order. Thank you very much. You will  
19 have a chance to answer -- talk to us at the end of  
20 the meeting, but we just have taken a motion to  
21 amend it -- to amend the agenda for tonight. Mr.  
22 Gustafsson, anything that you want to add at this  
23 point?

24 MR. GUSTAFSSON: I just wanted to  
25 clarify that this agenda item that Ms. McCall is

1 referring to is not related to American House. We  
2 did provide you with further information as  
3 requested, Ms. McCall, following last week's -- or  
4 last Planning Commission meeting. And this regards  
5 to a project called PACE at 829, so this is -- this  
6 has -- this item that we're removing has nothing to  
7 do with American House.

8 CHAIRPERSON THOMAS: Thank you. So  
9 that being said, according to Zoom protocol, I  
10 believe we have to take a roll call rather than a  
11 number on board; is that correct?

12 MR. GUSTAFSSON: Please. And that  
13 will be so.

14 CHAIRPERSON THOMAS: Roll call for  
15 amended agenda change, please.

16 MR. GUSTAFSSON: Commissioner Parlove?

17 COMMISSIONER PARLOVE: Yes to amend  
18 the agenda.

19 MR. GUSTAFSSON: Commissioner Payne?

20 COMMISSIONER PAYNE: Yes to amend the  
21 agenda.

22 MR. GUSTAFSSON: Mayor Waterman?

23 MAYOR WATERMAN: Yes to amend. Did we  
24 take roll call?

25 MR. GUSTAFSSON: That's what we're



1 doing.

2 MAYOR WATERMAN: I want to say that  
3 Mayor wasn't here. I was in the waiting room, but  
4 for roll call I am attending remotely and Pontiac,  
5 Michigan. And I do vote yes for -- to amend the  
6 agenda.

7 MR. GUSTAFSSON: Thank you.

8 CHAIRPERSON THOMAS: Thank you.

9 MR. GUSTAFSSON: Commissioner  
10 Northcross?

11 COMMISSIONER NORTHCROSS: Yes to amend  
12 the agenda.

13 MR. GUSTAFSSON: Vice Chair Fegley?

14 VICE CHAIR FEGLEY: Yes to amend the  
15 agenda.

16 MR. GUSTAFSSON: And Chair Thomas?

17 CHAIRPERSON THOMAS: Yes to amend the  
18 agenda.

19 MR. GUSTAFSSON: Okay.

20 AYES: Thomas, Payne, Northcross,  
21 Waterman, Fegley, Parlove

22 NAYS: (None.)

23 ABSTAIN: (None.)

24 MOTION CARRIES 6-0-0

25 CHAIRPERSON THOMAS: So we have a

1 unanimous vote in favor of changing the agenda, so  
2 thank you for that.

3 And to the minutes -- review of  
4 minutes. And we will go in order starting with  
5 Commissioner Northcross, please.

6 COMMISSIONER NORTHCROSS: I have no  
7 amendments.

8 CHAIRPERSON THOMAS: Thank you very  
9 much. To Honorable Mayor Dr. Deirdre Waterman,  
10 please?

11 MAYOR WATERMAN: I have no amendments  
12 other than what we just voted for. But for anybody  
13 who was here thinking that American House were on  
14 the agenda, can we make it clear for them that  
15 anybody who is here for America House, that was not  
16 ever on the agenda for the planner? So I don't want  
17 anybody waiting to think that it's going to be  
18 discussed as part of the agenda. But if they want  
19 to make public comment, that's fine. I just want to  
20 make sure that's clear to people who are here, Vern.  
21 I think you did, but I just wanted to make sure.  
22 Okay.

23 MR. GUSTAFSSON: Mayor --

24 CHAIRPERSON THOMAS: That American  
25 House was not on the agenda, so, it was not removed

1 from the agenda. Anything else you'd like to add,  
2 Mr. Gustafsson?

3 MR. GUSTAFSSON: No. Both the Chair  
4 and the Mayor did a great job. Thank you.

5 CHAIRPERSON THOMAS: All right. Thank  
6 you. So thank you, Mayor, with regard to your  
7 comments. With regard to minutes, Commissioner  
8 Parlove, please?

9 COMMISSIONER PARLOVE: I was not at  
10 that meeting, so I have no comment on the minutes.

11 CHAIRPERSON THOMAS: Thank you,  
12 Commissioner Payne, please?

13 COMMISSIONER PAYNE: Yes, I do have  
14 corrections in regards to the agenda (sic), page 15  
15 line 8. And just appropriate for me to share her  
16 conversation with regarding Galloway -- regarding  
17 the Master Plan Parks and Rec Master Plan. Line 9,  
18 I believe on the same page is president of  
19 Herrington, H-E-R-R-I-N-G-T-O-N, Hills. Line 13,  
20 with her computer. Thank you, Mr. Chair.

21 CHAIRPERSON THOMAS: Thank you very  
22 much. And to Vice Chair Fegley, please?

23 VICE CHAIR FEGLEY: Yes to approve.

24 CHAIRPERSON THOMAS: Okay. And from  
25 my perspective, I abstain. I did not have a chance

1 to review, so with that being said may we have a  
2 motion to approve the minutes as submitted, please?

3 MR. GUSTAFSSON: Excuse me, the  
4 Commission is to approve the amended minutes by  
5 Commissioner Payne. So that's what we were going to  
6 be voting on.

7 COMMISSIONER PAYNE: The corrections,  
8 right.

9 MR. GUSTAFSSON: With corrections,  
10 yes. Amended, corrections, yes.

11 CHAIRPERSON THOMAS: Okay. May we  
12 have a second, please?

13 COMMISSIONER PARLOVE: I second.

14 CHAIRPERSON THOMAS: Okay. We have a  
15 motion we have a second. Any comments or further  
16 comments or questions before we go to roll call?  
17 Okay. Thank you. Mr. Gustafsson, roll call,  
18 please.

19 MR. GUSTAFSSON: Vice Chair Fegley?

20 VICE CHAIR FEGLEY: Yes to approve.

21 MR. GUSTAFSSON: Commissioner Payne?

22 COMMISSIONER PAYNE: Approve with  
23 corrections.

24 MR. GUSTAFSSON: Mayor Waterman?

25 MAYOR WATERMAN: Yes, approve as

1 amended.

2 MR. GUSTAFSSON: Commissioner Parlove?

3 COMMISSIONER PARLOVE: Yes to approve  
4 with the corrections.

5 MR. GUSTAFSSON: Commissioner  
6 Northcross?

7 COMMISSIONER NORTHCROSS: Yes to  
8 approve with the corrections.

9 MR. GUSTAFSSON: And lastly, Chair  
10 Thomas, you're going to abstain?

11 CHAIRPERSON THOMAS: I'm abstaining,  
12 yes.

13 MR. GUSTAFSSON: So motion passes.

14 AYES: Parlove, Payne, Northcross,  
15 Waterman, Fegley

16 NAYS: (None.)

17 ABSTAIN: Thomas

18 MOTION CARRIES 5-0-1

19 CHAIRPERSON THOMAS: Okay. Thank you.  
20 To the formal part of the agenda we shall go. We  
21 have three public hearings, and we will start first  
22 with item 5.1. But it's SEP 20-04 Special Exemption  
23 Permit. And this is at 9 South Glenwood Avenue.  
24 And Mr. Gustafsson will present, so please proceed.

25 MR. GUSTAFSSON: Okay. Thank you.

1           5. PUBLIC HEARINGS:

2                 5.1

3                         SEP 20-04 Special Exemption Permit

4                         PROPERTY ADDRESS: 9 S. Glenwood

5                         PARCEL NO. 64-14-21-383-012

6                         APPLICANT: Rubicon Real Estate

7                                 Holdings, LLC

8                         CURRENT ZONING: M-1 Light

9                                 Manufacturing

10                         PROPOSED USE: Medical Marihuana

11                                 Cultivation & Processing

12                                 (Presentation of facts given by Mr.

13 Gustafsson.)

14                         MR. GUSTAFSSON: The applicant and  
15 also his consultant team is here to answer any of  
16 your questions. Thank you.

17                         CHAIRPERSON THOMAS: Thank you, Mr.  
18 Gustafsson. So I would refer to the petitioners, if  
19 they would like to come forward and add anything or  
20 comment with regard to Mr. Gustafsson's presentation  
21 of your proposal.

22                         MR. GUSTAFSSON: I see his consultant,  
23 Justin Dunaskiss and also others are here will be  
24 more than happy to provide any followup to the  
25 staff's presentation.

1 CHAIRPERSON THOMAS: Do they hear or  
2 not hear my invitation for them to come forward?

3 MR. FERRAIUOLO: Manni Feraiuolo with  
4 Rubicon. How are you all today?

5 CHAIRPERSON THOMAS: We're getting  
6 some feedback, but anyhow Manni, welcome. You heard  
7 Mr. Gustafsson's presentation of your proposal. But  
8 is there anything you'd like to add, to enhance,  
9 modify or clarify?

10 MR. FERRAIUOLO: I think he covered  
11 most of basis that I'm aware of. We have the full  
12 team here to answer any specific questions you all  
13 may have, but I think for the most part he covered  
14 most of those -- most of those bases in the  
15 presentation.

16 CHAIRPERSON THOMAS: With that being  
17 said then, kind of for the benefit of everyone,  
18 protocol that we follow is I will go to each of the  
19 Commissioners and enable them to speak to you,  
20 questions and comments. And when that is completed,  
21 then we will open public hearing. And then we'll  
22 close public hearing, we'll come back for final  
23 review and questions and seek a motion.

24 So with that being said, I'll refer to  
25 Commissioner Northcross to speak to the

1 Commissioners -- to speak to the applicant, any  
2 questions or comments?

3 COMMISSIONER NORTHCROSS: Just a  
4 question about the retail portion of this whole  
5 development. I believe that's in the C-1 area. I  
6 think you went to C-1. It's not the M-1 light  
7 manufacturing area, but there's a second area. And  
8 my understanding is the retail section was going to  
9 be completed before other portions in the M-1 area.

10 Where do we stand in that sequencing  
11 of construction?

12 MR. FERRAIUOLO: So according to our  
13 conditional rezoning, the proposed part for the C-1  
14 is the retail that you're referring to, is a grocery  
15 store that we're bringing. But according to our  
16 conditional rezoning, and our City Council  
17 resolution, we have ability to grow up to 100,000  
18 square feet of the M-1 section, and no more than  
19 100,000 feet until we bring the grocery store.

