

1 CITY OF PONTIAC - PLANNING COMMISSION

2 WEDNESDAY, NOVEMBER 6, 2019

3 6:30 P.M.

4 A meeting before the Planning
5 Commission, at 47450 Woodward Avenue, 2nd Floor,
6 Council Chambers, Pontiac, Michigan 48342.

7
8 BOARD COMMISSIONERS:

9 Dayne Thomas, Chair

10 Ashley Fegley, Vice-Chairperson

11 Mayor Deirdre Waterman, Commissioner

12 Christopher Northcross, Commissioner

13 Mona Parlove, Commissioner

14 Lucy Payne, Commissioner

15 Hazel Cadd, Commissioner

16
17 CITY OFFICIALS PRESENT:

18 Vernon Gustafsson, Planning Manager

19 Donovan Smith, City Planner

20
21 MINUTES RECORDED BY:

22 Quentina R. Snowden, (CSR-5519)

23 Certified Shorthand Reporter & Notary Public

1 MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING

2 COMMISSION:

3 Mary Pietila

4 Arthur Kahn (ph)

5 Gary Schopa

6 Josh Suardini

7 Chuck Johnson

8 Dave Hunter

9 Mark Zawadski

10 Erin Lammers

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1 CALL TO ORDER: Vice-Chair Fegley called the
2 meeting to order at 6:36 p.m.

3 ROLL CALL (PRESENT):

4 Ashley Fegley, Vice Chair

5 Lucy Payne, Commissioner

6 Mayor Deirdre Waterman, Commissioner

7 Christopher Northcross, Commissioner

8 Mona Parlove, Commissioner

9 EXCUSED: Dayne Thomas, Chairman

10 Hazel Cadd, Commissioner

11 VICE CHAIR FEGLEY: All right. Good
12 evening, everyone, we're going to begin tonight's
13 meeting. I'll start with a quick introduction. To
14 my far left is Commissioner Christopher Northcross.
15 Next to him is Mayor Deidre Waterman and then
16 Planning Manager, Vernon Gustafsson.

17 MR. GUSTAFSSON: It takes a while.

18 VICE CHAIR FEGLEY: To my far right is
19 Commissioner Mona Parlove and then next to her is
20 Lucy Payne, good evening. And I am Commissioner
21 Ashley Fegley. Tonight, I guess I'll call to order.
22 Do a roll call?

23 MR. GUSTAFSSON: Vice-Chair Fegley?

24 VICE CHAIR FEGLEY: Present.

25 MR. GUSTAFSSON: Commissioner

1 Northcross?

2 COMMISSIONER NORTHCROSS: Present.

3 MR. GUSTAFSSON: Commissioner Parlove?

4 COMMISSIONER PARLOVE: Present.

5 MR. GUSTAFSSON: Commissioner Payne?

6 MEMBER PAYNE: Present.

7 MR. GUSTAFSSON: And Mayor Waterman?

8 MAYOR WATERMAN: Present.

9 MR. GUSTAFSSON: We have a quorum.

10 VICE CHAIR FEGLEY: Thank you. Do we
11 have any communications?

12 MR. GUSTAFSSON: No, we do not. Then
13 minutes.

14 VICE CHAIR FEGLEY: And then minutes
15 for review for the October 2nd meeting. I did not
16 see those in my packet.

17 MR. GUSTAFSSON: They were -- they
18 were online. The e-mail that we had sent to you, it
19 was included. Yes. If you would like to wait, we
20 could just wait and just postpone that until our
21 next meeting to approve. Want to did that?

22 VICE CHAIR FEGLEY: Yeah, we'll just
23 postpone to the next meeting.

24 MR. GUSTAFSSON: That's fine.

25 VICE CHAIR FEGLEY: Okay. First on

1 the agenda is SEP 19-11 which is for the property
2 address 179 West Montcalm and it's a public hearing.

3 MR. GUSTAFSSON: Donovan -- Donovan
4 Smith will provide the technical report before the
5 public hearing and the applicant.

6 5.1

7 SEP 19-11

8 PROPERTY ADDRESS 179 West Montcalm

9 PARCEL NO. 64-14-20-157-007

10 APPLICANT Shahid Investments

11 CURRENT ZONING C-3 Corridor

12 Commercial

13 INTENDED USE: Retail Sales

14 (Unlimited Outdoor Sales)

15 (Presentation of facts given by Mr. Donovan
16 Smith.)

17 MAYOR WATERMAN: I have a couple
18 questions.

19 VICE CHAIR FEGLEY: Sure.

20 MAYOR WATERMAN: A couple of questions
21 for you, Donovan please. So, in the seven criteria
22 that you have, as I was reading this and I don't
23 know if I'm just seeing this for the first time, it
24 says "No outdoor storage of operative automobiles",
25 but I also would think that would include

1 non-operative automobiles?

2 MR. SMITH: Yes.

3 MAYOR WATERMAN: Okay. So maybe add
4 that to it, not that they're supposed to have
5 non-operative vehicles on the lot, but just in case
6 which is not.

7 MR. SMITH: Yeah, that is a good idea,
8 Mayor.

9 MAYOR WATERMAN: And the other
10 question is, what is the density of automobile sale
11 facilities in that corridor -- in that vicinity?

12 MR. SMITH: At this time, I do note --
13 I'm not aware of the active density. The Ordinance
14 does not specify a level of density that is
15 permitted or not permitted.

16 MAYOR WATERMAN: I know, but it's just
17 a question for information purposes so, I'd like to
18 -- that would be something that I think that --
19 point of interest.

20 MR. SMITH: I can look into that
21 information and get that to you if you wish.

22 MAYOR WATERMAN: Yes. Good.

23 MR. SMITH: Thank you.

24 VICE CHAIR FEGLEY: Would the
25 Petitioner like to add anything or comment to the

1 presentation that Donovan made? No? Okay. This is
2 a public hearing so, I'm going to open to public
3 comments and then we'll go through and get questions
4 from the Planning Commissioners.

5 MS. PIETILA: Good afternoon. Thank
6 you for allowing me to speak. My name is Mary
7 Pietila. I now live at 462 Cesar Chavez. I am the
8 councilperson for that District.

9 I am going to say that although this
10 been on the works for the last couple of months,
11 this is the first time as I walked into the building
12 that I heard about this. They have obviously not
13 come to the District 3 meeting to inform the
14 residents. We do have car lots already on that
15 strip. Madam Mayor, you asked a question and I will
16 tell you that within 100 feet there is a place on
17 Summit and Cesar Chavez that is selling cars as well
18 as going east onto -- is that east or west? I'm
19 sorry, going west onto Cesar Chavez between Summit
20 and Montcalm we have several different car lots. We
21 do have problems with those, one of them I will
22 remind you guys came from you, 636 Cesar Chavez is
23 an automotive that I told you then that you were
24 making our District automotive alley. And I
25 continue to say you are making our District

1 automotive alley, because we have that place at 636
2 is an automotive repair. And you -- there was an
3 exception in there saying they can't keep cars for
4 over three months, I don't know how many tickets
5 Tami Cooper has sent over to them, because they were
6 in violation and we have nothing but overflow of
7 cars there. I don't want to see that. You have a
8 gentleman here who wants to sell cars where they
9 already have a mechanic shop at the same address.

10 And I would ask that you allow them to
11 come and let District 3 speak for what they would
12 like to see happen. I know that other Districts do
13 have that opportunity. This District doesn't ask
14 for it very often and I would ask that you would
15 give us that consideration. Thank you very much for
16 allowing me to speak. Have a good evening.

17 VICE CHAIR FEGLEY: Thank you. Any
18 other public comments? All right. I'll close
19 public comments. Commissioner Northcross, do you
20 have any comments or questions?

21 COMMISSIONER NORTHCROSS: Yeah, how
22 close is this to Summit Street?

23 MS. PIETILA: Next door to it. Two
24 doors -- two lots down.

25 COMMISSIONER NORTHCROSS: And does

1 this company have anything, any relationship with
2 the company that's at the corner of Summit and
3 Montcalm?

4 VICE CHAIR FEGLEY: Is the Petitioner
5 here? Do you mind coming up to the podium and
6 stating your name and address and answering any
7 questions?

8 FROM THE AUDIENCE: No, we don't have
9 any --

10 VICE CHAIR FEGLEY: Can you please go
11 to the podium so that we can hear you? State your
12 name and address.

13 MR. GUSTAFSSON: So, it can be
14 recorded.

15 VICE CHAIR FEGLEY: Thank you.

16 MR. SMITH: Can you ask the question
17 again, please?

18 COMMISSIONER NORTHCROSS: Is there any
19 relationship between this company and the company
20 that owns the operation at Summit and Montcalm
21 directly across from Whitfield (sic) School?

22 MS. PIETILA: It's Whitman School,
23 Chris.

24 COMMISSIONER NORTHCROSS: Whitman,
25 excuse me. Walt Whitman.

1 FROM THE AUDIENCE: My name is Arthur
2 Kahn (ph), I'm handling this project for the owner.
3 And no, we don't have any relationship with across
4 the street.

5 COMMISSIONER NORTHCROSS: Question.
6 When we have outdoor storage of cars that are beyond
7 what we originally approve, what tools and what
8 controls do we have in the City to regulate?

9 MR. GUSTAFSSON: Actually, as it
10 relates to a couple of them that you and I had
11 talked about, touched base with our code enforcement
12 and go out there and examine and take a look in
13 regards to what was approved versus what's existing,
14 and they are received violations and then after that
15 it gets into tickets.

16 COMMISSIONER NORTHCROSS: I'm very
17 concerned that we're out of control on parking of
18 cars on these used car lots. One or two are doing
19 well, but we have a number of used car lots that are
20 really abusing. I mean, they're parking cars in the
21 aisle, they have cars parked in front of their --
22 their striped spaces, they have cars parked in the
23 striped places and, boy, I -- I just look at some of
24 that and I said, "Whoa, this is -- this is -- this
25 is not very good." And the reason I ask about

1 Summit and Montcalm, that business, which you're not
2 associated with, they have cars parked very tightly
3 inside of the fence and then they have cars parked
4 outside of the fence. And I'm saying, "Wow." It's
5 like you know, we're envisioning one set of use and
6 -- but it's not happening that way and it doesn't
7 seem like we have the controls once we put something
8 in place. There's the company that I thought was
9 going to actually add to the character of Woodward
10 at Woodward and Wilson I believe it is.

11 MR. SMITH: By the tracks?

12 COMMISSIONER NORTHCROSS: Yeah, I
13 thought that would be a wonderful addition and this
14 guy looks like a big traffic jam, like cars all over
15 the place. And way beyond what we had -- and so,
16 I'm really concerned about adding in more to that
17 situation. You know, I'm not sure that that's going
18 to be the best thing for that area given our lack of
19 controls and what some of the other companies that
20 are there are doing already. I mean, I don't know
21 if that's a good reason, but boy, I'm really
22 concerned that as we put in more auto companies,
23 their operations aren't -- aren't helping the
24 communities and it's like we're throwing more fuel
25 on the fire. Okay. That's -- that's my concern.

1 FROM THE AUDIENCE: Yeah -- no. Your
2 Honor, we plan to be very strict and obey the rules
3 very strictly. Nothing will happen whatever you
4 mentioned at all.

5 VICE CHAIR FEGLEY: Mayor Waterman?

6 MAYOR WATERMAN: Yes, sir. You
7 represent the owner. Does the owner own any other
8 car facilities in the City or elsewhere?

9 FROM THE AUDIENCE: No. No.

10 MAYOR WATERMAN: So, this is a new
11 business for this owner?

12 FROM THE AUDIENCE: Right.

13 MAYOR WATERMAN: Councilwoman Pietila,
14 may I ask you a question? So, you want to have
15 possibly a hearing and get to know the owner and the
16 intent at a District 3 meeting; when is the next
17 meeting?

18 MS. PIETILA: November the 14th.

19 MAYOR WATERMAN: November the 14th?

20 Okay. So, I think -- thank you very much,
21 Councilwoman. So, because we don't have the
22 information in front of us in terms of the density
23 of these different kinds of facilities in the area,
24 and because of number 3 on here, under the
25 requirements for a special exemption permit and

1 that's the requirement that says this should not
2 change the essential character of the area which is
3 proposed and not adversely affect the development or
4 redevelopment.

5 So, if we're creating a special
6 density of these kinds of facilities that, you know,
7 bring some of these matters Mr. Northcross brought,
8 then we don't have the information to really know
9 just what that might be and I think given that, I
10 think we do owe it to the citizens of that District,
11 I would think, a chance to voice their concerns and
12 at least their knowledge about what this might do to
13 the character of that particular area. I'm not
14 saying it will or won't, I don't know yet. I just
15 don't have the information, it wasn't given to us in
16 this packet. So, I would like to have that. It
17 will help make a decision.

18 VICE CHAIR FEGLEY: Thank you.
19 Christopher, do you have any more questions.

20 COMMISSIONER NORTHCROSS: This is more
21 of a comment. I'm coming off kind of gruff and
22 rough, but -- let me say though, on the other hand I
23 do thank you for looking at the City of Pontiac.
24 You know, and -- and I'm not saying that you're
25 going to be outside and not outside of the operating

1 parameters that we want to have a business run
2 within. I'm just saying right now I have some real
3 concerns about businesses that we already have there
4 and adding more businesses to it that are of the
5 automotive retail variety. So, this is not aimed at
6 you. This is not a vote of confidence against you.
7 It's the general operation and principle and I know
8 you go through a lot to try and get these licenses,
9 so I'm just trying to sort through this. We've had
10 some issues elsewhere that is saying to me that when
11 we look at trying to do these special exemption
12 permits there's some other things that we do need to
13 look at. So, excuse me and thank you for your
14 business -- for thinking of us, sir.

15 VICE CHAIR FEGLEY: Commissioner
16 Parlove, do you have any questions?

17 COMMISSIONER PARLOVE: I actually do.
18 A few different things -- are you Shahid; is that
19 your name?

20 FROM THE AUDIENCE: No, I'm Arthur
21 Kahn. I -- I'm doing all of the management for him.

22 COMMISSIONER PARLOVE: Okay. Thank
23 you for the clarification. Is this a new business
24 for the owner or is this what he has owned all
25 along?

1 FROM THE AUDIENCE: Yes, sir -- yes,
2 ma'am.

3 COMMISSIONER PARLOVE: Okay. So, the
4 car repair business that is currently functioning is
5 not his business from before?

