

Final
CHARTER TOWNSHIP OF COMMERCE
DOWNTOWN DEVELOPMENT AUTHORITY
Tuesday, March 15, 2022
Commerce Township Hall
2009 Township Drive
Commerce Township, MI 48390
12:00 PM

CALL TO ORDER: The Meeting was called to order by Vice Chairperson Matta at 12:00pm.

Downtown Development Authority:

Present: Debbie Watson, DDA Director
Steve Matta, Vice Chairperson
Susan Spelker, Member
Brian Winkler, Member
David Smith, Member
Jose Mirkin, Member
Tim Hoy, Member
Elizabeth Bulat, Member

Absent: James Gotts, Chairperson (excused)
Larry Gray, Township Supervisor (excused)
Randy Thomas, Insite Commercial
Lt. Wendy Reyes, OCSO Substation Commander

Also Present: Molly Phillips, DDA Treasurer
Melissa Creech, DDA Secretary
Sandy Bowers, DDA Assistant
Thomas Rauch, DDA Attorney
Matt Schwanitz, Giffels-Webster, DDA Engineer
Dave Campbell, Township Planning Director

Item 1: Approval of Minutes

MOTION by Mirkin, seconded by Hoy, to approve the Regular Meeting Minutes of February 15, 2022, as presented. **MOTION CARRIED UNANIMOUSLY**

Item 2: Public Comments

Ray Golota, 1595 Vanstone Drive, Commerce Township – A week ago last Monday I was at the Planning Commission meeting. I don't see Randy here and I don't want to steal his thunder, but I want to be the first to publicly support the client that might be pursuing the lot on Pontiac Trail and Haggerty, and the other lots too.

David Smith – That's not a secret now.

Ray Golota – I didn't think so, but I had to say it.

Vice Chairperson Matta – Thank you for that comment. We do appreciate that. Randy Thomas is not here today. We are also missing Supervisor Larry Gray, Chairperson Jim Gotts, and Lt. Wendy Reyes, Commander of the Substation. But we do have a quorum so we're able to go forward. Any more public comments?

Director Watson – I wanted to let Ray know that I did get quotes for snow plowing of sidewalks, and I will have the Board of Directors for Commerce Towne Place look those over. It's a little pricey for our budget, but I will present it to them for consideration. Wyncliff and Merrill Park are both members of that HOA.

Ray Golota – Thank you.

Vice Chairperson Matta – They're probably taking in the new fuel prices.

Director Watson – Yes, I think so, and it's certainly subject to change later this year.

Treasurer Phillips – But they'll never reduce them when prices go back down.

Item 3: Insite Commercial Report

Randy Thomas had provided the Insite report in the DDA Board's packet.

In Randy's absence, David Smith provided commentary.

- Parcel C has had activity, as Mr. Golota stated. We have an automotive company looking to purchase certain properties.
- We also reviewed a credit union proposal for Parcel C, however we felt their proposal was not complete enough for that site. I've been told the credit union is now looking at another site at Pontiac Trail and M-5. They do have a very nice design.
- We held discussions today regarding dealing with Walmart on easements and access to Parcel C.
- We have an offer on the table; we're countering and it is a very nice looking car dealership. We're in negotiations, and if it moves forward, I think the consensus is that it will be a very positive asset for Parcel C.

Vice Chairperson Matta – One other thing that Randy mentioned was that there was some renewed interest on Parcel J. It was a gas station operator who originally said they didn't need alcohol sales, but they have since changed their minds based on certain factors. They are no longer a consideration because they can't sell alcohol there.

David Smith – That's exactly right. Personally, I agree with the Township Ordinance regarding liquor sales, although I would not mind a gas station on that corner.

Vice Chairperson Matta – It might be tough in this market to get that.

Item 4: Attorney's Report

Attorney Rauch – I've been working with Deb on the Parcel C discussions.

On Parcel L, we're waiting for the Higher Ground Learning proposal, since they are still in their due diligence phase. They received title work. I don't know if they've gotten their survey yet, but we have not heard from them regarding title comments, which I had expected by now. I assume they'll be here within the coming month.

Vice Chairperson Matta – When are the title comments due?

Attorney Rauch – The 25th of April I believe. The entire due diligence ends April 25th, unless they want to extend it. However, there hasn't been much other activity.

Discussion continued between Attorney Rauch and Vice Chairperson Matta regarding the timeline for survey, title work, objections and responses for Parcel L.