20 What we wanted to do is get the  
21 approvals and everything for the grocery store first  
22 and move that forward. We're running into some  
23 delays and other aspects in Pontiac, not with this  
24 body here. But the grocery store we want to move  
25 that forward as soon as possible. And we're doing



1 some construction as far as certain demos and things  
2 like that, starting to clean up the site a little  
3 bit. But we need some movement from the clerk's  
4 office to really fully move a lot of that forward.

5 But the grocery store would be one of  
6 the first things that we would be construction --  
7 constructing just because it makes sense that way.  
8 However, it's not -- the way we have it set up  
9 through the planning conditional rezoning and our  
10 City Council resolution is we can't utilize  
11 100,000 square feet until we open the grocery store  
12 before we do anything else.

13 COMMISSIONER NORTHCROSS: So your --  
14 what does that look like in terms of timing now in  
15 terms of your sequence? I would say more of the  
16 sequence of events?

17 MR. FERRAIUOLO: Well, we are in an  
18 interesting time with COVID this last year. So some  
19 of those -- that stuff got delayed. But then also  
20 we're in an interesting situation with the clerk's  
21 office and moving applicants forward to allow us to  
22 move forward with our construction. So hopefully as  
23 soon as possible. We do want to hit the ground  
24 running. We do have Brad Klintworth here who is our  
25 general contractor. He might be able to answer more

1 specific questions about construction or time frame  
2 of construction when we can get started, but  
3 everything is kind of -- at this moment we're kind  
4 of at a little bit of a standstill trying to move  
5 forward with what we have going on with the clerk's  
6 office and where that's at. So hopefully we can  
7 move forward as soon as possible. As far as time  
8 frame, as soon as we get this hurdle that we're at  
9 handled, hopefully we'll be able to handle that  
10 relatively quickly. As soon as that happens, from  
11 time frame when we start construction, I could get a  
12 specific answer for that, if you're looking for  
13 that. Bu as far as when we can start construction,  
14 that's kind of get over this hurdle.

15 MR. BROWNE: This is Joe Browne with  
16 Rubicon. So I -- from what I'm understanding Mr.  
17 Northcross is asking, I don't know if the Planning  
18 Commission is aware of the hurdle. Manni, you're  
19 referring to a hurdle the. The hurdle is that until  
20 the clerk issues the letter of approval to the  
21 tenants, then once we have that approval, then the  
22 lender will release the funds to start construction  
23 on the grocery store and the first phase. The  
24 lender will not release the funds to start  
25 construction until we have approval from the clerk's

1 office on the two tenants that applied back in  
2 January of this last year, of 2020.

3 MR. FERRAIUOLO: They applied in  
4 September of 2019, but -- I think that was covered a  
5 little bit in the packet that was sent out. But  
6 that is one of the hurdles. As landowners, we have  
7 all of the approvals that we can get besides this  
8 one that we're seeking from you all tonight for the  
9 property. But on the applicant side or tenant side,  
10 that's been held up a little bit through the clerk's  
11 office. And so hopefully we can have that move  
12 forward.

13 MAYOR WATERMAN: Mr. Chair? I would  
14 also like to lend something to maybe related to Mr.  
15 Northcross's question, but also to supplement what  
16 our senior planner has also told us to maybe shed  
17 some light and put us in perspective.

18 The question you asked, Commissioner  
19 Northcross, was what was the timing of the beginning  
20 of construction. I think that's the basic question  
21 here, because they can't start construction until  
22 they get approval. All right. And once again we  
23 have to be sure this -- we're taking this a little  
24 out of order, as the senior planner alluded to you.

25 The fact that generally the review of

1 the application would occur first, and then upon  
2 whether they decide to give approval or not, then  
3 once again we have to be very clear, the Planning  
4 Commission, it is not our role, our responsibility,  
5 we have to be very clear with the conflict of  
6 interest that we have all signed, that we're not  
7 here to judge applications. That is the clerk's --  
8 interim clerk's job according to the referendum that  
9 was passed by the voters. And generally that would  
10 happen first; the clerk would review the  
11 applications and he would choose the winners, all  
12 right? And I guess the ones that get approval get a  
13 license.

14 And then the ones that needed the  
15 Special Exemption Permit would come to Planning  
16 Commission. But we are -- under these special  
17 circumstances I'll talk about, our senior planner is  
18 giving you some information about that too. We're  
19 taking that out order because we're all dumbfounded  
20 on the administration side that it's taken this long  
21 for the interim clerk to get these applications  
22 reviewed. Some of these applications he's had now  
23 for two years almost without one single application  
24 being completed or license granted.

25 So when you ask someone when they're

1 going to start construction, all of these entities  
2 that have applied to the City, none of them can tell  
3 you because none of them -- the clerk hasn't  
4 finished his job to get these applications reviewed.  
5 And this one is particularly interesting because of  
6 the fact that as you know, this Glenwood Plaza area  
7 has been an eyesore in the City for years and years  
8 and years. And one of the things the voters passed  
9 the referendum to bring medical marihuana by one  
10 vote, but they voted we as the Planning Commission  
11 set it up so that we brought economic development  
12 into the areas that we wanted to have improvement in  
13 the City. And this is certainly one of those areas,  
14 Glenwood Plaza, more than another.

15 In addition to the fact when the  
16 applicants apply for a certain kind of license for  
17 medical marihuana, they also stated community  
18 benefit. And this group related to this has brought  
19 to us the fact that their community benefit was to  
20 bring a franchise grocery store to the City of  
21 Pontiac, one that we have been waiting -- that  
22 everybody has wanted to have in the City of Pontiac.  
23 And I am sure that they have -- you know, they have  
24 an arrangement worked out with this franchise  
25 grocery store, but they're not going to wait

1 forever. So they're waiting as much as anybody  
2 trying to figure out when the clerk is going to make  
3 his decision so they can move forward.

4 So we ask when they're going to start  
5 construction, they don't know, okay? So the interim  
6 clerk is of course appointed by the Council, and so,  
7 the Council has to hold him accountable for what  
8 they're doing, but so far, on -- they haven't done  
9 that. Okay. We have tried to put this particular  
10 issue on the agenda, we talked about, the  
11 administration, have put this on Council's agenda  
12 three weeks in a row, and every week the Council has  
13 taken it off, okay, a vote of four members of the  
14 Council. Let me finish. Let me finish, please, and  
15 I'm going to be finished very shortly. But I'm just  
16 trying to give you the background to that as people  
17 are asking questions, I'm just trying to put some  
18 meat to the bones to add to what our senior planner  
19 has told you, to give you the background of that so  
20 you can function.

21 So our function here is to consider a  
22 Special Exemption Permit. We're certainly doing  
23 that out of order, there's unusual circumstance, but  
24 we're doing that because we're doing everything we  
25 can to push the process along. We're not deciding

1 on who gets an application. That's the interim  
2 clerk's job. So we have to clear -- stay very clear  
3 with that, right, Vern, so we don't get ourselves in  
4 trouble. I certainly have to do that because I have  
5 a conflict of interest, as do all of you, and I  
6 appoint the medical marihuana commissioners. So I  
7 have to make very sure that I'm not lending support  
8 to one or the other application.

9 But I do just want to bring that to  
10 your attention to explain -- to put some sense of  
11 why we're out of order on this, what we have done to  
12 get back in order, and you know I think just to  
13 remind you of the community benefits that, you know,  
14 everybody's looking for, as well as the fact that  
15 this is an area that we would like to bring that  
16 economic development benefit to, and that's why the  
17 Planning Commission did set up the zoning ordinance  
18 amendments the way we did, because we can encourage  
19 the kind of projects that would lend to that. And I  
20 just wanted to -- sorry, Commissioner Northcross, as  
21 I was trying to lend some perspective to your  
22 question.

23 COMMISSIONER NORTHCROSS: The question  
24 in terms of when is not in terms of calendar days.  
25 It was in terms of the sequence of construction.

1                   MAYOR WATERMAN: I understand.

2                   COMMISSIONER NORTHCROSS: I had a  
3 concern originally with this project that the retail  
4 component would get pushed to the back at some point  
5 in time. So poorly worded perhaps. My -- I was not  
6 looking at -- I was looking more are we going to  
7 continue with the same sequence of construction  
8 projects, where the retail project would be near the  
9 first of those items to be constructed whenever  
10 construction starts. And that's what I was trying  
11 to ask. And I think I did use the word "timing"  
12 once, and tried to correct that with "sequence".

13                   What is the planned sequence of  
14 construction once approval does happen?

15                   MR. FERRAIUOLO: The plan sequence is  
16 -- and to answer that specific question I believe we  
17 can. The plan sequence is the same as it was before  
18 except what we wanted to do is we wanted to show  
19 that we were going to do what we said we were going  
20 to do. So we applied for the site plan approval and  
21 everything for the approval for the grocery store  
22 and everything first. And what we plan on doing is  
23 building that out in tandem with building out the  
24 100,000 square feet and opening them relatively  
25 together. As soon as the grocery store is built and



1 underway, that will be one of the things done first  
2 in the plaza. We are eager to bring it. The  
3 grocery store is waiting, as the Mayor put it.  
4 They're also waiting to get in there as well. So,  
5 we are eager to bring everything with the same  
6 order. Nothing has really changed out of order.  
7 The only thing is that we have the ability and our  
8 conditional rezoning and in our City Council  
9 resolution to do the 100,000 square feet first, but  
10 our current plan is to build them both in tandem  
11 together so they open simultaneously as the grocery  
12 store will be one of the first.

13 So hopefully everything goes well and  
14 we can continue with this plan.

15 COMMISSIONER NORTHCROSS: Okay. Thank  
16 you.

17 CHAIRPERSON THOMAS: Okay. Thank you.  
18 Mayor Waterman, you're next and I know you have  
19 already spoken. Anything else you'd like to add?

20 MAYOR WATERMAN: No, I -- forgive me,  
21 Commissioner Northcross. I amended and augmented  
22 the original question, but I just took that as my  
23 turn to speak too. That's what I was going to say.  
24 All right.

25 CHAIRPERSON THOMAS: Thank you very

1 much. Commissioner Parlove, please.

2 COMMISSIONER PARLOVE: Thank you.

3 Gentlemen, thank you for bringing your project to  
4 Pontiac, for your willingness to embrace the site  
5 that needed someone to embrace it for many years.  
6 And I can't even -- I don't even know what to say  
7 about where you are with this stumbling block. It's  
8 quite perplexing. I'm sure you feel the same way.  
9 And I appreciate that you're still trying to move  
10 things forward as much as you can with what you have  
11 the ability to move forward by bringing the proposal  
12 here tonight so we can still act on it.

