

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
June 6, 2023**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, June 6, 2023, in the Commission Chambers at City Hall.

ROLL CALL

Planning Commission (PC) members present: W. Premeau, M. Rayner, S. Lawry, Vice-Chair N. Williams, Chair S. Mittlefehldt, K. Clegg, D. Fetter, A. Andres

PC members absent: C. Gottlieb (excused)

Staff present: Zoning Official A. Landers, City Planner & Zoning Administrator D. Stensaas

AGENDA

It was moved by K. Clegg, seconded by S. Lawry, and carried 8-0 to approve the agenda as presented.

MINUTES

The minutes of 05-16-23 were deferred for review until the June 20, 2023 meeting, due to not being in complete draft form until a few hours before the meeting.

CONFLICT of INTEREST

No conflicts of interest were confirmed.

PUBLIC HEARINGS

A. 01-PUD-05-22 Preliminary PUD Site Plan for 480 River Park Circle

Zoning Official A. Landers stated: The Planning Commission is being asked to review an application for a Preliminary Planned Unit Development (PUD) approval. The Planning Commission qualified the project for a PUD on May 17, 2022. The Planning Commission will need to conduct a public hearing for a Preliminary Site Plan Review and draft recommendations to the City Commission, who will issue final approval or denial of the PUD. She described and showed on the monitors in the room the Staff File Report and attachments. Attachments are the PUD application, the Site Plan Review application, the Planning Commission letter from the applicant, the Variance letter from the applicant, the staff and applicants comments, a proof of the granting of an easement, the area map, the block map, the zoning map, photos of the site, the applicant's Pattern Book, the Site Plan set. She also stated that at the time of the agenda [when distributed] there was no correspondence submitted, however today, prior to the deadline, she did receive an item of correspondence from Matthew Songer, MD, in opposition to approval of the PUD project. She read Mr. Songer's letter aloud.

S. Mittlefehldt stated: Andrea, do you mind, just because we have a different composition of Planning Commissioners here today, can you give us a quick history? Because the Planning Commission already approved that it met the PUD requirements. Can you maybe just explain a little bit of the history of that piece of it?

A. Landers stated: When you apply for a PUD there are stages. The first stage was that an applicant has to come to the Planning Commission and ask for concept approval. The Planning Commission has to review the objectives in the Land Development Code, and determine whether it has to meet at least 3 out of 10 objectives and it was determined I believe that it met 4 out of 10, so then that qualified the applicant

to then submit for a Preliminary PUD, which is the stage that we're at now. So during this stage, the applicant goes in front of the Planning Commission. There's a public hearing. You guys would make the recommendation to the City Commission. Next step is that this would go to the City Commission and they would need to review and approve it and ask our attorney to draw up a contract with the applicant or deny it. If they approve it in the contract, then the next step after that is the applicant would have to then come back to the Planning Commission with their final site plan set .

D. Stensaas stated: And to add to that just a bit, this didn't have to be an extra step. A lot of time an applicant will come forward with a Preliminary Site Plan and a Concept Plan, and they can do that at the same meeting. This one just unfolded this way.

S. Mittlefehldt stated: Okay, thank you. At this point the applicant can now come up and provide a little context and overview.

Mr. David Ollila, of 420 E. Prospect St., stated: Thanks for the opportunity to present to the Planning Commission. What I would like to do is to read a little bit of the background that was provided by the Michigan Economic Development Corporation staff to the Michigan Strategic Fund Board, which granted the initial funding for the project. He read a letter that has been added to the agenda packet.

He also stated: We have letters of support from Invest UP, Innovate Marquette SmartZone, who's been a fantastic partner in this process, the Michigan Office of Future Mobility, the Department of Agricultural and Rural Development. We have letters of support from leaders in the power sports industry, Tech Town Detroit, Centropolis Manufacturing Technology Accelerator, Michigan Tech University Advanced Power System, Michigan State University's Mass Timber Program, a global leader in the automobile industry, and the Detroit Regional Partnership. Thank you very much.

S. Mittlefehldt stated: Does anyone on the Planning Commission have questions for the applicant? So, maybe you don't know this, but what is being produced here? What is being created in terms of the industry?

Mr. Ollila stated: Right now actually Michigan is going through an exercise to identify where the state has the best opportunity to increase our economy, whether it be in Detroit or whether it be in the Upper Peninsula. This is more about being a point of discovery for companies developing products and experiences within this ecosystem. It's a way for us to be relevant through automobile and transportation sectors with Detroit so it's less about what would be made specifically and more about being a point of discovery and innovation to support innovation and entrepreneurship throughout the state. So I'll give you an example - the main building, I think we have it listed as Building #2, is essentially a triplex with shop houses. These are garages on the bottom. They have mezzanines on the midlevel and apartments above. The concept is those are places for corporations to visit the area, do research and development, that might be anything from secret development to customer experiences. It's also an opportunity to have those companies come in and then codevelop products with other companies, so I'll give you an example. Polaris Industries is spending about \$1 billion over the next 3 to 5 years to create an electric product in every one of their categories, so soon we will have electric snowmobiles. There's a company right now called Taiga out of Quebec that is producing electric snowmobiles and electric watercraft. There's a big movement in this space to look at new ways to develop products and experiences in the outdoor industry, and what's interesting about this point of time and it's akin to when Henry Ford had manufacturing plants and points of innovation in the United States to connect with Detroit's economy and create relevancy between the peninsulas. So what we are is a place to gather innovators, entrepreneurs, start-ups and corporations. They come to Marquette. They come to the UP, they have access to trail networks. They have access to potential venture capital. They are pulled together in networking opportunities and that is how I believe we can facilitate new economic opportunities for not only Marquette, not only the UP, but the state of Michigan.