6 FROM THE AUDIENCE: No.

7 COMMISSIONER PARLOVE: Okay. So, what
8 happens to the car repair business that's there now?

9 FROM THE AUDIENCE: Oh, that -- that
10 will stay, you know, that mechanic will be used to
11 do any repairs of the -- cars if needed.

12 COMMISSIONER PARLOVE: Okay. So, is
13 the intent to continue to repair cars as well as
14 sell cars at that site? Are -- both of those
15 activities will take place at that site?

16 FROM THE AUDIENCE: Yes. Yes, ma'am.

17 COMMISSIONER PARLOVE: Okay. Here's
18 my observation from today. When I went by the site,
19 I took a photograph and I found that currently there
20 are 15 cars that are parked in that lot as a
21 minimum, plus a box van. There is a car that sits
22 on three mini-jacks which will be the type of jack
23 that you use to change your tire if you have a flat
24 tire by the side of the road. There are two
25 upholstered chairs sitting in that lot and an engine

1 that's sitting on the ground. So, now we're looking
2 at a plan here that says that they -- there's
3 supposedly 12 spaces on this plan, but I don't see
4 how there are 12. There's a dumpster on this plan,
5 which I can't imagine there's a dumpster back behind
6 all of those cars, you couldn't get to it if there
7 were. I have no understanding of how this rendering
8 that's in front of us would accommodate the sale of
9 cars as well as the continued repair of cars which
10 without knowing what the requirement is for the
11 limit on the site, this appears to be well over the
12 limit for what's there. I am not comfortable
13 proceeding with any sort of approval based on what's
14 in front of me for what's been operating here as
15 this business and going forward to operating
16 something else, even if it is something that is
17 allowed within this District I don't see how this is
18 compatible for what has been happening on site so
19 far.

20 So, I am in complete support with
21 Councilwoman Pietila that other neighbors should be
22 involved in this discussion about what's going to be
23 taking place on this site, because this is -- I find
24 this to be not the best use of the site as we see
25 it. And in addition to what Chris had said, I think

1 we need to touch on this a little bit more as -- as
2 Planning Commissioners, around the corner there is a
3 business that they're parking their cars on the
4 grass to sell them. And it didn't just happen
5 today, because the grass is all beaten down and I
6 saw the gentleman bringing his cars into the site
7 across from the M1 Concourse site and it was like he
8 had unloaded multiple car carriers to that site.
9 And when we talked about that site I had said "This
10 is really small space." And if we don't have the
11 capacity as the City to monitor this and make sure
12 that these people are doing what they need to do in
13 order to adhere to what the guidelines are, then
14 maybe we need to have a little bit more control at
15 this table before we approve these people for what
16 they're trying to do. Those are my comments.

17 VICE CHAIR FEGLEY: Commissioner
18 Payne, do you have any questions or comments?

19 FROM THE AUDIENCE: All of those
20 vacant that you saw, they're going to be removed
21 from there. It will not look as it's looking now.
22 And we are going to go according to this plan right
23 over here.

24 VICE CHAIR FEGLEY: We, as Planning
25 Commissioners, usually go to the site before you

1 come in front of us and the look of the site prior
2 to the meeting is what we're basing a lot of our
3 first impressions on. If you're coming to get a
4 special exemption to be able to sell cars, that site
5 should be presentable and be following the rules
6 currently that are in place for this site.

7 Commissioner Payne, any comments or questions?

8 MEMBER PAYNE: Yes, I have -- thank
9 you. Thank you for taking the time to actually
10 bring before us plans and servicing our citizens
11 here in the City of Pontiac in your business. So,
12 we appreciate that.

13 One of the things that I had noted in
14 regards to the area is that once you pass I think
15 that's Baldwin Street, coming -- Montcalm, that it's
16 just kind of -- it's quite a few car lots in that
17 area on that street. And I do somewhat remember
18 this lot and when this was -- we did talk about
19 concerns that we had with other auto services and,
20 we were promised that there would be upgrades done
21 to that facility and that it would be just kind
22 of -- wouldn't look like the rest of the -- and that
23 has not happened and that was some time ago. I was
24 noticing the space, the buildings are so close
25 together and my question was how were you planning

1 to expand with this space that -- the little space
2 that is there, that was a concern. One of the other
3 questions that I had in regards to it is the number
4 of -- do you have any data of your sales expectation
5 there? With all of these other auto places there,
6 services there, what are you expecting how do you --
7 your competition. And the other thing that I had
8 is, is that have you communicated with neighbors
9 regarding your plans and I guess I can just kind of
10 scratch the improvement and upgrading, because it
11 has not been done at this time. I do have a concern
12 in regards to the number of auto repair shops and
13 auto sales and especially sales. I mean, on every
14 corner there's probably about 500 feet from each
15 other, so those are my concerns and I would agree
16 with Mayor Waterman in regards to maybe getting more
17 information on how the community thinks about this.
18 This is a public hearing and I know Councilwoman is
19 here, but where -- where really is the rest of the
20 neighbors in that area?

21 VICE CHAIR FEGLEY: Would you like to
22 answer any of the questions that Commissioner Payne
23 had?

24 FROM THE AUDIENCE: What if we
25 eliminate the mechanic shop over there, you know, in

1 the next couple of months, you know and just
2 eliminate the mechanic shop completely from there
3 and just keeping the car sale lot?

4 VICE CHAIR FEGLEY: I am -- I don't
5 know how anyone else feels, but I'm really --
6 postpone this --

7 FROM THE AUDIENCE: He had -- the
8 mechanic had rented the place from us, you know, and
9 what if we let him go and just comely take over and
10 do the car sale only?

11 VICE CHAIR FEGLEY: I'm willing to
12 maybe postpone this and let the owner meet with the
13 District and have a month to maybe clean up the
14 property and make it more presentable just in good
15 faith for what could be potentially the business
16 that he wants to bring to Pontiac. I don't know how
17 any of my other Commissioners.

18 MR. GUSTAFSSON: And -- to the Chair
19 if I may. I would suggest in regards Mayor
20 Waterman's suggestion in regards to taking a look in
21 regards to density, maybe not so much density, but
22 in regards to taking a look at the amount of acreage
23 within that corridor or area we could be taking a
24 look at and kind of understand it. I think that
25 we've had a number of these cases come before us, it

1 might be obviously an opportune time to maybe take a
2 look at some Ordinance amendments at the same time.
3 Obviously not to put that -- that come before, but
4 just something that we should be thinking about
5 pretty -- pretty sooner than later.

6 Plus all of you provide some very good
7 questions that we're all scratching our heads at and
8 trying to get a better understanding. So, I would
9 also suggest that it would be very appropriate to
10 postpone and allow the applicant to do so. And just
11 keep in mind even if he's looking to just get rid of
12 the auto service, he still will need to have this
13 approval, this Special Exemption Permit approval,
14 because of the type of use that is being outdoor
15 sales. And unfortunately, it's -- the way it's
16 written in our Ordinance, it's unlimited, you know,
17 so they can squeeze as much. We can talk about they
18 have to be -- you know, they must be only operable,
19 they must be, you know, done appropriately. It's
20 organized, it's you know, done in a way to provide
21 access and so forth, it's not jamming cars on a lot,
22 which many do particularly in regards to used car
23 sales. We can see not just in Pontiac, but in many
24 communities around us. So, I think it's a good time
25 to take a look at this and provide the information

1 for the Commission to get a better understanding
2 before you make a recommendation.

3 VICE CHAIR FEGLEY: So, for any sales
4 lot there does not -- they can fit as many cars as
5 they possibly want without any -- because I know
6 this says that you have to provide a fire lane, no
7 cars can be parked within this area?

8 MR. GUSTAFSSON: Correct. But the way
9 the Ordinance reads being unlimited, it doesn't --
10 you know, they can stack a few or try to get, you
11 know, go into setbacks and so forth. You know,
12 that's where again, like we were talking about the
13 one on Woodward Avenue there across from -- they're
14 using grass areas and so forth and my code
15 enforcements team has been out there quite
16 frequently as well.

17 COMMISSIONER PARLOVE: Already?

18 MR. GUSTAFSSON: Oh, yeah.

19 COMMISSIONER PARLOVE: It was about
20 one meeting ago. So, how do we -- so as we are
21 looking at this one single word "Unlimited" outdoor
22 use, what is the protocol to change these things?

23 MR. GUSTAFSSON: It would be an
24 Ordinance.

25 COMMISSIONER PARLOVE: And how do we

1 change the Ordinance?

2 MR. GUSTAFSSON: We present you with a
3 zoning text amendment.

4 COMMISSIONER PARLOVE: Okay.

5 MR. GUSTAFSSON: And that would be --
6 since it would affect all properties, we don't send
7 out a notice, but we have it published in the paper.
8 You make a recommendation to City Council and City
9 Council would have the final vote.

10 VICE CHAIR FEGLEY: Existing lots
11 wouldn't be grandfathered in, we have to change it
12 for --

13 MR. GUSTAFSSON: We would change it
14 for the newer ones, yes. We just have to be
15 probably a little more cognizant in regards to
16 dealing with code enforcement on some of those
17 issues we do have on several lots. Not every one,
18 but several.

19 VICE CHAIR FEGLEY: Okay. That's
20 helpful. Thank you.

21 COMMISSIONER PARLOVE: So, can I make
22 a motion to postpone? I make a motion to postpone
23 SEP 19-11 until the applicant has met with the
24 District and neighbors.

25 COMMISSIONER NORTHCROSS: Support.

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VICE CHAIR FEGLEY: Thank you. Roll
 call.

MR. GUSTAFSSON: Commissioner Parlove?

COMMISSIONER PARLOVE: Yes, to
 postpone.

MR. GUSTAFSSON: Commissioner
 Northcross?

COMMISSIONER NORTHCROSS: Yes.

MR. GUSTAFSSON: Commissioner Payne?

MEMBER PAYNE: Yes.

MR. GUSTAFSSON: Mayor Waterman?

MAYOR WATERMAN: Yes.

MR. GUSTAFSSON: And Vice Chair
 Fegley?

VICE CHAIR FEGLEY: Yes, to postpone.

MR. GUSTAFSSON: Okay.

AYES: Fegley, Payne, Parlove,
 Northcross, Waterman.

NAYS: (None.)

ABSTAIN: (None.)

MOTION CARRIES 5-0-0

VICE CHAIR FEGLEY: Okay. Next on
 agenda is VSA 19-05 for the property address of 2000
 Centerpoint.

5.2 VSA 19-05

1 PROPERTY ADDRESS 2000 Centerpoint
2 PARCEL NO. 64-19-03-201-002
3 APPLICANT 4GW Real Estate Investors
4 CURRENT ZONING C-4 Suburban
5 Commercial
6 APPLICANT PETITION: Vacation of
7 West Campus Drive
8 PROPOSED REZONING R-2 Two-Family
9 Dwelling
10 (Presentation of facts given by Mr.
11 Gustafsson.)

12 VICE CHAIR FEGLEY: Does the applicant
13 have any further comments or questions they would
14 like to add?

15 MR. SCHOPA: No, I -- I don't.

16 VICE CHAIR FEGLEY: I will open for
17 public hearing if anyone would like to ask any
18 questions?

19 Okay. Close public hearing.
20 Commissioner Northcross, do you have any comments or
21 questions?

22 COMMISSIONER NORTHCROSS: I see
23 where -- what is that? The street Campus Drive is
24 already barricaded at what is that Enterprise? So,
25 you can't make a right turn from Enterprise onto

1 Campus Drive so -- I never even knew that, so -- so
2 far been pretty benign and invisible.

3 VICE CHAIR FEGLEY: Mayor Waterman, do
4 you have any comments or questions?

5 MAYOR WATERMAN: No, except we have
6 Gary Schopa here, who is here representing Williams
7 and I just wanted to verify and to ask you to
8 explain to this Planning Commission as well as the
9 public some of the changes and renovations that are
10 been going on there just to give us a viewpoint. I
11 know that --

12 MR. SCHOPA: Sure.

13 MAYOR WATERMAN: -- this group was
14 involved in the planning. Yes, come up to the
15 podium. Just briefly, I'm not asking for a big
16 treatise, but I think they would love to know some
17 of things you guys have been doing out there.

18 MR. SCHOPA: Do I need to say my name?
19 Gary Schopa, I represent 4GW and Williams
20 International, I'm the CFO for Williams. We're --
21 this vacation of the property really is a key
22 element of our plan to develop and build out the
23 rest of the property and all of that sort of thing
24 so that you know, we have plans in the works to you
25 know, we certainly will come with plans and all that

1 sort of stuff once we have them, you know, to build
2 additional manufacturing space and all of that in
3 the coming years as we continue our growth. Our --
4 we fully renovated the old 1999 Centerpoint, it's
5 now 2000, we changed address. And then 2001
6 Centerpoint we recently -- as a matter of fact this
7 week, we relocated the parole office to the 235
8 North Saginaw site in Pontiac here to allow us to
9 move another 50 to 75 people from our old Commerce
10 Township facility, we're in the process of moving
11 all of those folks over here. We're a little over
12 600 people right now working in Pontiac, by the end
13 of the year we'll be probably a little over 700.
14 We're still in quite the hiring mode. Business is
15 really good, people are buying jet engines, so
16 that's good. So, you know, we're -- we're just
17 happy to be a part of Pontiac and are looking
18 forward to allowing this to kind of -- one of the
19 lynchpins of getting our whole plan in place is
20 getting this vacation so that we can start herding
21 up all those additional construction plans further
22 on.

23 MAYOR WATERMAN: Thank you.

24 VICE CHAIR FEGLEY: Commissioner
25 Parlove, you have any comments or questions?

1 COMMISSIONER PARLOVE: I do actually.
2 Gary, thank you for being here this evening and in
3 our City. We're very grateful that you're here. My
4 basic question is why do you need to vacate this
5 street, because there's an easement that runs along
6 the entire distance, you won't be able to build over
7 that, so is there -- is it maybe just to make it
8 like a private road?