13 I don't have any questions necessarily  
14 about the information that's in front of me, but as  
15 the Mayor has spoken, a question comes up for me.  
16 Do we run into a potential issue as the Planning  
17 Commission if we are -- and maybe this is to Vern.  
18 If we are continuing to talk about this and  
19 potentially give approvals or have been giving  
20 approvals so far to things that have come in front  
21 of us, and this person's entity is not permitted,  
22 they don't get the approvals they need, is there any  
23 ramification for us as the Planning Commission by  
24 continuing to entertain what's here in front of us,  
25 if this person never is approved?

1 MR. GUSTAFSSON: That is the way  
2 the -- if you look at the recommended  
3 recommendation, depending on which way you want to  
4 go, if you were looking to approve following your  
5 public hearing and discussions that we're having now  
6 amongst yourselves and also with the public that's  
7 here, that it would be contingent -- the approval of  
8 the Special Exemption Permit would be contingent  
9 upon them getting the adequate license that they do  
10 need from the interim city clerk.

11 COMMISSIONER PARLOVE: Okay.

12 MR. GUSTAFSSON: So if they don't,  
13 this goes away. So, in other words, we're not going  
14 to blanket this site with this Special Exemption  
15 Permit, and then causing more problems five years  
16 down the road or something like that.

17 COMMISSIONER PARLOVE: Okay. That  
18 makes sense. Thank you for the clarification. I --  
19 again, I can't speak on behalf of the Council, but I  
20 am a resident here in the City and I am -- want to  
21 say as a resident, I'm sorry that this is a  
22 situation that has happened, and I certainly hope  
23 that it's resolved appropriately for any and all  
24 applicants who are trying to bring their businesses  
25 here. So thank you for your patience thus far.

1 MR. FERRAIUOLO: Thank you.

2 CHAIRPERSON THOMAS: Thank you very  
3 much. Commissioner Payne, please.

4 COMMISSIONER PAYNE: Yes, good  
5 evening. My question actually was going to -- first  
6 of all, thank you for bringing your business to and  
7 your interest within the City of Pontiac here. And  
8 my question actually is what Chris had asked about  
9 the timeline. And it wasn't really speaking of --  
10 my question wasn't speaking of timeline of -- it's  
11 kind of an expectation of when you start on your  
12 plan, laying out the timeline and what had been the  
13 expected time, what was the expected time previously  
14 on the different site basis. How did you have it  
15 laid out, the time laid out? I know it's passed,  
16 but I'd still like to know --

17 MR. FERRAIUOLO: Through COVID and  
18 everything else, it's definitely been passed.

19 COMMISSIONER PAYNE: Right.

20 MR. FERRAIUOLO: To be more accurate,  
21 I would defer to Joe Brown who is -- or to Brad  
22 Klintworth who is on here to speak more accurately  
23 to construction timeframes and what our timeframes  
24 were for each segment.

25 COMMISSIONER PAYNE: Exactly.

1                   MR. FERRAIUOLO: Brad, would you mind  
2 taking that? You know more about --

3                   MR. KLINTWORTH: Can you hear me? My  
4 name is just not showing up on the screen so it's  
5 kind of strange.

6                   So to answer that question, we're  
7 coming up on a year now of delay from when we really  
8 wanted to start. And the property was purchased, we  
9 went straight to site plan approval for the -- for  
10 the retail piece, because the retail piece is an  
11 important piece of the puzzle, obviously, and  
12 it's -- you know, it's the community benefit that  
13 comes with it.

14                   The commitments that are in place for  
15 the -- the marihuana facilities exceed the 100,000  
16 square feet. So it would be our goal -- if we could  
17 back up a year, it would have been our goal to have  
18 200,000 square feet of marihuana under construction,  
19 bring 100,000 online, have the grocery store come on  
20 line at the same time and complete the other 100,000  
21 square feet of grow. The grows take longer than a  
22 grocery store to build.

23                   So -- and again, going back to I think  
24 Mr. Northcross's question, to answer it even  
25 further, with the commitments that in place that

1 were there, and the lender in place, it would be our  
2 intention to go straight to construction on -- on,  
3 you know, 200,000 square feet of marihuana plus the  
4 grocery store at the same time. And obviously even  
5 if we finished the facility, and the grocery store  
6 wasn't done, we could open -- we could just wait on  
7 the facility.

8 But the timeline on the facility  
9 for -- for construction of a total grow exceeds the  
10 grocery store by probably 3 or 4 months. So if  
11 we're simultaneously starting, which would be the  
12 plan now since we have been waiting this long. And  
13 have the commitments there and the letter  
14 commitment, you know, it's -- it all goes at the  
15 same time and the grocery store opens when -- you  
16 know, it's ready to open. The user and the grocery  
17 store wants to be there sooner than later, but it's  
18 also -- you know, the grocery store doesn't exist  
19 unless the 200- or 300,000 square feet of marijuana  
20 facilities exist.

21 So -- and -- and I -- I think that  
22 the -- the tough thing about this whole situation  
23 that's been going on and the unknown, you know, we  
24 have had two lenders now that have been in place and  
25 have walked away because they, you know, don't know

1 when the commitment can come that we can say we have  
2 the ability to move this forward. And I spoke to a  
3 lender today, as a matter of fact, and you know  
4 they're ready to go and we would like to go with  
5 this lender, but the question is where is the  
6 approval for the use. Nobody is going to -- nobody  
7 is going to lend on a grocery store that doesn't  
8 have the use behind it.

9 So, if that -- if that kind of answers  
10 the question on timing.

11 COMMISSIONER PAYNE: Actually it  
12 doesn't. Actually what I was asking for is -- let's  
13 say you were going to have the grocery store -- I'm  
14 talking about the past, from the beginning of your  
15 plan. So the timeline for the grocery store would  
16 have been to have it done in six months. Timeline  
17 for the (inaudible) would be the next six months or  
18 were you doing all of that at once, from the  
19 beginning of your plan? Not including talking about  
20 COVID or anything, just what were the previous plan  
21 timelines.

22 MR. KLINTWORTH: We have had the  
23 tenants in place and ready to go in the rear  
24 marijuana facility for a long time. So, the grocery  
25 store is, you know, going to go at the same time.

1 And you were cutting in and out a little bit, so I'm  
2 not sure exactly -- Manni, can you help me with  
3 this? Because it was --

4 MR. FERRAIUOLO: I think what she's  
5 asking for is like how long -- from the time you  
6 start construction of the grocery store, how long is  
7 our -- from the start of construction to the time  
8 that it's open to the public. And then how long is  
9 it for like the 100,000 square feet to start  
10 construction and open to the public, and what were  
11 our timelines back then. I could give general ones,  
12 but I know you know more specific.

13 MR. KLINTWORTH: Yeah, the grocery  
14 store is about a six-month construction process.  
15 And the --

16 COMMISSIONER PAYNE: That's what I'm  
17 talking about.

18 MR. KLINTWORTH: And then the big  
19 facility, the K-mart building is more like a  
20 12-month construction period by the time you finish  
21 and they -- and they rack it and they test it. And  
22 it has a whole nother level of state approvals that  
23 it has to go through.

24 So the goal would be to get the strip  
25 center, which is 80,000 square feet, and it's all



1 little individual tenants, to bring those on, you  
2 know, first with, you know, as fast as those guys  
3 could come in and get open, and the grocery store  
4 being under construction and finished and then bring  
5 the big K-mart facility on.

6 COMMISSIONER PAYNE: Okay. That  
7 answers my question. Thank you.

8 MR. KLINTWORTH: Sorry, it was a  
9 little confusing for me.

10 CHAIRPERSON THOMAS: All right. Thank  
11 you. Vice Chair Fegley, please.

12 VICE CHAIR FEGLEY: I have no comments  
13 or questions at this time.

14 CHAIRPERSON THOMAS: Okay. Thank you.  
15 Of course I -- my comment is that I had an  
16 opportunity to meet with Joseph and Manni back when  
17 this was a feasibility study prior to them coming to  
18 the Planning Commission. Of course I have another  
19 hat that I wear which is Chair, president, founder  
20 of GM Modern Housing 501(c)(3,) and that's kind of a  
21 little bit of an oxymoron. The neighborhood is  
22 100 years old, built in 1919. So it has been  
23 mentioned many times, it's an albatross. It's been  
24 a 30-year anchor dragging down this neighborhood.  
25 So the idea of, you know, repurposing, refurbishing

1       redoing, restoring -- and you know one of my early  
2       comments or requests with Manni and Joseph was to  
3       bring neighborhood services. And I won't go on to  
4       it, but basically at that intersection of Glenwood  
5       and Perry, when I was a boy it was a micro-economy.  
6       There was a hardware. There was a butcher shop; two  
7       small independent markets. There was a drugstore.  
8       There was a paint store, and on and on.

9                So -- so the fact that once K-mart  
10       closed, and it sucked all of the economic energy out  
11       of the area -- so anyhow, with all of that being  
12       said, I'm disappointed and frankly on behalf of the  
13       City I'm embarrassed that we are dragging our feet  
14       from the clerk's office with regard to what looks to  
15       be a very matter-of-fact proposition. But all I can  
16       do is make a comment. But I know there's been legal  
17       opinions and legal recommendations and we'll have to  
18       go forward.

19               So my closing comment is just simply  
20       this. It started out with a very pointed question  
21       from Commissioner Northcross with regards to the  
22       market, which this neighborhood desperately needs  
23       that. And it's more than a market. It's a place  
24       for people to come and go and see positive activity.  
25       So I know that the applicant work heroics, they

1 can't do magic, but the idea that it's still center  
2 focus of the plan, satisfies me.

3 So with that being said, I am in full  
4 support of this. With that being said, I'm going to  
5 op public hearing. Once again from public hearing  
6 we will entertain individual speakers. Please keep  
7 your comments to approximately three minutes. And  
8 when public hearing is done, I will then close  
9 public hearing and bring it back to fellow  
10 commissioners for last comments and questions, and  
11 then we'll seek a motion.