K. Clegg stated: Could you speak about the communication you've had with these companies? How are you planning on attracting these companies that you're hoping to come and I'm assuming they're going to rent from you these places on a short-term basis, long-term, how is that going to go and how are you attracting that interest?

Mr. Ollila stated: I think the attraction is a really great question and the number one way that we're attracting these companies is by working with the state of Michigan, organizations like Mich Auto, organizations like the Detroit Regional Partnership or some of the incubators and accelerators that we've talked to. There is an increase of spending and investment in this outdoor recreation space and this is an opportunity for us to participate in that. I'll give you an example. Tomorrow I'm driving down to Detroit to meet with a number of potential ecosystem partners and on Friday there's a statewide summit regarding innovation and entrepreneurship. By creating relationships and being connected to those policymakers and economic developers in other areas of the state creates a relevant connection to our state's economy and so we are going to be part of those conversations that are happening in Detroit, Lansing and Grand Rapids. Also, I have a network from working in the outdoor industry for over 25 years across the United States where we are able to contact, we're able to attract, we're able to engage in conversation from anything from a blanket manufacturing company in Bend, Oregon to climbing companies in Salt Lake City, to bicycle companies in Madison, Wisconsin. We've had experience bring those folks up before, but it's not just start-ups and it's not just small companies. We've had very favorable conversations and visits from some of the top automobile suppliers in the United States who've expressed interest and said that they would be back and they're excited about the construction, the development of Shophouse Park, and therefore they would utilize the upper peninsula more often in research development, customer experiences, and marketing opportunities.

S. Lawry stated: I have quite a few questions. One, I started out with the same concern that Dr. Songer expressed in his letter regarding a new title to the property, having been familiar with the fact that because of the federal funds that the City used to construct that industrial park, there were purchase agreements, contracts for the sale of each lot and I know you're involved in development of your ski design and at the time you purchased it and manufacturing out there, and so there was a contract between you and the city to accomplish something that's kind of set the price on the lot to begin with, but that maybe wasn't met and I understand the City Attorney has reviewed that and determined that there isn't an issue or a problem with that at this point. I visited the planning department this morning to find that out. It's interesting that Dr. Songer is expressing the same issue, because I was concerned that it might be challenged by someone else. It leads into - do you intend to personally use any of the space for manufacturing, whether it's your ski design or anything?

Mr. Ollila stated: I would expect that to address Dr. Songer's comments, I think they are unfounded. There was a set of deed restrictions so first of all the history of the River Park complex, the city founders did not determine the current industrial layout in River Park complex. I believe Mike Coyne was the mayor that signed those documents and there was deed restrictions that ran for 25 years with the property and those are sunsetted. There was absolutely no legal standing on clear title to the property or any obligations that were implied or not met with the purchase of that property and I can go back to the emails between Dennis Stachewicz and myself when we did purchase that property, so I'm very confident there's no issues there. So Building #1 is going to be my studio. There won't be any manufacturing per se at high volume in that studio. I would expect that would be a place for prototyping, experimenting, maybe some light building but the idea is that property is not suited for largescale manufacturing and I don't believe that within this sector that we would attract large scale manufacturing but I'm confident we can attract innovation, research and development and in the very best of circumstances, the products, the experiences, what comes out of Shophouse Park could certainly lead to larger manufacturing opportunities, say at K.I. Sawyer, and that would be intended.

S. Lawry stated: I do agree with the need for incubator space or research and development space. These are lacking in this area because there may be a lot of vacant buildings but none of them are managed for that purpose.

Mr. Ollila stated: And purposely built for that purpose – to purposely attract this industry, and again to connect with the economic drivers throughout the rest of the state.

S. Lawry stated: So, do you see it as primarily research rather than manufacturing?

Mr. Ollila stated: I think if I had to say what I believe will be happening there, it will be mostly product development, research development, testing, and facilitating those services for our start-up and worker clients.

Mr. Lawry stated: Okay, there was nothing included in the submittal that covers the access across the Board of Light and Power property, whether if you have any legal progress on that, whether you have design for it that's complete. I went back to your submittal from last year and you had a statement from Mr. Benstrom at the BLP that indicated that they would allow access but not overlapping the 100 ft. easement for the 69 KV tie line and yet this drawing that you have today shows the access directly underneath that power line.

Mr. Ollila stated: So we have a very good relationship with the Board of Light and Power and they've been terrific, collaborative partners on exploring this opportunity in the coordination or the conversation, so that easement split, this was our best guess at what we thought would fit best for the BLP property but it's BLP property and we can only make the suggestion so the way that we plan on working with the Board of Light and Power is to get through this planning process and we get to the site development and the site review that the BLP would take the lead on what's happening on their property and we would work collaboratively to make sure that it serves both owners and both properties and all indications are the BLP is more than happy to work with us through that process and they would be willing to draft an easement. Of course, that easement would have stipulations to make sure that they could continue to do what their core scope is and that is to use those lines to provide power to the city of Marquette and we would honor that and work with them.

Mr. Lawry asked: Is that easement that's on your lot actually to the Board of Light and Power or is it to American Transmission Company?

Mr. Ollila stated: I believe it's Board of Light and Power. I could check the documents. I believe it's 32 ft. that comes on our property and 32 ft. in the other direction towards the soccer fields. It's 100 ft. wide altogether, so 32 ft. from our property and then that would be 68 in the other direction.

S. Lawry stated: It may actually be American Transmission Company at this point.

Mr. Ollila stated: I believe it's Board of Light and Power, but certainly something that we could find out.

