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CITY OF PONTIAC - PLANNING COMMISSION

WEDNESDAY, JUNE 3, 2020

6:00 P.M.

A meeting before the Planning Commission, via Zoom technology.

BOARD COMMISSIONERS:

Dayne Thomas, Chair

Ashley Fegley, Vice Chair

Mayor Deirdre Waterman, Commissioner

Christopher Northcross, Commissioner

Mona Parlove, Commissioner

Lucy Payne, Commissioner

EXCUSED: Hazel Cadd, Commissioner

CITY OFFICIALS PRESENT:

Vernon Gustafsson, Planning Manager

Donovan Smith, City Planner

Jane Bais-Disessa, Deputy Mayor

MINUTES RECORDED BY:

Quentina R. Snowden, (CSR-5519)

Certified Shorthand Reporter & Notary Public

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MEMBERS OF THE PUBLIC ADDRESSING THE PLANNING
COMMISSION:
Bill Chalmers (Cartessa)

1 (CALL TO ORDER: Chairperson Thomas
2 called the meeting to order at 6:02 p.m.)

3 CHAIRPERSON THOMAS: Welcome Pontiac
4 Planning Commission meeting June 3rd, 2020. Before
5 I call to order, I always like to introduce my
6 fellow Commissioners. So again I don't have a
7 screen, sadly, so, Commissioner Christopher
8 Northcross.

9 COMMISSIONER NORTHCROSS: I'm waving
10 here.

11 CHAIRPERSON THOMAS: Okay. Hazel Cadd
12 I guess is excused.

13 MR. GUSTAFSSON: Correct.

14 CHAIRPERSON THOMAS: Honorable Mayor
15 Dr. Deirdre Waterman.

16 MAYOR WATERMAN: Present.

17 CHAIRPERSON THOMAS: And Commissioner
18 Mona Parlove.

19 COMMISSIONER PARLOVE: I'm present.
20 Can you hear me?

21 MR. SMITH: Yes, we can.

22 CHAIRPERSON THOMAS: Commissioner Lucy
23 Payne.

24 COMMISSIONER PAYNE: Present.

25 CHAIRPERSON THOMAS: Vice Chair Ashley

1 Fegley.

2 VICE CHAIR FEGLEY: Present.

3 CHAIRPERSON THOMAS: And I'm Chair
4 Dayne Thomas. And I guess and I also introduced
5 Planning Manager Vern Gustafsson, City Planner
6 Donovan Smith, Deputy Mayor Jane Bais-DiSessa. And
7 there are some other faces on there, but I can't --
8 I don't have a screen so I can't introduce them all.
9 So Vern, by kind of a little bit of a change in
10 protocol here, I kind of did an inadvertent roll
11 call. So can we utilize that as the -- as a roll
12 call?

13 MR. GUSTAFSSON: Yes, just say "yes",
14 we have a quorum.

15 CHAIRPERSON THOMAS: Okay. We have a
16 quorum.

17 MR. GUSTAFSSON: We have got six of
18 the Commissioners here.

19 CHAIRPERSON THOMAS: Okay. Next we
20 have meeting minutes for review from March 4, 2020.
21 So let me start with Christopher Northcross first.

22 COMMISSIONER NORTHCROSS: No
23 additions.

24 CHAIRPERSON THOMAS: Okay. Mayor
25 Waterman?

1 MAYOR WATERMAN: No corrections.

2 CHAIRPERSON THOMAS: Okay.

3 Commissioner Parlove?

4 COMMISSIONER PARLOVE: No corrections.

5 CHAIRPERSON THOMAS: Commissioner

6 Payne?

7 COMMISSIONER PAYNE: Abstain, because

8 I was absent.

9 CHAIRPERSON THOMAS: I'm sorry, I

10 didn't hear it.

11 MR. GUSTAFSSON: She abstained. She

12 was absent.

13 CHAIRPERSON THOMAS: Vice Chair

14 Fegley?

15 VICE CHAIR FEGLEY: No comments.

16 CHAIRPERSON THOMAS: Or Vice Chair

17 Fegley I should say. For myself I abstain as well.

18 I had an IT glitch, I was unable to review them

19 online. So with that, nevertheless, may I have a

20 motion to approve the meeting -- or to approve the

21 minutes?

22 COMMISSIONER PARLOVE: I make a

23 motion.

24 COMMISSIONER NORTHCROSS: Support.

25 CHAIRPERSON THOMAS: Second and

1 support?

2 COMMISSIONER PARLOVE: There is a
3 second. So we have motion, second and. Support any
4 comments or question before we go to roll call? Mr.
5 Gustafsson, roll call, please.

6 MR. GUSTAFSSON: Yes. Commissioner
7 Parlove?

8 COMMISSIONER PARLOVE: Yes.

9 MR. GUSTAFSSON: Vice Chair Fegley?

10 VICE CHAIR FEGLEY: Yes.

11 MR. GUSTAFSSON: Commissioner

12 Northcross?

13 COMMISSIONER NORTHCROSS: Yes.

14 MR. GUSTAFSSON: Mayor Waterman?

15 MAYOR WATERMAN: Yes.

16 MR. GUSTAFSSON: And Commissioner

17 Payne?

18 COMMISSIONER PAYNE: Abstain due to
19 absence.

20 MR. GUSTAFSSON: And Chair Thomas?

21 CHAIRPERSON THOMAS: Abstain.

22 MR. GUSTAFSSON: Okay. Motion passes.

23 AYES: Northcross, Parlove, Fegley,
24 Waterman.

25 NAYS: (None.)

1 ABSTAIN: Thomas, Payne.

2 MOTION CARRIES 4-0-2

3 CHAIRPERSON THOMAS: So minutes are
4 approved.

5 MR. GUSTAFSSON: Yes. Yes, they were.

6 CHAIRPERSON THOMAS: So, there is an
7 item number 4A agenda amendments and approval. I'm
8 going to make an assumption no amendments to the
9 agenda?

10 MR. GUSTAFSSON: No. The agenda stays
11 as presented and posted. So we would just need to
12 get approval of the agenda.

13 CHAIRPERSON THOMAS: Okay. So may we
14 have -- let me say rather than -- okay, well
15 let's -- I'm trying to figure out whether just to
16 do --

17 MAYOR WATERMAN: Mr. Chair, this is
18 Mayor Waterman. May I have a point of privilege for
19 just a minute?

20 CHAIRPERSON THOMAS: Yes.

21 MAYOR WATERMAN: Do we have the
22 transcriptionist online here?

23 MR. GUSTAFSSON: Yes, we do.

24 MAYOR WATERMAN: Okay. She is by
25 phone, and I see you don't have video capability;

1 are you able to -- for the purpose of your
2 transcription, able to tell who we are by voice or
3 will you need people to state their name?

4 THE COURT REPORTER: I am present via
5 Zoom. I can decipher the voices.

6 CHAIRPERSON THOMAS: Okay. I'm not
7 sure. I'm not -- I hopeful, I'm able to continue
8 with this meeting, but one I don't have a screen for
9 whatever reason; and two, it's awfully difficult to
10 hear. But anyhow so let me -- I'm not sure what
11 that conversation said, but I'm going to propose
12 with regard to approving the agenda, just do it in
13 an up or down vote; all in favor say "aye".

14 (All ayes.)

15 CHAIRPERSON THOMAS: Any nays?

16 MAYOR WATERMAN: One problem, Mr.
17 Chair, in the era of Zoom, we do have to have a roll
18 call vote because of the fact that we don't have
19 that on person capability, so that is one of the
20 requirements for Open Meetings Act so --

21 CHAIRPERSON THOMAS: So let's go to
22 Commissioner Northcross, please?

23 COMMISSIONER NORTHCROSS: Yes.

24 MR. GUSTAFSSON: So Commissioner
25 Northcross, are you going to make that motion?

1 COMMISSIONER NORTHCROSS: I will make
2 a motion that we approved the minutes --

3 MR. GUSTAFSSON: Approve the agenda.

4 COMMISSIONER NORTHCROSS: Excuse me,
5 approve the agenda.

6 MR. GUSTAFSSON: For June 3rd. Okay.
7 Support?

8 COMMISSIONER PARLOVE: Support.

9 CHAIRPERSON THOMAS: So we have a
10 motion, we have a second and support. Any further
11 comment or questions before we go to roll call? Mr.
12 Gustafsson, roll call, please.

13 MR. GUSTAFSSON: Yes. Commissioner
14 Northcross.

15 COMMISSIONER NORTHCROSS: Yes.

16 MR. GUSTAFSSON: Commissioner Parlove?

17 COMMISSIONER PARLOVE: Yes.

18 MR. GUSTAFSSON: Commissioner Payne?

19 COMMISSIONER PAYNE: Yes to approve.

20 MR. GUSTAFSSON: Mayor Waterman?

21 MAYOR WATERMAN: Yes.

22 MR. GUSTAFSSON: Vice Chair Fegley?

23 VICE CHAIR FEGLEY: Yes.

24 MR. GUSTAFSSON: And Chair Thomas?

25 CHAIRPERSON THOMAS: Yes.

1 MR. GUSTAFSSON: Okay. Motion passed
2 to approve the agenda.

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

5 NAYS: (None.)

6 ABSTAIN: (None.)

7 MOTION CARRIES 6-0-0

8 CHAIRPERSON THOMAS: For some reason,
9 item number 5 on there is public hearings. This is
10 not a public hearing, correct?

11 MR. GUSTAFSSON: No. There is no
12 public hearings at this -- on this Planning
13 Commission meeting of June 3rd.

14 CHAIRPERSON THOMAS: Okay. So to new
15 business we shall go. So, we're going to SPR 20-10
16 site plan review for 7 N. Glenwood, and I'm going to
17 make an assumption that Mr. Gustafsson will present?

18 MR. GUSTAFSSON: Mr. Smith will start
19 off and I will interject. Yep.

20 CHAIRPERSON THOMAS: Okay.

21 MR. SMITH: Can everyone hear me just
22 fine? If at any time you can't hear me or it goes
23 out, please say so I can make sure I'm adjusted here
24 correctly.

25 6.1 SPR 20-10 Site Plan Review

1 PROPERTY ADDRESS: 7 N. Glenwood
2 PARCEL NO: 14-21-383-011
3 APPLICANT: Rubicon Capital
4 CURRENT ZONING: C-3 Corridor
5 Commercial District
6 PROPOSED USE: Glenwood Plaza Retail
7 Dev - Phase 1

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

10 CHAIRPERSON THOMAS: Okay. Thank you
11 very much. And Vern is that -- anything that you're
12 seeking to add or is that the total of the
13 presentation at this point?

14 MR. GUSTAFSSON: That's the total --
15 that would conclude the presentation. We have -- we
16 do have Bill Chalmers attending the meeting who is
17 the applicant and representing the real estate
18 development company that's been retained to help the
19 developer through the entitlement process. And he
20 is here to maybe interject or provide any further
21 comments and presentation to the Commissioners.

22 CHAIRPERSON THOMAS: Thank you for
23 that. So Mr. Chalmers, would you please by way of
24 video conferencing, come forward and state your name
25 and address for the record, please?

1 MR. CHALMERS: Sure. Bill Chalmers,
2 Cartessa Consultants. We're located at 145 South
3 Livernois Road, Number 310, Rochester Hills,
4 Michigan 48307.

5 CHAIRPERSON THOMAS: Okay. Thank you
6 very much. Before I come back to you, I wanted to
7 insert, I'm familiar with Mr. Ferraiuolo, Mr.
8 Browne. Are they here or are you -- are you
9 handling the presentation and comments and questions
10 on their behalf?