12 So without further ado, public  
13 hearing, tap the virtual gavel, public hearing is  
14 open.

15 COMMISSIONER PAYNE: Mr. Chair?

16 CHAIRPERSON THOMAS: Yes.

17 COMMISSIONER PAYNE: If I might,  
18 Donovan, will you be controlling the mics or --

19 MR. SMITH: Yes.

20 COMMISSIONER PAYNE: -- how are they  
21 coming in? Okay. Thank you.

22 MR. SMITH: I was just about to take  
23 that off here.

24 COMMISSIONER PAYNE: Okay. Thank you.

25 MR. SMITH: So seeing how the public

1 hearing is open, anyone that wishes to speak on  
2 behalf of the case that was discussed, you can raise  
3 your hand via the chat, and again you'll be  
4 recognized that way. The first call -- hand I see  
5 here is Ernestine McCall. I just want to reiterate  
6 before we start that we are only discussing cases  
7 that are related to Glenwood Plaza, 9 South  
8 Glenwood. Other cases --

9 CHAIRPERSON THOMAS: Yes, that is  
10 correct. Absolutely.

11 MR. SMITH: Other cases unrelated will  
12 not be heard at this time.

13 So with that being said, I'm going to  
14 go ahead and start. And I'm going to ask Ms.  
15 Ernestine -- Ms. McCall to un-mute yourself if you  
16 wish to speak now.

17 MS. McCALL: Yes. Is that just for  
18 this part of the agenda or are we going --

19 MR. SMITH: We are only in the portion  
20 of the agenda discussing Glenwood Plaza. We are not  
21 discussing any other projects at this time.

22 MS. McCALL: That's for the entire  
23 meeting?

24 MR. SMITH: Right now we are only  
25 discussing Glenwood Plaza. So if you have comments

1 related to Glenwood Plaza, this will be the time to  
2 share them. If you have other comments, we will do  
3 that at a later point in the meeting.

4 MS. McCALL: Thank you.

5 MR. SMITH: Thank you. All right.

6 With that being said, are there any other members of  
7 the public that wish to participate in the public  
8 comment? Indicate that by raising your hand in the  
9 chat box.

10 MAYOR WATERMAN: I see Commissioner --  
11 I'm not sure if she's raising her hand, I'm not sure  
12 if she knows the function of raising her, hand but I  
13 see her waving and I think she wants to be  
14 recognized, please.

15 MR. SMITH: All right. Okay. Give me  
16 one second here.

17 MR. GUSTAFSSON: Donovan, maybe use  
18 your --

19 MS. HATCHETT: Can you hear me?

20 MR. SMITH: I see you. We have you,  
21 Commissioner Hatchett. You have audio. We hear  
22 you. I'm going to spotlight so we're all looking at  
23 you.

24 MS. HATCHETT: Okay. I wanted to  
25 speak concerning Glenwood Plaza because I wanted to

1 really, really urge the Planning Commission to grant  
2 this Special Exemption Permit that they are asking  
3 you for. I don't need to repeat all of the things  
4 that the Mayor and other people have said regarding  
5 the economic boost, getting rid of that eyesore that  
6 is out there. You said -- the Commissioners have  
7 all said the positive comments and things that I  
8 would say. I just want to urge you to pass this.

9 I do have a question, however. The  
10 interim clerk, in the past, has said that something  
11 needed to be added or changed in the ordinance. Has  
12 that now gone away and no change is necessary in the  
13 ordinance; all they need is to go for an exemption  
14 permit?

15 MR. SMITH: Okay. And that was --

16 MS. HATCHETT: Did you hear my  
17 question?

18 MR. SMITH: Yes. So we're going to  
19 compile all of the questions and then they'll be  
20 kind of shared towards the end.

21 MS. HATCHETT: Thank you very much.  
22 But please, please pass this Special Exemption  
23 Permit.

24 MR. SMITH: Thank you, Commissioner  
25 Hatchett. All right. With that, do we have any

1 other members of the public that wish to participate  
2 in public comment, indicate that by raising your  
3 hand in the chat or on screen.

4 Seeing no further public comment, I  
5 will refer back to the Chair, if you want to ask any  
6 further questions or if you want to provide a  
7 synopsis of the questions.

8 CHAIRPERSON THOMAS: Thank you very  
9 much, Mr. Smith, for that and your tremendous help  
10 with regard to the electronic component of this,  
11 which is pretty complicated in today's world. So  
12 thank you for that.

13 I am going to close public hearing  
14 virtually, and we'll come back to my fellow  
15 Commissioners for final comments and questions. But  
16 -- by the way, do we have -- it was hard for me -- I  
17 understood most of what Ms. Hatchett -- Commissioner  
18 Hatchett had to say, but I missed some of it.

19 Were there a couple of questions in  
20 there that we need to bring forward and answer first  
21 and foremost?

22 MR. GUSTAFSSON: Yes.

23 COMMISSIONER PAYNE: I think there  
24 was --

25 MR. GUSTAFSSON: Through the Chair, if

1 I can maybe address. She had questioned in regards  
2 to what -- other further approvals does the Planning  
3 Commission need to consider in the future.

4 As relates to Glenwood Plaza, from the  
5 Planning Commission standpoint and also my  
6 perspective, no, there is not any other -- other  
7 type of approvals that this particular applicant  
8 needs to go through from a Planning Commission  
9 standpoint. What it needs -- it's been very clear  
10 that the ordinance that was written does not need to  
11 be amended, which is something that the Commission  
12 would be responsible for; but I'm of the opinion in  
13 following legal advice from our City attorney, our  
14 special legal counsel, and also attorneys on the  
15 applicant's side have weighed in and provided  
16 similar type of narrative that says we are on the --  
17 appropriately the Medical Marihuana Ordinance 2363  
18 is solid in regards to what we're doing. We're just  
19 trying to help this applicant move along so to make  
20 the interim city clerk and his staff to better  
21 understand the commitments there is from the  
22 Commission side to approve this contingent upon them  
23 getting that license. I hope that answers the  
24 question.

25 MAYOR WATERMAN: Mr. Chair?



1 CHAIRPERSON THOMAS: Yes.

2 MAYOR WATERMAN: I would like as a  
3 Commissioner and as Mayor to also supplement what  
4 Mr. Gustafsson answered -- he just gave.

5 CHAIRPERSON THOMAS: Yes, please.

6 MAYOR WATERMAN: To support -- to  
7 support everything he just said.

8 But also I just want to add to it,  
9 because we have heard from so much of the public,  
10 and know why there's confusion about that particular  
11 issue, because the interim clerk has put out  
12 confusing and conflicting information. And that's  
13 why people are so confused about that. He's  
14 repeatedly done that. And not only Mr. Gustafsson  
15 has told interim clerk how to proceed with this, but  
16 it's all three city attorneys, plus the attorney  
17 that Mr. -- that Mr. Garland Doyle clerk hired  
18 himself to guide him through the process. He won't  
19 even listen to his own consultant.

20 So that's why I said, I'm just  
21 dumbfounded, and that's why we're doing such an  
22 unusual process to take it to the Planning  
23 Commission for Special Exemption Permit for  
24 consideration. And I don't know what the Council --  
25 to see whether they're going to make the clerk

1 accountable to what his duty is.

2 And I'm also going to say this, too.  
3 Several weeks ago, the clerk said he was going to do  
4 that. He had an agreement with not only his  
5 attorney, the City attorney, and somehow he reneged  
6 on that agreement. And like I said I'm dumbfounded  
7 and the senior planner, and that's why the public is  
8 so confused by what is going on.

9 So I just wanted to -- saying exactly  
10 the same thing that Vern said, I'm just doing it  
11 with underscoring the things that he's sharing with  
12 us.

13 CHAIRPERSON THOMAS: Thank you. I  
14 think the message is clear all the way around as to  
15 where the application is and -- but thank you,  
16 Mayor, for that additional clarification.

17 Mr. Gustafsson, I think we answered  
18 questions, am I correct?

19 MR. GUSTAFSSON: Yes, we have.

20 CHAIRPERSON THOMAS: Okay. All right.  
21 With that being said, I'll go to any final comments  
22 or questions from Commissioners before we go to seek  
23 a motion. So Commissioner Northcross, please.

24 COMMISSIONER NORTHCROSS: I'm still  
25 very excited about this project. I see it's a way

1 of improving that area, also providing jobs. Also  
2 providing access to food. I see there being -- the  
3 project in its totality being one that should be  
4 sustainable from an economic standpoint in regards  
5 to the developers. I see it as being a viable  
6 thing. I still saw it initially as being a viable  
7 win/win for a number of folks involved and also for  
8 the developer at this time, and I still continue to  
9 see that, this project as being something that  
10 will be of benefit to the City if all of the pieces  
11 can be put in place.

12 That's my comment and thank for the  
13 developers for jumping out and stepping out and  
14 trying this innovative project.

15 CHAIRPERSON THOMAS: Thank you,  
16 Commissioner Northcross.

17 Mayor Waterman, in closing any final  
18 comments on this item?

19 MAYOR WATERMAN: No further comments.  
20 Thank you for the opportunity to speak.

21 CHAIRPERSON THOMAS: Okay. Thank you.  
22 Commissioner Parlove.

23 COMMISSIONER PARLOVE: I do not have  
24 any further comments other than to say thank you  
25 again for your patience and my fingers remained

1           crossed that we have a resolution, and it works in  
2           the favor of those who would like it to be in their  
3           favor. Thank you.

4                   CHAIRPERSON THOMAS: Thank you very  
5           much. Commissioner Payne, please.

6                   COMMISSIONER PAYNE: I too thank you.  
7           I'm excited about the business that's coming and  
8           coming soon. And, once again, thank you to the  
9           applicants for their patience and endurance and  
10          sticking with us. So thank you. And I'm sure that  
11          it's going to happen. And When it happens, we're  
12          all going be very happy about it, so --

13                   MR. FERRAIUOLO: Thank you.

14                   CHAIRPERSON THOMAS: Thank you very  
15          much. Vice Chair Fegley, please.

16                   VICE CHAIR FEGLEY: No comments or  
17          questions.

18                   CHAIRPERSON THOMAS: Thank you. My  
19          closing comment is with the grace of the good Lord,  
20          this project will get through the hurdle here sooner  
21          than later.

22                   So with that being said -- and I'm  
23          very, very bullish on this project, so hopefully we  
24          can find our way, and I'm sure we will. May I have  
25          a motion, please?

1                   COMMISSIONER NORTHCROSS: I make a  
2 motion. This is Chris Northcross. I make a motion  
3 to approve SEP 20-04 Special Exemption Permit for a  
4 medical marihuana grow and processing center use at  
5 9 South Glenwood Avenue, PIN that's parcel -- well,  
6 PIN 64-14-21-383-012 is contingent on obtaining a  
7 City of Pontiac medical marihuana grow and/or  
8 processing facility license from the Pontiac interim  
9 city clerk.

10                   CHAIRPERSON THOMAS: Thank you very  
11 much. May we have a second, please?

12                   COMMISSIONER PARLOVE: I second.

13                   CHAIRPERSON THOMAS: Okay. We have a  
14 motion, second and support. Any further comments or  
15 questions before we go to roll call?