S. Lawry stated: And you talked about collaboratively working with the City and the BLP on that, but it's rather ambiguous who would design, build and pay for it. Is that still a matter of just being up in the air? Do you want to negotiate agreements on that?

Mr. Ollila stated: No, the comment that I received on the Board of Light and Power is that it didn't make sense for them to put a large effort of work until it passes through these processes in which case they would be happy to participate. We've also, through the City of Marquette and also the BLP, we're seeking other grant monies that might be available to support that and again, that's a collaborative public/private partnership that we think would serve the community very well.

S. Lawry stated: Your comments about not paving the parking areas, I realize there are a part of the sports complex that is not paved. On this steep hill, this road where the parking lot would be built on - I guess I would have concerns about maintaining a gravel surface there, especially with the wetlands in the bottom of it, and the fact that whole area has to be undercut to remove all of the many cubic yards of sawdust that's in there.

Mr. Ollila stated: Right, we can thank the Sawyer Sawmill for the 100-year old piles of sawdust that we've left sitting around the city of Marquette. The surface of BLP land, I think that would be up to the Board of Light and Power and the City of Marquette for what they thought was the best for the BLP land. As far as for the Shophouse Park property, we think that there's a number of good arguments for semi-permeable surfaces to reduce rainwater runoff, to not create large amounts of water running off. I don't believe any of the roadways except for maybe our driveway have any serious slopes, but again we would work with the Board of Light and Power to establish their standard for the access of that road. We do think that there are a number of good alternatives to pavement that might be a good fit, for both the Board of Light and Power and for the Shophouse Park property.

Mr. Lawry stated: Okay, also on page 12 of our packet, paragraph E1, it states there it would be 14 live/work dwellings, but on the application form itself, on page 17 it says there are 12 proposed, so I was just wondering about that conflict of numbers.

Mr. Ollila stated: So, with building #1, there is the studio with two apartments above it. Building #3 has three complete live/work units, Building #4 has three retail and three apartments, and one of the challenges that we had is that there's nothing in the current code that talks about live/work units and so as we talk about apartments or live spaces, I think there's some inconsistencies perhaps, but the number of structures and their primary uses would be the same.

Mr. Lawry asked: Okay, so there would be 14 dwelling unit, maybe 12 of them would fall under...

Mr. Ollila stated: Right, it's like almost trying to count the number of units that are in the [505] Lakeshore [Bldg.] building where Lakeshore Bike and Fred's Rubber Stamp is.

Mr. Lawry asked: And have you explored whether your RV parking and tent camping would require State of Michigan and Marquette County Health Department licenses for a campground?

Mr. Ollila stated: Great question, haven't had those conversations. If they do, they will, but again this isn't a campground. This is more of a business-to-business type environment, so for instance we may have some overlanding vehicles that are working their way through the UP for testing and research. They would be able to hole up at that property. We're also talking about special events. There's an event that you could reference called Overland Expo, which is a large rolling trade show of these types of industry experiences and vehicles is what I would consider it more event space than I would a traditional campground but any regulations would be met. I just want to add to that one of the companies is a start-up that we're working with downstate that is developing structures for camping of the future. If you're camping in an electric vehicle, that camping experience might be different than the way you camp today with propane, so that's a state-sponsored project. We have the opportunity of deploying products like that for first customers, first-use experiences and so unfortunately or fortunately, I'm in the entrepreneurial business and sometimes there's ambiguity on the way to progress and impacting the community in a positive way, so we're going to work through all of those.

Mr. Lawry stated: There is a wetland delineated on your drawings but I think the actual wetlands at this point have grown quite a bit beyond that. I foresee having problems accessing through that Soo Line railroad right-of-way or easement with the extent to which the wetlands have grown through there, and I think you have been in contact with the state on that but do you know have they actually been on site at all yet?

Mr. Ollila stated: Yes, in November 2021, I walked the property with the former director of EGLE, Lisle Clark, and some of her staff members, and she was not concerned about executing on the vision within that property and working with the DEQ or EGLE to support that project.

Mr. Lawry stated: I guess I would say it depends on who you talk to at the DEQ or EGLE or whatever, but you're obviously going to be filling some wetland area, according to your plan, and that will require you placing space somewhere else and it looks like the area that's wetland is growing on a regular basis.

Mr. Ollila stated: Right. Unfortunately sometimes you inherit poor design on your properties. I will also point out and there are materials that you can look at, what it looked like when it was the sawmill, and I can tell you there's huge improvements now from the dredging and the repositioning the dead river to move logs through that area. We're in the outdoor recreation space. We're in the innovation and entrepreneurship space. We want to protect our environment. We're not cutting any corners and we're going to build the very best project that we can build as it aligns with all permits and requirements.

Mr. Lawry asked: Okay, thank you for your responses.

Mr. Ollila stated: Thank you.

S. Mittlefehldt stated: I also have several more questions, just you've really helped to paint a picture of the primary uses of this property but there are nine listed I think and in addition to the research and development, there was hospitality, so bar and restaurant and a childcare facility, maybe you could kind of explain some of these ancillary functions that will be going on here and are those going to be for the public? Are those for the visiting people staying here for short-term research purposes and work purposes? Tell us a little bit more about some of those other uses.