11 MR. CHALMERS: They are not here, so
12 yes, I'm handling it on their behalf. And we should
13 have no problems with comments or questions.

14 CHAIRPERSON THOMAS: Okay. So anyhow,
15 so thank you for that. You heard Mr. Smith and Mr.
16 Gustafsson's overview of your proposal. Is there
17 anything you'd like to add to, revise, enhance, as
18 it relates to the presentation?

19 MR. CHALMERS: I would. And thank you
20 very much for the opportunity. You all may recall
21 that I'm the lead developer of the Pace project and
22 developed a few apartments. So I appreciate the
23 opportunity to coming before you again with frankly
24 an even better development.

25 I've been retained by Manny and Joe to

1 move forward with phase one, given my retail
2 background, to move forward with phase one of this
3 two-phase project. Phase one is solely related to
4 the retail. And we are so grateful that we have
5 Hollywood Market involved, which is absolutely
6 fantastic to have a grocer on this Glenwood Plaza
7 that has been vacant for decades. It's an exciting
8 project. It's a very worthy project. It's
9 something that I have great passion for, to be able
10 to take something like this that has been blighted
11 and make it useful for not only the residents, but
12 the tax base, the jobs and everything else that we
13 have going on. We're extremely grateful for this
14 opportunity, and very grateful that Hollywood Market
15 has stepped up and signed on which allows us to move
16 forward with phase one.

17 CHAIRPERSON THOMAS: Okay.

18 MR. CHALMERS: We have been working
19 closely with staff for months. Staff has a very
20 strict application of the Zoning Ordinance which
21 is good from the City's standpoint. You may recall,
22 I used to serve on Planning Commission in Shelby
23 Township. I'm currently on the Zoning Board of
24 Appeals for Rochester Hills. So any time we have a
25 staff that's this good, it's -- it makes our lives

1 when I was on the Planning Commission and Zoning
2 Board of Appeals, sort of makes our lives a lot
3 easier. And frankly they're not easy, but they are
4 extremely professional and typically able to work
5 things out.

6 The site plan and the renderings
7 pretty much speaks for itself. I think we have kind
8 of a jump on a few items. We do have fire
9 department approval, which we gained a couple days
10 ago. So we have that. We have all of our truck
11 turning radius, meets code. We're in really good
12 shape to be able to seek final site plan approval at
13 this time. Staff has recommended site plan approval
14 -- final site plan approval subject to two items.
15 One is a wall along the northern property line and
16 the second one is a variance for the sign. I'll
17 take the sign first.

18 The reason that we would like to have
19 this final site plan approval conditioned upon a
20 variance for site -- for a free-standing sign, which
21 is greater than 80 square feet, simply because this
22 is a 26-acre development. There could be the -- if
23 the whole thing got completely built out, we would
24 be over 300 square feet. And we just feel that a
25 sign of only 80 square feet is rather small in the

1 greater context of this overall development. And
2 also the uses, it's very atypical that we combine
3 retail with M-1 zoning. And the last thing we want
4 is for anybody to be confused, not enter the right
5 area, not understand where they're going. We feel
6 that that, you know, could potentially hurt the
7 project and create customer confusion.

8 So, that's one reason why -- those are
9 the primary reasons why we're seeking a variance for
10 the free-standing signs, which there are two; one is
11 larger than the other. And we're mainly concerned
12 with the bigger main entry sign, because we would
13 have other issues.

14 As far as the wall goes, and again
15 with all due respect to staff we were able to
16 usually comply with everything that staff brought
17 up. We were able to modify our plans so that we are
18 in complete conformance with Zoning Ordinance.

19 We ask you to take maybe a little
20 different look at the wall requirement, again for
21 two reasons. One is, our interpretation of the
22 Zoning Ordinance, it outlines options. And we see
23 that as there is an option, which is option one or
24 option two. So it seems to me that when the Zoning
25 Ordinance was written, neither seemed to be able to

1 satisfy proper planning standards for the City of
2 Pontiac. But there is an option which allows not to
3 have a wall.

4 And part of the reason why we urge you
5 to take another look at us not building a wall is
6 because especially in this era of the divisiveness,
7 of all of the noise and ranker that's going on out
8 there, ever since the election of 2016 there was
9 talk about building a wall on the southern border,
10 and I'm not quite sure that that's the type of
11 all-inclusiveness that we want to see happen at this
12 development by just putting up a stark six-foot
13 wall. So that's from an aesthetics standpoint and
14 kind of an environmental standpoint. From a
15 security standpoint, I can tell you from personal
16 experience going on 30 years now, we have had as
17 much or even more success with our very, very
18 densely placed along the property line. When I say
19 dense, I'm talking three feet on center. It makes
20 it more difficult to actually get through to the
21 other side when you have those. With a wall, simply
22 a footstool, somebody you can hop over a wall with a
23 footstool. When we have these arbs, it's very
24 difficult to get through. And also if anybody wants
25 to take a ladder and put it up against it, it

1 doesn't work. You can't scale arbs with a ladder,
2 but you can with a wall very easily. And probably
3 the most -- the biggest reason to plant dozens, if
4 not hundreds of arbs along the north property line
5 is the look is just so much better. I've had it in
6 so many of my developments, and it's just a much
7 more pleasing, inviting look when you've got them up
8 there. They're evergreen, that up against maybe --
9 especially our color scheme, I think it would look
10 fantastic.

11 I certainly understand staff's
12 interpretation of the Zoning Ordinance and I respect
13 that and we're willing to comply with that. I just
14 urge you to consider perhaps a little different look
15 for that northern wall.

16 Other than that, I respectfully
17 request your approval, final site plan approval this
18 evening so that we may move forward with building
19 permits and get a shovel in the ground yet this
20 season.

21 MR. SMITH: And if I may add just to
22 the end, you want to go Vern?

23 MR. GUSTAFSSON: I was going to say is
24 maybe it would be appropriate time to ask the
25 Commissioners if they have any bigger questions for

1 the applicant before we get into our comments and
2 responses. So we can collectively make those
3 responses to either the Commissioners and also to
4 the applicant.

5 CHAIRPERSON THOMAS: Okay. But I'm
6 -- why wouldn't we -- you now, which I think is a
7 fairly standard and workable protocol, which is go
8 to each Commissioner and in fact that would be one
9 of the questions that I would ask, but do we want to
10 take a deep-dive just on this item or why wouldn't
11 we follow with normal protocol going Commissioner to
12 Commissioner comments and questions?

13 MR. GUSTAFSSON: Through the Chair,
14 that's what I was suggesting, that the Commissioners
15 have an opportunity to provide any comments, not
16 just in regards to the north property line
17 screening, but interject any other comments that
18 they may have the applicant or ourselves could
19 explain.

20 CHAIRPERSON THOMAS: Okay.

21 MR. GUSTAFSSON: Okay.

22 CHAIRPERSON THOMAS: Of course that's
23 kind of standard protocol and so, okay. Mr.
24 Chalmers, does that conclude your overview and
25 comments?

1 MR. CHALMERS: It does. Happy to
2 answer any questions or provide further comment.

3 CHAIRPERSON THOMAS: Okay. So as
4 again, our standard protocol, normal procedure,
5 which everyone is familiar with, so no confusion,
6 let's start with Commissioner Northcross. And I'd
7 like to ask, this is very cumbersome -- we're doing
8 our best. We all understand that. But this is very
9 cumbersome process with people in varied locations.
10 I don't really have a good screen and the audio
11 isn't exactly that great either. So I'd like to, if
12 you will, to the best keep the comments and
13 questions, if we can, in the five-minute range max.
14 It's not a hard number, but again in the interest of
15 time and efficiency.

16 So without further ado. Let me go to
17 Commissioner Northcross, please.

18 COMMISSIONER NORTHCROSS: Okay.
19 Excuse me. Let me unmute myself. I was over just
20 checking the plans again looking at that north wall.
21 And I see the options that are being offered. How
22 big would the trees be that you would be planting;
23 are you looking at the trees in addition to the
24 masonry wall there? I see option A, option B. I
25 was wondering what is the preferred plan. Also,

1 what is happening to the other buildings in back,
2 the existing buildings? I think right now they're
3 being use for robotics repair or something. I think
4 there was supposed to be something done with their
5 facades and stuff on the side of the site plan.

6 MR. SMITH: Are you referring to the
7 residential properties on Gage Street?

8 COMMISSIONER NORTHCROSS: No. I was
9 referring to the properties east of the -- on the
10 east edge of the -- well, east of phase one.
11 Glenwood Plaza area.

12 MR. GUSTAFSSON: That would be phase
13 two. That is where the various manufacturing and
14 processing and growing of cannabis primarily, along
15 with other research and development type of uses.
16 We are -- that site plan would come at a later date,
17 once their application receives a license through
18 the City to grow and process. And the Planning
19 Commission will have an opportunity to review the
20 site plans following that -- receiving that license
21 from the City, okay?

22 COMMISSIONER NORTHCROSS: Is anything
23 going to happen to those buildings between now and
24 that period of time?

25 MR. GUSTAFSSON: Right now -- nothing

1 right now. That's not part of the plan. Like I
2 said, they would have to receive the permit. They
3 have done some work there to secure the buildings
4 from trespassing, but no other further improvements
5 except for probably some electrical that allows for
6 security cameras and the like to be installed.

7 COMMISSIONER NORTHCROSS: Okay.
8 Stabilizing them --

9 MR. GUSTAFSSON: Correct. Yeah.

10 COMMISSIONER NORTHCROSS: Okay. Now,
11 yeah, I understood that was outside of the initial
12 scope, but I wanted to take this time to ask --

13 MR. GUSTAFSSON: Sure.

14 COMMISSIONER NORTHCROSS: -- what was
15 going to happen there.

16 And then now getting back to -- the
17 only item -- just the type A option 1 buffer, the --
18 type A option 2 buffer and the type A option 2
19 buffer.

20 MR. GUSTAFSSON: So let me -- I'll
21 explain.

22 COMMISSIONER NORTHCROSS: Yeah. And
23 the question is how big would those be that they're
24 going to plant. And are we looking at some -- some
25 lag time until they really get to any size to offer

1 a buffer?

2 MR. GUSTAFSSON: What they did was
3 they planted materials that did exceed the planting
4 requirement with sizes. So as for Evergreen trees,
5 you're looking at 6- to 8-footers going in at a time
6 of installation and then --

7 (Audio interruption from a video
8 teleconference participant occurred.)

9 MR. GUSTAFSSON: Thank you. As it
10 relates to deciduous trees, we're looking at
11 three-inch calipers and greater for those, plus
12 associated shrubs that will be planted.

13 What they -- what this is, is that
14 they -- they are -- we are correct in regards to
15 because a zoning district of C-3 abuts a residential
16 area, either R-1 or R-2, it is required to put a
17 type A in, buffer, meaning a type A buffer.

18 There -- as the applicant, Mr.
19 Chalmers, indicated, there is the option of either
20 putting up a screen wall of a maximum height of six
21 feet, including some deciduous trees, one per 100
22 linear feet; type two is there's no wall and there
23 is requirements for landscaping of either deciduous
24 Evergreen trees and shrubs to be planted.

25 So what they did is their option is to

1 go with type one, which would be closer to the
2 parking lot. What they're suggesting is because of
3 that retail building that is parallel with that
4 north property line, at the top of the -- top of the
5 site on your -- on the image that you're looking at,
6 they're considering that to be a blank wall in
7 regards to probably some access to that building,
8 rear access for the tenants that are in there. So
9 they're considering that to be the wall, even though
10 that that is roughly about 25 feet or 30 feet away
11 from the property line. So instead of -- so they're
12 considering that to be type one to be located right
13 where that wall is of that building.