16                   Mr. Gustafsson, roll call, please.

17                   MR. GUSTAFSSON: Sure. Commissioner  
18 Northcross?

19                   COMMISSIONER NORTHCROSS: Yes to  
20 approve.

21                   MR. GUSTAFSSON: Commissioner Parlove?

22                   COMMISSIONER PARLOVE: Yes to approve.

23                   MR. GUSTAFSSON: Mayor Waterman?

24                   MAYOR WATERMAN: Yes to approve.

25                   MR. GUSTAFSSON: Commissioner Payne?

1 COMMISSIONER PAYNE: Yes to approve.

2 MR. GUSTAFSSON: Vice Chair Fegley?

3 VICE CHAIR FEGLEY: Yes to approve.

4 MR. GUSTAFSSON: Chair Thomas?

5 CHAIRPERSON THOMAS: Yes to approve.

6 MR. GUSTAFSSON: Motion passes 6-0.

7 AYES: Thomas, Payne, Northcross,

8 Waterman, Parlove, Fegley

9 NAYS: (None.)

10 ABSTAIN: (None.)

11 MOTION CARRIES 6-0-0

12 CHAIRPERSON THOMAS: Thanks to all,  
13 and to the petitioners and applicant and those that  
14 didn't speak. I'm not sure if they're still with  
15 us, I hope they are, but Manni, Joseph --

16 MR. FERRAIUOLO: I am. Thank you all  
17 for your assistance in this and we look forward to  
18 doing it and we look forward to getting it all  
19 underway. I appreciate the time. Thank you so  
20 much.

21 CHAIRPERSON THOMAS: All right. Thank  
22 you. Take care, stay safe, and let us know how we  
23 can help.

24 Okay. With that being said, to the  
25 next item we will go. This is the same applicant

1 for the next two petitions. The first one though is  
2 ZMA 21-01 Zoning Map Amendment for 673 West Kennett  
3 Road. And Mr. Gustafsson you or Mr. Smith will  
4 present.

5 MR. GUSTAFSSON: Mr. Smith is going to  
6 take the lead.

7 CHAIRPERSON THOMAS: Okay. Mr. Smith,  
8 please.

9 5.2.

10 SEP 21-01 Zoning Map Amendment

11 PROPERTY ADDRESS: 673 W. Kennett  
12 Road

13 PARCEL NO. 64-14-18-351-022

14 APPLICANT: Chris Kinaya

15 CURRENT ZONING: C-4 Suburban  
16 Commercial

17 PROPOSED USE: Conditional M-1  
18 Light Manufacturing

19 (Presentation of facts given by Mr.  
20 Smith & Mr. Gustafsson supplemented.)

21 CHAIRPERSON THOMAS: Okay. Thank you  
22 Mr. Smith. Thank you, Mr. Gustafsson. Is the  
23 applicant/petitioner here today?

24 MR. GUSTAFSSON: They are, yes. The  
25 applicant and you also have his consulting team.

1                   CHAIRPERSON THOMAS: So I guess I  
2 don't see them, but I'll verbalize of course they  
3 can hear me. You heard the presentation of your  
4 proposal, Zoning Map Request Amendment. Is there  
5 anything you'd like to add to, enhance, clarify for  
6 the Commission?

7                   MR. KLEIN: This is Brad Klein with  
8 Auger, Klein, Aller Architects, and I'm here along  
9 with Chris Kinaya who is developing this particular  
10 project request being proposed along with the Dwayne  
11 Mento from AKA Architects as well.

12                   The presentation given so far  
13 basically has covered everything, the points we want  
14 to make. Again, looking to do the M-1 development  
15 on this project and the following project to pursue  
16 the medical marihuana grow license.

17                   The plan is to start with a 4,000 to  
18 5,500 square foot building as a phase one, and then  
19 future phase build-out of up to another  
20 16,000 square feet, and with the plan being to try  
21 to be efficient on the two adjacent sites by sharing  
22 a parking lot.

23                   CHAIRPERSON THOMAS: Okay. And does  
24 that kind of summarize your comments?

25                   MR. KLEIN: Yep.



1 CHAIRPERSON THOMAS: All right. Very  
2 good. Thank you for that. Once again, this is a  
3 public hearing. We'll engage our Commissioners  
4 to -- or enable the Commissioners to engage the  
5 applicant with regard to comments and questions,  
6 then we'll open public hearing, then we'll close  
7 public hearing to seek a motion.

8 So with that being said, Commissioner  
9 Northcross, please.

10 COMMISSIONER NORTHCROSS: No questions  
11 at this time. I'll listen for the public hearing  
12 questions.

13 CHAIRPERSON THOMAS: Thank you very  
14 much. Honorable Mayor Waterman, please.

15 MAYOR WATERMAN: I would like to do  
16 the same. I'll follow after the public hearing.

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

19 COMMISSIONER PARLOVE: Thank you. The  
20 only question that I had, and I guess we'll find out  
21 if there's any input from our neighbors; just on the  
22 other side of the railroad tracks, there's the  
23 temple just down the street. Does any of this  
24 potential rezoning get precluded because of the fact  
25 that there's a religious facility very nearby, Vern,

1 or Donovan?

2 MR. GUSTAFSSON: No, it -- through the  
3 Chair. No, it does not preclude that. It would be  
4 part of his application and how he has measured the  
5 distance from the temple's front door to his front  
6 -- proposed front door, if that is greater than 500  
7 feet would meet that threshold requirement.

8 COMMISSIONER PARLOVE: Very good.

9 MR. GUSTAFSSON: And I know that in  
10 working with this applicant, once this gets  
11 approved, potentially, in regards to going through  
12 this process with the Planning Commission and then  
13 going to City Council for their consideration, we  
14 would then -- he's ready -- or set to submit his  
15 application.

16 COMMISSIONER PARLOVE: Okay. And also  
17 by the way, Vern, thank you for clarifying that  
18 there will be legal review of the verbiage of that  
19 conditional permit. So I'm all set. Thank you.

20 CHAIRPERSON THOMAS: Okay. Thank you  
21 very much. Commissioner Payne, please.

22 COMMISSIONER PAYNE: Yes, good evening  
23 again. I was going to ask the same questions in  
24 regards to the -- the temple there. Was that  
25 there -- the applicant's measurements there or was

1 that the department; did we measure it, Vern?

2 MR. GUSTAFSSON: As part of this  
3 project? I mean, as part of this zoning map  
4 amendment? No.

5 COMMISSIONER PAYNE: Yes, does it meet  
6 the -- oh. So we just --

7 MR. GUSTAFSSON: It's part of his  
8 application, and -- it's part of his application  
9 that was submitted and I believe he would have known  
10 that, knowing the fact he wouldn't have gone through  
11 this process not knowing the fact that he is -- his  
12 application would be possibly deducted a few points.

13 COMMISSIONER PAYNE: And the temple  
14 have not said anything at all about it or --

15 MR. GUSTAFSSON: They received notice  
16 just like all of the other projects in this area  
17 and --

18 COMMISSIONER PAYNE: No feedback? No  
19 feedback?

20 MR. GUSTAFSSON: No written comments.  
21 And let me just be clear that our last -- I forgot  
22 to mention, I'm sorry, our last applicant that SEP  
23 we did not receive any written comments as relates  
24 to that project. And as I'll state it now before  
25 the public hearing, we have not received any written

1 comments which were required to be submitted by  
2 today at 5:30.

3 COMMISSIONER PAYNE: Okay. Thank you.

4 CHAIRPERSON THOMAS: Thank you. Vice  
5 Chair Fegley, please.

6 VICE CHAIR FEGLEY: I have no comments  
7 or questions at this time.

8 CHAIRPERSON THOMAS: Okay. Thank you.  
9 As Vern -- or Mr. Gustafsson spoke in his earlier  
10 comments, that in this new economy, the development  
11 that's taking place in that area, I'm old enough to  
12 remember when that was Pontiac's original landfill,  
13 except it didn't carry the elegant name "landfill."  
14 It was just called "the Pontiac dump."

15 And so, this is positive development,  
16 and that's good. I don't have any questions.

17 With that being said, I'm going to  
18 virtually open to public hearing. So public hearing  
19 is open. So anyone wishing to come forward, please  
20 do that.

21 MR. SMITH: Anyone that wants to  
22 participate in public comment, indicate so by waving  
23 your hand on the screen or raising your hand in the  
24 chat. All right. I see one, Mr. Kin -- I hope I'm  
25 saying your name right, if I am not I apologize, but

1 you have the floor.

2 MR. KINAYA: You did a fantastic job.  
3 Thank you. You pronounced it perfectly. No, I'm  
4 just looking forward to this project and anything  
5 you guys need, I can -- we have, we're going to get.  
6 I just wanted to say "hello." I didn't want to not  
7 say anything. That's all.

8 MR. SMITH: Thank you.

9 CHAIRPERSON THOMAS: Well hello.  
10 Thank you for joining us.

11 MR. SMITH: We have another hand, Ms.  
12 McCall. If you want to go ahead and un-mute  
13 yourself and go ahead and speak.

14 MS. McCALL: Am I un-muted?

15 MR. SMITH: You're un-muted.

16 MS. McCALL: I can speak now? I beg  
17 your pardon?

18 MR. SMITH: We are speaking on the 673  
19 West Kennett property. That is the only property  
20 we're speaking on right now.

21 MS. McCALL: Okay. Thank you. I'll  
22 wait.

23 MR. SMITH: Thank you. All right.  
24 Any more members of the public that wish to  
25 participate in public comment, indicate so by

1 raising your hand on the screen or in the chat. All  
2 right. Through the Chair, I see no more hands  
3 indicating public comment.

4 CHAIRPERSON THOMAS: All right. Thank  
5 you, Mr. Smith. With that being said I'm going to  
6 virtually tap the gavel and close public hearing.  
7 And we'll go back individually to Commissioners one  
8 at a time for final comments or questions.