Attorney Rauch – On Parcel J we had worked on the LOI however apparently they are no longer interested in this parcel. Otherwise, things are quiet.

Item 5: Director's Report

Director Watson had submitted a written report included in the Board's packet. She also provided a few highlights and updates.

Director Watson – First, Jose and Tim, I'd like to ask you to put the Marketing Committee meetings on your schedules. Jose, April 19th, and Tim for May 17th. Please let me know if you're available for those dates.

David Smith – It's one hour before the regular meeting.

Director Watson – Yes.

- Next month, we are scheduled to have Bruce presenting his quarterly update to Marketing and to the DDA Board. I sent him a reminder and I await confirmation.
- At Barrington, Building #19 caught fire on the morning of February 18th. Missy or Molly, do we know the cause of the fire after investigation?

Secretary Creech – It was possibly a propane heater that was too close to some cardboard boxes.

Director Watson – Thank you.

- We've covered Parcel L, Higher Ground.
- Regarding Parcel C, I would add that Lafontaine did receive a warm welcome at the Planning Commission meeting for their conceptual review. There were a lot of suggestions for improvements, but their proposal to develop three parcels was well received.
- For Commerce Towne Place, quarterly dues will be sent out soon for Wyncliff and Merrill Park. Other than that, we await Avalon's dues payment.
- Last month, I reported that we had nearly \$30,000 outstanding in property damage claims. Since then, we have received \$17,000 in payments. We have one claim remaining which is pending for \$10,500. We're definitely making progress, thanks to Sandy being on our team.

Brian Winkler – Nice job, Sandy.

Sandy Bowers – Thanks.

Director Watson – She's keeping us very organized.

- We have a lot of spring projects coming up:
 - Clean up trails
 - Clean up along Martin Parkway
 - Landscaping and irrigation will get underway in April and May
 - We will look at maintenance and improvements to the foot bridges on the pathways

- Update and add new signage on the trails, including the Township's new policy regarding it being unlawful to remove wildlife from Commerce Township parks
- Memorial benches will be installed at the tunnel
- Light pole drivers will be replaced
- Green light poles will be painted bronze so the system will be one consistent color throughout
- Two more poles need to be put back up and will be installed as soon as possible
- Tree services, treatments and fertilizer, review by an arborist, stump grinding and tree replacements as the budget allows
- The sign bandit is back. We will continue to work with authorities and the community to address these issues.
- At the March 8th Township Board meeting, Treasurer Phillips presented our request for the cash advance, and the \$1.5 million was approved. I was not present at that meeting. Thank you, Molly, for taking care of that for us. Could I defer to you, Molly, for any other updates from the Township Board meeting?

Township Board Update

Treasurer Phillips – Missy, you can help me because you were there, but I don't think anything that happened in that meeting had to do specifically with the DDA, other than the approval of the loan, which has been made and the debt payments are set up to go on the 31st of this month as scheduled.

Secretary Creech – I don't think there was anything else.

Treasurer Phillips – The audit is here, starting April 1st.

Vice Chairperson Matta – Any questions for Debbie or anyone else regarding the Director's report?

Jose Mirkin – I have a question. In the past, and Tom probably knows the details, the Township was able to get liquor licenses. If we are really interested in getting a gas station at J J, Tom, didn't we get special licenses for some particular cases?

David Smith – That's for bars and restaurants though.

Attorney Rauch – I don't think the discussions involved the multitude of liquor licenses that are available in development zones. It's not that they couldn't get a license. It's that the Township Ordinance prohibits it. Dave, I think you could speak to that.

Vice Chairperson Matta – Right, with reference to the distance to schools and other prohibited activities, including other licenses.

Dave Campbell – The Township specifically amended the Zoning Ordinance in 2017 to create spacing standards for these alcohol retailers; spacing standards relative to one another, relative to schools, parks, churches and so-forth. Developers have the most challenge with spacing requirements relative to each other. We only allow two alcohol retailers within a one-mile radius. That corner of Haggerty and Oakley Park already has well more than two within a mile. They would not be able to comply with the Township's Zoning Ordinance in terms of adding another alcohol retailer at that location, unless the Township opts to amend the Zoning Ordinance and

those spacing standards, which they've been asked to do by other gas station operators; the Mobil station on Union Lake Road, and the new owners of the BP station at Pontiac Trail and Beck. The Township was not interested in making an amendment. Since implementing that in 2017, the Township has held the line on these spacing requirements for alcohol retailers.