Mr. Ollila stated: Sure. I think that's one of the most exciting things about the project, because it's truly a mixed-use project that serves both the community and also business to business aspect that again that we're trying to connect with the rest of the state. So, as I was building out the concept and I was talking to potential companies that would want to utilize our space, one of the questions was can I bring my family there? We like to think that we're providing space, from the innovator to the end user, and we want to provide something that's for the community - so for instance, there is no place to walk and get ice cream from the Kaufman sports complex, and there's no place for concessions at the sports complex. The north side of Marquette is an underdeveloped portion of the city compared to other portions of the city and so we already have public use, as Commissioner Clegg had mentioned, the Ore to Shore has been using my property since I've owned it for the last 12 or so years, as has the Noquemanon ski marathon, as does the North Country Trail. We've met with a number of those organizations. The North Country Trail is very excited that there would a location for a thru hiker for instance to be able to stop in Marquette on their way through town. This is innovator to end user, it's to serve the community, it's to bring economic relevancy to Marquette as it relates to the rest of the state. I want my family to be able to ride their bicycle out on the bike path that leads directly through this property to the north trails, through the rest of Marquette. I think it also pulls a little bit from what you'd be seeing in Bentonville, Arkansas. In Bentonville, if you have not researched that, they are at the very top of their game in creating innovation and entrepreneurial opportunities that are attracted to healthy lifestyles. They have a coffee shop that is one mile away from the closest parking area that people have to ride their bikes to or walk to get there, and it's incredibly successful. Those are the types of things that we can look at, benchmark and improve upon, so we expect that the community will enjoy this property just as much as Fortune 500 companies.

S. Mittlefehldt stated: For specifically, the childcare, would that be a service that will be open to the community?

Mr. Ollila stated: So, why is childcare in there? Do I have plans for a childcare facility? No, but we've got a problem with childcare in the city of Marquette. If you're going to go through a planned unit development process which is a lengthy process and you know that there are gaps in housing and in childcare and amenities, then you should probably write into your PUD that you should have childcare that would be available. I have no current plans for them, but if all of a sudden a group of people wanted to come up to conduct business in Marquette and they wanted to bring their children and if someone said it looks like a childcare facility, we would say we have that covered and if it meant that there was an opportunity for someone to open up a childcare facility, maybe for the community to drop kids off in a turn key type way, we would have a blue sky mentality to make sure that any entrepreneur or any business person or anyone in the social care circle would be able to utilize that property for that. We would hate to sell it short within the process.

S. Mittlefehldt stated: And similarly the function with the outdoor food and beverage, would that be for the public? You mentioned ice cream, are you thinking a restaurant, a bar?

Mr. Ollila stated: So we're thinking about a café. It's a dream that if you roast beans in Marquette or you brew beer there would be an opportunity to have those on the property. How that plays out I'm not entirely sure but we want to make sure that we had the provisions to be able to do that. I also know from my experience in creating the Nations Center, the Ferris Wheel Innovation Center and Co-working Space and 100K Ideas in downtown Flint, Michigan that when you provide those type of amenities for both the community and also new visitors, it creates a more vibrant, more usable space that people return to.

A. Andres stated: I think you have a lot of grand ideas and I like where it's going. However, it seems like it's a very complicated process and I just wonder if perhaps you've possibly had these grandiose ideas and maybe you have bit off more than you can chew and I look forward to seeing the formative plans that are more developed so we actually know what's going in the process and how things are going to be developed visually.

Mr. Ollila stated: I appreciate your concerns of my grandiose vision, but I also have experience of pulling off grandiose visions. This has been my way of life since I was probably 7 years old and I want to inform everyone that the biggest resistance sometimes comes from those who lack the vision and so as we talked to large corporations I can tell you they don't see this as grandiose. They see it as practical and the alternative is this property is available for development as a storage facility, and I think far too often we bias towards building a storage facility in Marquette where people can store their stuff. That does not lead to economic prosperity and opportunity for the community, so this is the time. We've not had this time for maybe 100 years to execute grandiose ideas.

A. Andres stated: And one other thing, just make sure in your plans that you cover all manner of people, wheelchairs included, physically disabled, mentally disabled, the whole gamut, make sure you include all people, not just the able-bodied person.

Mr. Ollila stated: It would be a mistake if we didn't and we will not make mistakes like that.

M. Rayner stated: Lots of great ideas but there's some real time delays in getting licensure for like food services and liquor licenses and daycare so you might want to put that into your plan so that you can touch some of those bases and see the process cause it's quite lengthy and quite time-consuming.

Mr. Ollila stated: It's a ridiculous process.

M. Rayner stated: I like your ideas. I'm not saying that. I'm just saying you need to do some research along those lines.

Mr. Ollila stated: Absolutely.

S. Mittlefehldt stated: I also want to say that I do think it's interesting because this project is a new challenge to us in many ways, because you're using categories that exist in the world but not in our Code. For example, the live/work dwellings, I mean, the spirit of that is what mixed-use is and I think your project gives us an example of what that could look like in a really interesting way. And you used some other terms like micro-mobility. We talk a lot about non-motorized transit. Some of us are working on, have been on the city's bike committee for a while, and we're trying to figure out a way to improve cycling in the city and we have been very focused on motorized and non-motorized transit, but this idea of micro mobility, it seems like is this an intentional move to get away from what is pretty established in the transportation literature as non-motorized transportation, because presumably e-bikes are here to stay and we've all seen them in town already, so maybe you could tell us a little bit about that, micro-mobility specifically and are you intentionally not talking about non-motorized transit when you're talking about the type of innovation that we've been focused on here, because so much of it will be electric?