14 Type two would be where the parking
15 lot is near or closer to the front of the center and
16 then go back to site -- or option one, for just the
17 landscaping improvements. Okay? What we're
18 suggesting is type A, but option one to have a wall
19 all along the site that would involve a phase one
20 retail development.

21 Did that help to clarify or did I just
22 make everybody really -- I was trying to
23 oversimplify it or further detailing it. Did that
24 help you, Commissioner Northcross?

25 COMMISSIONER PAYNE: You've muted

1 yourself, Mr. Northcross.

2 CHAIRPERSON THOMAS: So in the
3 interest of time, let's move to -- or Mayor
4 Waterman. We'll come back to Christopher
5 Northcross.

6 COMMISSIONER NORTHCROSS: Okay.

7 MAYOR WATERMAN: All right. Thank
8 you. I may have the same question because Vern,
9 yeah, your -- I think I may have gotten mixed up a
10 little bit here between the difference. So maybe
11 move along with that. So I take it arbs are
12 Arborvitae?

13 MR. CHALMERS: Yes.

14 MAYOR WATERMAN: Okay. All right.
15 The tree. And on this property, the total property
16 is 26 acres. So, the building that you have here,
17 it says that there's cannabis, a processor and
18 grower facilities that will be on 20 acres. So I
19 assume this parcel right here that you have
20 scheduled for development are the six acres, right?

21 MR. CHALMERS: Yes.

22 MAYOR WATERMAN: That amount of
23 property we have here?

24 MR. GUSTAFSSON: Yeah, that --

25 MAYOR WATERMAN: Sorry?

1 MR. GUSTAFSSON: Yes, the image that
2 you see on the screen, Mayor, is -- the one in blue
3 is the six-acre retail site. The remaining diagonal
4 hash lines represents the 20 acres, which would be
5 more of the manufacturing, processing, growing and
6 R&D type facilities that could be located -- or
7 would be located within that area of 20 acres.

8 MAYOR WATERMAN: All right. And the
9 signage that you're talking about, once again, the
10 signage goes where, Vern? And which is the
11 oversized sign that you're asking a variance for; and
12 is that the sign for all of the tenants when that
13 whole 26 acres is filled?

14 MR. GUSTAFSSON: That would be one of
15 them, yes. Yes, for right now.

16 MR. SMITH: One sign here, which I
17 believe is the smaller sign. This is the larger
18 sign that they need the variance for.

19 MAYOR WATERMAN: Okay. All right.
20 So, and the point is that, Bill, you said that you
21 would rather not have that masonry wall. Is that
22 around the whole area that they have outlined here,
23 or just part of it --

24 MR. SMITH: If I can help, I can
25 probably draw what he's referring to.

1 MAYOR WATERMAN: Okay. Okay.

2 MR. SMITH: So a wall would be
3 required along here. That's what the Ordinance
4 would require. They are requesting to this portion
5 of the wall, of the existing building, as their
6 wall. This is working pretty good. And this would
7 be where the -- where they want to put the wall.
8 The green is where they want the use the wall. And
9 so I believe it would look like that.

10 MR. GUSTAFSSON: The green would
11 represent just strictly landscaping.

12 MR. CHALMERS: Green would be
13 Arborvitae.

14 MR. GUSTAFSSON: Yes. The green would
15 be where the landscaping where the option B would
16 be. So there's kind of like a dual solution. The
17 areas in green would strictly be landscape
18 improvements or landscape buffer. And the area
19 that's in yellow would represent where a six-foot --
20 or the building wall would provide that screening on
21 the north property line.

22 MR. CHALMERS: But I tell you, I
23 will -- if this is something that the Planning
24 Commissioners will consider, if we did go the route
25 with just Arborvitae, then I think we should do it

1 along the entire north property line, including the
2 yellow. Because that kind of defeats the purpose of
3 having a stark wall on the back. So I would agree
4 to do the entire length north property line the
5 Arborvitae. And that way the neighbors are screened
6 from the back of the building. I think that's fair
7 --

8 MR. SMITH: I would just add, just so
9 people -- everyone is aware, all of the properties
10 on the other side of this property line are
11 residential.

12 MR. GUSTAFSSON: Correct.

13 MR. SMITH: So that's Gage Street
14 that's wrap around, and these are all residential
15 here. So --

16 COMMISSIONER NORTHCROSS: Again, how
17 big are the trees that you're going to plant? Will
18 they provide immediate separation or are we looking
19 at something that happens 10 years down the road?

20 MR. CHALMERS: That's a great
21 question. And it usually comes up. And I will tell
22 you a lot of developers try to get away with
23 three-footers. We have proposed five-footers in the
24 landscape plan. We committed to that. And I can
25 tell you again from experience, the first three

1 years they grow about a foot a year. It's
2 fantastic. So within two or three years we expect
3 them to be at eight-foot tall, and it's unusual.

4 MR. GUSTAFSSON: Okay. Back to Mayor
5 Waterman's questions. Was that helpful in regards
6 to the explanation and also where the signs are
7 being located?

8 MAYOR WATERMAN: Yes, much more
9 helpful. And then you had three different versions
10 of what's going to happen I saw. So start --
11 Donovan, are those 1 and 2 and then what was the
12 third option? What is the combination of wall and
13 Arborvitae; is that what you're talking about?

14 MR. SMITH: It's 1 or 2.

15 MAYOR WATERMAN: So there's -- I
16 thought I heard a third version, but there's two
17 options here?

18 MR. SMITH: No, it's wall -- all wall
19 or wall and landscaping.

20 MR. CHALMERS: And I think the Mayor
21 is talking about what I said. Well, if we did go to
22 all arbs -- there might be some Arborvitae that I
23 would include it as all Arborvitae.

24 MR. GUSTAFSSON: Yeah.

25 MAYOR WATERMAN: So yeah this was the

1 problem of, you know, we had as people -- one of
2 mandates people said was keep it out of our
3 neighborhoods. So once we have these properties,
4 Pontiac has commercial zones and manufacturing zones
5 that abut neighborhoods, so that the was one of the
6 things that we discussed about Pontiac, and as we
7 try to divided from our neighborhoods, it's --
8 particularly the cannabis part of it.

9 Now -- maybe I'll pass it onto another
10 Commissioner and I'll see if that gets asked later
11 on. Come back.

12 CHAIRPERSON THOMAS: So let me --
13 thank you. So let me go in our normal rotation to
14 Commissioner Parlove, please.

15 COMMISSIONER PARLOVE: Thank you very
16 much. Bill, thank you for being with us tonight.
17 Even though we're not discussing what looks like the
18 candy cane portion of the rendering, what happens
19 along that northern wall when the development starts
20 to take place in the cannabis area?

21 MR. CHALMERS: That would be part of
22 the site plan -- or the -- that would be part of the
23 -- I believe it's administrative site plan approval
24 for that. So I -- unfortunately, I'm not at liberty
25 to talk. Nothing has been submitted. Nothing is

1 really being considered for that. I'm really only
2 at liberty to talk about what is outlined in the
3 dark blue.

4 COMMISSIONER PARLOVE: Okay.

5 MR. SMITH: I can add that it is an
6 M-1 parcel, and there are screenings, separation
7 requirements exclusive to M-1 properties that are
8 just residential. So when they get to that phase,
9 they will have to go through a similar process where
10 they'll have to choose an option for wall or no wall
11 in that -- for that part of the phase.

12 COMMISSIONER PARLOVE: Okay. So
13 potentially they need to still build a wall along
14 that whole north portion that's not being talked
15 about tonight?

16 MR. SMITH: Potentially, yes.

17 MR. GUSTAFSSON: Yes.

18 COMMISSIONER PARLOVE: All right. So
19 I think that's something that we need to be
20 considering since -- if it's being addressed in
21 pieces, and I appreciate that, however, I think that
22 if we're saying that we're going to potentially only
23 have Arborvitae, which I have watched many
24 developments take place where the Arborvitae are
25 installed and they don't live, and there's the whole

1 replacement process, versus a wall that once it's
2 constructed, then it's going to need to be probably
3 a continuous wall, because the neighbors are not
4 going to want a wall that ends; and then plants or
5 some sort of greenery is back there, whether it's
6 Arborvitae or something else.

7 So I think we need to have a more, you
8 know, longer view conversation about this. And I --
9 I'm hesitant to say that Arborvitaes are the answer.
10 Hundreds of them, as Bill had mentioned in the
11 conversation, I just find that to be a little less
12 than satisfactory acceptable for our neighbors who
13 are backing to this development that they -- that's
14 their backyard. So I think that they're entitled to
15 something that's more permanent to keep that
16 separation between themselves and what development
17 happens on the other side of the wall. So those are
18 my thoughts.

19 MR. CHALMERS: May I respond?

20 COMMISSIONER PARLOVE: Sure.

21 MR. CHALMERS: Thank you. I can tell
22 you that with this type of development and these
23 type of owners, the amount of money that's going in
24 there, they -- Arborvitaes, it will be replaced, and
25 I have entered into development maintenance

1 agreements with other cities, and we would be happy
2 to do that here. We run a first class operation.
3 We're not going to let arbs die. I've got four
4 acres in Southfield, 33,000-square foot office
5 building; I've got arbs on it. If one starts even
6 turning brown a little bit, I get it replaced.
7 That's the type of first class operation that we --
8 that's how we operate.

9 CHAIRPERSON THOMAS: It would be fair
10 to say that tree landscaping is much more
11 residential friendly than a concrete wall. So, I
12 mean, it's a good -- it's a good point. But we
13 can't resolve the phase two tonight, correct, Vern
14 and Donovan?

15 MR. GUSTAFSSON: No.

16 MR. SMITH: Correct.

17 CHAIRPERSON THOMAS: So I mean really
18 we're -- we're going to have this conversation when
19 we go to phase two. So we really need to make a
20 decision on phase one tonight and I don't know,
21 Vern, is there a contingency plan? I mean, you
22 know, obviously we have code enforcement. I mean,
23 they're going to build to a plan. The plan says --
24 I mean, what we agreed to, and so, if it says the
25 wall is going to be -- or the dividing line is going

1 to be constructed of trees of, you know, starting at
2 six -- and I planted 100 trees. I mean, people know
3 what I'm doing in my civic projects, you know, we
4 planted somewhere around 120 trees in the last
5 couple years. And to Mr. Chalmers' point, you know,
6 starting out with a five, six-foot tree, they pretty
7 much grow at about a foot a year. Of the trees that
8 we planted, we probably had about maybe two percent
9 failure. So, it -- it -- but anyhow, Vern and
10 Donovan, I'm just kind of intersecting. We can't --
11 we can only address what we have in front of us
12 tonight, correct, which is phase one?

13 MR. GUSTAFSSON: That's correct.

14 MR. SMITH: Yep. Wall or no wall.

15 CHAIRPERSON THOMAS: We're not to a
16 motion point yet, just in trying to move it along,
17 Mona, any further questions with regard to --

18 COMMISSIONER PARLOVE: I do. I have
19 other questions. Have any of the neighbors been
20 spoken with about what's going to separate you from
21 them?

22 MR. CHALMERS: I believe neighbors
23 were involved early on in the process when it came
24 to rezoning.

25 MR. SMITH: Uh-huh.

1 MR. CHALMERS: And I wasn't part of
2 those conversations, so unfortunately --

3 MR. SMITH: So, yes, Bill is right.
4 Neighbors were notified, I would say probably late
5 last year when we did our conditional rezoning for
6 this property, but at that time, we did not discuss
7 any details relating to what was going to be
8 implements on the site, whether that was a wall or
9 landscape.