9 MR. SCHOPA: Well, part of it is, yes,
10 private road, because being a defense manufacturer
11 as well, you know, we have secure gates and we would
12 fence off whatever we needed to, to keep you know,
13 people from just wandering in and that sort of
14 thing. Right now it's confined pretty much to the
15 2000 Centerpoint, but we would expand upon that and
16 we could also -- having ownership of the road would
17 allow us to, you know -- we may depending on the
18 configuration manufacturing, we could have the
19 trucks come in from Opdyke Road and feed the factory
20 and then office people coming in off of South
21 Boulevard, so --

22 COMMISSIONER PARLOVE: Okay. All
23 right. That makes perfect sense. Great. Thank you
24 for that.

25 MR. SCHOPA: You're welcome.

1 VICE CHAIR FEGLEY: Commissioner
2 Payne, do you have any comments or questions?

3 MEMBER PAYNE: Well, I guess the only
4 other question I have was the reason for the street
5 vacate. And when you say "Gated", so, will that --
6 does that mean that that road will no longer be in
7 use for public, or people that are coming to and
8 from Marriott or those at Marriott?

9 MR. SCHOPA: Well, correct. But we
10 don't think people are really using it for Marriott,
11 they're using Centerpoint Parkway. There's really
12 no reason to go -- and as Mr. Northcross mentioned,
13 that road is -- and it was this way when we
14 purchased the property a couple years ago, that road
15 is actually blocked off and has been, we've just
16 left it as we purchased it so, you really can't go
17 from Opdyke all the way through to Centerpoint
18 Parkway now.

19 MEMBER PAYNE: I guess I'm still
20 having a problem with vacating streets and -- and
21 you know, to me that's property, and value and I
22 mean, I don't --

23 MR. GUSTAFSSON: It's one way of
24 looking at it --

25 MEMBER PAYNE: -- just kind of giving

1 away streets or giving away property or giving away
2 land. I mean, that's --

3 MR. GUSTAFSSON: Well, right now -- as
4 we were conversing before the meeting, you know, you
5 look at the facts in regards to it being public
6 street and us, the City being responsible in regards
7 to snowplowing and maintaining and all of that. So,
8 that does come with a cost.

9 Here we have the opportunity as
10 representative here indicating in regards to
11 expansion plans which allows for a building
12 expansion. So, you also look at property value, you
13 also look at the opportunity in regards to adding
14 more employees, representing income tax, so you see
15 the benefit I believe in regards to not really --
16 the benefit of allowing a person to grow and expand
17 versus offsetting in regards to what value we would
18 get out of that small piece of land.

19 MEMBER PAYNE: Okay.

20 COMMISSIONER PARLOVE: You know,
21 another way to look at it, Lucy, I would maybe
22 position it this way. For what they do, they need
23 to have control over the area that's immediately
24 around them. It's not like Target is coming to
25 us --

1 MEMBER PAYNE: Oh, I understand -- I
2 understand that. It's just that I'm just saying
3 giving it as opposed to the value of selling within.
4 That's just me. Okay. That's all I have.

5 VICE CHAIR FEGLEY: So, if --

6 MAYOR WATERMAN: Another point I think
7 is that streets are really made for utility. So,
8 streets are made and reconfigured depending on how
9 the various parcels are configured and what access
10 is needed. So, as parcels are regrouped or there's
11 changes in terms of how we use a land use, the
12 streets become less or more needed. And in this
13 case, it's not needed because it's no longer two
14 parcels or whatever it may have been in the past,
15 it's now grouped into one configuration, so -- for
16 purposes of facilitation.

17 So, if you look at it that way, you
18 know, a street is just a utility factor and then it
19 goes along -- it changes or the need changes
20 according to the parcels and how it's utilized.

21 MEMBER PAYNE: Okay. That makes a
22 little more sense then.

23 MR. SMITH: If I may, when the City
24 becomes -- we maintain easements in these roadways.
25 So, just to your point, we're not necessarily giving

1 away land. Before an easement is created, the land
2 is owned by that property owner and the easement
3 allows the City to maintain access. So, we are not
4 giving them their land, they are essentially asking
5 us can they have it back opposed us from maintaining
6 the street.

7 MEMBER PAYNE: Since we were in use of
8 it?

9 MR. SMITH: Yes. Thank you.

10 MEMBER PAYNE: Very good. Thank you,
11 I appreciate that.

12 VICE CHAIR FEGLEY: I don't have any
13 questions at this time. Is anyone wanting to put a
14 motion?

15 COMMISSIONER PARLOVE: I would like to
16 make a motion for VSA 19-05. The Pontiac Planning
17 Commission is in receipt of a street vacation
18 request submitted by 4GW Real Estate Investments,
19 LLC and 3937 Campus Drive Investments, LLC to vacate
20 Campus Drive between Centerpoint Parkway and Opdyke
21 Road abutting parcel ID number 19-03-201-002,
22 19-03-202-001, 19-03-200-022, 19-03-200-023 and
23 19-03-226-004. Whereas the Pontiac Planning
24 Commission finds that the subject street is not
25 required to remain for access to adjoining property

1 owners and whereas the Pontiac Planning Commission
2 finds that the proposed street vacation will not
3 have an adverse effect on the surrounding properties
4 and whereas the Pontiac Planning Commission finds
5 that all permanent utility easements be obtained and
6 recorded for City Council approval and whereas the
7 Pontiac Planning Commission require the new owners
8 to disconnect electrical service to Campus Drive
9 streetlights, once all approvals are completed and
10 documents recorded and require the owners to salvage
11 and deliver street light poles and fixtures to
12 Pontiac DPW and reconnect power at Centerpoint
13 Parkway and Opdyke Road, whereas the Pontiac
14 Planning Commission require new owners to perform
15 any electrical work necessary through the issuance
16 of a City right-of-way permit to cause the continual
17 operation of the streetlights on Enterprise Drive
18 between South Boulevard and Campus Drive. Now
19 therefore be it resolved on November 6th of 2019,
20 that the vacation of Campus Drive between
21 Centerpoint Parkway and Opdyke Road abutting parcel
22 ID numbers, as I already stated before, is hereby
23 recommended for approval to the City Council subject
24 to the property owners providing any and all
25 necessary permanent utility easements, salvage and

1 deliver Campus Drive streetlight poles and fixtures
2 to Pontiac DPW, reconnect power at Centerpoint
3 Parkway and Opdyke Road and perform any electrical
4 work necessary through the issuance of a City
5 right-of-way permit to cause the continual operation
6 of the streetlights on Enterprise Drive between
7 South Boulevard and the vacated Campus Drive.

8 COMMISSIONER NORTHCROSS: Support.

9 VICE CHAIR FEGLEY: Roll call?

10 MR. GUSTAFSSON: Okay. Yes.

11 Commissioner Parlove?

12 COMMISSIONER PARLOVE: Yes, to
13 approve.

14 MR. GUSTAFSSON: Commissioner
15 Northcross?

16 COMMISSIONER NORTHCROSS: Yes.

17 MR. GUSTAFSSON: Mayor Waterman?

18 MAYOR WATERMAN: Yes.

19 MR. GUSTAFSSON: Commissioner Payne?

20 MEMBER PAYNE: Yes.

21 MR. GUSTAFSSON: And Vice Chair
22 Fegley?

23 VICE CHAIR FEGLEY: Yes, to approve.

24 MR. GUSTAFSSON: Okay. Motion passed.

25 AYES: Fegley, Payne, Parlove,

1 Northcross, Waterman.

2 NAYS: (None.)

3 ABSTAIN: (None.)

4 MOTION CARRIES 5-0-0

5 COMMISSIONER PARLOVE:

6 Congratulations.

7 MR. GUSTAFSSON: Unanimous.

8 VICE CHAIR FEGLEY: Next on the agenda
9 is ZMA 19-15 for property address 3111 Centerpoint.

10 5.3

11 ZMA 19-15

12 PROPERTY ADDRESS 3111 Centerpoint

13 PARCEL NO. 64-19-03-427-007

14 APPLICANT Etkin Management, LLC

15 CURRENT ZONING C-4 Suburban

16 Commercial

17 PROPOSED ZONING: M-1 Light

18 Manufacturing

19 (Presentation of facts given by Mr.

20 Gustafsson.)

21 VICE CHAIR FEGLEY: Is the Petitioner
22 here tonight?

23 MR. GUSTAFSSON: Yes.

24 MR. SUARDINI: Good evening. Josh

25 Suardini with Etkin Management, 150 West 2nd Street,

1 Royal Oak. I have nothing further to add right now.
2 Vern summarized that very well, but I'd be happy to
3 answer any questions that you guys have.

4 VICE CHAIR FEGLEY: Thank you. I will
5 open the floor to public comments if anyone would
6 like to ask any questions?

7 MR. JOHNSON: Good evening. Chuck
8 Johnson, 455 South Boulevard East. You know, I
9 really can appreciate and admire the fact that we
10 have so much new development that's coming into that
11 South Boulevard corridor on the south side of the
12 City. But I think what we're missing here is not
13 only from the planners there, but I think we're
14 missing something from the developers, because South
15 Boulevard can't sustain all of the traffic that's
16 landing in that area right now.

17 I mean, you only got one way in and
18 one way out as we look at it east to west and that's
19 South Boulevard. It's only a four-lane road if you
20 ever go down there at a certain time of the morning
21 or certain time of the evening, you cannot move
22 expeditiously east or west.

23 Now, I don't know if that has any
24 bearing on how the developer and the developers are
25 planning, but I understood this gentleman saying

1 he's bringing 600 more people into his facility and
2 that's going to be 600 added to the 2000 that the
3 mortgage company has and then the other facilities
4 that are in business along that corridor. Even as
5 we speak, I think that the developer should try and
6 devise a plan on how they're going to get their
7 people to their facility and out of the City in a
8 more safer way.

9 As it relates to South Boulevard,
10 Mayor, we need to start looking at how we can better
11 manage the traffic on that roadway as it is. I
12 mean, I love seeing this happening, because it's
13 right in my back door, but everything is stacked
14 from Martin Luther King on the west and Opdyke on
15 the east. But there's no way to get in and out
16 north to south with the exception of Martin Luther
17 King.

18 So, I think it's going to be essential
19 that the developers figure out a way that they're
20 going to get the people in and out of their
21 facilities. I'll hold it right there. Thank you
22 very much.

23 VICE CHAIR FEGLEY: Thank you.
24 There's no further public comments? I'm going to
25 close public comments.

1 Commissioner Northcross, do you have
2 any comments or questions?

3 COMMISSIONER NORTHCROSS: I think that
4 you're raising a good point about traffic flow. I
5 don't think it's an intractable problem, I think
6 it's something that can be solved. I think when
7 truck and coach was running we had way more folks
8 coming up through there. I don't know what the
9 employment on truck and coach and Baldwin Rubber and
10 everything was when they were running, but I would
11 think it was approaching 3- to 4,000 people. Maybe
12 I'm wrong. That is something I think could be --
13 that we do need to be mindful of. Also things such
14 as the water runoff and other things that Water
15 Resource Commission is also looking at in terms of
16 capacities of the sewers.

17 But I agree with Mr. Johnson, I am
18 just ecstatic to see the development coming into the
19 City. I think it really bodes well, I think folks
20 are really discovering the gem that Pontiac is and,
21 yeah, we can deal with those problems too, but it's
22 good to have them brought to our attention and to be
23 aware of them. So, in terms of this development, I
24 would think the effect of traffic will be
25 negligible. The storage units, they do have people

1 going in and out, but you know, I don't think they
2 tend to go in and out every day when they do the
3 storage. They do go in and sit there for a while
4 and then come out. And the -- it is a nice green,
5 wooded -- green grassy area that probably is
6 absorbing some of the water and runoff, but it's not
7 a wetland. But you know, these are some things that
8 we to have to start to look at. And be interested
9 if we do approve this in looking at site plan as
10 well. So, those are my comments.

11 VICE CHAIR FEGLEY: Thank you.

12 COMMISSIONER NORTHCROSS: Really no
13 questions, just comments.

14 VICE CHAIR FEGLEY: Mayor Waterman, do
15 you have any comments or questions?

16 MAYOR WATERMAN: Just a couple of
17 comments. I think problems -- well, it's not a
18 problem, observations like this where we're getting
19 increased utilization and more jobs and more
20 development along areas are something we have to
21 worry about when we go down on our backs here in a
22 period of economic difficulty, so this comes along
23 with the territory here. And I must say that for --
24 to ease some of your concerns too, Mr. Johnson, as
25 some of the others, people may not know that people

1 have been looking at traffic design and utilization
2 for a while of this area anticipating that we wanted
3 to have this kind of development.

4 And one of the things the City did get
5 after pursuing that was a grant of \$3.6 million --
6 actually for a \$5.4 million project to help with the
7 road repair and utilization of this general area
8 that and concerns both Centerpoint Parkway with the
9 road being taken into that. So, we -- we're not
10 going to be able to utilize that, because it's a
11 certain matching fund component until we could put
12 it in the budget in like 2022 or '23. We're finding
13 through the help of some of our corporate partners
14 and other help from MDC and the State to augment
15 that grant we may be able to do that earlier on.
16 So, that will help to facilitate some of this
17 increased utilization that is when you say a problem
18 I say it's a sign of significant help that will be
19 coming to that area, to an area that, you know, six
20 years ago was pretty desolate and we -- as we're
21 reminded, we're a City that has largest inventory of
22 vacant manufacturing property from an automotive
23 industry in the world. And we now have, as this
24 Committee knows, we just handled a number of those
25 different developments now have found to -- instead

1 of being the largest one -- the largest utilizer of
2 vacant properties, we now are down to just one small
3 parking lot. So, we've come a long way and I think
4 that's a lot more traffic and traffic along our
5 pathways is part of the symbol of what has happened
6 and I look at that as just -- problem as an actual
7 sign of help.

8 VICE CHAIR FEGLEY: Thank you.

9 Commissioner Parlove, do you have any comments or
10 questions?

11 COMMISSIONER PARLOVE: The -- I guess
12 the one question, this is an odd-shaped parcel. And
13 I believe didn't -- oversee the development of this
14 portion of our City between what the hotels on the
15 corner, and -- not the corner, but the strip mall?

16 MR. SUARDINI: Yeah, I mean, there
17 were several developments that happened over time,
18 but, yes, that can be --

19 COMMISSIONER PARLOVE: So that is
20 involved in all that. So, here you got this little
21 piece that's an unusual shape, so I can appreciate
22 the -- the -- sometimes the challenge to find
23 someone that can use a site of that configuration.
24 Sometimes I think when we're doing these approvals
25 we have had some Petitioners come in front of us ask

1 for something to be done, we change the zoning and
2 then they never came back to us again.

3 So, should we do this conditional on
4 what their request is and if they don't do it then
5 it reverts back to what it is now? That's my
6 thought.