Mr. Ollila stated: All modes are preferred. We are striving to be a walkable city. Again, there's a bike path on an abandoned railroad that leads right to the property and through the property. There is more innovation and entrepreneurship happening in the e-bike category. The number one selling electric vehicle in the world is a bicycle. It's not a car. We also believe that outdoor recreation is going to spur more research and development in those spaces because there's less regulation for that. That's why Porsche has bought an electric bicycle company. That's why KKR bought Rally Europe. That's why RCA, the record player company, just launched bicycles. I think what's really key here is we are at a new age in a point of discovery for all possibilities, whether they be "analog bikes" as they're calling them now, non-motorized to the motorized versions. We may have someone come in to develop a water bottle or we might have someone come and develop a hoverboard, and that's the gambit that we expect to attract and we want to make sure that there's something available for everybody.

K. Clegg stated: Per your future ownership intention statement, it's something you intend to hold for 12 years, so you have any idea what your plan is beyond that? Do you intend to sell? What type of person or company would you look to attract to do that?

Mr. Ollila stated: So the long-term plan, and speaking very candidly, is to provide an anchor for me to keep on doing this type of work in the community and for something for my daughters, one who just graduated Marquette Senior High School and will be leaving to come back to and to operate, to have a legacy project that provides positive community experience for a long, long time. If we can do that with this project, I would like to be old man Ollila in Building #1 that people are coming to visit.

S. Mittlefehldt stated: I did notice again going to the EV thing, there was only one charging station in the parking lot. And I know that this will probably change but given the nature of the project, I think they might want to have more.

Mr. Ollila stated: So we laid one down there but I can tell you we're talking to potential suppliers and potential collaborators from companies that are making vehicles that are electric to companies that are making charging stations. I would expect that you'll see many charging stations there but we don't know how many and we don't know how they're going to be used. I think each garage will also have charging stations inside of those as many of our customers would probably be charging inside the garages rather than just outside the garages, but our plan is fully-executed electric charging available on the property again for the community and also for our customers.

S. Mittlefehldt stated: Cool, okay, the last question, on page 36 of our packet, a hotel is listed. That was the first time that came up and I didn't know if hotel was being used synonymously as the live/work dwelling or if there is a hotel function specifically that's being planned?

Mr. Ollila stated: No, so again, you mentioned that a lot of this stuff was pushing the code, right, and so when we were asked to calculate parking spots, this project isn't in the basis of calculations and so we looked at hotel as being the worst possible scenario of having parking spots that are required for a particular business. It's neither a hotel nor is it just an office space, and so it was difficult to calculate the parking spots based on the current categories for counting those.

S. Mittlefehldt stated: Question for staff, on something like this where there's so much uncertainty about what will happen, how much do we need to have more concrete information about things like parking spaces? Is this okay if we're just going to allow the "trust me, we'll figure that out later" kind of thing?

D. Stensaas stated: You need to settle on a baseline to start with. Just to back the hotel comment, we suggested that's the use because it's not actually the worst case scenario for parking spaces. That would be single family housing. Hotels only require one space per unit. So, what I see happening here is as this project moves forward and it gets more legs and more form, as the contours of it become clearer to the applicant and it proceeds, they can come back with amendments to the PUD. So, those major amendments, like new buildings creating more spaces for either car parking or for different types of facilities and they have shown now on the plans, those are going to go through the same kind of process with public hearings at the Planning Commission and City Commission level. The only things, minor

amendments, that we approve as staff or things that don't have any impact off-site, they are relatively minor in nature, like fences, signs, things like that - so there's a lot of flexibility there if you're willing to keep going through the amendment process - not that that's easy or inexpensive. So, that puts some burden on the applicant, when they want to amend the PUD, they know what they want and they know this is going to be what they want for hopefully the next few years at least, the next phase of it, so they can develop phases of this through an amendment process, but I think what's being asked here, too, is to have flexibility for phasing in this plan. And this is a unique process so granting flexibility up front, it seems like a necessary part of the process to make it work for them.

Mr. Ollila stated: Can I address that part? I think in the 28 spots - I have to double check to see what we're proposing there. Yes, 28 parking spots, right? So I think you can do the math and you could find out where the 28 parking spots work on the property. There's also the practical perspective. We're not putting a parking lot on top of the granite outcroppings. That's actually a preferred natural feature. We're not going to put parking where there's buildings, and so as you develop the property there are areas where parking makes sense. We believe that with that amount of spaces on the property itself, it serves the primary uses of Phase 1. I think there's less ambiguity from our side of what we're doing and it's more about reconciling past projects, the zoning codes and the process codes which is exactly why we're going through the PUD process and I think it's in everyone's best interest to create a project that serves the community in a collaborative fashion so if someone says you know what, you need two more parking spots, we'll figure out where two more parking spots need to go. But I'm 100% confident that what we're proposing and what we're developing and the opportunity that we're going to bring to the community, we'll be able to serve our customers in the best possible way as well as locals using the property.

S. Lawry stated: I understand that Mr. Ollila is trying to be proactive, services that aren't currently available but he also has to be very reactive to the people he's trying to attract and meet their needs, so he is asking us to be pretty flexible with regulations in our community designed to be flexible. You typically would have to have a lot more detailed engineering done at this point to approve this because as I understand it, when we do get a final PUD for review, for the most part we just have to look at that and decide whether it is in agreement with the preliminary PUD that we've already approved. We can't really make a lot of alterations or changes or conditions at that point. It either matches or it doesn't match and we don't have a lot of detail to match it too at this point on things like access and drainage and a number of other areas [inaudible]. I know that the PUD ordinance has been rewritten a little bit since I was last on the Commission. I don't know if that allows us more flexibility here and when we get the final PUD, or if everything has to come back to us as an amended PUD or how we can address that. I guess Dave could speak to that.