10 MR. GUSTAFSSON: If I may. Donovan,
11 can go to the master site plan, please? If you
12 remember correctly, this is the -- some of the
13 images that were presented when the Planning
14 Commission and City Council approved the rezoning
15 and their recommendation to City Council for that
16 conditional rezoning.

17 As you can see, it's starting to take
18 shape in regards to you can see the north property
19 line is towards the bottom left corner of the site
20 on the screen, and then you have the -- you can kind
21 of see where the market is going to be located, the
22 retail center. And you can see where that other
23 secondary retail center that is being proposed for
24 where the wall is.

25 If you look clearly, this entire site

1 as being presented to the City and for the
2 redevelopment all of Glenwood Plaza was being
3 presented from the applicant to us, it does show a
4 continuous wall around the entire site, including
5 phase one and phase two. And I think what it did
6 was hear us very clearly in regards to that, because
7 of the fact of the new industry of cannabis coming
8 into Pontiac, preserving and protecting of
9 residential neighborhoods, which is one of our
10 pillars in regards to the development. And now
11 we're at this stage in regards to that, I mean,
12 that's what was presented to us.

13 And I am holding, as I would, for any
14 type of development that seeks to take this as this
15 master site plan and we're carving up in various
16 phases of what was being presented, and I feel very
17 strongly that what was as -- type A option one with
18 a wall is what I'm -- what was presented and what I
19 feel strongly about, because they heard it -- they
20 heard that voice and that concern, and that's what
21 was depicted here, to preserve those neighborhoods.
22 We understand we're not trying to build a wall along
23 Mexico. We're not talking about politics. We're
24 talking about preserving and protecting our
25 neighborhoods and also in regards to improving, you

1 know, that correlation between that development and
2 those neighborhoods.

3 We do -- they did a great -- the
4 applicant did a great job with connecting sidewalks.
5 There are public sidewalks along Glenwood, providing
6 the crosswalk so you can get in, get out for them
7 for walking. We have neighbors that live nearby
8 that would be walking into there. They did a great
9 from a landscaping perspective, in regards to
10 exceeding requirements, spacing requirements, size
11 requirements, which is great.

12 But, I think like I said I feel pretty
13 strong in regards to my interpretation in regards to
14 what would be required along that north property
15 line. And in conjunction, as you can see when you
16 get into phase two, where those darker brown or
17 darker blue buildings represent the potential in
18 regards to -- from the cannabis industry of growing,
19 processing, and cultivating in those areas. And you
20 can clearly see the kind of the separation is even
21 in between the retail and also that development in
22 regards to walls that were being proposed.

23 COMMISSIONER PARLOVE: Thank you,
24 Vern.

25 MR. GUSTAFSSON: You're welcome.

1 MR. CHALMERS: If I may, one final
2 point on this?

3 MR. GUSTAFSSON: Sure.

4 MR. CHALMERS: May I, Mr. Chairman?

5 CHAIRPERSON THOMAS: Yes. Yes, go
6 ahead.

7 MR. CHALMERS: If you look at
8 Donovan's arrow you go up just northeast up of that,
9 you see there is a wall there. That is -- that's
10 pretty close to the -- that may be right on the
11 separation line for the zoning. That is the limits
12 of our site plan that we're talking about right now.
13 From that point to the bottom right that represents
14 about seven homes back there. And, I mean, a wall
15 for the manufacturing, yeah, I -- I can see that.
16 That's manufacturing. But this is -- I mean, this
17 is nice retail. Really nice retail. And I might
18 want to add that there is absolutely no EIFS
19 associated with any of these retail buildings. So
20 we are putting more money into the facades.

21 And this -- I think it's just a good
22 look with a nice retail center to have that as
23 continuous landscaping, in this case five-, six-foot
24 Arborvitae.

25 CHAIRPERSON THOMAS: You know, I would

1 jump in here even though it's not my -- you know,
2 kind of go through the other Commissioners before it
3 gets to me, but I agree. We have a dual mixed -- we
4 have you know industry one, and we have retail two.
5 And retail shouldn't look like a fortress. And I
6 could -- I could -- I, from my perspective, I could
7 understand why the cannabis component would be
8 behind a, you know, fixed wall, so to speak. But,
9 again, in terms of retail-friendly,
10 residential-friendly, the tree component makes more
11 sense to me. But I'm going to leave it there, go
12 back to Mona. Mona, if you have any further
13 questions, otherwise I'll go to Commissioner Payne.

14 COMMISSIONER PARLOVE: I'm set. Thank
15 you.

16 CHAIRPERSON THOMAS: Okay. So I'm
17 sorry, you broke up. So you're prepared, if we go
18 to Commissioner Payne?

19 COMMISSIONER PARLOVE: Yes, you may
20 proceed.

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

23 COMMISSIONER PAYNE: Thank you. Lucy
24 Payne here. First of all, thank you to the
25 applicants for their interest within our city and

1 building this wonderful -- the Master Plan I think
2 is really one of the -- probably about the second or
3 maybe third best plan that I've seen. So we really
4 appreciate that. It's understandable. And I'm glad
5 that we discussed in the letter in number 16, which
6 was talking about the buffer type, the option one
7 and buffer two, because I had actually questions in
8 regards to that next being -- so that's -- so thank
9 you for that.

10 Again, thank you for your resubmission
11 and working so great with the Planning Department.
12 Appreciate that.

13 And one of the things that I had, you
14 have on here with the 205 parking spaces, I wanted
15 to know how many of those are going to be
16 handicapped parks. Also, I think it's a grand idea,
17 what you were saying in other cities, spaces that we
18 were requiring less parking spaces, and I, actually
19 before reading your letter, was very concerned about
20 the -- you know, having -- was very concerned about
21 even 205 parking spaces. Like how many customers
22 are you expecting; and I'm thinking with the grocery
23 store that's going to be pretty -- that's going to
24 probably be really, you know, a lot needed. So I'm
25 appreciative of you increasing those parking spaces,

1 first of all. And so how many handicapped are we
2 talking?

3 MR. CHALMERS: This plan shows 29.

4 COMMISSIONER PAYNE: 29.

5 MR. CHALMERS: The BF on the plan
6 stands for barrier-free.

7 COMMISSIONER PAYNE: Okay. And I
8 think that's great.

9 Okay. Do you have any idea of what
10 kind of retail stores they're looking at?

11 MR. CHALMERS: Not yet. It's -- any
12 type of development like this, you have your anchor,
13 and then once we have site plan approval then they
14 try to secure tenants.

15 COMMISSIONER PAYNE: Because that kind
16 of scares me sometimes when we don't have some kind
17 of idea what their plans are, what they're looking
18 for to put in there. But I'll go on with another
19 question.

20 MR. CHALMERS: I'll add that the good
21 news is that Hollywood Market does have experience
22 in this geographical area, and so they're very
23 confident and they are -- one thing that is neat
24 about Hollywood Market is they kind of design the
25 store to the neighborhood, and they keep that all in

1 mind. So it's just a win-win to have this kind
2 of -- this development of this kind.

3 COMMISSIONER PAYNE: Okay. Great.
4 Thank you. And I guess this would be to our
5 Planning Department. So the drains in that area,
6 that's an area that hasn't been actually used in a
7 long time, and I'm wondering what is the stability
8 there to support those -- I know you said you talked
9 to the Water Department, but then have they looked
10 to see if anything -- you know, I mean addition of
11 the drains for the neighborhood and the development
12 there?

13 MR. CHALMERS: We did. There has been
14 submission to the Water Resources Commission. I can
15 tell you that we did perform geotechnical borings.
16 No major surprises and certainly any development in
17 Oakland County is going to bring it up to 2020
18 standards so we fully comply.

19 MR. GUSTAFSSON: And I would just like
20 to add to what Bill said. All very correct and
21 including suffice it to say, also our City
22 Engineering kind of reviewed the utilities and
23 aspects in regards to where it's going the drain to
24 and which drains; is it going to be a city drain or
25 is it going to be a county drain and all of that.

1 So, yeah, it's going to be definitely -- just to
2 reiterate what Bill had indicated, definitely built
3 to current standards, meeting or exceeding those.

4 MR. SMITH: I did sit in a meeting or
5 two where they went over those.

6 MR. GUSTAFSSON: You're going in and
7 out, Donovan.

8 MR. SMITH: Okay. I agree.

9 CHAIRPERSON THOMAS: Commissioner
10 Payne, any further questions?

11 COMMISSIONER PAYNE: Yes. I thought
12 Donovan was going the talk a little bit on the
13 drains again, but that's okay.

14 I know that in the beginning of this
15 that residents, where there were meetings, and
16 letters went out to residents. Did any of the
17 business, surrounding business, like I know that PNC
18 Bank is there. Across the street you have some
19 other businesses. Were they included in this, do
20 you know?

21 MR. CHALMERS: If they were in this
22 geographical area then they were noticed. I can
23 tell you from experience, if I'm one of those
24 businesses, I see this being redeveloped, I'm
25 ecstatic, I'm grateful.

1 COMMISSIONER PAYNE: Okay. All right.

2 CHAIRPERSON THOMAS: I guess I would
3 add onto that because I'm abundantly -- of course I
4 live in the neighborhood, but I'm abundantly aware
5 that Jim Cunningham for one who owns a strip of
6 retail, he owns businesses downtown, but he also
7 owns the strip of retail -- retail businesses from
8 -- on Perry from Glenwood to Paddock, and so
9 everyone is -- is aware of this, is eager for this,
10 highly anticipatory of this, and hoping it moves
11 forward sooner than later. So that is -- wasn't a
12 survey, it's just anecdotal comments.

13 COMMISSIONER PAYNE: Okay. Great.
14 Thank you. Also in regards to -- I've seen some
15 buildings are doing like greenhouse -- you know like
16 on the rooftop sort of. That isn't anything that
17 you would be interested in?

18 MR. CHALMERS: If you're referring to
19 a LEED-certified building?

20 COMMISSIONER PAYNE: Yeah.

21 MR. CHALMERS: I'm fairly certain that
22 with the -- with all of the investment that's being
23 -- that's happening with all of these improvements,
24 I'm not quite sure that they have additional
25 investment ability to get LEED-certified. The other

1 thing that does is it takes additional time.

2 COMMISSIONER PAYNE: Okay. All right.
3 And last question is, your start date of the
4 project? I know start basically depends on us, but
5 what are your expectation of completion in regards
6 to phase one or -- the whole plan or --

7 MR. CHALMERS: Construction of this
8 type can be done in 7 to 8 months.

9 COMMISSIONER PAYNE: Okay.

10 MR. CHALMERS: We wouldn't be starting
11 until the fall then we're going through the winter.
12 So depending what type of winter. We have been able
13 to build through the whole winter in the past. It's
14 in our best interest to do so. But sometimes if
15 they're so cold, we just can't get the machines to
16 work. That's -- the phase one of this nature can be
17 done in 7, 8, 9 months.

18 COMMISSIONER PAYNE: Okay. And the
19 signage, were you looking at -- were you saying that
20 80 feet was not tall enough for what your needs
21 were, didn't meet your needs; and what are you
22 requesting?

23 MR. CHALMERS: We requested about -- I
24 think it was about 130 square feet -- pardon me,
25 300 square feet sign. So about three and a half

1 times what code is. But --

2 COMMISSIONER PAYNE: Whoa.

3 MR. CHALMERS: But the sign that's
4 there now, I mean it would be -- it wouldn't be as
5 high as that. We're looking at nice tall-mounted
6 sign that's just wider and a little bit higher so
7 that we could put everything on there so people
8 could see it.