7 VICE CHAIR FEGLEY: I don't believe we
8 can do conditional rezoning.

9 MR. GUSTAFSSON: Well, they have not
10 asked for conditional rezoning, so --

11 COMMISSIONER PARLOVE: Okay.

12 MR. GUSTAFSSON: So, it would be
13 whatever appropriate permitted by right uses that
14 would be located within the M-1 Zoning District,
15 could be located there a bit -- due to the fact that
16 the -- I looked at it also in regards to you have
17 the hotels and the little bit of the smaller retail
18 and little shopping center and so forth and
19 restaurants which is great. You know, and then
20 going to -- knowing the fact that without
21 understanding what they're looking to do, which is
22 part of their site plan review, it seemed like the
23 self-storage facility kind of provides a very good
24 transition between kind of the more intense
25 commercial versus a sub-storage facility that's

1 climate-controlled inside, not -- Commissioner
2 Northcross was pointing out in regards to not many
3 people go visit and we'll be talking about that in
4 regards to modifying parking requirements as part of
5 this site plan review. So, it seemed to be ideal
6 situation in regards to that. It's a difficult
7 site, but yet they've kind of crafted it in a way to
8 -- to make it fit in pretty nicely.

9 COMMISSIONER PARLOVE: Okay. Thank
10 you for that. I'm all set. Thanks.

11 VICE CHAIR FEGLEY: Commissioner
12 Payne, do you have any comments or questions?

13 MEMBER PAYNE: Yes. My question would
14 come with the site plan.

15 VICE CHAIR FEGLEY: Okay. Thank you.
16 I don't have any questions for the Petitioner.

17 COMMISSIONER PARLOVE: Okay. Then I
18 would like to make a motion for ZMA 19-15 per
19 Section 6.802 in the Zoning Ordinance and findings I
20 make a motion to recommend approval of ZMA 19-15.
21 The recommendation will be presented to City Council
22 for approval to rezone parcel number
23 64-19-03-427-007 to M-1 light manufacturing.

24 COMMISSIONER NORTHCROSS: Support.

25 VICE CHAIR FEGLEY: Thank you. Roll

1 call.

2 MR. GUSTAFSSON: Commissioner Parlove?

3 COMMISSIONER PARLOVE: Yes.

4 MR. GUSTAFSSON: Commissioner

5 Northcross?

6 COMMISSIONER NORTHCROSS: Yes.

7 MR. GUSTAFSSON: Vice Chair Fegley?

8 VICE CHAIR FEGLEY: Yes.

9 MR. GUSTAFSSON: Commissioner Payne?

10 MEMBER PAYNE: Yes.

11 MR. GUSTAFSSON: And Mayor Waterman?

12 MAYOR WATERMAN: Yes.

13 MR. GUSTAFSSON: Motion passes.

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

16 NAYS: (None.)

17 ABSTAIN: (None.)

18 MOTION CARRIES 5-0-0

19 VICE CHAIR FEGLEY: Thank you. Next

20 on the agenda is SPR 19-32 and it's for the property
21 3111 Centerpoint.

22 6.1

23 SPR 19-32

24 PROPERTY ADDRESS 3111 Centerpoint

25 PARCEL NO. 64-19-03-427-007

1 APPLICANT Etkin Management, LLC
2 CURRENT ZONING C-4 Suburban
3 Commercial
4 PROPOSED USE: Commercial
5 Mini-Storage
6 (Presentation of facts given by Mr.
7 Gustafsson.)

8 VICE CHAIR FEGLEY: Thank you. Is
9 there anything you would like to add?

10 MR. SUARDINI: Happy to answer any
11 questions.

12 VICE CHAIR FEGLEY: This is not a
13 public hearing, so Commissioner Northcross, do you
14 have any comments or questions?

15 COMMISSIONER NORTHCROSS: I do have a
16 question. That's a radicle reduction in the number
17 of spaces given the -- in parking spaces given the
18 number of storage areas there. And I understand
19 that -- that it's the feeling -- you're feeling that
20 that supported -- that will be supported by online
21 registration, but do you have any real measurement,
22 any data, any other operations that you're running
23 today that would support that number of spaces being
24 removed? I know I've been to some storage
25 facilities, you know, assisting people to move and

1 -- I used to have a pickup truck, moving in and out
2 and on Saturdays it can get -- be pretty crowded in
3 some of these places?

4 MR. SUARDINI: Yeah, we're partnered
5 with an operating group that will operate this
6 facility and we've talked to them, we've went to
7 other facilities and we've drawn data from across
8 the country. A facility of this size under 1,200
9 units, the peak capacity per day if you look at that
10 data is around 20 to 30 cars. Because normally
11 people when they, you know, rent these spaces
12 there's certain hurdles of when they come back to
13 look at what -- the product that they've got stored.
14 And if you take that into consideration, across the
15 units, and how often that happens, there's a peak of
16 about 20 to 30 cars per day. And the time of
17 operation that that happens over is relatively 12
18 hours a day.

19 So, if you took that back and forth
20 and looked at those numbers you're probably only
21 going to be looking at 8 to 10 people a day.
22 However, you're correct, sometimes on weekends, you
23 know, things peak up, but they don't typically all
24 peak up at the same time. So, if you had a peak day
25 of 30 cars that's over a stretch of that 12 hours.

1 In addition to that, we do have -- it's about
2 130 feet long, an internal drive bay, to where you
3 enter your code in, drive under, park and that can
4 stack an additional amount of probably 7 to 8 cars
5 on one side. So, you have the external parking
6 spaces as well as what's in that covered drive bay
7 that would accommodate what we feel is necessary for
8 peak demands.

9 I also have, you know our, consultant
10 here from PEA who has designed several of these in
11 our market in the Detroit area, and I don't want to
12 speak for them completely, but most of those
13 facilities in this size range have also either
14 garnered a variance or lower calculation and they
15 have operated quite successfully.

16 COMMISSIONER NORTHCROSS: I guess
17 I'm -- I can see how that would work most of the
18 time. But the thought is that perfect storm of some
19 emergency on a weekend.

20 MR. SUARDINI: Yeah, well -- but if
21 you look at your 24 required spaces, we've got eight
22 regular car spaces out there plus the ability to
23 stack inside that drive bay get you closer to the 24
24 -- almost to the 24. So, even on that perfect storm
25 day, you would have the capacity to park that many

1 cars.

2 COMMISSIONER NORTHCROSS: And still
3 get the vehicle -- still get the Fire Department in
4 and out?

5 MR. SUARDINI: Yeah, because the Fire
6 Department will be in and out the perimeter of the
7 outside of the building. We have sprinklers and
8 stuff on the inside.

9 COMMISSIONER NORTHCROSS: I'm kicking
10 myself that I didn't scale this out earlier. That
11 was my -- that was my real -- I guess, I was mulling
12 this over, this is my only concern was that of
13 parking trailers, you know, where you pull up with
14 the -- with the truck and the -- and the U-Haul
15 trailer rented and having that space to still permit
16 other vehicles to go by and get in and out
17 without -- and also be able to get the emergency
18 vehicles in and out.

19 MR. SUARDINI: Yeah, nothing that we
20 would park on site would prohibit the emergency
21 vehicles. We would be parking in the stalls and
22 then anything inside would be parked in parking
23 lanes in that drive aisle and then you know, the
24 emergency vehicles would be outside if they still
25 had to fight fires and hook up to the Fire

1 Department connection, hydrants, so on and so forth.

2 COMMISSIONER NORTHCROSS: Help me
3 understand. I pull up with this pickup truck and a
4 trailer and my spaces are -- the spaces are arranged
5 how?

6 MR. SUARDINI: The exterior parking
7 spaces?

8 COMMISSIONER NORTHCROSS: Yes. Are
9 they -- do they run parallel with the center line
10 of the roadway or are they --

11 MR. SUARDINI: No, I -- I don't have a
12 clicker, but if you look up in the upper-left corner
13 -- yeah, right there. They're perpendicular to the
14 building. So, you'd pull in off of the parkway and
15 you're immediately parking next to a sidewalk,
16 because that's the -- that's the office or front
17 common area of the building where people would come
18 in and if they wanted to rent in person or check in
19 or ask a question, they could park there. And then
20 in addition you would come in off the parkway, take
21 a right-hand turn and that bump-out that you see
22 there, that rectangle is the overhead condition
23 space that you would pull in and under.

24 COMMISSIONER NORTHCROSS: Okay. And
25 that's where the trailers would go and --

1 MR. SUARDINI: Potentially, but you
2 may not have a trailer.

3 COMMISSIONER NORTHCROSS: Then cars
4 with trailers and that sort of thing. Yeah.

5 MR. SUARDINI: And that's a high bay,
6 I mean, that's you know, probably like 20 feet
7 clear. So, it's a big open box that's heated that
8 allows you to park, go get a cart and you're right
9 adjacent to two different separate elevator banks to
10 go up to your unit or traverse, you know, to the
11 north, east, or west.

12 VICE CHAIR FEGLEY: So, the eight
13 spaces would be more for parking to do business with
14 the office and then they would have additional space
15 for people who are loading and unloading for the
16 storage units.

17 COMMISSIONER NORTHCROSS: Uh-huh.
18 Uh-huh. And are you going to do any just walk-in
19 registrations? Somebody walks in off the street and
20 says "Hey, I called online and I want to come on in
21 and register here?"

22 MR. SUARDINI: Yeah, but it's very few
23 and far between. Most of these facilities are
24 driven by online -- you know, Google click-throughs
25 and stuff like that because the marketing is

1 generated more online than it is you know, from a
2 walk-up perspective, but it's certainly welcomed and
3 you know, people can come in and -- and managers and
4 sales force are on staff.

5 COMMISSIONER NORTHCROSS: Uh-huh.
6 I'll listen, I'll listen. And again, thank you --
7 thank you for thinking of Pontiac. Appreciate that.

8 MR. SUARDINI: Yeah.

9 VICE CHAIR FEGLEY: Mayor Waterman, do
10 you have any comments or questions?

11 MAYOR WATERMAN: I have no additional
12 questions.

13 VICE CHAIR FEGLEY: Commissioner
14 Parlove?

15 COMMISSIONER PARLOVE: I do have a few
16 things. Thank you for all of the supplemental
17 information.

18 MR. SUARDINI: You're welcome.

19 COMMISSIONER PARLOVE: That's very
20 helpful. I thank you as well, Christopher, because
21 I was pausing about the six-vehicle count versus the
22 24 that's required. With 12 -- almost 1,200 units
23 in there, if we could potentially add a few more
24 parking spots outside, I know that's money for the
25 owner, I'm sensitive to that, but at the same time

1 I'm sensitive to what Chris has experienced with his
2 unfortunate ownership of a pickup when he's -- he's
3 helping people move.

4 And then you'll be renting trucks
5 onsite as well.

6 MR. SUARDINI: Yes.

7 COMMISSIONER PARLOVE: Do you know if
8 that's going to be -- approximately how many?

9 MR. SUARDINI: Well, we're still going
10 through that process. We have -- it's hard to see
11 on this plan, but in that upper-left corner you see
12 that elongated parking space there? So, there's a
13 spot up front for one there then there's two down
14 closer to the lower right-hand corner across --
15 adjacent to the parkway that we would have and then
16 there's I think seven or so along the drive to the
17 north that are parallel parked.

18 And again, if we ran into that
19 situation where, you know, it was a -- you know, a
20 perfect storm, we can always take those three spots
21 right there and even some in back. But for sure,
22 the three spots up there to add a few spots for
23 patron parking and move the trucks to the back.

24 COMMISSIONER PARLOVE: Okay. If you
25 needed to get off of the site, is there a potential

1 that you could have an agreement with maybe the
2 restaurant or something for some people to just park
3 for a short time; is that an option?

4 MR. SUARDINI: Well, it -- if -- if we
5 did that, it would probably be most feasible to have
6 an agreement with the adjacent hotel, but we -- I
7 mean, we haven't broached that subject and quite
8 honestly didn't -- didn't anticipate doing so,
9 because again, the research that we've done and the
10 people that we're partnered with in their experience
11 haven't had to do that.

12 COMMISSIONER PARLOVE: Okay. And the
13 ones you're partnering with, I'm led to believe that
14 they are a well-recognized franchise, that's not
15 done this -- this is not their first rodeo?

16 MR. SUARDINI: Yeah. No, they're in
17 southeast Michigan, they're based here and they've
18 got several locations.

19 COMMISSIONER PARLOVE: Okay. The
20 self-storage demand study was from 2013?

21 MR. SUARDINI: For the parking?

22 COMMISSIONER PARLOVE: The
23 supplemental information.

24 MR. SUARDINI: Yeah, that was more for
25 -- to show some verification on the parking counts,

1 but we have our own market study that was done more
2 recently from the perspective of the feasibility of
3 the project. And you know, we pride ourselves on
4 making sure that we do our due diligence in that
5 regard. And so it was from 2013, I apologize, we
6 have more recent.

7 COMMISSIONER PARLOVE: That's okay.
8 That's okay. So, regarding the site I would
9 anticipate that you -- you and your partner would be
10 very sensitive to water issues, because no one wants
11 to have their self-storage unit flooding?

12 MR. SUARDINI: Right.

13 COMMISSIONER PARLOVE: So, this seems
14 like it's a pretty flat site. You've done all of
15 the drainage counts on this or are you still
16 anticipating going through all of that?

17 MR. SUARDINI: No, we've done all of
18 the drainage counts. Actually, to come back to a
19 concern from before, thankfully the forefather's of
20 the whole Centerpoint development created regional
21 detention in this area and so we're just tying into
22 the regional detention that exists that was sized
23 and you know, quantified for future development like
24 this.

25 COMMISSIONER PARLOVE: Okay. Sounds

1 good. The other parallel is it seems the building
2 will be just about as tall as the hotel next door,
3 and I -- there's not a lot of landscape between --
4 well, on the east side of the project or on the
5 north side of the project and I -- is that correct,
6 am I reading these plans correctly?

7 MR. SUARDINI: The -- I can't speak to
8 what the height of the hotel is, but you could be
9 correct. I think our height, top of the parapets
10 around 42 feet or so. The north side of this
11 project as it exists today is heavily treated with
12 evergreens in an offset fashion, so it's -- it's got
13 quite a bit. We do have in our plans and in our --
14 we're still going through construction drawings, but
15 in our plans now we have additional trees such that
16 if any of those got damaged during construction or
17 what have you, we would replace, but there's a tall
18 berm on either both the north and the east side,
19 that we would stagger Evergreen trees. And just the
20 other day I actually asked our consultant to add
21 more -- some additional trees to the east side. The
22 north is -- if you go out there and look it's pretty
23 well covered. The east still does have quite a few
24 trees, but we're going to add more.