9 So Commissioner Northcross, please.

10 COMMISSIONER NORTHCROSS: I'll ask  
11 this anyway. For the purposes of a special hearing,  
12 how do we, the City, measure distance to surrounding  
13 landowners? And I think that differs from how we  
14 would measure -- correct me if I'm wrong, but I  
15 think that differs from how we would measure  
16 distance for an actual facility, and the needed  
17 distance that it must be away from a surrounding  
18 item such as a church or a school. Am I correct  
19 or --

20 MR. GUSTAFSSON: As relates to  
21 notification of the adjacent property owners, per  
22 our Pontiac Zoning Ordinance and also the Zoning  
23 Enabling Act, requires us to notify property owners  
24 within 300 feet, or in particularly as relates to  
25 medical marihuana, it has to be within 500 feet. So

1 what it's telling me, maybe to get back to their  
2 question, since we haven't heard from the temple  
3 never on any of these cases, that they're probably  
4 beyond that 500-foot distance. But also it's  
5 measured differently in regards to liquor retail  
6 sales, it's measured differently; and also within  
7 our Ordinance, as relates to medical marihuana uses,  
8 it's also measured differently by measuring down  
9 center lines of the roads and right angles and being  
10 perpendicular door-to-door.

11 COMMISSIONER NORTHCROSS: So, our  
12 notification is -- if I'm hearing you correctly, to  
13 meet the requirement for notifying the neighbors to  
14 a particular piece of property that's in question,  
15 that's the -- that's the 300-foot --

16 MR. GUSTAFSSON: Well, since --

17 COMMISSIONER NORTHCROSS: And that  
18 300-foot rule is measured from the edge of one  
19 property line to the edge of anybody else's  
20 surrounding property?

21 MR. GUSTAFSSON: That is correct. We  
22 use the GIS database to generate those addresses.  
23 So it is measured from property line to property  
24 line. So if it is within -- depending on -- now,  
25 for this particular case, it was measured at

1 500 feet, because that's what our Ordinance -- our  
2 Medical Marihuana Ordinance requires. For a typical  
3 project, like this is a straight zoning map  
4 amendment or a special exemption permit unrelated to  
5 medical marihuana is 300 feet. And it is  
6 measured --

7 COMMISSIONER NORTHCROSS: Excuse me.

8 MR. GUSTAFSSON: Yeah, so it's  
9 measured from all of the property lines, say, of the  
10 parcel that we're talking about. So we would  
11 measure out 300 or 500 feet from that. And if your  
12 property fell within that, you received a notice.

13 COMMISSIONER NORTHCROSS: Okay. Okay.

14 MR. GUSTAFSSON: What happens is that  
15 we publish it. Right now because of the way this  
16 new normal is, we can only publish on Tuesdays in  
17 the Oakland Legal News, and so we have to make sure  
18 that we meet that 15-day requirement. And at the  
19 same time, all of the notices or postcards that go  
20 out, are postmarked that same day or the day before.

21 COMMISSIONER NORTHCROSS: Okay. As I  
22 was driving by that site here the other day, I just  
23 punched in the address to my little Google map thing  
24 in the car, and it came back as I was passing by the  
25 temple, it said your address is 1,000 feet down the



1 road. You know, I don't know how accurate that is,  
2 I mean, the triangulating and stuff. But I felt  
3 fairly confidential that it was at least 500 feet,  
4 since it said 1,000 feet.

5 But then I got to thinking, well, if  
6 we go property line to property line and they have a  
7 big property, one that extends it can get --

8 MR. GUSTAFSSON: But as relates -- as  
9 relates to medical marihuana, so, what we would --  
10 the way we're reviewing -- first off, those diagrams  
11 or that information of those buffered distances has  
12 to be prepared by a professional licensed surveyor.

13 COMMISSIONER NORTHCROSS: Okay.

14 MR. GUSTAFSSON: And his seal needs to  
15 be on that document as part of our review. So we  
16 know for sure that that line, say, coming out the  
17 front door perpendicular to the road, to the center  
18 line of that roadway, is one fixed point. And then  
19 we extend that down north, south, east or west, to  
20 that next door or the main door of the temple, and  
21 that would be the end of our second point. And then  
22 we -- the -- then we would just frame perpendicular  
23 to that from the center line to the door of the  
24 temple. And we don't include the perpendicular  
25 lines that goes from the door out to the center

1 line. That's not included. It's strictly just  
2 between those two fixed points along the center  
3 line.

4 COMMISSIONER NORTHCROSS: I thought we  
5 also had a requirement under the State in terms of  
6 notification that was slightly different.

7 COMMISSIONER PAYNE: Liquor.

8 MR. GUSTAFSSON: Are you talking about  
9 what our Zoning Ordinance?

10 COMMISSIONER NORTHCROSS: For sending  
11 out notifications.

12 MR. GUSTAFSSON: No, we are  
13 following -- we are following exactly what our  
14 Zoning Ordinance and Zoning Enabling Act of the  
15 State is requiring.

16 COMMISSIONER NORTHCROSS: Okay. All  
17 right. That -- for just a second I hadn't compared  
18 the two and set down and done that math. So thank  
19 you.

20 MR. GUSTAFSSON: Okay.

21 COMMISSIONER NORTHCROSS: I have no  
22 other questions.

23 CHAIRPERSON THOMAS: Okay. Thank you  
24 very much. Honorable Mayor Waterman, please.

25 MAYOR WATERMAN: Not a question. I

1 just would say thank you for the math lesson too,  
2 senior planner Vern Gustafsson. And just to say to  
3 our Chair, Dayne Thomas, I'm always entertained by  
4 the bit of Pontiac trivia, to note that as the old  
5 Pontiac dump site, as you always are full of those  
6 kind of trivia points having been in Pontiac for so  
7 long. But that also points out to us that if  
8 it's -- if it's a past landfill by another name,  
9 that it's not suitable for any other form of  
10 habitation or site building. So, that also  
11 establishes a point of interest for all of us.

12 CHAIRPERSON THOMAS: Thank you very  
13 much. Commissioner Parlove, please.

14 COMMISSIONER PARLOVE: No other  
15 questions or comments at this time.

16 CHAIRPERSON THOMAS: Okay. Thank you.  
17 Commissioner Payne, please?

18 COMMISSIONER PAYNE: No questions.  
19 Thank you.

20 CHAIRPERSON THOMAS: Vice Chair  
21 Fegley, please?

22 VICE CHAIR FEGLEY: No comments or  
23 questions.

24 CHAIRPERSON THOMAS: Thank you. Yeah,  
25 my final question -- and, Mayor, I wasn't -- I hope

1 it didn't come across and I will stand corrected, it  
2 wasn't to disparage anything. When I was a boy,  
3 that was the outskirts of the City. And it's been  
4 long ago reclaimed. In fact, prior to your arrival,  
5 there was an attempt do something out there which I  
6 fought strongly against, and of course it never  
7 happened. It was just kind of a footnote which I  
8 felt was anecdotal that, you know, we're now doing  
9 something positive in terms of developing on what  
10 was a formally distressed site.

11 So, I hope I -- I didn't want to  
12 paint -- I want to paint the positive picture, the  
13 appropriate positive picture. So anyhow, I just  
14 wanted to add on to that. So thank you.

15 With that being said, we have  
16 entertained -- I'm losing track here. We did  
17 entertain public comments. We closed public  
18 comments. We have final comments from the  
19 Commissioners. And if there are no further comments  
20 or questions, may I seek a motion, please.

21 COMMISSIONER PARLOVE: I would like to  
22 make a motion regarding ZMA 21-01, per the rezoning  
23 criteria found in SEC 6.804 of the Zoning Ordinance,  
24 Planning Division's technical review and findings, I  
25 make a motion to recommend approval of ZMA 21-01.

1 The recommendation would be represented -- or I'm  
2 sorry, will be presented to City Council for  
3 approval that the request of Chris Kinaya to re-zone  
4 parcel number 64-14-18-351-022 from C-4 suburban  
5 commercial to M-1 light manufacturing with CR  
6 conditional rezoning.

7 CHAIRPERSON THOMAS: Thank you very  
8 much. May we have a second and support, please?

9 COMMISSIONER NORTHCROSS: Support,  
10 Northcross.

11 CHAIRPERSON THOMAS: We have a motion,  
12 second and support. Any further comments or  
13 questions before we go to roll call?

14 Mr. Gustafsson, roll call, please.

15 MR. GUSTAFSSON: Commissioner  
16 Northcross?

17 COMMISSIONER NORTHCROSS: Yes.

18 MR. GUSTAFSSON: Commissioner Parlove?

19 COMMISSIONER PARLOVE: Yes to approve.

20 MR. GUSTAFSSON: Mayor Waterman?

21 MAYOR WATERMAN: Yes to approve.

22 MR. GUSTAFSSON: Commissioner Payne?

23 COMMISSIONER PAYNE: Yes.

24 MR. GUSTAFSSON: Vice Chair Fegley?

25 VICE CHAIR FEGLEY: Yes to approve.

1 MR. GUSTAFSSON: And Chair Thomas?

2 CHAIRPERSON THOMAS: Yes to approve.

3 MR. GUSTAFSSON: 6-0, motion passes.

4 AYES: Thomas, Payne, Northcross,  
5 Waterman, Fegley, Parlove

6 NAYS: (None.)

7 ABSTAIN: (None.)

8 MOTION CARRIES 6-0-0

9 CHAIRPERSON THOMAS: Thank you very  
10 much. And of course we'll congratulate the  
11 applicant/petitioner, but we'll segue right into the  
12 second component which is pretty much a variation of  
13 what we just went through. It has the same  
14 applicant, same petitioner. This is ZMA 21-02,  
15 Zoning Map Amendment, and this is at 585 West  
16 Kennett Road; and the previous one was 673 West  
17 Kennett Road.

18 5.3.

19 SEP 21-02 Zoning Map Amendment

20 PROPERTY ADDRESS: 585 W. Kennett  
21 Road

22 PARCEL NO. 64-14-18-351-023

23 APPLICANT: Chris Kinaya

24 CURRENT ZONING: C-4 Suburban  
25 Commercial

1 PROPOSED USE: Conditional M-1  
2 Light Manufacturing

3 CHAIRPERSON THOMAS: And so I think  
4 that we're going to hear pretty closely a  
5 replication of the previous, but Mr. Gustafsson are  
6 you presenting or is it Mr. Smith?

7 MR. GUSTAFSSON: I would say in  
8 regards to the staff findings and also our review of  
9 the criteria are identical. Would be more than  
10 happy to go through that, but there's really no  
11 difference except for, Donovan, if you can share the  
12 screen to kind of go straight to the parcel that  
13 we're referring to.

14 CHAIRPERSON THOMAS: Thank you. So I  
15 guess -- I mean, in my mind, it's up to the  
16 planners, meaning Mr. Gustafsson and Mr. Smith, to  
17 go through all of it, an abbreviated version of it  
18 or however you see best.