D. Stensaas stated: Well we can pull up the ordinance and look at what it says about the final and the preliminary but the preliminary PUD is definitely different than any other type of preliminary site plan. This does offer a lot of flexibility and it's been that way for a while, with the standards for preliminary site plans. Actually, we just changed the code in the last couple of years to create a real preliminary site plan for other types of development that aren't PUDs, that kind of match what the PUD has had in it for years - which is a more vague set of standards so that there was flexibility. If you want to develop a PUD, there's more flexibility on this front end, but certainly with development of the civil infrastructure - even though they're not providing all the elevations and everything like that - those are going to have to work out to meet the City's Street and Utility standards. There's no way around that, and just because it's vague at this point doesn't mean they're not going to be held to the standard everybody else is when those things are developed.

S. Lawry stated: I guess I'd be most concerned with the fact that access to much of the property, as well as the utility to serve much of the property, at least the water main, is not in the PUD, it's not part of the plan. It might be part of the submittal here, but it's not under Mr. Ollila's control and if we were to attach a condition to approval of the PUD that said you had to have all of that submitted to you before the City signs off on it that would seem to kind of remove an awful lot of the flexibility right there and require a lot of up-front investment that he's not going to build some of those other buildings for 10 years or more. That infrastructure would actually be deteriorating before it ever has to get used.

Mr. Ollila stated: To put in a point of clarification here, so there's actually multiple ways that exist right now to legally access the property - from the south at the curb cut on the cul-de-sac - that is where you would access the south part of the property. Also, in that documentation is the easement of the abandoned railroad grade that goes to the east of Lot 11, and so that is documented at the register of deeds easement. I would say the BLP access is designed to provide a more well-rounded project that also increases access to the Kaufman Sports Complex on an under-utilized piece of property could provide parking and makes for a nice loop through the property, but it's not necessary to activate the property by utilizing the BLP. That just is something that makes practical sense, so there is no ambiguity around entering the property, you can gain access to the property.

S. Lawry stated: But, I think based on the fire department [inaudible] update, they're basing it on the fact that they need BLP access to provide protection to buildings that are built down at the north end of the property.

Mr. Ollila stated: They would be able to use that easement to the east. There would be a 25 ft. turning radius that would be required in the site plan. We would never build a property that doesn't meet the city's requirement for access for fire.

S. Lawry stated: And just one other correction that's going on page 68 of the packet. It's Plan Sheet G.2 regarding the work buildings 3A and 3C. You're showing us 8 x 40 and then a note attached to it says a building area of 240 sq. ft. to be 320 square feet.

Mr. Ollila stated: It's nice to know you read the plan.

S. Lawry stated: When we're approving things, I don't know what calculations were used exactly where. It becomes a legal document at some point.

D. Stensaas stated: Back to Mr. Lawry's questions about utilities, what were your main concerns about the utility runs or possible extensions?

S. Lawry stated: I believe the water main was shown as - there's a water line to service all of the north buildings was I think running on the BLP property to get down to the lower level and then terminating in a hydrant down there.

Mr. Meister, the applicant's civil engineer from GEI, stated: Yes, but it could be shifted.

Mr. Ollila stated: So, we looked at two versions. So, a couple of things, and Mr. Lawry you probably have a better in-depth understanding of that. Most of the utilities terminate in River Park at the cul-de-sac and it's my understanding that loops are generally desired for water and sewer. While we certainly could go through the center of the property and we have a plan and we have received quotes for doing that, for the City and for the property it would be better to loop them. If we needed to for the site plan say run it through the center of the property on the site plan, then that's what we'll do but we think that everyone would benefit better from looping it. The sanitary discharge is directly going through, storm is on that property - you see those in those black lines there - and then the wastewater is coming back just outside of the BLP's electric easement there.

Mr. Meister stated: The water main there is shown inside the property line.

N. Williams stated: I just have one question. Leppanen and Anker - it looks like there's lots of discrepancies between their conceptual designs or renderings, and the GEI site plans, at least in the packet that I've got. I imagine that is just like where you're at in the process, but this packet is all we have to go off of.

Aaron Leppanen, the applicant's architect, stated: Yeah, I think from looking at the building standpoint, everything should be coordinated. I know those first four buildings are really the priority of the process and then that access road to the west of that. The buildings we're calling 5, 6, 7, and 8, those are

basically marked out on ours as future building sites. I think all the trails I'd have to look at the overlays, but I think George with GEI is here as well, so we would have to look at the overlays, but we know this is a preliminary site plan review. That's where we are in the process, but as far as all the trails, all the square footages, the parking for those first four buildings which are on the southern portion of the site, those calculations as far - I'm just looking at the screen so that's why I'm staring up there.

Mr. Meister stated: The line work for the buildings and infrastructure in there, aside from the utilities, came from them to us in CAD, so they should match pretty much right on. The elevations and renderings might look a little different because of the nature of them.

N. Williams stated: Sure. I guess what I'm looking at is - so we're looking at this drawing. I don't know what page it's on, but then if we switch to page number 54. That shows maybe 10 parking spots, right?

Mr. Ollila stated: Twenty-eight. So I think what you're seeing here in the differences is that when we went through the engineering process, we wanted to, for the entire property, figure out what we could put there to maximize the development of the property. And so rather than doing a Phase 1 and not looking at the rest of the property, we did drawings for the entire property and then we identified what Phase 1 is going to be. So, in some of those images you see what the projections would be for Phase 2, but this is for Phase 1.

S. Mittlefehldt stated: The public hearing is now open, if anyone would like to comment on this proposal please come to the podium.