Jose Mirkin – Okay, thank you, Dave.

David Smith – Dave, I think it was in West Bloomfield, the Marathon at the corner of Maple and Haggerty got denied.

Dave Campbell – I did not know that, and that property is an interesting one because it actually straddles the municipal boundary between Commerce and West Bloomfield Township. The gas station, building and pumps are in West Bloomfield, but the westerly portion of the parking lot and I think their dumpster landed on the west side of that line in Commerce Township. I know that gas station recently sold. I talked to West Bloomfield and there were going to have to be some joint approvals for what the new owner wanted to do. I think he wanted to do an expansion, or knock down the store and build a bigger one. I didn't realize that he petitioned to West Bloomfield for a liquor license, and it sounds like he didn't get it.

Vice Chairperson Matta – You mentioned that the biggest problem they have is proximity to one another if there was another liquor retailer within the area. If the school on Parcel L goes in, will that be another problem for them?

Dave Campbell – That would be one of the land uses that we do have spacing requirements from. I want to say it's within 500 feet of a school or licensed daycare. I'm going to guess that corner is further away than that. But, when you're talking about a mile, that's a pretty good stretch. It's worth pointing out that the spacing requirements are not just for other alcohol retailers within Commerce Township. When we talk about Haggerty Road, we're talking about West Bloomfield Township on the east side and Commerce on the west. The Zoning Ordinance does not differentiate between whether the alcohol retailer is in one municipality or the other.

Vice Chairperson Matta – It's a mile radius regardless of boundary, right?

Dave Campbell – Exactly.

Jose Mirkin – So Dave, how much do we want to sell Parcel J to that potential gas station?

Dave Campbell – I suppose that's a decision for your board. I don't know that the Township would want to amend the Zoning Ordinance just for the purpose of selling a DDA property.

Jose Mirkin – Okay.

Vice Chairperson Matta – Yes, it wouldn't necessarily be bad to have a gas station on that particular corner, but they can't sell liquor.

Dave Campbell – Not the way that the Zoning Ordinance is currently written. Furthermore, that corner is not zoned for a gas station. It's not really zoned for any kind of retail. The property would have to be rezoned for any sort of retail, including a gas station. That would be one

component, but another component would be if they wanted to pursue alcohol retail, that would be a matter of amending the Zoning Ordinance.

Vice Chairperson Matta – Okay. Well, we were on the Director's report there. Any questions for Debbie on her report? Hearing none, we'll move on to Item 6.

Item 6: Engineer's Report

Matt Schwanitz, Giffels Webster – It has been an inactive month. Deb had a few questions and we talked a little bit about electrical service, our private system. Beyond that, no other update.

Item 7: Planning Director's Report

Dave Campbell, Township Planning Director, shared the following with the Board members:

- The Planning Commission had a meeting last week Monday.
- The big item that was up for discussion was the Lafontaine concept plan, something that is obviously a consideration for the DDA for Parcel C, at Haggerty and Pontiac Trail. Their conceptual was not just for Parcel C, but also the property they've already acquired, the former Dick Morris dealership, and a property they're trying to acquire which is actually a pair of properties on the south side of Oakley Park Road, between Haggerty and Martin.
 - Parcel C would be the dealership. The Dick Morris property would be the service center for the dealership, and the Oakley Park properties would effectively be a big parking lot for overflow, surplus inventory.
 - They brought that collection of proposals to the Planning Commission just for a conceptual discussion. I think the Planning Commission was very receptive to the thought of having a dealership, and particularly a luxury brand dealership on Parcel C. They were certainly in favor of seeing the Dick Morris dealership rehabilitated and brought back into productive use. The Oakley Park property, I think there was more concern there with the idea of it being a large parking lot without a principal use building; the idea of having more pavement on what is currently a greenspace property.
 - Lafontaine heard all of the comments and concerns. They're going to take those back to their team and coordinate with both the DDA, and if they acquire Parcel C, then they'll coordinate with the Township as far as the approvals they would need for development and redevelopment of those properties.

Vice Chairperson Matta – Was there any intention that they might return to give you another conceptual review with modifications?