25 COMMISSIONER PARLOVE: Okay. I -- I

1 had misread this, it looked like all of the trees
2 were coming out, but apparently that's not the case
3 on the north side.

4 MR. SUARDINI: If we have to for the
5 cut for the road and things like that, but we've got
6 them going right back in and we're keeping them --

7 MR. HUNTER: We're adding trees.

8 COMMISSIONER PARLOVE: Okay. That's
9 -- I like to hear that. And the other one that
10 everybody knows who's listened to me talk about
11 anything up here is my not embracing my non-love
12 affair with EIFS, so can you address that.

13 MR. SUARDINI: We're on the same page,
14 there will be zero EIFS on this. We don't put EIFS
15 unless a hotel mandates us. We don't use it. So --

16 COMMISSIONER PARLOVE: Very good. I
17 like that answer. Okay. I think that's all I have
18 for the moment. Thank you.

19 MR. SUARDINI: Yep.

20 VICE CHAIR FEGLEY: Commissioner
21 Payne, do you have any comments or questions?

22 MEMBER PAYNE: Yes. Thank you and
23 welcome to the City of Pontiac.

24 MR. SUARDINI: Thank you.

25 MEMBER PAYNE: Now, did I understand

1 you to say that you have other facilities or --

2 MR. SUARDINI: We're the property
3 owner and we'll be the developer. We're partnering
4 with an operating company that operates other
5 facilities, we don't own other facilities, but they
6 do.

7 MEMBER PAYNE: Okay. And the name of
8 this one is going to be?

9 MR. SUARDINI: We haven't solidified
10 what the name will be, but it -- you know, probably
11 something along the lines of what their brand is,
12 Pontiac self-storage, something like that, but we
13 haven't picked the name out.

14 MEMBER PAYNE: Okay. And your target
15 date starting construction?

16 MR. SUARDINI: Yeah, our target would
17 be -- if we were lucky to get your approval, would
18 be this coming spring to start construction, weather
19 permitting. And the construction schedule's right
20 around, you know, 10 to 12 months depending on the
21 time of year we can start and obviously the Michigan
22 springs and falls. So, that would -- we're
23 anticipate trying to start as soon as possible next
24 construction season.

25 MEMBER PAYNE: And your rented

1 vehicles are -- are basically trucks?

2 MR. SUARDINI: They might be trucks,
3 they might be box-trucks, it could be vans, U-Haul
4 type situation.

5 MEMBER PAYNE: Okay. And so you're
6 basically just -- now is this like a -- you said a
7 box building kind of and then storage is inside kind
8 of like the one up on Opdyke there?

9 MR. SUARDINI: Well, I don't -- it's
10 three stories and the second and third floor are
11 just mirrors of each other. The first floor, the
12 only difference is, is that you've got the front
13 space with the office and like where the water main
14 comes in and things like that. But, I'm not sure
15 which one you're referring to so.

16 MEMBER PAYNE: So, it's not a
17 drive-through, I mean, it's not a drive-in, it's
18 like --

19 MR. SUARDINI: The drive-in part is
20 just that bump out that you see there and then you'd
21 get a cart and you'd go to your own unit. It's all
22 fully-conditioned space. But we do have what Vern
23 was mentioning on the north and on the east, we have
24 47 units that are drive-up that you could drive up
25 to and unload your stuff and then drive around, but

1 there's circulation that you get around with that.

2 MEMBER PAYNE: So, your storage is
3 only going to be like indoor storage, you're not
4 going to be storing boats and --

5 MR. SUARDINI: No. There's no -- no.
6 Everything is indoors either in and up, or on the
7 external units there's -- for lack of better words
8 garage doors that cover everything.

9 MEMBER PAYNE: Okay. Now, in regards
10 to the parking spaces, most storage just so
11 happen -- kind of like toured a lot of storage
12 facilities this past summer, my son looking for
13 storage for his RV so it's kind of like oh my
14 goodness, but I notice in every place that we -- I
15 mean all out in Waterford, all across the storage
16 areas are so small for customers, you know, coming
17 in to take a look at their lots.

18 MR. SUARDINI: Well, again, these are
19 all interior, I'm not sure if the ones -- some of
20 the ones you were looking at were, you know, the
21 drive-ups.

22 MEMBER PAYNE: Right. I mean, just
23 the front reception part of it.

24 MR. SUARDINI: Oh, yeah, because
25 really the people that -- that visit, their main

1 objective is to drive-in, go to their unit, grab
2 something and get out. The front area, will have
3 two reception counters, it actually has a conference
4 room, so potentially if you wanted to hold a meeting
5 there, there's a kiosk for self-signup. But really,
6 that area is very infrequently used by the patrons
7 of -- of who leases the space.

8 MEMBER PAYNE: So, with the spaces
9 you're requesting how many of those are you looking
10 at for handicapped parking?

11 MR. SUARDINI: I believe we've got
12 one, I think, Dave?

13 MR. HUNTER: No, we've got two.

14 MR. SUARDINI: There's two? I can't
15 see -- we've got two out of the eight which is a
16 pretty high number.

17 MEMBER PAYNE: Pretty high number?

18 MR. SUARDINI: In percentage.

19 MR. GUSTAFSSON: Actually in our
20 Ordinance, one handicap space is for the first 24.
21 So --

22 MEMBER PAYNE: Okay. I guess that's
23 all that I have.

24 VICE CHAIR FEGLEY: Thank you. I
25 don't have any questions. The only comment I have

1 is because there are other areas for patrons to park
2 for loading and unloading I don't have an issue with
3 the reduction in parking spaces the Petitioner has
4 requested. If there are no further comments or
5 questions, do you have a motion?

6 MEMBER PAYNE: Are we voting on the
7 parking spaces or --

8 VICE CHAIR FEGLEY: It would be part
9 of the motion.

10 MR. GUSTAFSSON: Yeah, the way I
11 wrote --

12 MEMBER PAYNE: Is that separate or --

13 MR. GUSTAFSSON: The way I wrote it
14 was that -- that either we approve or deny and as it
15 relates to the preliminary sub plan, you're asking
16 -- allowing ourselves, the Planning Division,
17 authorization to review the granting of a final site
18 plan upon receipt of these revised plans and it's
19 all related to the letter that -- my technical
20 review that was dated here on October 23rd.

21 So, yes, you would -- by having that
22 you're accepting the fact that you're modifying the
23 parking requirement.

24 COMMISSIONER PARLOVE: So, if we
25 wanted to make a motion to -- we can talk to the

1 Petitioner again to add for example two spaces, we
2 would add that into this motion?

3 MR. GUSTAFSSON: If you wanted to add
4 more parking?

5 COMMISSIONER PARLOVE: Correct. In
6 answering Lucy's question.

7 MR. GUSTAFSSON: Yes.

8 COMMISSIONER PARLOVE: Okay. So, we
9 would add it now Lucy if you wanted more. If you
10 felt you wanted to add more.

11 MEMBER PAYNE: No, I was just asking
12 him for clarification.

13 COMMISSIONER PARLOVE: Okay. Well,
14 for our own conversation here is anyone else feeling
15 concerned? Christopher, you brought up any
16 additional parking how do you feel about it after we
17 have reviewed everything?

18 COMMISSIONER NORTHCROSS: I feel
19 uncertain. I think it's possible, I'm just
20 uncertain. I'm not sure of the actual use plan. I
21 don't think it's outside the realm of possibility, I
22 think it could work I just don't know. That's the
23 thing and -- and that's why I was asking, you know,
24 what have been the experience of other owners in
25 this area or other buildings in this area.

1 MR. SUARDINI: If I could, if it
2 helps, I could have Dave Hunter from PEA talk to --
3 how many have you done Dave recently? Probably
4 several different designs and the other part is,
5 nothing meant by this, but we're going off of a --
6 you know, a calculation in an Ordinance that
7 probably was drafted before you know, the demand and
8 registration shift that happened where you know,
9 it's curtailed more to the online you know,
10 registrant versus walk-up type business.

11 So, the max end of the calc on the
12 parking, you know, you got -- you would have to take
13 that into consideration too. But Dave can you tell
14 you about in southeast Michigan what he's
15 experienced.

16 COMMISSIONER PARLOVE: Great. Thank
17 you.

18 MR. HUNTER: Hi, my name is Dave
19 Hunter. I work for Professional Engineering
20 Associates, PEA, and we've designed 8 to 10 -- I
21 think about eight facilities in the last two years
22 in southeastern Michigan. Two of them were in
23 Lansing and we've designed the -- the sites looking
24 at -- some of the -- there are building types that
25 have between 1,200 and 1,600 units, some of them

1 were four stories. So, every one of those sites
2 we've actually done between 6 and 10 parking stalls
3 for. But -- and every one of those sites we have
4 had some type of drive-through facility like we
5 talked about here where there are some more parking
6 available for the people that are visiting their
7 units and/or you know, there's the first time people
8 that come and they unload all of their stuff and
9 then they -- they don't come for sometimes many
10 years and -- and so they might visit their unit, but
11 lots of times they just run in, park their car and
12 they might park in parking area outside. All of
13 those sites we never -- they have never -- we never
14 had any complaints from our clients regarding the
15 parking.

16 So -- and I know with Etkin they don't
17 want to build anything that doesn't work, so that's
18 what I can say.

19 COMMISSIONER PARLOVE: Sure.

20 Regarding the facility that was in Lansing --

21 MR. HUNTER: Yeah.

22 COMMISSIONER PARLOVE: -- was that a
23 great number of units that happened to be in that
24 facility?

25 MR. HUNTER: I think that one had

1 1,400 units, so --

2 COMMISSIONER PARLOVE: Okay. And then
3 approximately the parking spaces for that was?

4 MR. HUNTER: That was eight parking
5 stalls.

6 COMMISSIONER PARLOVE: Okay. I would
7 anticipate a lot of college kids also storing
8 things, so they're going to have a tremendous amount
9 of activity at a site like that?

10 MR. HUNTER: Yeah.

11 COMMISSIONER PARLOVE: And eight was
12 sufficient?

13 MR. HUNTER: Eight was sufficient.

14 COMMISSIONER PARLOVE: Okay. And so
15 that's 200 more units?

16 MR. HUNTER: Yes.

17 COMMISSIONER PARLOVE: Okay. Thank
18 you for your time.

19 MR. HUNTER: Thank you.

20 MEMBER PAYNE: I have another question
21 in regards to parking. For your rental -- the
22 rentals that you're going to be renting out, how
23 many parking spaces do you have for that? Or are
24 you including the eight with the trucks that you're
25 going to be --

1 MR. HUNTER: Oh, for the --

2 MR. SUARDINI: How many do we have for
3 the trucks?

4 MEMBER PAYNE: How many of these
5 spots, these parking spaces are you going to be
6 using for your trucks or will you?

7 MR. SUARDINI: You wouldn't use any of
8 the eight that we're talking about, they're all
9 completely separate in addition.

10 MEMBER PAYNE: So, how many are you
11 allowing then for your -- you said you're going to
12 have on campus there rental services also, right?

13 MR. SUARDINI: Yes.

14 MEMBER PAYNE: So, how many trucks are
15 you expecting to have on that site?

16 MR. SUARDINI: How many trucks would
17 be there at one time? Probably --

18 MEMBER PAYNE: So, we're looking at
19 parking spaces also there.

20 MR. SUARDINI: Well, there's --
21 there's seven or eight spaces for trucks, and we
22 might have 4 to 6 onsite to be rented, so there's
23 always a gap so people can pull in and rent them.
24 But those -- just to be -- I'm not sure I'm hearing
25 right, but just to be clear those are -- those

1 spaces are totally in addition to the eight regular
2 car spaces --

3 MEMBER PAYNE: So, you're having eight
4 for your rentals and eight for your customers?

5 MR. SUARDINI: Uh-huh.

6 MR. GUSTAFSSON: And then also as was
7 mentioned, those parallel parking spaces for the
8 rental of the trucks or whatever is needed is -- is
9 located on the very edge -- or the north edge of the
10 site and it is gated. In other words, you would
11 have to have a gate and it's kind of -- you enter in
12 from the east and then heading around the building
13 and there's a gate to get out.

14 MEMBER PAYNE: Okay. Thank you.

15 COMMISSIONER NORTHCROSS: I make a
16 motion to approve the preliminary site plan
17 SPR-19-32 32 from Etkin Management, LLC at 3111
18 Centerpoint Parkway, parcel number 64-19-03-427-007
19 and allow the Planning Manager authorization to
20 grant final site plan approval upon receipt of
21 revised site development plans that includes
22 information included on the Planning Division's Site
23 Plan Letter dated October the 23rd, 2019.

24 COMMISSIONER PARLOVE: Support.

25 VICE CHAIR FEGLEY: Roll call.

1 MR. GUSTAFSSON: Commissioner

2 Northcross?

3 COMMISSIONER NORTHCROSS: Yes.

4 MR. GUSTAFSSON: Commissioner Parlove?

5 COMMISSIONER PARLOVE: Yes.

6 MR. GUSTAFSSON: Mayor Waterman?

7 MAYOR WATERMAN: Yes.

8 MR. GUSTAFSSON: Vice Chair Fegley?

9 VICE CHAIR FEGLEY: Yes.

10 MR. GUSTAFSSON: And Commissioner

11 Payne?

12 MEMBER PAYNE: Yes.

13 MR. GUSTAFSSON: Motion passes.

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

16 NAYS: (None.)

17 ABSTAIN: (None.)

18 MOTION CARRIES 5-0-0

19 MR. SUARDINI: Thank you very much.

20 Thank you.

21 VICE CHAIR FEGLEY: Okay. Last item
22 on the agenda is SPR 19-34 for property address 382
23 Cesar Chavez.

24 6.2

25 SPR 19-34

1 PROPERTY ADDRESS 382 Cesar Chavez

2 PARCEL NO. 64-14-20-381-010

3 APPLICANT Zarembo Group

4 CURRENT ZONING C-4 Suburban

5 Commercial

6 PROPOSED REZONING Dollar General

7 Commercial Retail

8 (Presentation of facts given by Mr.