19 MR. GUSTAFSSON: Well Donovan took the  
20 bull by the horns so to speak and did the reviews on  
21 this. They are identical in regards to the issue  
22 except for the site itself is, as you can see on the  
23 screen, is slightly smaller. This site does not  
24 have access to Cesar Chavez, it is solely on West  
25 Kennett. We did not receive any written comment on

1 this particular site as relates to this application.  
2 So we can obviously open it up for public hearing,  
3 and obviously take questions from the Commissioners.  
4 That would be my recommendation.

5 CHAIRPERSON THOMAS: Okay. We've had  
6 the preface. Everyone knows where we are, and we  
7 know where we are on the map.

8 So with that being said, kind of a  
9 change from normal protocol, instead of going to  
10 Commissioners first, we'll open up with public  
11 hearing.

12 So I'm going to tap the virtual gavel.  
13 Public hearing is now open.

14 MR. GUSTAFSSON: And Donovan, if you  
15 could stop sharing the screen right now, please.  
16 Thank you.

17 MR. SMITH: Sorry about that. If  
18 there is anyone or anyone from the public on the  
19 call that wishes to participate in public comment,  
20 please indicate so by raising your hand in the chat,  
21 or raising your hand on screen through the Chair, I  
22 see Ms. McCall's hand. Ms. McCall, we are almost at  
23 public hearing, so if you could -- if you want to  
24 wait on until 3 or 4 more minutes, then we'll get  
25 right to you, I promise you that.



1 MS. McCALL: Thank you.

2 MR. SMITH: No problem at all. All  
3 right. Are there any other hands in the chat?  
4 Through the Chair, I see no more hands for public  
5 hearing.

6 CHAIRPERSON THOMAS: Okay. Very good.  
7 Thank you. I'm going to tap the virtual gavel.  
8 Public hearing is closed. And I come back to my  
9 fellow Commissioners for any comments or questions  
10 that they might have. Once again, you know that  
11 this is pretty much a variation on the same theme  
12 almost in the same place with the same criteria, but  
13 nevertheless we'll ask the question and can be as  
14 quick or as short as you'd like it to be. So  
15 Commissioner Northcross, please?

16 COMMISSIONER NORTHCROSS: I have no  
17 other questions.

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

20 MR. GUSTAFSSON: She stepped away.

21 CHAIRPERSON THOMAS: Okay.  
22 Commissioner Parlove, please.

23 COMMISSIONER PARLOVE: No more  
24 questions, thank you.

25 CHAIRPERSON THOMAS: Okay.

1 Commissioner Payne, please.

2 COMMISSIONER PAYNE: No questions.

3 CHAIRPERSON THOMAS: Okay. Thank you.

4 Vice Chair Fegley, please?

5 VICE CHAIR FEGLEY: No questions.

6 CHAIRPERSON THOMAS: Thank you. And I  
7 have no questions either. And so, with that being  
8 said, may we have a motion, please?

9 COMMISSIONER PARLOVE: I would like to  
10 make a motion -- by the way, the Mayor is back.  
11 Mayor, did you have any questions?

12 MAYOR WATERMAN: No questions. Thank  
13 you.

14 COMMISSIONER PARLOVE: Okay. All  
15 right. I would like to make a motion then about ZMA  
16 21-02, per the rezoning criteria found in Section  
17 6.804 of the Zoning Ordinance, Planning Division's  
18 technical review and findings, I make a motion to  
19 recommend approval of ZMA 21-02. The recommendation  
20 would be presented to City Council for approval that  
21 the request of Chris Kinaya to re-zone parcel number  
22 64-14-18-351-023 from C-4 suburban commercial to M-1  
23 light manufacturing with CR conditional rezoning.

24 CHAIRPERSON THOMAS: Okay. Thank you  
25 very much. May we have a second and support,

1 please?

2 COMMISSIONER NORTHCROSS: Support.

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

6 Mr. Gustafsson, roll call, please.

7 MR. GUSTAFSSON: Sure. Commissioner  
8 Parlove?

9 COMMISSIONER PARLOVE: Yes to approve.

10 CHAIRPERSON THOMAS: Commissioner  
11 Northcross?

12 COMMISSIONER NORTHCROSS: Yes to  
13 approve.

14 MR. GUSTAFSSON: Vice Chair Fegley?

15 VICE CHAIR FEGLEY: Yes to approve.

16 MR. GUSTAFSSON: Chair Thomas?

17 CHAIRPERSON THOMAS: Yes to approve.

18 It came through muddled. Did you call me or --

19 MR. GUSTAFSSON: Yes, I did.

20 CHAIRPERSON THOMAS: Okay.

21 MR. GUSTAFSSON: Chair Thomas. Sorry  
22 about that.

23 CHAIRPERSON THOMAS: Yes to approve.

24 MR. GUSTAFSSON: And Commissioner  
25 Payne?

1 COMMISSIONER PAYNE: Yes.

2 MR. GUSTAFSSON: And Mayor Waterman?

3 MAYOR WATERMAN: Yes to approve.

4 MR. GUSTAFSSON: Motion passes 6-0.

5 AYES: Thomas, Payne, Northcross,

6 Waterman, Fegley, Parlove

7 NAYS: (None.)

8 ABSTAIN: (None.)

9 MOTION CARRIES 6-0-0

10 CHAIRPERSON THOMAS: Okay. Mr.

11 Kinaya, thank you very much, and good luck and let

12 us know how we can help.

13 MR. KINAYA: Thank you.

14 MR. KLEIN: Thank you.

15 CHAIRPERSON THOMAS: And thank you,

16 Bard. Thank you as well and your group.

17 Okay. Well, that concludes the  
18 petition part of the agenda. And with that being  
19 said, we will go to public comments which Ms. McCall  
20 has been waiting patiently. So I will at this point  
21 in time, public comments. So anyone wishing to make  
22 public comments, please come forward.

23 MR. SMITH: Recognize Ms. McCall. I  
24 will give you the floor here.

25 MS. McCALL: Yes, I want to thank you

1 for the information that you sent me regarding the  
2 landscaping and the American House that's being  
3 built at 819 Golf Drive, however, I'm a layperson,  
4 I'm a senior citizen, and I cannot read or decipher  
5 because the print is so small. And I would like to  
6 request that we have the site plan review that you  
7 have indicated on the next special meeting or your  
8 next City Planning meeting so that we can get  
9 information. Our community did not receive any  
10 notification regarding that facility. We did not  
11 receive any notification regarding the PACE facility  
12 that was built there. And I looked through the  
13 documents and this particular facility that we're  
14 concerned with was not including any additional  
15 plans.

16 Because this is at our very back door,  
17 we would like to know what is happening. We would  
18 also like to know what kind of impact that's going  
19 to be having on our community in terms of noise, in  
20 terms of light, in terms of (inaudible). They come  
21 through, they have cut down all of our trees. They  
22 have removed most of our foliage behind us and right  
23 now we're looking at pillars of that -- for that  
24 particular facility. And if we open our windows,  
25 they're looking directly into our homes that include

1 our bedrooms, and we're looking directly into their  
2 homes. So, we would like a review of this, and we  
3 would like to work with you to make sure that  
4 everybody is satisfied that this is going to be a  
5 compatible co-existence.

6 MR. GUSTAFSSON: If I may through the  
7 Chair.

8 CHAIRPERSON THOMAS: Yes.

9 MR. GUSTAFSSON: Ms. McCall, I  
10 appreciate your comments, and what I would suggest,  
11 we have a Planning Commission meeting, our regular  
12 next meeting will be -- I'm just looking at a  
13 calendar, excuse me, March 3rd at 6:00 --

14 MS. McCALL: March 3rd what happens  
15 to -- this is February. March 3rd at 6:00.

16 MR. GUSTAFSSON: Correct. That's  
17 our --

18 MS. McCALL: I would like to be placed  
19 on that agenda.

20 MR. GUSTAFSSON: What we'll do is I  
21 will work with representatives from American House.  
22 It's being -- when it went through the Planning  
23 Commission there was no rezonings so you would not  
24 have received any publications -- any notices in  
25 regards to any changes that were made.

1 MS. McCALL: No, excuse me, that's the  
2 second time that happened to our community, where  
3 you had no regard to what you're doing, how it's  
4 going to impact our community. You're talking about  
5 300 feet. We are approximately 300 feet, if not a  
6 little bit more. Now, we had to go through this  
7 once before with that relay system that we had to  
8 get moved because you were putting it right up  
9 against our backyard. And now they are doing the  
10 same thing here. No regards for the community or  
11 people of Pontiac. This is a premiere community  
12 And we --

13 CHAIRPERSON THOMAS: Excuse me, let  
14 me -- let me -- let me take the floor. Excuse me.  
15 Let me take the floor here. Mr. Gustafsson, if I  
16 understand correctly, on March 3rd, this item will  
17 come as a formal item on the agenda on March 3rd; is  
18 that correct?

19 MR. GUSTAFSSON: That's correct. And  
20 in regards to -- what I would like -- what I would  
21 like to do is --

22 CHAIRPERSON THOMAS: Let me -- all I  
23 wanted to say, to finish my comments, we can't  
24 resolve this issue tonight because it is not on the  
25 agenda.

1 MS. McCALL: It was on the agenda, it  
2 was under new business.

3 CHAIRPERSON THOMAS: Excuse me. It's  
4 not officially on the agenda.

5 MS. McCALL: It was on the agenda.  
6 It's under new business.

7 CHAIRPERSON THOMAS: Good or bad,  
8 right or wrong, it's not on the agenda and we can't  
9 fix it tonight. So I hope you understand it. You  
10 may not like it, but it will be on the agenda on  
11 March 3. You can come on March 3. You can address  
12 the Commissioners. You can address the applicant.  
13 But we can't solve this problem tonight. And to  
14 take it any further is frankly not in the best  
15 interest of time of anyone that's here. So I hope  
16 you understand. But the conversation got a bit  
17 ugly.

18 COMMISSIONER PAYNE: Mr. Chair, may I?

19 CHAIRPERSON THOMAS: Yes.

20 COMMISSIONER PAYNE: Lucy Payne here.  
21 Ms. McCall, I would like to thank you for your  
22 presence in speaking out for your community. Our  
23 residents actually help us to make decisions, you  
24 know, that we're making and when we don't hear from  
25 our residents, it's very difficult for us to make



1 those decisions. And you have come before us. So  
2 what normally happens is, is that the -- the  
3 petitioners, the applicants, normally we ask them  
4 all the concerns you're asking right now. Those are  
5 concerns that we also ask our applicants. And  
6 normally what happens is that our applicants answer  
7 those and then we do -- it's kind of like the  
8 applicant has got to resolve a lot of that. So  
9 that's what normally happens.