Vince Nystrom, of Invest UP at 101 S. Front St., stated: I'm really excited to be here tonight and show a little support for a project we've been tracking for a while and we're really excited to partner with so I think all of us are pretty familiar with the whole travel tourism activity that happens across the peninsula and strength that we have here. If you break that down when you start thinking about all the different innovation activities and the opportunities that present themselves around that, that's really where this opportunity comes as well, so you're thinking about everything from electrification of mobility to smart clothing, advanced clothing, advanced trail technologies, just about anything you can think of that we enjoy currently in the outdoor recreation technology space, there's innovation that could go into that and be approved and it's an area right now that we as Invest UP has now gone with a development organization across the upper peninsula in partnership with the MEDC think that the UP, and specifically this region as well, can really accelerate and grow from. So, MEDC, just as an example, to give a little bit of background on it, actually took an office within the Department of Natural Resources and moved that office into MEDC and created outdoor innovation as a sector of focus across the entire state. That office was principally heavily involved in enabling a grant that David is working with to actually build this location, and something that kind of shows the level of interest they had.

And MEDC does not do this very often. As I think back, they have not- maybe once every two or three years do they really look at the technology sector that they say hey, the state of Michigan or a region of the state, in this case the upper peninsula, can really take advantage and grow an innovation sector and an economic sector for both job growth, investment - all of the above - so much so that from an Invest UP perspective we're looking actually at developing a small venture capital fund that I would be the managing director of, that we would be the first one of its type up here in the upper peninsula. That fund would focus exclusively on outdoor innovation, and focus exclusively on investments across the state of Michigan and David has already been identified by us as our innovation chairperson for that, so any time we have any technology across the entire state of Michigan that we were looking to make an investment in, we would bring it to David and David would help round out a team of experts to look at that innovation and technology to give us the thumbs up before we start to doing further due diligence on whether or not it was a good investment. So, again, just kind of recapping everything - as you look at the upper peninsula as a whole, we are so uniquely positioned to use this as a sector of excellence and economic driver. We have the ability to test in water, in sand, in woods and pretty much in mountains. You heard Bentonville, Arkansas mentioned and other things, like in Utah and Colorado. One thing that we also have a unique perspective on is cold weather, fresh water as well, so across the board we have four seasons that we can both test innovation, prototypes, all the above, and the activities in the Shophouse Park is looking to

build is a really perfect match and a great accelerator for the entire sector and we're really excited about the project, so thank you.

S. Mittlefehldt stated: If anyone else would like to comment now is the time. Seeing none, the public hearing is now closed.

It was moved by K. Clegg, seconded by D. Fetter, and carried 8-0 to suspend the rules for discussion.

K. Clegg stated: I'm excited about the opportunity that Mr. Ollila is presenting to us, but I do want to see a lot more detail. I'm with Commissioner Lawry in that I'm unsure how that plays out in the future when we come to see a final site plan review, but anybody else can comment on that.

S. Lawry stated: I'll just say that my experience in the past is we required an awful lot more for all of our applicants and they haven't been used in the last few years and I don't know how much it has changed but I was on the board 8 years previously and they basically had to have stuff where it never would have even gotten to a public hearing and it would have been kicked back as an incomplete application. So I guess this is kind of new ground as far as I'm concerned and how the other commissioners think.

S. Mittlefehldt stated: Yeah, I've been on the commission for 7 years and I've never seen as much...I call it, the trust me factor, trust me this will work. But we haven't seen a lot of PUD's either, and that is what PUD is designed to do - to provide flexibility and support an applicant who is trying to do something a little bit different that doesn't fit in the Code, so I kind of get it, but it definitely is not something I've seen in 7 years either.

S. Lawry stated: I looked at the packet from the last meeting, and read through the minutes, and there was more detail with that submittal than there is with the current one, and I realize some of that all may not all be valid at this point because things have evolved in that time. But, it was a lot more detailed.

K. Clegg stated: The proposal does meet five of the ten requirements and that's why the Planning Commission qualified it a year ago, so it does fit within that.

S. Mittlefehldt stated: One concern I do have, not about this project specifically, but more generally about the future of our land use in the city of Marquette, and I was also not at the last meeting or first meeting where this was approved, and I think Commissioner Premeau has mentioned this before, and I know former Chair Cardillo and I have advocated for having more industrial land in the city of Marquette, and it really is the one type of land use that we don't have much of and I think that ship has sailed and I'm excited about what they're planning for this site and I think it is an appropriate site for this type of work, but in general I would hate for this to be precedent for when we're looking ahead, to north of the river, we're looking at what to do with that WE Energies site. That's really our last big chunk of industrial land, and I would advocate strongly that I want to continue to have industrial, working, manufacturing in the city of Marquette. I think that having that economic diversity is part of a vibrant community, so I just want to put that on the record to say that we do value and want to continue to have industrial land, but hopefully we will see some actual manufacturing and more industrial activity on that north side of the river. Other thoughts? It was also brought up by Dr. Songer, so the letter mentioned that, too. I don't know if others have thoughts on that. Commissioner Premeau, I think we've agreed on this in the past.

W. Premeau stated: I could say, do you know the topography on that land up there? They can't just all of a sudden say well we're going to put a road through the center, because this is designed to run on what's there. You can't just run a line somewhere with the topography that's there, you just wouldn't be able to do it. This is a very small piece of land and even for industry, if you wanted to get an industry up here where there actually would pay large taxes to employ people, you would need a lot of land. And you've got on Lakeshore Boulevard, the WE Energies property, they've got all that land they filled in with fly ash back there and stuff back there. You need a larger site because if you hire 400 guys, you need an apartment building, and one or two charging stations, because that's about all will be used by the 400.