9 Donovan Smith.)

10 VICE CHAIR FEGLEY: Is the Petitioner
11 here this evening?

12 MR. ZAWADSKI: Yes, I am. Thank you.
13 My name is Mark Zawadski. I'm with Zarembo Group.
14 We are the developer of the proposed Dollar General
15 project. If I may, Donovan had a couple of
16 renderings on the screen that I'd like to -- I have
17 I have some printouts that I'd like to come up and
18 pass around to you all. And this has been updated
19 with the current landscape.

20 All right. Again, thank you for
21 allowing us to present the project tonight. As
22 Donovan stated, we have been working with him and
23 City staff since May on this project. That started
24 with rezoning request and now we are here before you
25 tonight requesting approval of the site plan. So,

1 the project includes new construction of a single
2 retail building that is small scale compatible with
3 the surrounding neighborhood. Donovan provided a
4 great overview of the project. The building is
5 located there at the corner of Adelaide and Cesar
6 Chavez Avenue and then the parking lot is tucked on
7 the side -- side of the building so that reduces the
8 visibility of the parking impact on the corner and
9 creates a little bit nicer streetscape design for
10 the corner.

11 We're very sensitive to the fact that
12 there are nearby residences in a nearby existing
13 neighborhood. And we have taken that into account
14 with the proposed design. For example, as I stated
15 the parking is hidden to the side of the building
16 and it's positioned as far away from residential
17 properties as possible. We also chose to have a
18 single access point for the project. So, there's no
19 proposed access on Adelaide Street or Howard Street
20 which is located to the rear of the property.

21 As you can see from this rendering and
22 -- rendering that has been passed out, we're
23 providing a significant amount of streetscaping,
24 landscaping, buffering for the nearby residential
25 properties as well as building foundation

1 landscaping. So, this creates an attractive visual
2 enhancement to the streetscape, but also provides a
3 real nice dense buffer for the adjacent
4 neighborhood.

5 Next regarding the building design.
6 The project will have a modern building design that
7 will enhance the streetscape and the neighborhood.
8 A few of the design elements include a -- Donovan,
9 do you mind switching to the rendering? Yeah, this
10 -- this is fine. Thank you. Primary design element
11 on the building is the corner entry feature. This
12 building having a corner entrance which again, we
13 intentionally designed that way as opposed to an
14 entrance towards the center of the building. The
15 entrance being at the corner provides a focal point
16 and brings the activity towards the street front as
17 opposed to further back into the property or in the
18 parking lot. That corner entry also includes a
19 raised parapet wall so you can see above the
20 entrance the roofline variation at the top provides
21 about three feet of additional variation -- height
22 variation to create a dominant entry element for the
23 building. There is a decorative brick facade on
24 that corner entry element as well as the storefront
25 and the metal awnings.

1 We also are proposing a multiple
2 colors materials and textures throughout the project
3 that adds a nice variety of architectural detail and
4 interest to the building. We're also providing
5 large awnings and additional faux windows on the
6 front of the building and the parking lot side of
7 the building that helps to reduce the massing and
8 provide that appearance of building transparency.

9 Lastly, I just wanted to touch on
10 economic development a little bit. It seems to be
11 the theme throughout this meeting as -- as it should
12 be at the Planning Commission meeting. But although
13 the project is small compared to some of the other
14 projects we discussed tonight, the total investment
15 for the project is approximately one-and-a-half
16 million dollars and that's entirely privately funded
17 without any request for public assistance. There
18 will of course be local tax benefits through
19 property tax, income tax and sales tax and the
20 business will also create approximately 10 to 12 new
21 jobs. And at this time I'd be happy to answer any
22 questions you may have. I also have the project
23 engineer with me tonight if there's any technical
24 questions as well. Thank you.

25 VICE CHAIR FEGLEY: Commissioner

1 Northcross, do you have any comments or questions?

2 COMMISSIONER NORTHCROSS: Just the
3 reduction in the number of windows. Could you
4 elaborate a little more on that? How your design
5 and your considerations -- and by the way, thank you
6 for the investment coming back.

7 MR. ZAWADSKI: Sure. Thank you.
8 Well, the -- the transparency requirement is -- it's
9 very difficult to achieve with a retail business
10 such as this. One of the things that I handed out
11 to you was a floor plan and fixture plan for the
12 building. And so if you can identify the entrance
13 of the building at the corner which I believe is the
14 top-right of the floor plan, so that is the entrance
15 of the building so that will kind of familiarize
16 yourself as you kind of compare the exterior
17 elevations -- thank you -- with the floor plan here.

18 So, if you start at the building
19 entrance at the corner and then move south along the
20 plan so, that's towards the bottom of the plan,
21 that's the front facade and as you can see, that's
22 where the stores' office, the break room as well as
23 the two restrooms are located. So, it would be very
24 difficult to provide actual window transparency into
25 that portion of the building. And then as you move

1 along the -- continue to move along the exterior of
2 the building footprint, you can see on the south
3 side of the building which is the side of the
4 building that will face Adelaide Street, all of
5 those little rectangular drawings you see on this
6 drawing is a fixture.

7 So, the entire wall of the interior of
8 the store has fixtures on it. So, it --again, it
9 would be difficult to make that a transparent space.
10 And then along the back of the store, is the
11 stockroom, which again, you don't see them here, but
12 there's fixtures all along the back wall of the
13 store. And then if we continue along the fourth
14 side of the building you see those are all of the
15 refrigerators and the coolers that are positioned
16 along the planned north wall inside of the building.
17 So, that's really the reason why we are not able to
18 meet that transparency requirement. In addition to
19 that, we have provided some enhanced design elements
20 as part of this proposal.

21 As you can probably recognize this is
22 not a "Typical" Dollar General store. So, some of
23 the things that we've added to the design, which
24 again are not Ordinance requirements, are this
25 really nice impactful corner entry feature. We've

1 included multiple colors, materials and textures.
2 We have included building awnings around two sides
3 of the building. We've also provided some faux
4 windows on the building as well to increase that
5 appearance of transparency. We've added building
6 columns, a total of nine are provided on all four
7 sides of the building. And there then the last
8 thing is foundation landscaping. Foundation
9 landscaping is not an Ordinance requirement, but we
10 have provided foundation landscaping both along
11 Adelaide Street as well as the parking lot side of
12 the building.

13 So, those are some things that we
14 added to the design to kind of compensate for the
15 fact that we were not able to meet the transparency
16 requirement.

17 COMMISSIONER NORTHCROSS: Okay. I'm
18 just realizing your corner entrance. Yep, I'm
19 looking at your rendering and thank you for this. I
20 know it takes a little time to get a rendering. So,
21 we have Cesar Chavez here and I was trying to match
22 that up. This is where I really of the confused I
23 was thinking that you know as I -- that this would
24 be looking north -- oh, I see. I see. I see. As
25 we look north, I was trying to match up the

1 entrance.

2 MR. GUSTAFSSON: Turn that -- yeah,
3 turn that 180 degrees.

4 COMMISSIONER NORTHCROSS: Okay.

5 MR. GUSTAFSSON: There you go. So,
6 the elevation -- the elevation or the perspective
7 that he's showing you does not show that recessed
8 that 45 degree angle, okay, it doesn't show that.

9 COMMISSIONER NORTHCROSS: Okay.

10 MR. GUSTAFSSON: So, it doesn't show
11 that, so that wasn't -- you know, it's not
12 reflecting on that.

13 And then you can see where on the
14 north side along the side street, is where -- as you
15 can see that's where they don't have any windows on
16 that side because of how they're staking the
17 shelving and materials.

18 COMMISSIONER NORTHCROSS: Yeah, I
19 could appreciate that and the setbacks and the trees
20 and everything. Trying to -- just trying to grasp
21 how this will look, because if I look at -- I didn't
22 pick up that there is that -- even on this one, I'm
23 not picking up that -- of course I am looking at a
24 plain view of an angle, but still this A-2 looks
25 more like this feature here. The rendering was to

1 know more from A-2.

2 MR. ZAWADSKI: Let me grab the floor
3 plan.

4 COMMISSIONER NORTHCROSS: Where -- I'm
5 trying to hook up the -- -

6 MR. ZAWADSKI: Yeah, it's a little bit
7 confusing.

8 COMMISSIONER NORTHCROSS: And that's
9 -- unless this area here is glass --

10 MR. ZAWADSKI: Yeah, so this -- this
11 actually is the storefront glass that you see on the
12 drawing here. So, there -- there will be a -- I'll
13 just walk up here and point to it.

14 MR. JOHNSON: You can take the mic
15 with you.

16 MR. ZAWADSKI: So, there's an
17 automatic door right here that you'll enter into the
18 vestibule that you see, so that little triangular
19 area, that's a little vestibule. And then there
20 will be another automatic door in there, that's what
21 you see on the 45-degree angle and then you'll enter
22 into the store through that door. And the vestibule
23 is a requirement because of the -- the climate and
24 the temperatures.

25 COMMISSIONER NORTHCROSS: Energy

1 savings.

2 MR. ZAWADSKI: Correct. Correct.

3 COMMISSIONER NORTHCROSS: Okay.

4 Because I saw what looks to be doors here entry, but
5 I didn't see anything out of the --

6 MR. ZAWADSKI: Correct. Yes, that's
7 -- that's --

8 COMMISSIONER NORTHCROSS: -- I didn't
9 know how the cut was --

10 MR. ZAWADSKI: Yeah, it's not labeled
11 on the floor plan drawing. That's located right on
12 this storefront right here is the entry door.

13 COMMISSIONER NORTHCROSS: Okay. And
14 then that's the -- coming along the -- let's see on
15 the north --

16 MR. GUSTAFSSON: So, that whole one
17 side of the shelving, that's -- and that's heading
18 north -- that's facing north.

19 VICE CHAIR FEGLEY: So, on this site
20 plan the entrance is at this corner, where that
21 triangle or that vestibule is.

22 COMMISSIONER NORTHCROSS: Right here?

23 VICE CHAIR FEGLEY: Yes. It's right
24 on the corner of the site.

25 COMMISSIONER NORTHCROSS: And then the

1 windows -- the false windows.

2 MR. GUSTAFSSON: Are along -- yes,
3 correct.

4 COMMISSIONER NORTHCROSS: Which I
5 guess --

6 VICE CHAIR FEGLEY: Aren't necessarily
7 shown in that plan.

8 MR. GUSTAFSSON: No, it's not.

9 COMMISSIONER NORTHCROSS: Okay. I was
10 trying to pick up all of those things.

11 MR. GUSTAFSSON: Yeah. So, we have
12 some transparent and some faux windows along Cesar,
13 we have a little bit along -- if you're standing in
14 the parking lot looking towards that elevation,
15 looking to the north and the rear looking to the
16 east, then looking -- yeah, looking from this
17 direction also there is no windows that are being
18 proposed.

19 COMMISSIONER NORTHCROSS: I will
20 listen a little more. I'll listen a little more.

21 VICE CHAIR FEGLEY: Mayor Waterman, do
22 you have any comments or questions?

23 MAYOR WATERMAN: Just a comment. I
24 appreciate the fact that you did add some of the
25 design elements to two sides of this entrance. I do

1 note though that there is no such design element
2 that's carried out -- well, I don't know if you call
3 that variation of color on that one side there, I'm
4 not sure whether that's the -- the -- where are we
5 here? North side or the side facing the -- this is
6 Adelaide here, what is this side here? This side
7 here. There's no design elements over here,
8 unless --

9 MR. GUSTAFSSON: That side isn't -- I
10 mean, design elements in regards to windows or
11 anything like that or faux windows, no, there is
12 nothing here.

13 MAYOR WATERMAN: Yeah. So, I'm
14 thinking that you know, because it was residential
15 that will sit one of the things that caused the
16 Planning Commission some hesitancy to begin with and
17 then Council thought we'll go ahead and put it in
18 even though it was in a neighborhood.

19 So, I think given the fact that we are
20 putting it in the neighborhood we need to have at
21 least what's standard for design element if not
22 more. And I appreciate you trying to add something
23 on a couple sides, but you still have very visible
24 sides here in this residential area that to do have
25 any design elements whether it's windows or

1 something else. If you say you can't put, you know,
2 windows on those particular sides, but I think we
3 need to strive for at least what is required if not
4 a bit more and that would be my take on it.

5 VICE CHAIR FEGLEY: Commissioner
6 Parlove, do you have any comments or questions?

7 COMMISSIONER PARLOVE: I do. I do.
8 And Mark, thank you for being here tonight to
9 present this information to us and the renderings,
10 taking the time you've taken to put this together.
11 I am a windows and light person and looking at this
12 plan if I walked into this store, as soon as I come
13 through that front door that's the only light coming
14 in naturally into that space. And it's just going
15 to be a big box that has probably overhead lighting
16 I'm assuming, if not fluorescent then LED, but why
17 there can't be maybe even some transom windows that
18 don't open across the tops of those cases, those
19 refrigerated areas, I don't -- I think this plan
20 could be better and I would not want to see any less
21 glass space than what is a requirement for this
22 proposal. That's my feeling. Thanks.

23 VICE CHAIR FEGLEY: Thank you.
24 Commissioner Payne, do you have any comments or
25 questions?

1 MEMBER PAYNE: Other than, you know,
2 another dollar store. I just -- thank you for you
3 know, the time that you've taken in the course of
4 putting this together. But I think if you look
5 at -- this is basically the way that stores are
6 being designed now, you go into the north stores,
7 the smaller stores, this is what you get. You get
8 this one picture kind of window and then there's
9 nothing else but the wall. No, I'm just saying
10 that's what's -- that's what they're doing now.

11 MR. ZAWADSKI: That's correct.
12 Especially with retail stores like this, it's not a
13 -- not a Starbucks where you want to try to
14 encourage people to sit down and spend hours of
15 their time working and reading and things like that.
16 It is a retail store and the retailer that's very
17 valuable space on the perimeter of the store for
18 their fixtures and refrigerators and coolers as well
19 as things like utilities other equipment that they
20 require for their operation.

21 MEMBER PAYNE: Aldi's on Brown and all
22 of their stores really that's how they're building
23 their stores.

24 VICE CHAIR FEGLEY: On the plan that
25 you handed out to us there is an ice machine, a

1 propane tank and a rack shown on the side that's
2 going to be fronting Cesar Chavez. Is that
3 something that is going to be there as part of the
4 overall layout of this proposed building?

5 MR. ZAWADSKI: Dollar General does
6 install an ice machine and small propane trade-in
7 fixture. Sometimes they put it along the front of
8 the building, sometimes they put it on the side of
9 the parking lot. But that would be the intent to
10 have those small fixtures outside of the building.