9 COMMISSIONER PAYNE: Okay. Thank you
10 so very much.

11 MR. SMITH: Can people hear me a
12 little better now?

13 MR. GUSTAFSSON: Yes.

14 MR. SMITH: If I can add, so the
15 Planning Commission is responsible for approving the
16 location of the sign part of the Ordinance. So, out
17 of this -- whatever decision is, if you approve the
18 location of the sign, then the Zoning Board of
19 Appeals will be responsible for the size.

20 COMMISSIONER PAYNE: Okay. You faded
21 out again, Donovan.

22 MR. SMITH: I don't want you to get
23 too hung up on the size.

24 COMMISSIONER PAYNE: Okay. Okay.
25 Thank you.

1 CHAIRPERSON THOMAS: Mr. Chalmers,
2 what was the square footage again please?

3 MR. CHALMERS: It is in the packet.

4 CHAIRPERSON THOMAS: I know, but I
5 have got an IT glitch here.

6 MR. CHALMERS: I want to make sure you
7 knew we didn't omit it.

8 CHAIRPERSON THOMAS: No, I know. I
9 know. The square footage is?

10 MR. CHALMERS: Yes, sir; 10 feet high
11 by 30 feet wide.

12 CHAIRPERSON THOMAS: Okay. All right.
13 So 10 by 30. Again, I go back to when that was the
14 original -- well, it wasn't Glenwood Plaza, there
15 was only a K-mart there when it was built, and then
16 the subsequent signage was way larger than that, the
17 original signage. So 10 by 30 does not seem
18 excessive, in my mind. But that was just a question
19 I wanted to make sure I understood the square
20 footage.

21 All right. Let me go to Vice Chair
22 Fegley, please. Vice Chair Fegley, please? Hello?

23 MR. GUSTAFSSON: She's calling in.
24 She's having some difficulties.

25 CHAIRPERSON THOMAS: Well, while we're

1 waiting for her, let me go to Mr. Chalmers again.

2 My comments with regard to -- you
3 know, I was kind of on the ground floor of this
4 before it ever -- you know, in a conceptual mode,
5 and I had told the developers back in the day that
6 I -- and conceptually I like the plan. But, that a
7 market was absolutely mandatory.

8 So, the idea that they are coming
9 through with that component in this area -- you
10 know, I tell the story that back when I was a boy,
11 and not to bore you with that detail, but there were
12 four independent markets in about 250 yards and
13 there was a Wrigley's supermarket and now we have
14 zero.

15 So the idea of a Hollywood Market
16 coming to this neighborhood, right now the closest
17 market is -- I'd handicap it somewhere probably in
18 the five-mile range. So, almost everything that
19 I've talked to these developers about, you know,
20 they have -- they have complied, they're amenable,
21 and from my seat and my chair, not only in the
22 Planning Commission but in this neighborhood where
23 I'm trying to save this neighborhood, that means a
24 lot to me.

25 So, with that being said, I'd like to

1 go back to the -- to the -- the wall -- the dividing
2 wall, whatever we're calling it.

3 And your proposal for the retail area,
4 not the -- not the industrial component, but the
5 retail area is -- is -- is deciduous trees; is that
6 correct?

7 MR. GUSTAFSSON: Deciduous and also
8 evergreen.

9 CHAIRPERSON THOMAS: Okay. Okay.
10 But --

11 MR. SMITH: I believe Ashley is back
12 as well so --

13 CHAIRPERSON THOMAS: But I'll get to
14 her after I've -- thank you. But, so your -- your
15 plan -- your ideal is -- for trees, either deciduous
16 or evergreen, surrounding the retail site, correct?

17 MR. CHALMERS: Just a couple of
18 clarifications. I think that -- I don't know about
19 surrounding, but definitely in one straight dense
20 line to create that wall effect. And they would all
21 be Arborvitae, which are evergreen of course.

22 CHAIRPERSON THOMAS: Yeah, I misspoke.
23 I didn't mean surrounding. But, again, for the
24 reasons that I mentioned, you know, it just -- that
25 seems to me way more residential friendly.

1 Now, when you get to, you know, an
2 industrial area that needs to be secure, and should
3 be secure, especially being cannabis, then in my
4 mind -- and we're not here to talk about that now,
5 but phase two, then, you know, I would probably
6 support, you know, a concrete barrier to the fullest
7 extent, but -- but personally I'm in favor of
8 retail-friendly, commercial-friendly,
9 residential-friendly, residential-aesthetically
10 friendly, commercially-aesthetically friendly and so
11 on. Those are my comments with regard to that. So
12 let me go to Vice Chair Fegley, please.

13 Maybe not. Vice Chair Fegley?

14 MR. GUSTAFSSON: I think she -- I
15 believe she's still having some audio issue.

16 CHAIRPERSON THOMAS: So with that
17 being said, if she comes back, she comes back. But
18 we have gone through -- the Commissioners had a
19 chance to Q and A with the developer. So any
20 further comments or questions of Mr. Chalmers? And
21 again I'd like to keep it short because of the
22 complications, but, Commissioner Northcross any
23 further comments or questions?

24 COMMISSIONER NORTHCROSS: Yes. Can
25 you do both? Can you one camouflage the -- do a

1 wall continuously; and then camouflage with some
2 type of planting?

3 MR. CHALMERS: That was staff's
4 recommendation would be a six-foot wall with trees
5 every hundred feet. I think we're at about
6 300 feet, so that would be three --

7 MR. SMITH: And Ashley would like to
8 add that the adding of the masonry walls would add
9 additional sound barrier between the commercial use
10 and the residential that the trees would not
11 provide.

12 CHAIRPERSON THOMAS: But we're talking
13 residential. We're not talking industrial. You
14 know, you go off to a market -- I mean, I go into
15 Meijer probably every 4 or 5 days and it isn't
16 exactly like the decibel level is 120. I mean, I
17 want to be respectful of the commentary, but you
18 know it isn't like there's some massive perfusion of
19 sound. In fact, we have already -- to pass the
20 gauntlet here, they have to pass a sound -- I don't
21 know what you call it in the planning side, Vern,
22 but the issue of sound has already been addressed;
23 am I correct?

24 MR. GUSTAFSSON: Yeah, well they
25 didn't submit any sound studies, no, but from the

1 location of the buildings and so forth, probably
2 more or less, knowing the hours of operation and
3 everything should not impact the residential area as
4 much.

5 But there is -- there is potential for
6 that, yes. And let me just add that -- can I just
7 explain in regards to -- if the Commission is
8 looking at the option two -- and let me just say
9 that you have the right to allow that to happen,
10 okay? So, either go option one with the wall; or
11 option two in regards to it requires a certain
12 number of trees or of deciduous trees, evergreen
13 trees, shrubs, and there also is a berm at a minimum
14 up to three feet. So the plants are located on this
15 berm, okay? If -- if this is a -- as a suggestion,
16 I would like -- if option two is what is being
17 considered, I would be more than happy to work with
18 the applicant to kind of develop this a little bit
19 further and maybe -- instead of just following the
20 strict rule of certain number of trees per linear
21 foot, to really work it in so we make sure that the
22 immediate effect, as Christopher Northcross -- or
23 Commissioner Northcross referred to, is apparent.
24 This -- that would be my comment, compared to the
25 masonry wall. Not that I'm saying --

1 CHAIRPERSON THOMAS: So for my
2 edification again, option number one is -- what is
3 option one?

4 MR. GUSTAFSSON: Option one is a
5 six-foot masonry wall with deciduous trees planted
6 in an area of five feet wide.

7 CHAIRPERSON THOMAS: Okay. And then
8 option number two is?

9 MR. GUSTAFSSON: Option two is a
10 buffer that is ten feet wide and it also has a mix
11 of evergreen and deciduous trees, shrubs, and also
12 there is an earth berm of up to three feet.

13 MR. SMITH: Which is not required.
14 It's optional.

15 CHAIRPERSON THOMAS: All right. Okay.
16 So as we kind of look forward with where we are
17 right now, we ultimately have a final site plan
18 review, but standing in front of us right now is the
19 issue of the barrier, the wall, whatever we're going
20 to call it. I'm thinking it probably makes sense to
21 take a vote on that as a component and then move to
22 the final site plan review. Does that make sense?

23 MR. GUSTAFSSON: I guess I would ask
24 the Commissioners if that's something they would
25 like to do, yeah.

1 MAYOR WATERMAN: No.

2 CHAIRPERSON THOMAS: Because the final
3 site plan review is going to propose -- it would be
4 what, it would just play out in the -- in the
5 motion?

6 COMMISSIONER PAYNE: I would say that
7 it should play out within the motion.

8 CHAIRPERSON THOMAS: Well in other
9 words, we got two options. So when we go to final
10 site plan review we're going to have -- we're going
11 to have to make a decision between the two options;
12 item one or item number two.

13 MR. SMITH: I think what you would
14 have to do, Dayne, is we would have to do a motion
15 where he would be required to comply with option A
16 or be required to comply with option B. And what I
17 believe the motion would request is in the final
18 approval that Planning provides, we will ensure that
19 the applicant meets those options.

20 CHAIRPERSON THOMAS: Okay.

21 MR. GUSTAFSSON: Yes.

22 COMMISSIONER PAYNE: May I? In
23 regards to the -- he's actually -- and correct me if
24 I'm wrong, Bill, but according to your plan here,
25 you're asking or requesting a combination of a

1 buffer, which is type A option and buffer type A
2 option two, as shown, which actually shows what
3 you're -- what Donovan just pointed out to us; am I
4 correct?

5 MR. CHALMERS: Yes, but actually I'm
6 taking it a step further and saying that in order to
7 create a full separation effect, which is important,
8 that I would go above and beyond what's required in
9 the Ordinance.

10 MR. GUSTAFSSON: I think it's a little
11 bit -- yes, a proposed two option, which in my --
12 from my viewpoint, the act of a retail building wall
13 is not considered a screen wall. That is 25 feet
14 from a property line, but Bill -- Mr. Chalmers, I
15 should say, is proposing basically option B, that he
16 is going to put in the landscaping that's required
17 as part of option B, the entire length of the phase
18 one retail center development. Bottom line. Okay?

19 MR. CHALMERS: That --

20 MR. GUSTAFSSON: That building wall
21 should not be construed as a screen wall. It is
22 just the -- blank wall of a retail building. That's
23 not within the 5-foot or 10-foot area of that north
24 property line.

25 MR. SMITH: It would still require an

1 additional wall, even if in that ten feet.

2 MR. GUSTAFSSON: Oh, yeah, much so.
3 So basically, the applicant is proposing option two,
4 just strictly landscaping the entire length. And
5 what I'm suggesting to the Commission is to go with
6 option one, which is would be masonry wall along
7 that entire north property line for phase one.

8 CHAIRPERSON THOMAS: You're calling
9 that option A or 1?

10 MR. GUSTAFSSON: It's option 1.

11 CHAIRPERSON THOMAS: Okay. And
12 what Mr. Chalmers is proposing is option --

13 MR. GUSTAFSSON: 2. Option 2.

14 MR. CHALMERS: Option 2 enhanced,
15 though. Because you only require, say, six
16 evergreen trees 100 Feet, and that's approximately a
17 300-foot property line, and I'd put them three feet
18 on center, so I'm talking about 100. So I would go
19 way above and beyond what option 2 requires, if you
20 forego the wall.

21 CHAIRPERSON THOMAS: Okay. It would
22 seem to me -- it just seems to me in terms of, you
23 know, what we're trying to wrestle with here, to
24 keep it clear, at least in my mind, at least this is
25 complicated on my end, to take a vote on option 1 or

1 2, Vern's option or Mr. Chalmers's option, and then
2 that makes the motion with regard to the final site
3 plan easy, clear, understandable and straight ahead.