10 MAYOR WATERMAN: Mr. Chair, I would  
11 also like to speak to our citizen here.

12 CHAIRPERSON THOMAS: Yes, please.

13 MAYOR WATERMAN: Ms. McCall, when you  
14 spoke before -- and our planner did send you the  
15 information regarding that, I see one of the  
16 problems you're having is you don't know how to read  
17 that or interpret that, and maybe some others in  
18 your community do. I'm going to take it upon myself  
19 to make sure that we arrange a Zoom meeting like we  
20 have now with one of our planners so they can go  
21 through the information they sent to you so you can  
22 understand what's there, all right?

23 So, I'm going -- I don't know if I  
24 have your number, but you'll have a look at the chat  
25 box right there, I'm going to give you a phone

1 number to call so you can get a hold of my office  
2 and so we can get your number and I'll know how to  
3 connect and you anybody else who similarly would  
4 like to know more information. So before -- if you  
5 can do that before the next Planning Commission  
6 meeting. Would that help you some? I can't -- no,  
7 you're muted so we're not able to hear, and I know  
8 she's already made the comment. But, the -- do you  
9 know how to use the chat box? The phone number is  
10 right there, 248-758-3181. 248-758-3181. All  
11 right. So, if you call, we'll set up with you so  
12 that they can go over -- I know some of it is --  
13 people don't read those site plans all the time.  
14 That's the service I wanted you to have, all right?  
15 Very good.

16 Vern, take over that, please, and  
17 Donovan, sit with her and maybe some others too in  
18 her area who would like to have the advantage of  
19 being able to understand, all right?

20 MR. GUSTAFSSON: Sure. I'd be happy  
21 to.

22 MAYOR WATERMAN: Okay.

23 MR. GUSTAFSSON: I think that's a  
24 great idea, Mayor, that we could have a little bit  
25 more -- instead of -- at a Planning Commission

1 level. We can bring it back at that time, but we  
2 can at least provide initial conversation and  
3 definitely get the applicant in from Redico and  
4 American House.

5 MAYOR WATERMAN: That's a great idea,  
6 too, to get them in, but also to have the  
7 neighborhood people to be able to understand so they  
8 know more about what's going on. All right?

9 MR. GUSTAFSSON: Perfect. Be happy  
10 to.

11 COMMISSIONER NORTHCROSS: Mr. Chair,  
12 if I may?

13 CHAIRPERSON THOMAS: Yes. Yes.

14 COMMISSIONER NORTHCROSS: I am a big  
15 fan of developers talking to the neighbors, their  
16 new neighbors and --

17 COMMISSIONER PAYNE: We all are.

18 COMMISSIONER NORTHCROSS: -- being  
19 able to exchange ideas and questions and have those  
20 questions answered and maybe suggestions, have those  
21 suggestions incorporated in how things are doing.  
22 And I -- I'm -- Madam Mayor, I take my hat off to  
23 you. I think that's an excellent way to proceed, to  
24 have that type of exchange so that all in that  
25 neighborhood gets a chance to talk to the developers

1 as they're happening. And we, in turn, when we have  
2 the public hearing, I, in turn -- let's say it this  
3 way: I intend to ask at the next round what type of  
4 suggestions and comments and things has the  
5 developer heard. You know, it's one thing to have  
6 them said, but what have they heard and what steps  
7 have they taken to incorporate any suggestions or  
8 comments or things that they heard in the plans that  
9 they're going to ask us to approve. I think it's  
10 really important. We want to make sure that people  
11 coming into the City, developers coming into the  
12 City have a good base to make a profit, but at the  
13 same time we want to make sure that the folks in the  
14 City, their quality of life at the very least is not  
15 pushed backwards, but hopefully it's all brought  
16 forward so that we get into that ideal win/win  
17 situation of the neighborhoods improving and  
18 enjoying some type of additional development; and  
19 the developer themselves being able to put their  
20 development in place and also do it in a manner  
21 that's sustainable to them economically and  
22 financially. So, excellent. Excellent. And thank  
23 you, Ms. McCall. Thank you, Ms. McCall, for  
24 bringing this forward. I think it's under -- I  
25 think you're helping us to work out our desire to

1 keep our ear to the ground and stay sensitive to all  
2 of the different dimensions of every project that we  
3 try and hear in front of us.

4 CHAIRPERSON THOMAS: I agree with the  
5 comment with regard to the developers meeting with  
6 the community. You know, in the interest of  
7 humanity and civility, they're neighbors and they --  
8 it should be -- I don't -- I don't think we can  
9 mandate it, but in many cases they do meet, but they  
10 should meet. And so it's well said, and hopefully  
11 we'll make that happen. So I'll give final comments  
12 on -- Ms. McCall, it looks like you're muted, but  
13 you're welcome to speak if you can un-mute.

14 COMMISSIONER NORTHCROSS: Try the  
15 space bar on your keyboard.

16 MS. McCALL: Am I un-muted?

17 COMMISSIONER PAYNE: There you go. We  
18 hear you.

19 MS. McCALL: I would like a name to go  
20 with this telephone number that the Mayor gave me so  
21 I have someone to talk to.

22 MAYOR WATERMAN: That is my office  
23 number, so my name, Deirdre Waterman. That's whose  
24 office you would be calling.

25 MS. McCALL: I know, but I need --

1 when I call, I need to be able to talk with someone.  
2 I've been getting -- when I call your office, either  
3 your box is full or you're not available and the  
4 individual that I talked to before did not pass my  
5 information onto you before I sent you the e-mail.

6 MAYOR WATERMAN: That's the number I  
7 want you to call, all right? And that number, I am  
8 not always sitting there, but is answered by either  
9 a secretary or one of the other office people in the  
10 executive suite, okay? That is my office number.

11 MS. McCALL: Okay. Thank you very  
12 much.

13 COMMISSIONER PARLOVE: May I make one  
14 final note as well? Our Planning Commission  
15 schedule is posted on the website, is that correct,  
16 every time we are going to be meeting, so --

17 MS. McCALL: I've always -- the time  
18 is not always correct. The information in there  
19 doesn't tell you what is the meeting. I've tried  
20 that. You're talking about last time I was not the  
21 only one that had that complaint.

22 COMMISSIONER PARLOVE: Okay. But what  
23 I was trying to say is this, the information that  
24 gets posted, sometimes there are things that -- I've  
25 had my own situation where I've had things that are

1 near to where I live that I wasn't notified of  
2 before I was on the Planning Commission, and it can  
3 be frustrating because there are things you'd like  
4 to know about. So there are things that happen  
5 across town, that even though it's not in your  
6 backyard, you may want to know about too. So I  
7 think to pay attention if you have the time to just  
8 take a quick look at what's on the agenda, you may  
9 find that you want to be part of the meeting  
10 anyways, you may find out that there's something  
11 that's close to you that's happening that you  
12 wouldn't have known about because you're outside of  
13 that boundary of the 300 feet. So I think that  
14 helps all of the residents to pay attention because  
15 what we do here every week -- or every month is  
16 important to every resident. So it's not just  
17 what's in your backyard, it's across your city. So  
18 we appreciate you being here tonight.

19 MS. McCALL: I'll do that. Because we  
20 have members in our community to do that, but I will  
21 do that.

22 COMMISSIONER PARLOVE: Good. Thank  
23 you. We love having you here.

24 CHAIRPERSON THOMAS: Okay. That  
25 brings us to the end of the formal agenda. Any

1 other closing comments from Commissioners?

2 Now, let me go as I like to go in an  
3 orderly fashion so everyone has a chance. If you  
4 do, you do; if you don't, you don't that's fine, but  
5 starting first with Commissioner Northcross.

6 COMMISSIONER NORTHCROSS: No other  
7 comments. No other comments.

8 CHAIRPERSON THOMAS: All right. Thank  
9 you very much. Honorable Mayor Waterman, please.

10 (MAYOR WATERMAN spoke about the  
11 vaccination sites that she has helped bring to the  
12 City, including at the Bowens Center.

13 She also spoke about the revised parks  
14 and recs master plan, stating it is now approved,  
15 Passed by City Council at a special meeting last  
16 Friday, after two years of trying, and that it's in  
17 the hands of the DNR. She discussed the need to  
18 keep the task force in place to continue to help  
19 with the next steps.

20 She also discussed the Woodward loop  
21 redesign project. She stated there would be a town  
22 hall done by Zoom next Wednesday at 1:00.

23 COMMISSIONER NORTHCROSS asked how one  
24 would sign up for the COVID vaccine.

25 MAYOR WATERMAN stated different



1 counties are doing it different ways and explained  
2 how Oakland County is handling it. She stated the  
3 vaccination sites were too far for the residents of  
4 Pontiac to get to, so that's why she pushed to have  
5 a site in the City. She stated you can register  
6 online or call the Pontiac emergency hotline,  
7 248-758-3300.

8 COMMISSIONER PAYNE also provided more  
9 information in regards to COVID-19 that you can call  
10 Oakland County for signing up, which is  
11 1-800-848-5533. She further stated that Meijer  
12 pharmacy is also doing a save-the-date. She further  
13 discussed they're also coming to Walgreen's, CVS,  
14 but she hasn't heard how that works yet. She stated  
15 you may want to call your own pharmacy to see how to  
16 sign up.

17 She further discussed how excited she  
18 was that Ms. McCall attended the meeting and  
19 speaking up for her community. She stated she would  
20 love to keep Ms. McCall involved in something here.  
21 She invited Ms. McCall to keep in touch with them.

22 COMMISSIONER PARLOVE made a motion to  
23 adjourn; COMMISSIONER NORTHCROSS supported.)

24 MR. GUSTAFSSON: Commissioner Parlove?

25 COMMISSIONER PARLOVE: Yes to adjourn.

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MR. GUSTAFSSON: Commissioner

Northcross?

COMMISSIONER NORTHCROSS: Yes to

adjourn.

MR. GUSTAFSSON: Mayor Waterman?

MAYOR WATERMAN: Yes, I want to go  
home, please.

MR. GUSTAFSSON: Commissioner Payne?

COMMISSIONER PAYNE: Yes to adjourn.

MR. GUSTAFSSON: Vice Chair Fegley?

VICE CHAIR FEGLEY: Yes to adjourn.

MR. GUSTAFSSON: Chair Thomas?

CHAIRPERSON THOMAS: Yes to adjourn.

MR. GUSTAFSSON: Thank you.

(Meeting concluded at 8:17 p.m.)



Minutes certified by:

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/s/ Quentina Rochelle Snowden, CSR-5519  
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