11 VICE CHAIR FEGLEY: Can we have them
12 moved to the side so they're not fronting along
13 Cesar Chavez so that the landscaping can override
14 those utilities outside? So, that more landscaping
15 will be shown, and the building will be shown and
16 not just an ice machine and a propane tank, can that
17 be moved to the side of the building towards the
18 parking lot side so it's just not on the main
19 street?

20 MR. GUSTAFSSON: If I may, through the
21 Chair, I guess my comment would be I have worked
22 with a number of similar type of stores along with
23 the conveniences particularly with Kroger they have
24 now their gas stations separated and they just --
25 you know, they inundate the area with these units

1 that are selling different products or pop and
2 whatever, and propane and it just becomes in my mind
3 an eyesore. I would not even want them even on the
4 site to tell you the truth. I wouldn't -- I would
5 want to -- it might be part of their brand or what
6 they do, but I don't think we need to have it.

7 VICE CHAIR FEGLEY: I agree with that.

8 COMMISSIONER NORTHCROSS: Yes.

9 MR. ZAWADSKI: Is that -- something
10 the Ordinance prevents or is that just a --

11 MR. GUSTAFSSON: It's a strong --

12 MR. ZAWADSKI: -- a request?

13 MR. GUSTAFSSON: No, it's a strong
14 suggestion.

15 MR. ZAWADSKI: Okay.

16 VICE CHAIR FEGLEY: And I also
17 disagree with not being able to put windows in an
18 office or a break room. If you have employees that
19 are there eight hours a day they should be able to
20 have natural light within their break room and their
21 office. And I agree with Mayor Waterman and
22 Commissioner Parlove with just having the minimum
23 glazing should be a priority for the overall look of
24 the building.

25 MR. ZAWADSKI: I can tell you just

1 from -- I've had this discussion with Dollar
2 General. Operationally having transparent windows
3 that you can actually see through is not something
4 that they will permit in their stores aside from the
5 storefront that you see. So, we -- we can discuss
6 some -- some faux windows, but Dollar General will
7 not operate a store with those types of transparent
8 windows.

9 COMMISSIONER PARLOVE: So, even above
10 a refrigerated case?

11 MR. ZAWADSKI: That's correct.

12 COMMISSIONER PARLOVE: That's
13 interesting. So, what you show us in the rendering,
14 the color rendering with the faux glass is not part
15 of the floor plan within this rendering. So, Vern
16 and Donovan, can we do the faux glass, is that
17 acceptable for our requirements?

18 MR. GUSTAFSSON: It does indicate in
19 regard to Ordinance, here Donovan, why don't you
20 speak to this --

21 MR. SMITH: The Ordinance that is
22 specific in terms of what glass square footage is
23 counting, it does say non-reflective, non-tinted and
24 transparent glass is the -- is what you use to make
25 that count. It does not include faux glass in that

1 calculations.

2 COMMISSIONER PARLOVE: There you go.
3 Doesn't sound like this is very good fit for that
4 site. I'm going to insist there be the transparent
5 glass, that we adhere to what we have in our Zoning
6 Ordinance.

7 MR. GUSTAFSSON: And maybe if I may
8 suggest through the Chair would be as in regards
9 to -- I know we had mentioned in regards to what our
10 recommendation is, but maybe with -- I'm sensing and
11 what we're receiving tonight is some good work to
12 try to make it better. But I think now, I think
13 they've heard other comments from the Commission
14 that maybe says that let's have them come back for
15 final site plan review by the Commission.

16 COMMISSIONER PARLOVE: Yeah, that may
17 be another possibility.

18 VICE CHAIR FEGLEY: I agree.

19 MR. ZAWADSKI: Okay.

20 VICE CHAIR FEGLEY: Do we then
21 postpone?

22 MR. GUSTAFSSON: No, I would revise
23 the motion to reflect that --

24 COMMISSIONER PARLOVE: Should we deny
25 with the request to resubmit?

1 MR. GUSTAFSSON: Yeah, actually --

2 COMMISSIONER PARLOVE: There we go.

3 Look how good you are.

4 MR. GUSTAFSSON: Yeah.

5 COMMISSIONER PARLOVE: Okay. Then I
6 would like to make a motion to -- for SPR 19-34 I
7 make a motion to deny preliminary site plan SPR
8 19-34 at 382 Cesar Chavez, parcel number
9 64-14-20-381-0100, 003, 004 and 005 and request the
10 applicant to resubmit preliminary site plan for
11 review and potential approval by the Planning
12 Commission.

13 MR. ZAWADSKI: Is it your intent to
14 deny it or table it or -- I just wanted to clarify?

15 COMMISSIONER NORTHCROSS: I'll support
16 that. It's to deny this preliminary plan.

17 MR. GUSTAFSSON: And resubmit a
18 preliminary plan still at this level with more
19 information and more information that you supplied
20 and also listening to the comments today, come back
21 before the Planning Commission for review again.

22 MR. ZAWADSKI: Does that include
23 resubmitting the site plans and the application and
24 starting the whole process all over again?

25 MR. GUSTAFSSON: No, you're not

1 resubmitting an application, we'll still be working
2 off of the same application, but we will ask for all
3 the same -- more documents and again, our review and
4 bring it before the Planning Commission when you are
5 ready to submit.

6 MR. ZAWADSKI: Okay.

7 MR. GUSTAFSSON: Okay?

8 COMMISSIONER PARLOVE: Thank you. You
9 have to take a vote. Christopher --

10 COMMISSIONER PARLOVE: Christopher
11 supported.

12 MR. GUSTAFSSON: He did. Commissioner
13 Parlove?

14 COMMISSIONER PARLOVE: Yes, to deny.

15 MR. GUSTAFSSON: Commissioner
16 Northcross?

17 COMMISSIONER NORTHCROSS: Yes, to
18 deny.

19 MR. GUSTAFSSON: Vice Chair Fegley?

20 VICE CHAIR FEGLEY: Yes, to deny.

21 MR. GUSTAFSSON: Mayor Waterman?

22 MAYOR WATERMAN: Yes, to deny.

23 MR. GUSTAFSSON: And Commissioner
24 Payne?

25 MEMBER PAYNE: No. No.

1 VICE CHAIR FEGLEY: Okay. Motion
2 passes.

3 AYES: Fegley, Parlove,
4 Northcross, Waterman.

5 NAYS: Payne.

6 ABSTAIN: (None.)

7 MOTION CARRIES 4-1-0

8 MR. ZAWADSKI: Thank you.

9 VICE CHAIR FEGLEY: Next on the agenda
10 is 6.3 which is the medical marihuana discussion.

11 MR. GUSTAFSSON: And I just wanted to
12 spend a little bit of time with the Commission and
13 here's a couple other things I want to add through
14 our discussion. I did -- a couple of things. First
15 off is -- is that I'm sure you're well aware we are
16 on our sixth moratorium for medical marihuana. No
17 applications are being accepted now until
18 January 6th of 2020.

19 At the same time, during moratorium
20 five, the Planning Commission -- City Council -- I
21 should say, Pro Tem Carter submitted an Ordinance
22 amendment related to buffer distance restrictions
23 which was included in your packet, okay? That one
24 there, we did have a chance between myself and the
25 City attorney sat down with Pro Tem Carter to get a

1 better understanding of his intent and what he meant
2 by certain regulations. We had that discussion
3 towards the end of October. From there we're
4 writing a technical review and at that time we
5 obviously presented to the Planning Commission. To
6 tell you the truth from my perspective what I've
7 seen and in talking with President Pro Tem Carter, I
8 personally, in regards to -- believe that what we
9 have -- what we as a Commission put together was a
10 strong Ordinance and I don't see why we're making
11 these revisions. I think what is actually being
12 suggested is going to create a little bit more --
13 even more so flexibility in regards to allowing
14 applicants to have a better chance of meeting the
15 certain buffer requirements. That's all I'm going
16 to say for right now which we'll get into a lot more
17 later. I also want to say between that moratorium
18 and that -- and we're just -- oh, I did pass out an
19 update in regards to chronology as you can see here
20 this is where we have been at over on our sixth
21 moratorium. We have done seven Ordinances, we've
22 done -- gone through seven amendments and to really
23 to hold it up, I'm really surprised that we're doing
24 this, but that's what the City Council decided to
25 do.

1 Also, I wanted to bring you update on
2 two other things. One thing was in regards to --
3 the City attorney did put together an Ordinance
4 relegated to packaged alcoholic beverages and the
5 reason why you haven't seen it as of yet is that
6 remember the letter that we drafted? The Mayor
7 pointed out -- it was a good point that it wasn't --
8 I didn't put -- asking them to clarify in regards to
9 why they did what they did. It was just some strong
10 statements in regards to this is not right, and
11 following the Ordinance and all of that. So, we're
12 going to -- I'm going to be tweaking that and bring
13 it back to you and at that time -- and we'll
14 probably do it at our next meeting which is on
15 November 20th, just as a reminder we have one item
16 on the agenda as relates to Glenwood Plaza and I'll
17 bring back that letter and if you all agree to
18 context and once we do, get -- I'll probably e-mail
19 it to you so you can a chance to review it and then
20 you can come in and sign it, okay?

21 And the last thing, Parks and
22 Recreation plan we identified a couple members from
23 the Commission that's going to be on the task force
24 just letting you know, we're ramping up for some
25 scheduled meetings as it relates to that so get

1 ready. Try to make sure we still have time for some
2 holiday fun and stuff like that, but you know, we're
3 trying to meet certain deadlines at the beginning of
4 the year, okay, from DNR, so, just give you a heads
5 up. Okay. And --

6 MAYOR WATERMAN: So, I would like to
7 comment on what you -- the business that you just
8 referred to. So, yes, the letter that this
9 Commission sent to Council and had asked -- the
10 purpose was to ask them for direction, because we
11 seem to be on a different trail and it puts the
12 Commission in some quandary as to what sort of
13 Ordinances we're supposed to follow. If we follow
14 one step and it gets to Council and they are
15 following some other unknown and they tell the
16 attorney to go back and cover their tracks and
17 rewrite the Ordinance for them, that puts us in a
18 very difficult situation. And I know some of you
19 expressed to me you feel uncomfortable, I feel
20 uncomfortable, being put in that situation given the
21 fact that one of the businesses that we deny on the
22 basis of the Ordinance that we thought -- should be
23 the ruling in place, are now coming back and saying
24 "Wait a minute, how come these other people got a
25 chance and you didn't hold to us the same?" So, it

1 puts us in a very precarious situation and I
2 think -- I think we wrote the letter so that we
3 could get some answer from Council.

4 Well, despite the fact that we did put
5 it on the agenda, it was just kind of received and
6 you know pushed aside. And there was no response.
7 So, we thought maybe it wasn't clear enough that we
8 did you know, want a response, because we did want
9 to have somebody think through what this rationale
10 was, and so maybe it was because we needed to have
11 more specifics and to say we do need a response and
12 not just file away and ignore it.

13 So, that is what Vern just said today,
14 he's going -- do bring it back and say this is what
15 we do want and it's kind of difficult to move ahead
16 with some of the other things if you're putting us
17 in this precarious situation. Something that --
18 affects the integrity of all of us and I know this
19 body is very intent on the integrity and trying
20 their best to apply the Ordinances that are set
21 before us that are supposed to be our guidelines in
22 a fair and professional fashion without using
23 arbitrary, capricious kinds of terminology.

24 So, that is -- I do back up what Vern
25 has said. If that's the path we want to go forward

1 then we should bring that and to expect an answer.
2 We deserve that much respect from the Council.

3 So, the other thing is the medical
4 marihuana chronology, and Vern has to done this.
5 Yes, we are on the sixth moratorium. I did speak
6 very much an objection to this. I don't know if
7 Vern was there to also speak an objection. This
8 puts us again, in a situation in which we had been
9 working on this for a year. As you see, we've gone
10 through seven different versions of the zoning
11 map -- zoning amendment and seven different version
12 of the Ordinance and I don't know how many different
13 versions we're going to get, we have to go back and
14 forth.

15 So, it seems like we get set and have
16 a set of Ordinances that we think everybody is
17 supposed to apply by and in fact one set of
18 applications have come in already and they've just
19 been sitting there for lack of any response which
20 puts us in another -- the City in a situation which
21 is not good to be in. But, it seems like everybody
22 sometimes somebody else comes in and says "Wait a
23 minute I want -- you know, I'm in that and I want to
24 be included" and so, shouldn't you redraft it and
25 somebody whispers in somebody's ear I guess and they

1 -- and now we've come up with another Ordinance.
2 So, how far does this go? You know, do we wait and
3 tell the whole City, the out -- the outlook for this
4 is just, you know, it's kind of ludicrous when you
5 think about it. But any rate, not only that, but
6 there's a lot of people who have been investing
7 money in the City who waited to hear for some
8 answer, who wanted to move again.

9 And so that is what I -- I thought we
10 should do. And in fact, there a lot of people who
11 want to bring their economic development business to
12 the City and that's how I look at it. And some of
13 them are getting pretty disgusted with the way -- an
14 example of the way we do business. And you know,
15 I've heard that some of them are going to move onto
16 other greener pastures. There's other cities where
17 they can bring this to, I see Keego Harbor just --
18 Keego Harbor just passed it last night.

19 So, you know, we don't want to miss
20 out on the chance for some of the better economic
21 development opportunities to come along with this
22 business. And so that's why I did speak against it.
23 They passed it anyway and so now on the sixth
24 moratorium right now, nobody can bring new business
25 to downtown, because everything -- every building is

1 auctioned off waiting to see if they're going to get
2 a license, so that just puts that kind of
3 development on hold and paralyzes it which is
4 another situation. So, I think there is another
5 amendment that has come through for your
6 consideration. I think Vern has his -- he pointed
7 out, he's still doing the technical review and he's
8 waiting for answers to some questions and we'll
9 share those answers to the questions when he gets
10 them in order to complete his review. The verbal
11 answers weren't very helpful, so he's asked for them
12 in writing to move forward. But, I think that's
13 where the situation is and I just want you to be
14 aware and the public to be aware that, you know we
15 should be ready to move ahead on this. Actually, on
16 the City side, we've had our staff who have been
17 ready to go ahead and view applications, but because
18 so much of the power is put in the hands of the
19 clerk on behalf of the people who brought the jobs
20 to Pontiac, the referendum, you know, the clerk has
21 been now doing his own thing and so he rejects the
22 advice of the City attorneys and rejects the reports
23 of the finance director, he's got his own finances,
24 and he rejects any help from administration -- and
25 including the staff, you know, planning and

1 everybody else who is ready to move forward and in
2 fact oh, those people have said they're willing to
3 sign the conflict of interest statement which I must
4 admit that at least only two of the Council people
5 have signed.