S. Mittlefehldt stated: I did get a chance to visit this site this afternoon and walked around and I can see the vision. I think it will be a beautiful space for the type of work that's being proposed and I agree that it's too small to do a lot of large manufacturing so I'm going to sacrifice the industrial section here but I just want, thinking ahead, I hope that we do see some real manufacturing.

K. Clegg stated: Given that this is, as you said, not necessarily well suited to heavy industrial manufacturing in the first place, there's a good chance they have an opportunity to spur a thing like an incubator so it's developed at all, so that we can attract businesses to fill out that WE Energies property. So, rather than this being the final solution for a manufacturing place with 400 individuals, it's a way for us to attract other people to fill out those properties.

W. Premeau stated: I have one question. Dave, in that packet it talks about a pond for a project, that's never happened before that I know of.

D. Stensaas stated: It's been quite a while but that's always an option for the Planning Commission or City Commission.

W. Premeau stated: So you just put it in there [the staff report] because it's on the books, right?

D. Stensaas stated: Right. It's an option, but we're not recommending it as staff, but it's always an option for this kind of project.

N. Williams stated: At the original meeting in May it was established that it met five of the ten objectives, correct? So, my question is are we able to talk about that at all or is that already established?

D. Stensaas stated: Those were established. That decision, that bridge has been crossed, but you can talk about it.

N. Williams stated: I would like to talk about it. One of my thoughts is, I guess since we haven't had a PUD come through since I've been on. There are the ten objectives, but those objectives are listed as 5 of five more criteria for qualification. Are you familiar with what I'm talking about?

A. Lsanders stated: So, I stated the five that the Planning Commission felt that that they met, in the staff report so they felt out of the ten, they met five, and I stated which ones they were.

N. Williams stated: I guess what I'm saying is that those ten are #5 on that separate list, so there's criteria and then one of the criteria is that it must meet three of these 10, and so #1 - are you able to pull up the Land Development Code?

A. Landers said that she would just pull up the staff report.

N. Williams stated: So, that's #5, and then when you scroll up a little bit. So, in section F is that it must meet all of these criteria as well, so one through five must also be met, and five is these also must be met.

S. Mittlefehldt stated: Yes, they determined they met that, and then they met five out of the 10 required objectives.

N. Williams stated: Okay so they also went through one through four. I know they went through five, but they went through one through four - okay.

W. Premeau asked what the term f-l-u-d above the red line meant on site plan sheet he showed the applicant?

Mr. Lappanen said that it was a misspelling of "flood" and the red line is the flood zone line.

S. Mittlefehldt stated: Is anybody prepared to make a motion?

It was moved by K. Clegg, seconded by A. Andres, and carried 7-1 that after review of the PUD site plan and pattern book dated May 2023, and the STAFF FILE REVIEW/ANALYSIS for 01-PUD-05-22, the Planning Commission, who previously established that the PUD met 5 out of 10 required objectives and the criteria to be eligible for a PUD of Section 54.323(F) of the Marquette City Land Development Code, and the preliminary PUD Plan meets Section 54.323(H) of the Marquette City Land Development Code, recommends that the PUD be approved by the Marquette City Commission with the following condition:

- *an amended plan is submitted to meet staff comments for the final site plan review.*

Yes: M. Rayner, S. Lawry, D. Fetter, N. Williams, K. Clegg, A. Andres, S. Mittlefehldt

No: W. Premeau

Correspondence

A. Sands Township Planning Commission Minutes of May 11, 2023

The Planning Commission and staff briefly discussed the subject, a campground development on the City's southern border.

COMMISSION AND STAFF COMMENTS

W. Premeau stated: The reason I voted no is several reasons, but the main one is they're not talking about putting literally peanuts of their own money in this project and a lot of those projects have failed and then the citizens eat it afterwards so somebody's got to cover the clean-up or whatever. I can't see that going because they're trying to do the same thing at the Air Base. They've already got a track out there. They've got all kinds of stuff up there, and they've got money, lots of dollars from Covid out there.

M. Rayner said that I've seen incubator ideas work, I just would like to see more a little more cohesiveness was my concern.

S. Lawry stated: I do have another question for staff. If there is not substantial progress, is it still within one year that a PUD expires.

D. Stensaas stated that it is two years before expiration.

S. Lawry stated: And if they partially build a PUD and it dies a slow death after that, what happens at that point? Because of some of what is being proposed here, as living space, if it isn't related to the research and development, it would seem to be out of place if its not used...

A. Landers stated: That is why it has to be live-work [housing] where they work there and live there.

S. Lawry stated: Could it eventually become an artist colony?

D. Stensaas said that there will be a formal Agreement for the PUD and that should be dialed into this as an innovation center. And this brings up the fact that we need to add a definition for live-work housing in the LDC the next time we update it.

S. Lawry stated: Okay, just so this doesn't become a white elephant down the line if nobody finds a good use for it that is compatible.

D. Fetter stated: I had a quick thought about the definition of live-work, especially in the world where a lot of people work from anywhere and especially from home, is that going to reflect single-family housing?

A. Landers said that we have home office and home occupation, and home occupation allows for that.

D. Stensaas said that one of the recent amendments to the LDC was that we tightened up the home occupation section of the Code to clarify what is and what is not a home occupation to be clear what isn't a home occupation but to offer flexibility to some home occupations recognizing that times have changed and a lot of people do work from home.

S. Mittlefehldt asked why the Planning Commission does not do the pledge of allegiance. There was a discussion about the issue that may continue at a future meeting.

ADJOURNMENT

The meeting was adjourned by Chair S. Mittlefehldt at 7:45 p.m.

David Stensaas

Prepared by: kw/iMedat

Edited by D.Stensaas, City Planner and Zoning Administrator, Planning Commission Staff Liaison