Dave Campbell – I don't know that it was brought up, but that's always an option. They can have as many conceptual reviews as they want. It's for the benefit of the petitioner that they get a gut check from the Planning Commission to see if they're on the right track before they make the investment in a formal site plan submittal. We always welcome those conceptual discussions as we think it's better for both the Township and the petitioner.

- Also at the Planning Commission, we had another discussion regarding the update of our Master Plan and the direction we're going to take with that. I think it will be comprised of a series of special area plans, focused on specific properties that we know are going to be the target for development or redevelopment. An obvious example would be the Beaumont property at Maple and M-5. That's a big piece of property that we have a lot of

conversations with prospective developers about, and what they want to do with that property. The Planning Commission feels that by updating our Master Plan and doing area plans for properties such as that allows us to be proactive instead of reactive to what the developers want to do.

- It's worth mentioning that the Bay Pointe property; the developer who was going to redevelop that site with about 210 houses, he has pulled out of that proposal. Therefore, the Bay Pointe property is a free agent now, so we'll see who the next prospective buyer is and what they want to do with that property.

Vice Chairperson Matta – Any reasons given?

Dave Campbell – He did not want to disclose his reasons. He just said that the results of his due diligence were not satisfactory. It probably has something to do with the soil conditions.

David Smith – Was that Lawson?

Vice Chairperson Matta – Yes, there were no basements going in there.

Dave Campbell – Yes, and it was Herb Lawson. He respectfully pulled out of his proposal.

David Smith – I know our golf league is scheduled to start at Bay Pointe.

Dave Campbell – That was always supposed to be the deal, that they had the golf course booked through the end of this season, not just with outings, but with weddings and all the other things they do there. It was always going to be a golf course, at least through this year. Now, it's anybody's guess what might happen with it next.

The last thing I'll mention is that Bruce Aikens was at the Township Board at closed session last week Tuesday. It was closed session because a lot of what he discussed was confidential information and updates on prospective tenants, prospective investors and so-forth. I think it all sounded relatively positive. I know that he said he'll know a lot more when he goes to the Vegas ICSC in May. He thinks when he returns to the DDA and the Township Board with an update after that event, he will have better information. He thinks this next ICSC will be the first meeting post-COVID and a better opportunity to have more face-to-face interaction with investors and tenants.

Vice Chairperson Matta – Right, and the one he just attended a couple months ago, it was surprising how many people were actually there and it was a better turnout than expected. So, maybe May will be really productive for him.

Dave Campbell – He did say that was during the omicron phase, so I think that put a damper on what they were hoping to accomplish. He hopes May will be more productive.

Vice Chairperson Matta – Great, thank you. Any questions for our Planning Director?

Jose Mirkin – What is the update with the bridge, the blue panels?

Dave Campbell – We're going to hire you to do it, Jose. Name your price. I have a phone call today with representatives from MDOT and from Senator Runestad's office, Teresa Renault, widow of our late, great Mark Stacey. My understanding of the MDOT representative is that he

is the liaison between MDOT and the legislature. We're going to discuss the situation with him and see if we can get some traction. Right now, it's the same story I've been giving you for far too long, which is that MDOT does not have an agreement on what the fix is for those wave panels, and therefore they don't have a schedule for us on when those wave panels can be reinstalled. It's a very frustrating position for the Township to be in, and every month that goes by that we're still getting that same answer from MDOT makes it more frustrating. We will see if this conversation today is any kind of an ice breaker.

You'll also notice adjacent to the M-5 bridge, Adams has reinstalled their billboard. I think they told us that it might be up and running as early as this week. You'll certainly see the billboard there, and you may see messages conveyed on it in the very near future.

Discussion continued regarding the M-5 bridge, next steps, keeping lines of communication open, and working with the Attorney General and the Senator's office to resolve the issue.

Jose Mirkin – Okay, thank you, Dave. The reason that I raised this concern, is that Commerce Township residents keep asking. They know I am a member of the DDA, so they say, “Jose, why did you remove the blue panels that were so beautiful?” I explain that the DDA doesn't have anything to do with it.

Tim Hoy – Dave, any activity at all on the Beaumont property?

Dave Campbell – About a month ago, I was on a call with Randy Thomas, who is marketing that property, and a prospective buyer/developer who at one time wanted to get a concept plan in front of the Planning Commission at the February meeting. Beaumont told that developer to pump the brakes. Then we were targeting March, but that came and went. Since then I have not heard much from Randy or from the prospective buyer. I don't know if his interest has cooled, or if they're stilling doing their homework. As of February, there were two developers taking a hard look at it, but nothing more than conceptual.