6 So, that just brings us into a
7 situation which is a little difficult, but I do want
8 to put on notice that in terms of the City
9 administration, we were ready to move ahead the
10 sixth moratorium and last time was he blamed the
11 delay this time on our Planning -- our Senior
12 Planning Manager who completely refutes that, you
13 know, it's not his fault at all.

14 So, every time this creates an alibi
15 for another moratorium somebody else is the
16 scapegoat for that.

17 So, I have been, finance director has
18 been, attorneys has been, so somehow we have got a
19 have the clerk realize he's not running his own
20 government, you know, he has some responsibilities,
21 but basically the responsibility is to move ahead
22 with the vote of the people. We're ready from
23 administration side to move ahead with this tomorrow
24 and put this moratorium -- it's in place now for 60
25 more days, so there you have it.

1 COMMISSIONER PARLOVE: Our clerk, is
2 it the interim clerk?

3 MAYOR WATERMAN: Yes. That's the one
4 we have right now.

5 COMMISSIONER PARLOVE: That is --

6 MAYOR WATERMAN: Garland Doyle.

7 COMMISSIONER PARLOVE: Do we -- remind
8 me, do we vote for our clerk?

9 MAYOR WATERMAN: No, he's appointed by
10 our City Council.

11 COMMISSIONER PARLOVE: Oh, okay.

12 MAYOR WATERMAN: That's the one
13 department head that the Mayor does not appoint.

14 COMMISSIONER PARLOVE: Okay. So, this
15 is our own little Brexit. Thank you for the
16 explanation.

17 COMMISSIONER NORTHCROSS: Going back
18 to the letter that we all signed onto, I thought we
19 were very clear in asking for directions and how to
20 proceed. And I would request that we retain that
21 request of City Council in addition maybe with other
22 items to help us better understand. But I think
23 that's very important for us to how to proceed.
24 We're trying to follow the Ordinance and it doesn't
25 seem like the Ordinance is sufficient or that it

1 really reflects the direction that the Council who
2 creates the Ordinance wants us to go in. So, the
3 clearer they can be as to how we proceed, I mean, I
4 see one of my duties as being just a front person
5 for the -- being a filter I should say, for the
6 Council and trying to provide some input and
7 illuminate certain strengths and weaknesses of
8 proposals along with the other folks here that we
9 pass onto the City Council for final approval. But
10 we need to understand their sensibilities we need to
11 understand exactly how they're interpreting the
12 Ordinances that we're working with especially when
13 it comes to those points where we have you know,
14 disconnects such as the one with the -- the
15 Ordinance for the liquor license. And I think
16 that's maybe -- some of that confusion is also being
17 reflected here in the -- in the marihuana activity.
18 I was reading the one amendment and boy, the egress,
19 how would that be defined? And then it -- it would
20 look to add in a distance of offset from the -- from
21 the center line of the street for the egress point
22 as part of the calculation of the actual separation,
23 which, you know, depending on where that egress
24 point is, I mean, it could be around the back of a
25 building.

1 MR. GUSTAFSSON: Exactly correct. And
2 you know, when you look at it and the way I
3 understood, it was a good conversation we had, it's
4 just that I do -- I did have some followup questions
5 for Pro Tem Carter which I e-mailed to him this
6 week, I'm asking for a response by the 15th of this
7 month, next -- a week from Friday. And it --
8 it's -- it definitely had a flavor in regards to
9 being much more flexible with the regulations in
10 regards to distances really towards the applicant.
11 I mean, if we as a community are here to take -- and
12 to take into account our community resources such as
13 schools and playgrounds with -- you know,
14 playgrounds with inner park, our childcare centers,
15 our religious institutions, I mean, why -- that
16 should be protected. I mean, I don't really
17 understand why we're trying to be a favor towards
18 the -- the applicant. Like I said before, what we
19 have in place is solid, it is measured from door to
20 door, that's how the voters actually approved it,
21 they might not think so, but you did.

22 MR. JOHNSON: Thank you.

23 MR. GUSTAFSSON: So, there's nothing
24 else to really say about it, but I'm having to
25 defend -- not defend, but really analyze his, bring

1 that to you, and then also bring back and suggest
2 that, you know, it's something else that we need to
3 consider, it's something else and bring it back --
4 go back to Council.

5 MEMBER PAYNE: Well, if I remember
6 correctly, not only -- there were open meetings and
7 residents spoke and said what they wanted also. And
8 they did not want them in their neighborhoods and of
9 course just like liquor license and we felt that it
10 was not permissible for it to be in a -- near a
11 church, or the daycare centers.

12 So, I'm confused as to -- are we --
13 our residents are also taxpayers and they are -- I
14 think that that's -- we should consider what their
15 thoughts are about this also. They have to live
16 with this. Let's not fool ourselves, you know,
17 there are a lot of people that say there is no
18 fragrance that comes from that, but every day I --
19 I'm sitting in my own car, and it -- and it blows
20 through, so -- going down the street and I'm parked
21 -- I'm riding down the street and the odor comes
22 through from other cars. I mean, so -- I don't
23 know. So, I wouldn't want that near a daycare
24 center.

25 MAYOR WATERMAN: That's very true

1 about what you're saying that -- and I can attest to
2 that by that -- we had two town halls plus about 30
3 different working group sessions to listen to input
4 from not only residents, but also potential
5 applicants and -- the residents universally said no
6 matter what district we're in, they said "Do not put
7 it in our neighborhoods".

8 So, if anything else, that's what we
9 have got to protect, and all of these, you know,
10 measurements and where it is and going around the
11 block to take the measurements, whatever that is,
12 that -- that clearly will put some of these in
13 neighborhoods depending on you know, who applies for
14 the licenses and that would be betrayal of what all
15 the citizens told us -- and told us very different
16 things, but that was very clear from everyone that
17 we talked to.

18 MEMBER PAYNE: Well, what I didn't
19 understand either is that I did hear a couple
20 Council people that said to me that they didn't want
21 it in their Districts and later on, you know, there
22 was nothing said about it. So, I don't -- I'm
23 trying to wrap my head around understanding those.

24 MR. GUSTAFSSON: Just want to give you
25 an update, we have some work to do along with

1 everything coming in.

2 VICE CHAIR FEGLEY: I'm going to open
3 public comment if anyone would like to --

4 MS. PIETILA: Oh, I do. I do. I do.
5 I do. And it's not very polite, but I would like
6 attention from all of you. So, I'll wait for Mona
7 to pay attention.

8 COMMISSIONER PARLOVE: I'm listening.
9 Go ahead.

10 MS. PIETILA: Thank you. 735 Baldwin.
11 You approved a Family Dollar to go over there
12 probably I think in 2016. They unlocked their door
13 on January 6th. You see this window? That's the
14 front. Where are we talking? Oh, this is the side
15 that's on Montcalm. Then let me show you the back.
16 I'm sorry -- let me -- he's got this double stapled,
17 I'm sorry. This is the back. One side is the back,
18 the other side is what faces Sav-Plus parking lot.
19 It's the same district within a mile-and-a-half.
20 And you disapproved Dollar General, because all they
21 had were the front windows. Where is the rest of
22 the windows on this building that you approved that
23 opened their doors January 6th, I believe 2016?
24 Talk about double standards. That is what you can
25 all look at when you look in the mirror tonight,

1 Commissioners. Vern, you're not one of those that
2 voted, but you did approve this Family Dollar with
3 no windows other than the front. And don't sit
4 there and start to say anything, Mona, I don't want
5 the hear it, facts are facts.

6 So, what I am going to say is, when
7 you have these retail stores you don't have that
8 many windows, because they do have that -- walls for
9 spacing. Go to any one of your stores. How many
10 windows do they have over at In N Out? The front
11 windows only. How many windows do they have at any
12 of the other Dollar Generals in this City? Front
13 windows only. You don't use window space for the
14 backs and the sides. You don't have that in retail.
15 The gentleman that came from Ohio today, told you
16 that. But you didn't want to hear it. So, I will
17 say when you said no to Dollar General on Adelaide
18 and Cesar Chavez today and you did because they told
19 you Dollar General does not put more windows in --
20 on their buildings, they do not allow it, so you
21 said no to them. But I will make sure that I go
22 back and I will let District 3 know you shot them
23 down, because Dollar General as they explained to
24 you does not allows extra windows. So, you tell me
25 who is going to cut the grass on Adelaide and Cesar

1 Chavez that hasn't been cut on a regular basis in
2 years? Who lets that grass grow? Madam Mayor, that
3 would be you because you are the overseer of the DPW
4 Department.

5 So, it is up to you or Code
6 Enforcement to make sure that grass is cut on a
7 weekly basis before it gets to be eight inches
8 instead of it getting to be three feet tall, because
9 that's what the neighbors cut. And I thank you for
10 your time. But I don't hesitate at the words or the
11 strength at the used in these -- with this comment
12 tonight, because you are all two-faced.

13 MS. LAMMERS: Good evening. My name
14 is Erin Lammers. I'm a representative of Dunaskiss
15 Consulting and Development located at 900 South
16 Lapeer Road in Oxford. Just a quick -- kind of a
17 half question, clarification. Regarding marihuana
18 facility applications, I don't believe that my
19 specific question was addressed tonight. But, I was
20 just curious so applicants cannot currently submit
21 for rezonings for marihuana facilities, is that --
22 that's correct to the Planning Commission body?

23 MR. GUSTAFSSON: Would you like me to
24 answer that question?

25 MS. LAMMERS: I mean, if you're able.

1 MR. GUSTAFSSON: I'm very able. And
2 let me just tell you that last week, it was upon --
3 Garland Doyle had made the mention in regards to
4 the -- that he found out through an applicant and
5 it's been a practice ever since we have been working
6 on this project that some applicants had come in and
7 were looking at several sites not just within the
8 overlay districts or elsewhere, they were suggesting
9 to maybe doing some rezoning. And we looked at in
10 general terms, not giving any recommendations and I
11 said he could put part -- part of your application.
12 He was shocked by it. He said that it was not the
13 right thing to do. I'll be hoping to make a brief
14 comment at Council meeting tomorrow to give them my
15 position where I'm going to be coming from. And
16 I'll just leave it at that.

17 MS. LAMMERS: Okay.

18 MR. GUSTAFSSON: So, I can't answer
19 right now. I don't know what Council is going to
20 do.

21 MS. LAMMERS: Okay. Yeah, because I
22 just -- we were kind of -- you know --

23 MR. GUSTAFSSON: I know. So, I was
24 shocked, too.

25 MS. LAMMERS: Okay. Yeah, we were

1 just -- we were discussing it in the office just
2 because, you know, yeah, I guess it just -- the only
3 concern that like we would have just is that it
4 might be you know, more work I guess kind of on your
5 guys' end just to -- or not really the Planning
6 Commission, but --

7 MR. GUSTAFSSON: No, it has nothing to
8 do within regards to -- Planning Commission is not
9 going to slow down the process. My question would
10 be as you -- as you as the applicant and you say,
11 you know, there is -- you know, from the applicant
12 side we're going to consider, I'm not going to sit
13 there and start to rezone our entire City in
14 different locations prior to it and you as an
15 applicant that comes in and they're saying -- Walton
16 Boulevard there's 150 applicants, and maybe you're
17 scoring out of 130, 80 is your score, because you
18 haven't provided a very good application. Knowing
19 the fact that there are only five provisioning
20 centers is going in, why would I sit there and
21 rezone that knowing the fact that you're not going
22 to probably make it?

23 So I wouldn't even -- it wouldn't --
24 and my -- for rezoning application for something
25 that I will be reviewing, out of 130 points, is only

1 one point.

2 MS. LAMMERS: Right. That's -- yeah.
3 That's -- okay.

4 MR. GUSTAFSSON: So, it makes no
5 logical sense from being somebody in regards to
6 myself. Yeah, I've got some experience a few years
7 in planning and development, and I never had to do
8 it before an application is submitted like this.

9 MS. LAMMERS: Understood. Okay.

10 MR. GUSTAFSSON: Okay?

11 MS. LAMMERS: Yep, that answers my
12 question. Thank you.

13 MR. GUSTAFSSON: So, you -- you heard
14 a precursor to what I'm going to say tomorrow.

15 MS. LAMMERS: Sure. Thank you.
16 Appreciate it.

17 VICE CHAIR FEGLEY: Any further
18 comments?

19 MR. JOHNSON: I'm going to keep my
20 mouth shut tonight.

21 COMMISSIONER NORTHCROSS: I have two
22 items. One, Ms. Pietila, yes, I'm not where I was
23 three years ago and I possibly did make a mistake
24 three years ago, but I'm going to press on to the
25 greater achievements of the future and forget the

1 mistakes of the past.

2 The other item, this is hot off the
3 press, I was contacted by the Secretary of State's
4 Office and they were looking for a place to start
5 working on the Independent Citizens Redistricting
6 Commission application process, they wanted to run
7 some workshops to help residents who are looking to
8 apply for this Commission -- some assistance in
9 being able to do this. The -- the application
10 process does require at the very end to submit --
11 fill out your application can and then to have it
12 notarized and then submitted to the State. They
13 wanted to do it on Sunday, November 17th, so I
14 offered up Newman Church, 3:30 p.m. And I believe
15 the actual date for selecting the Commission will
16 start in earnest around June 2020, but prior to
17 that, the applications need to be submitted. Free
18 notaries onsite to notarize the application.

19 MEMBER PAYNE announced that District 5
20 will not be meeting on November 7th.

21 VICE CHAIR FEGLEY asks if any further
22 public comments. Closed public comments. Asks for
23 a motion to adjourn.

24 COMMISSIONER PARLOVE made a motion to
25 adjourn.

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VICE CHAIR FEGLEY asked for a second.

COMMISSIONER NORTHCROSS: Second.

VICE CHAIR FEGLEY: All in favor?

(All ayes.)

(Proceedings concluded or about the

hour of 9:31 p.m.)



Minutes certified by:

/s/ Quentina Rochelle Snowden, CSR-5519
QRS Court Reporting, LLC
800.308.0068, 810.691.4226
Certified on: December 4, 2019