4 MR. GUSTAFSSON: I like that
5 direction, what Chair Thomas had indicated. We can
6 make that into the recommended -- or into the
7 motion. Whatever the rest of the commission would
8 like to -- whatever direction you may want to go.

9 MAYOR WATERMAN: May I ask a question,
10 Mr. Chair?

11 CHAIRPERSON THOMAS: Yes, Mayor.

12 MAYOR WATERMAN: As Donovan and Vern
13 were doing their presentations earlier, excuse me,
14 they said do we want to go ahead with a discussion
15 then they would finish up with their points of
16 recommendation, and I'm feeling that we have that as
17 well as the options for the motion. I didn't get
18 the complete packet. I don't have this packet, so I
19 would like to hear that, if that was what you
20 alluded to earlier. But also I'm concerned that
21 Commission Fegley can't get in. Do you need a
22 number to call, Ashley? Because you can also call
23 in by phone. I don't know what's happening.

24 MR. SMITH: Ashley has been -- we've
25 been messaging, so she shared her comments with me.

1 She just said she's just having some phone technical
2 difficulties at this time.

3 MAYOR WATERMAN: But she has the
4 number but she just can't --

5 MR. SMITH: Correct. She has the
6 numbers. She's just not able to get in for personal
7 phone reasons.

8 MAYOR WATERMAN: Oh, okay. All right.

9 MR. SMITH: But she is -- when she has
10 comments, she sends them to me and I shared them
11 with the group.

12 MR. GUSTAFSSON: Okay. Thank you.

13 MAYOR WATERMAN: So my question is can
14 we -- is there something that I didn't get in the
15 packet that we normally have that we want to finish
16 up your presentation?

17 MR. SMITH: No, my -- I'm sorry, Vern.
18 For me I was just responding to comments earlier.
19 But I got those comments out, so I don't have any
20 other comments.

21 MAYOR WATERMAN: Okay. And the third
22 question, it seems like there's a third option here
23 too. I heard Mr. -- unless I misinterpreted or
24 misheard what Commissioner Northcross said, is that
25 if there's a masonry wall I think the -- the -- what

1 the objection is that a masonry wall is because it
2 looks unsightly, is that what I'm understanding the
3 objection is? But I heard Mr. Northcross say that,
4 well, could you do the camouflage and the masonry
5 wall and -- and evergreen trees or whatever between
6 the wall and the neighborhood to give it a more
7 neighborly feel. What I'm talking about is can you
8 go back to that other slide, Donovan, that shows the
9 aerial elevation of the whole property -- okay.
10 That one. So I should look at the masonry wall
11 along the -- what is this, the north side here?

12 MR. GUSTAFSSON: Yes, it is.

13 MR. SMITH: Uh-huh.

14 MAYOR WATERMAN: Yeah, the north side.
15 It looks like there is planting here. And if that
16 planting could be brought up a little taller, or on
17 a berm, that would camouflage a lot of that -- a lot
18 of that masonry wall, and would serve a -- of that
19 kind of I camouflage. I believe that's what you
20 were referring to. I like that idea.

21 MR. GUSTAFSSON: And actually option 1
22 does include a number of deciduous trees of two per
23 100 linear feet. We could always look -- work with
24 the applicant to increase the number of trees to
25 provide that screening. Problem is --

1 MAYOR WATERMAN: Well, as you bring
2 that up, what kind of density would you expect to be
3 able to achieve that camouflage effect?

4 MR. GUSTAFSSON: Well, in dealing with
5 masonry walls, in putting up evergreen trees such as
6 Arborvitaes and so forth, and because of the
7 planting is so close, a lot of times becomes a
8 little bit difficult. So actually going with just
9 deciduous trees is much better to provide that
10 little bit of height over the wall itself. And you
11 know, I -- guess it's up to the applicant to in some
12 way provide additional plantings that provides that
13 screening of the wall.

14 MR. SMITH: After -- I would say at
15 the minimum option one or option two. The Ordinance
16 provides the baseline to how many trees should be
17 required. The applicant is indicating option two.
18 They would just go past that. Whereas Northcross's
19 suggestion for the wall and the landscaping could
20 also be option one.

21 MAYOR WATERMAN: What would be the
22 density in order to achieve the camouflage effect?

23 MR. SMITH: That would have to be
24 determined by the applicant and their design. Our
25 Ordinance doesn't define what that density is. So

1 that would have to be kind of creating --

2 MAYOR WATERMAN: I'm asking from a
3 planning perspective, what would it need to be to
4 achieve that effect?

5 MR. CHALMERS: If I may. Interject if
6 you really want to create an effect, it's the arbs
7 that are three feet on center that I'm proposing
8 with no wall.

9 If we do do the wall, the code only
10 requires two trees for every hundred feet. So
11 you're talking there would only be six along there.
12 I'm proposing six times that amount with Arborvitae
13 if you forego the wall. If I may address the aerial
14 rendering, that is not part of my package or my
15 submission. That came from the rezoning way early
16 on. It was conceptual. Nobody really had put --
17 you know, it doesn't -- it doesn't match what we're
18 doing tonight. It's -- I don't even know if those
19 trees -- I mean, they're -- where the red is, I
20 mean, those are houses where the trees --

21 MR. SMITH: Yeah, I agree.

22 MR. CHALMERS: It was a general idea
23 of a pretty picture for the rezoning only. That's
24 not part of this submission.

25 MR. GUSTAFSSON: Bill, if I may

1 interject, it is -- it's a great picture and what it
2 did do, it provided a vision in regards to what this
3 developer and this team was proposing to make this
4 as a shining example of redeveloping and
5 revitalizing a -- as the Chair Thomas always says, a
6 derelict shopping center for the last 20 years. And
7 I commend you for that.

8 All I'm saying is that this is what is
9 being presented to us and this is that site overall
10 master development plan that we take a look at, and
11 then say this is the kind of direction that we
12 should be going in. And that's where I'm coming
13 from. And it does achieve all of the goals and
14 objectives that what we try to say is part of a
15 number of months debating in regards to this new
16 industry coming into City of Pontiac.

17 MR. CHALMERS: I agree. Overall it
18 does. But if we start looking at any particular
19 piece of it, it doesn't really match what we
20 submitted for this application for this hearing
21 tonight.

22 MR. GUSTAFSSON: It does show the
23 location of where the grocery store is going to be.
24 It did show the location that support retail. It
25 showed the other secondary building, where the auto

1 service was, so that's there. So generally it
2 starts to layer it out, yes. We understand --

3 MR. CHALMERS: When Madam Mayor looks
4 at the trees in the bottom there where the cursor
5 is, I mean, those are houses. So I just want to
6 make sure those are houses not -- right now.

7 MAYOR WATERMAN: Those green things
8 are houses there?

9 MR. CHALMERS: In reality they are.
10 Not on the picture those. So there isn't that type
11 of greenery right now.

12 MR. GUSTAFSSON: No there isn't.

13 MAYOR WATERMAN: That wall is that
14 close to houses?

15 MR. SMITH: That's pretty close, yes.

16 MAYOR WATERMAN: Well, there wouldn't
17 be camouflage in there too, you know, I mean that is
18 -- I was thinking there was more of a setback
19 between somebody's front door and, you know --

20 CHAIRPERSON THOMAS: Their back door
21 is actually -- they back onto the --

22 MAYOR WATERMAN: Back door, either
23 way.

24 MR. SMITH: If you look here, I'm
25 going to try to make it visible, kind of see there's

1 a house here, this is that property line.

2 MR. CHALMERS: PP.100 shows the houses
3 in relation to the property line.

4 MR. SMITH: Which one?

5 MR. CHALMERS: PP.100 in the
6 architectural.

7 MAYOR WATERMAN: It would be good here
8 if we had a Google map, an aerial map. Too that
9 could be the purpose here.

10 MR. SMITH: I got you. Give me a
11 second.

12 CHAIRPERSON THOMAS: I mean, to put it
13 in perspective, to -- standard, you know, property
14 lot size is about 150 feet deep. So, from Gage
15 Street, those houses are close facing Gage Street,
16 and so there's the house and probably 100-foot --
17 approximately, 100 foot of backyard. And before it
18 gets to the property line of Glenwood Plaza. So
19 it's not like they're sitting, you know, within ten
20 feet of each other. There's a fair amount of just
21 natural buffer because it's the backyard of the
22 so-called residential houses.

23 MR. GUSTAFSSON: Here is an image that
24 you can see that represents -- looks like --

25 COMMISSIONER PAYNE: Put your pencil,

1 Donovan.

2 MR. SMITH: I'm just trying to make it
3 easier for everybody to see, so just bear with me.

4 VICE CHAIR FEGLEY: Can you guys hear
5 me now?

6 MR. SMITH: Ashley is here, everybody.

7 COMMISSIONER PAYNE: Hey, Ashley.

8 MR. SMITH: So everyone can see my
9 screen. Let me just get some colors here so
10 everybody -- so phase one ends about here. Can
11 everybody see those red lines?

12 That's about your phase one property
13 line. So, the residential we are referring to is
14 here.

15 Okay. Here is the one building. The
16 other building is somewhere like here. Sorry for
17 the crude drawings, everyone.

18 COMMISSIONER PARLOVE: You're doing
19 great.

20 MR. SMITH: Thank you. All right so.
21 I hope that kind of helps a little bit.

22 MR. GUSTAFSSON: So, yeah, the image
23 that was shown before on the other site development
24 plan was just some random showing some trees within
25 the lot of those residential lots, had nothing to do

1 with, you know, the building locations and the like.

2 COMMISSIONER NORTHCROSS: Yeah, I was
3 using the title page and just blowing that up. The
4 overhead shot in the title page, which is pretty
5 much the same thing.

6 MR. GUSTAFSSON: Yeah.

7 COMMISSIONER NORTHCROSS: But it -- so
8 and I guess with deciduous trees, you -- you do lose
9 the leaves in the fall, correct, in going into the
10 winter.

11 MR. GUSTAFSSON: Correct.

12 COMMISSIONER NORTHCROSS: But in the
13 summer, when people would tend to be out in the
14 backyard you can get a nice canopy. Whereas the
15 evergreens, they're year-round.

16 MAYOR WATERMAN: That's what they have
17 on the Redico Property, all along the Redico
18 Properties, it gives it a very good look of -- good
19 look there. So I think that's -- your arbs was a
20 good idea.

21 COMMISSIONER NORTHCROSS: Now, and
22 again --

23 MR. SMITH: Redico doesn't abut to
24 residential, I don't believe.

25 MAYOR WATERMAN: No, but I'm just

1 talking about the effects.

2 COMMISSIONER NORTHCROSS: Then what
3 happens with the commercial portion the M-1 portion?

4 MR. SMITH: So that would be in their
5 later phase, and that would be everything here. So
6 you can see that yellow.

7 CHAIRPERSON THOMAS: But as we
8 discussed earlier, the issue of that wall will be
9 discussed in phase two, and the idea if we say erect
10 a concrete area wall around there, which makes sense
11 to me, but we can't -- we can't resolve that issue
12 tonight. That issue right tonight is the rest -- or
13 is the retail area into -- backing into the
14 residential area and how are we going to handle it.

15 I -- again, I -- now I -- this is just
16 me. But it seems that we would want to settle on --
17 although it doesn't appear as a vote on paper, that
18 we would vote for what type of barrier that we're
19 going to put in there, tree or concrete wall, and
20 clarify that issue and then add that to the --
21 include that in the motion for the overall site
22 plan.

23 COMMISSIONER NORTHCROSS: Now, Donovan
24 just did something where you have a green marks on
25 the south side of the wall.