Treasurer Philips – Why would Beaumont be telling them to pump the brakes?

Dave Campbell – That would be a good question for Randy. I think they wanted to have an agreement in place before anybody went public on what they wanted to do on the property.

Treasurer Phillips – So Beaumont is not considering keeping it and doing something on it?

Dave Campbell – No.

Item 8: Committee Reports

- A. Finance Committee – Susan Spelker – The big news has been covered by Molly, that our funding was approved by the Township Board and we can continue to move forward.
- B. Public Relations Committee – Jose Mirkin – In February, I sent a letter to the coordinator of the K-12 Art Exhibition. She's one of the art teachers in Walled Lake. I asked her if we are ready to organize the 2022 event at the Commerce Township Library. She replied; *We held a small, virtual K-12 art show last year, and we are planning to do the same for 2021-2022 school year. With the state of the virus still uncertain, we thought it was the best decision, since it is an entire year of planning*

and it is a large crowd turnout at the Library reception. I hope to revisit this endeavor in the fall and discuss what we can plan for the 2022-2023 school year. Therefore, they will hold the event virtually.

Regarding the DIA, I have sent several letters. They were in disarray, because the CEO of the DIA was having some problems. The final answer from the DIA; *My apologies for the delay. We had so much interest this year that we were not able to accept everyone. We will post the application around July on the website, and I would recommend signing up for our weekly updates. That would be more reliable than waiting on me. Thanks for your patience. I will look for your application next year.* Therefore, we will not have the 2022 DIA Exhibition. I will have to fill out the application in July-August for the 2023 calendar year.

- C. Marketing Committee – David Smith – We covered everything earlier. We're off on a promising note. It's spring and it's going to warm up, and we're looking forward to the future.

Item 9: Approval of Warrants and/or Carryovers, Add-ons, Revenue & Expenditure

MOTION by Spelker, seconded by Mirkin, to approve the Warrants and/or Carryovers, Add-ons and the Revenue & Expenditure Report. **MOTION CARRIED UNANIMOUSLY**

Item 10: Other Matters

None.

Vice Chairperson Matta – **The next regularly scheduled DDA meeting is Tuesday, April 19, 2022 at 12:00pm**, at which time a DDA Informational meeting will also be held. There will also be a Marketing meeting in advance. We will have Bruce Aikens with us, so we'll look forward to that update.

Item 11: Adjournment

MOTION by Mirkin, seconded by Spelker, to adjourn the meeting at 12:43pm.

MOTION CARRIED UNANIMOUSLY



Melissa Creech
DDA Secretary

03/09/2022 08:12 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 03/09/2022 - 03/09/2022
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA WARRANT REPORT
MARCH 15, 2022

Vendor Name	Invoice Date	Description	Amount	Check #
1. DEBORAH WATSON	03/09/2022	DDA DIRECTOR 2/20/22 TO 3/9/22	6,100.00	
2. KEMP, KLEIN, UMPHREY & ENDLEMAN, PC	03/04/2022	PROFESSIONAL SERVICES THROUGH FEBRUARY 29, 2022	4,619.56	
3. SANDY BOWERS	03/09/2022	DDA ASSISTANT 2/10/22 - 3/9/22	887.50	
TOTAL - ALL VENDORS			11,607.06	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			11,607.06	

03/15/2022 08:59 AM
User: JBUSHEY
DB: COMMERCE

INVOICE APPROVAL BY INVOICE REPORT FOR CHARTER TOWNSHIP OF COMMERCE
INVOICE ENTRY DATES 03/15/2022 - 03/15/2022
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID
BANK CODE: DDA
DDA ADD-ON WARRANT REPORT
MARCH 15, 2022

Vendor Name	Invoice Date	Description	Amount	Check #
1. DETROIT EDISON				
	03/12/2022	2660 E. OAKLEY PARK	105.59	
	03/12/2022	3106 MARTIN PARKWAY	108.86	
	03/12/2022	2581 LIBRARY DR.	708.35	
	03/12/2022	2579 LIBRARY DR. IRRIGATION	19.13	
		TOTAL	<u>941.93</u>	
TOTAL - ALL VENDORS			941.93	
FUND TOTALS:				
Fund 499 - DOWNTOWN DEVELOPMENT AUTHORITY			941.93	