1 MR. SMITH: That's where it would go,
2 Chris.

3 COMMISSIONER NORTHCROSS: Oh, I was
4 thinking on the north side of the wall.

5 MR. SMITH: So the Ordinance says all
6 walls, buffers and landscaping have to go on the
7 commercial property. So everything would be on the
8 inside of the property, not on the other side of
9 that property line. That's actually an alley, this
10 area here, that's actually an alley. It's not
11 vacated, but it is an alley.

12 CHAIRPERSON THOMAS: Right. Exactly.

13 VICE CHAIR FEGLEY: I don't have a
14 problem with the Arborvitae or any planting as long
15 as it's dense. And I think we have to be clear on
16 exactly what we expect and what we would want to see
17 in that space.

18 CHAIRPERSON THOMAS: Well, Mr.
19 Chalmers -- I think you've had some connectivity
20 issues. Mr. Chalmers described that. Mr. Chalmers
21 you want to take one more attempt at that so that
22 everyone is clear on your proposal?

23 MR. CHALMERS: Sure. If you all were
24 kind enough to grant all landscaping along that
25 north wall, we would put in five-foot Arborvitae,

1 three-feet on center, which would be approximately
2 100 trees, and we expect that those trees would grow
3 about a foot a year for the first three years. So
4 after two or three years, we'd be eight feet high.
5 Then that goes down. But we'd commit to putting
6 them three feet on center, which is going to be
7 approximately 300, which creates that dense effect.
8 That's what we have done in other places.

9 CHAIRPERSON THOMAS: And one of the
10 things that should be noted there, which it doesn't
11 pop out because it's not identified, but that is PNC
12 Bank there at -- at the foot of this point on Gage
13 Street and so you know again from my -- just my
14 aesthetic point of view, a tree barrier is going to
15 look a lot more aesthetically amenable, welcoming
16 and inviting than a concrete barrier, in my opinion.

17 COMMISSIONER PAYNE: This is Lucy
18 Payne here. So what's going to happen is that
19 concrete wall is going to come out to Glenwood
20 almost. Am I looking at that correctly or not?

21 MR. GUSTAFSSON: It will go out to the
22 property line to --

23 COMMISSIONER PAYNE: Where the old
24 China -- where the old restaurant is?

25 MR. GUSTAFSSON: Can you move your

1 screen over a -- never mind. Hold on. Just need to
2 move -- I need to move my attendance over.

3 COMMISSIONER NORTHCROSS: I've been
4 referring to the title page, and just blowing
5 that -- that drawing up.

6 COMMISSIONER PAYNE: Uh-huh.

7 MR. SMITH: You need me to change the
8 image here?

9 MR. GUSTAFSSON: Yeah, I think they're
10 referring to that site context.

11 MR. SMITH: Oh, okay. Give me one
12 second. Let me pull that up.

13 COMMISSIONER PARLOVE: So is there a
14 wall right now at the back of the PNC lot along the
15 drive-through lane, DO we know?

16 CHAIRPERSON THOMAS: If I recall there
17 is a -- PNC faces -- is on the intersection of Perry
18 and Gage.

19 COMMISSIONER PARLOVE: Right.

20 CHAIRPERSON THOMAS: And so -- and so
21 there's a parking lot entrance off of Perry and
22 Glenwood and then adjacent to the houses on Gage is
23 an ATM drive-through.

24 COMMISSIONER PARLOVE: Right.

25 CHAIRPERSON THOMAS: So --

1 MR. GUSTAFSSON: There it is.

2 COMMISSIONER PARLOVE: But isn't there
3 a wall along that drive before you get to the ATM
4 drive-through to separate PNC from that first
5 residence?

6 CHAIRPERSON THOMAS: I'm not looking
7 at it. I mean I -- my instinct is no, but I'm
8 not -- you know, that's an instinct it's not a --

9 MR. GUSTAFSSON: I don't recall.

10 COMMISSIONER PARLOVE: On Google
11 mapping it looks like it's a wall.

12 MR. GUSTAFSSON: Okay.

13 CHAIRPERSON THOMAS: Well, if it's a
14 wall, it's a wall.

15 COMMISSIONER PARLOVE: I think it is.

16 COMMISSIONER NORTHCROSS: I thought it
17 looked like bumper blocks there.

18 COMMISSIONER PAYNE: This would be
19 easier for me if I knew those -- the six residences.

20 COMMISSIONER PARLOVE: There it goes.

21 MR. GUSTAFSSON: It's a privacy
22 screen.

23 MR. SMITH: Does everybody like the
24 interactiveness of this meeting?

25 COMMISSIONER PARLOVE: Yes. You're an

1 expert. Well, I would like to make a suggestion.
2 If the conversation is leaning towards landscaping
3 as opposed to masonry for the division of the
4 properties, rather than having just a line of
5 Arborvitae as soldiers, can we -- can they be
6 staggered so ultimately maybe you're going to end up
7 putting in 200 rather than 100? Isn't the point to
8 try and give some sort of barrier for people to --
9 to transfer through that greenery, and if they're
10 just one by one, it's going to be an option for
11 someone to squeeze through, but if they're staggered
12 then there's going to be more resistance.

13 MR. CHALMERS: I would have to -- I'm
14 sorry, but I would have to look at that because
15 first reaction is that it would we be staggered,
16 then it creates more of an opportunity to come
17 through.

18 COMMISSIONER PARLOVE: You're saying
19 three feet on center. So plant that first row three
20 feet on center, and then the next row shift them
21 over a foot and a half and plant them three feet on
22 center.

23 MR. CHALMERS: Oh, a double row.

24 COMMISSIONER PARLOVE: Exactly.

25 MR. SMITH: It may not be too much, it

1 may be 50 and 50.

2 COMMISSIONER PARLOVE: Right.

3 MR. GUSTAFSSON: Food for thought. I
4 mean, if the direction of the Planning Commission is
5 to go with option two of strictly just landscaping,
6 what I would suggest is we could suggest that and
7 that we would work with the applicant to come up
8 with a final landscape plan for that buffer.

9 CHAIRPERSON THOMAS: When I -- because
10 they're not planting tomorrow afternoon anyhow.

11 COMMISSIONER PAYNE: I like that. And
12 can we add to that -- you know, I really would like
13 to know what the input of those six residences are,
14 those phones there. You know because it would be
15 really great if you could include people. I think
16 the more you include, the less of -- I mean, that
17 kind of appeases everyone, I think. But that's just
18 my -- is there time to do that?

19 COMMISSIONER PARLOVE: I don't know
20 that we have that option, do we? Because this is
21 not a --

22 COMMISSIONER PAYNE: Well, Vern said
23 we will have that opportunity.

24 MR. GUSTAFSSON: I think that's some
25 good commentary from Commissioner Payne. We do have

1 the time. I mean, obviously the applicant is
2 seeking final site plan approval. But I -- I think
3 it's important on different -- if we're looking at
4 option two, as relates to landscaping, you know, by
5 at least knocking on their doors or calling and
6 providing at least some input to let them know what
7 is going on, I think that's of extreme value.

8 CHAIRPERSON THOMAS: I would concur.
9 I would agree. And it's -- and again, it's not
10 like, you know, it -- it's not like the trees are
11 going to be -- to embellish a point, be planted
12 tomorrow afternoon. So the idea, you know, in my
13 mind, you know move forward with a site plan review
14 vote, and then come to an accommodation -- it sounds
15 like everyone is leaning toward the idea that -- of
16 a natural barrier of trees and deciduous trees and
17 ferns and shrubs or whatever, and then -- so the
18 question then becomes how is it laid out? So,
19 that -- so that's kind of a more complicated
20 question, not overly complicated, but we can't
21 resolve that, you know, on video conferencing
22 tonight. So are we prepared then to --

23 MR. SMITH: Make a motion?

24 COMMISSIONER PAYNE: I would like to
25 see how Vern would say that that --

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MR. GUSTAFSSON: Can be done?

COMMISSIONER PAYNE: Yes. That we spoke about including the five homes there or six homes.

MR. GUSTAFSSON: Five, six homes, yeah.

MR. SMITH: And let me add before you start, if you did want to do a vote on option 1 or 2, and then proceed to the motion.

MR. GUSTAFSSON: I'd rather just include it within the solid motion. I think we can get -- let me just say this. Are we getting the direction from the Commission that we favor -- gosh, I can't remember the options anymore -- option two?

CHAIRPERSON THOMAS: Yeah, I get confused on these numbers. Mr. Chalmers' proposal.

MR. GUSTAFSSON: Okay. That's option two. So what I would say is let's do that. And we can wrap it into the motion. And we know that the way I would suggest is that you would make a motion to approve the final site plan for Rubicon at 7 N. Glenwood at this parcel number, and also this final site plan includes type A, option two, buffer along north property line of phase one retail center that

1 has been -- and allows the Planning Division
2 authority to approve the final site plan after it
3 conducts its technical review of a resubmitted site
4 plan and landscape plan that --

5 MR. SMITH: Do we want to --

6 MR. GUSTAFSSON: Go ahead.

7 MR. SMITH: Do you want to -- I don't
8 know if I want to, you know, suggest this but I
9 will. Do we want to bring the landscape plan back?

10 MR. GUSTAFSSON: What would the
11 Commission prefer?

12 COMMISSIONER PAYNE: I would like to
13 because --

14 CHAIRPERSON THOMAS: Yeah, let's do it
15 just for you know -- so everyone is on the same
16 page. And it looks like we have pretty much an
17 agreement to agree. We just got to work out some
18 technical details in my mind. So, again, we can't
19 do that tonight. But if Mr. Chalmers goes away, you
20 know, at least he goes away now with the
21 understanding that the site plan, you know, is done,
22 and then the only other pending issue then becomes
23 you know the -- the barrier, however we're referring
24 to that. And that gives everyone a little bit of
25 breathing time to collect their thoughts as to --

1 and drive by there, again, and kind of collect
2 because I think, you know, there might be a little
3 bit of -- you know, with this conversation and
4 the -- you know, with this conversation it might
5 behoove everyone to take another drive by there and
6 get a clearer view and a clearer vision of what --
7 of what's being proposed.

8 VICE CHAIR FEGLEY: I do like the
9 suggestion that Mona made of staggering them just to
10 have a little bit more of a dense buffer than a
11 single row of trees.

12 CHAIRPERSON THOMAS: Okay. Well, that
13 will be something that Mr. Chalmers and -- can
14 organize and put together and bring back to the
15 Planning Commission at whatever date that might be,
16 Vern and Donovan, you know, leave it to you to put
17 it on the agenda.

18 MR. SMITH: So Vern can we --

19 MR. CHALMERS: You're prepared to
20 grant final site plan approval now subject to a
21 final landscape plan which is focused on the
22 northern property line, correct?

23 MR. GUSTAFSSON: Yes. Yes.

24 CHAIRPERSON THOMAS: Yeah.

25 MR. CHALMERS: Okay.

1 MR. GUSTAFSSON: And then we will work
2 it out -- we'll work with Mr. Chalmers and -- to
3 come up with a final landscape plan, and that would
4 be contingent obviously on other agency reviews and
5 engineering reviews and all of that, at least allows
6 them to walk away tonight with a final site plan
7 approval.

8 CHAIRPERSON THOMAS: Right. Right.
9 And that's -- you know, that's -- in the grand
10 scheme of going 100 yards, you know, we're able to
11 move the -- you know, move down the field 98 yards
12 and we're only kind of wrestling with, you know, a
13 small couple -- with due respect, I mean, it's an
14 important item, but I think it's something that can
15 be easily resolved after everybody has a second
16 chance to think about it, take whatever drive or
17 walk by there and come back for a meeting in the
18 future.

19 MR. CHALMERS: Yeah.

20 CHAIRPERSON THOMAS: Okay. Are we
21 prepared then to -- if there are no further comments
22 or questions, may I seek motion, please?

23 MR. GUSTAFSSON: If I may to the
24 Commission, can I read what I'm --

25 CHAIRPERSON THOMAS: In fact, actually

1 I was just going to say how you articulated before,
2 I was prepared to say "What he said", you know.

3 MAYOR WATERMAN: I would suggest the
4 motion has to make it -- I would not use -- I would
5 use the descriptions that we have used during this
6 discussion as opposed to option one or option two,
7 because option one and option two they are not
8 stated in the packet. So we'd need to be able to
9 state the kind of format that the discussion has
10 proceeding with in the Council meeting -- in the
11 Planning Commission meeting this evening.

12 CHAIRPERSON THOMAS: Well, I think Mr.
13 Gustafsson really articulated that in his kind of
14 earlier kind of dry run of the proposal, correct,
15 Mr. Gustafsson?

16 MR. GUSTAFSSON: Yeah. Let me --

17 CHAIRPERSON THOMAS: So if you want to
18 -- because you have the most clarity. Do you want
19 to proceed with that description so that everyone is
20 clear as to what we're voting on?

21 COMMISSIONER PARLOVE: Well, let me do
22 this. How about if I tee you up, Vern?

23 MR. GUSTAFSSON: Beautiful.

24 COMMISSIONER PARLOVE: I make a motion
25 for SPR 19-34, I make a motion to approve the final

1 site plan SPR.

2 MR. SMITH: I'm sorry, you said 19-34.
3 20-10.

4 COMMISSIONER PARLOVE: I have from
5 what we have that was given to us, SPR 19-34. Is
6 that not correct?

7 MR. SMITH: It should be SPR 20-10.

8 COMMISSIONER PARLOVE: Skip the first
9 part. I make a motion to approve the final site
10 plan SPR 20-10 for Rubicon Capital at 7 N. Glenwood
11 Avenue, parcel number 64-14-2-383-011 and -- go
12 ahead, Vern.

13 MR. GUSTAFSSON: And ending in -- this
14 would be pending final landscape plan of buffer
15 along the north property line of the phase one
16 retail development center, and allow the Planning
17 Division authority to approve a final site plan
18 after the Planning Division conducts a technical
19 review of a re-submitted site plan and landscape
20 plan that adheres to all review requirements and
21 approvals from the Waterford Fire Department, City
22 Engineering, and Department of Public Works and
23 Oakland County Resource Commission as noted on the
24 Planning Division's site plan review letter dated
25 May 28th, 2020.

1 COMMISSIONER PARLOVE: That's my
2 motion.

3 CHAIRPERSON THOMAS: Okay. Thank you,
4 Mr. Gustafsson.

5 VICE CHAIR FEGLEY: Do we need to add
6 anything about the signage or no?

7 MR. GUSTAFSSON: Excuse me?

8 VICE CHAIR FEGLEY: Do we need to add
9 anything about the variance for the signage?

10 MR. SMITH: What do you think, Vern?

11 MR. GUSTAFSSON: No, because it's
12 stated in our letter of May 28th.

13 MR. SMITH: Okay.

14 COMMISSIONER PAYNE: Did we include of
15 the six residences --

16 MR. GUSTAFSSON: That will definitely
17 be included I will make sure that their final site
18 plan is contingent upon us reviewing and approving,
19 and I will make sure that that was carried out.

20 COMMISSIONER PAYNE: Okay. Thank you.

21 CHAIRPERSON THOMAS: Thank you. So we
22 have a motion. May I have a second and support,
23 please?

24 COMMISSIONER PAYNE: Second.

25 CHAIRPERSON THOMAS: So we have a

1 motion, second and support. Any further comments or
2 questions before we go to roll call?

3 Mr. Gustafsson, roll call, please.

4 MR. GUSTAFSSON: If I may, who made
5 the motion?

6 COMMISSIONER PARLOVE: I made the
7 motion.

8 MR. GUSTAFSSON: Mona. I'm sorry.
9 Second?

10 COMMISSIONER PARLOVE: Lucy seconded.

11 MR. GUSTAFSSON: Commissioner Payne,
12 okay. Commissioner Parlove?

13 COMMISSIONER PARLOVE: Yes to approve.

14 MR. GUSTAFSSON: Commissioner Payne?

15 COMMISSIONER PAYNE: Yes to approve.

16 MR. GUSTAFSSON: Mayor Waterman?

17 MAYOR WATERMAN: Yes.

18 MR. GUSTAFSSON: Commission

19 Northcross?

20 COMMISSIONER NORTHCROSS: Yes to
21 approve.

22 MR. GUSTAFSSON: Vice Chair Fegley?

23 VICE CHAIR FEGLEY: Yes to approve.

24 MR. GUSTAFSSON: And Commissioner
25 Thomas?

1 CHAIRPERSON THOMAS: Yes to approve.

2 MR. GUSTAFSSON: Motion passes, 6-0.

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

5 NAYS: (None.)

6 ABSTAIN: (None.)

7 MOTION CARRIES 6-0-0

8 CHAIRPERSON THOMAS: Congratulations,
9 Mr. Chalmers. This has been -- I'll tell you, from
10 sitting in my chair watching this derelict piece of
11 land for 25 years, this is a tremendous jump start
12 on the idea of adding a market to this area of this
13 neighborhood, and these people deserve -- they
14 deserve services, and they have been without
15 services. So this is a huge, huge, huge first step,
16 from my perspective. So thank you and those are my
17 final comments.

18 Any further closing comments from Mr.
19 Chalmers, any closing comments on your part or on
20 your behalf?

21 MR. CHALMERS: Yeah. Thank you,
22 Chairman Thomas. I would like to thank the Planning
23 Commission and certainly Mr. Gustafsson and Mr.
24 Smith in being so business friendly. I've been
25 before a lot of planning commissions and government

1 bodies, and some may have tabled it, some may have
2 shot it down. It's real business friendly. It's
3 important that financial site plan approval is
4 obtained for a lot of reasons, and I really
5 appreciate you being so business friendly so that we
6 can move forward with this development.

7 CHAIRPERSON THOMAS: Thank you. And
8 thanks to my fellow Commissioners. This is -- we
9 made it through, but these are -- I can't -- I can't
10 tell you how eager I am to get back. And of course
11 I'm talking to the choir, everyone is eager to get
12 back to some measure of normalcy, but these are --
13 but we made it through and we took care of a huge
14 piece of business. So thanks to all.

15 That takes care of the formal site
16 plan review and that component of the agenda.

17 Next on the item is public comments
18 from my -- in this case from my fellow
19 Commissioners. Any closing comments?

20 COMMISSIONER NORTHCROSS: My comment
21 is make sure those Census forms have been filled out
22 and if you interact with any other folks, make sure
23 they filled out their Census forms. We have a city
24 that is just going up by leaps and bounds, but we
25 can handicap that growth if we don't have a good

1 Census count because there's so many other programs
2 that tie in to -- to the Census that provide funding
3 and support for much of the good work that we're
4 doing here. Each person, everyone counts. We're
5 talking about on average \$1,800 a year or \$18,000
6 worth of funds and resources that will flow through
7 the City for every person that gets counted, and
8 children count too. Parents, don't forget your
9 children need to be listed on that form and to count
10 them, because what's happening today will carry
11 forward for ten years. So, the child now ten years
12 old will be 20 years old if they're still in
13 Pontiac, and what is being done today will set the
14 stage for that time. So please, get those Census
15 forms in. Work with your friends, work with your
16 families, work with your coworkers to make sure they
17 have submitted their Census forms. We have
18 something really happening here and the Census is
19 something that can -- that can continue that growth.

20 COMMISSIONER PARLOVE: Or you can fill
21 it out online and it's very fast.

22 MAYOR WATERMAN: If I can make a
23 comment as well, Mr. Chair, if I was next?

24 MR. GUSTAFSSON: Yes.

25 MAYOR WATERMAN: So I would like to

1 just state that -- ditto everything Mr. Northcross
2 said in terms of the Census, and we're very aware of
3 that in the budget. But also the fact that I do a
4 State of the City every year, and this year is going
5 to be June 25th. It may be all virtual given where
6 we are right now, and I know everyone is trying to
7 see where I do it every year, because I do it in
8 different places. Last year was United Shore. But
9 right now we may do it virtually. But the theme is
10 going to be A Change Has Come to Pontiac. And I
11 think one of the changes, I'm very happy to report,
12 will be this project that from, as you said, long
13 derelict property here. That will be -- we have 38
14 new building projects going on in Pontiac right now.
15 So this would be 39. And we hope more to come. So
16 that's the change we'll hear about. We'll have more
17 information. But I just wanted to give you that
18 save the date for the other changes and the things
19 that have happened in the last year right here in
20 our great city.

21 COMMISSIONER PAYNE: The time?

22 MAYOR WATERMAN: It will be in the
23 evening 6:30 right now is what we're looking at,
24 yes. But we'll be sending out more notices. This
25 is just the save the date to let you know that we

1 were doing that, and using for the first time the
2 virtual platform, although we may have a few people
3 who want to come to the venue for the activity
4 itself.

5 CHAIRPERSON THOMAS: Okay, Mayor.
6 Thank you.

7 MR. GUSTAFSSON: Nice.

8 CHAIRPERSON THOMAS: Anything further,
9 Mayor?

10 MAYOR WATERMAN: No, thanks.

11 CHAIRPERSON THOMAS: Okay. Thank you.
12 Commissioner Parlove?

13 COMMISSIONER PARLOVE: Nope. Nothing
14 else.

15 CHAIRPERSON THOMAS: Commissioner
16 Payne?

17 COMMISSIONER PAYNE: Just stay safe,
18 everyone.

19 CHAIRPERSON THOMAS: Okay. Thank you.
20 Vice Chair Fegley?

21 VICE CHAIR FEGLEY: No comments.

22 CHAIRPERSON THOMAS: Okay. Thank you.
23 And thanks to everyone again for your time and
24 patience, cumbersome, but tonight I'll tell you, you
25 know not to repeat history, but everyone knows I was

1 born and raised in this neighborhood. I took off on
2 a 35-year corporate odyssey and I came back to try
3 to -- I came back to give back, and this development
4 has the wherewithal to change the cultural outlook
5 of this neighborhood. I mean, I don't mean -- I
6 mean -- I don't mean in terms of diversity or that
7 kind of thing, I just mean that it -- it -- we're
8 adding services that you know this has been on a
9 tipping point going the other way, and so this has
10 the wherewithal to tip the scales in a positive
11 direction. And so, I commend everyone. Thank you
12 for voting in favor. I think we're -- we will all
13 be pleased with this in the future.

14 Those are my closing comments. Is
15 there any other -- if there are no further closing
16 comments then I'd seek a motion to adjourn.

17 COMMISSIONER PARLOVE: I make a motion
18 to adjourn.

19 CHAIRPERSON THOMAS: May I have a
20 second and support?

21 COMMISSIONER NORTHCROSS: Support.

22 CHAIRPERSON THOMAS: All in favor say
23 "aye".

24 (All Ayes.)

25 CHAIRPERSON THOMAS: Okay. Ayes

1 carries it unanimously. Thank you all. Good night.
2 Stay safe. Look forward to when we can all gather
3 together soon.

4 MR. GUSTAFSSON: Yes, very much so.

5 (Proceedings concluded at or about the
6 hour of 8:03 p.m.)

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8 Minutes certified by:

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10 
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12 -----
13 /s/ Quentina Rochelle Snowden, CSR-5519
14 QRS Court Reporting, LLC
15 800.308.0068, 810.691.4226
16 Certified on: July 20, 2020
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