

**PLANNING COMMISSION MEETING
ESCANABA, MICHIGAN
MAY 9, 2013**

A regular meeting of the Escanaba Planning Commission was held on Thursday, May 9, 2013, at 6:00 p.m. in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

PRESENT: Chairperson Stephen Buckbee, Vice Chairperson Patrick Connor, Boardmembers Tom Warstler, Roy Webber, Todd Milkiewicz, Brian Black and Christine Williams.

ALSO PRESENT: City Manager Jim O'Toole, Executive Secretary Kim Peterson, and Confidential Secretary Amy Peltin

ABSENT: Commissioners Kel Smyth and Brian Moravec.

Chairperson Stephen Buckbee called the meeting to order at 6:01 p.m.

Roll Call

Executive Secretary Kim Peterson conducted the roll call.

Approval/Correction of the March 14, 2013, Planning Commission Meeting Minutes

Commissioner Black stated his name was misspelled in the March 14, 2013 meeting minutes – it was spelled Blake instead of Black.

A motion was made by Chairperson Stephen Buckbee, seconded by Commissioner Tom Warstler, to approve the March 14, 2013, Meeting Minutes with the correction of Brian Black's name. Ayes were unanimous.

Approval/Adjustments to the Agenda

A motion was made by Chairperson Stephen Buckbee, seconded by Commissioner Tom Warstler, to approve the meeting agenda. Ayes were unanimous.

Conflict of Interest Declarations

None.

UNFINISHED BUSINESS

None.

PUBLIC HEARING

AutoZone Site Plan – 405 North Lincoln Road

City Manager O'Toole stated a site plan review is being done in accordance with 1801.3 of the Escanaba Zoning Ordinance.

Wesley Berlin of Professional Engineering Associates, Project Representative, was present on behalf of AutoZone. Mr. Berlin thanked the staff and the Commissioners in advance for their

consideration of the site plan. He stated he believes they have a very good plan that works well for the City, AutoZone, and makes good use of the site area. All aspects of the site plan meet the City Zoning Ordinance requirements.

Commissioner Williams stated the site plan shows one receptacle for trash which is screened in and asked if there was going to be any sort of recycling as there should be a container for cardboard recycling.

Mr. Berlin indicated that they will be doing recycling and may have the containers located inside the building.

Commissioner Williams felt the garbage area might grow slightly to accommodate the recycling receptacles based on City Ordinance Chapter 14, Solid Waste and Refuse which states businesses will cooperate with recycling and refuse in our area.

Commissioner Williams questioned the proposed vegetation. Her main concern was the types of vegetation that has been chosen. One concern is the density of which they are planted, the soil, and their eventual size.

Mr. Berlin indicated there will be an irrigation system for the landscape and they will be maintaining the property.

Commissioner Webber asked why AutoZone settled with 405 North Lincoln Road and questioned whether there were any other locations they were looking at. The reason Commissioner Webber asked this was immediately south there is almost an identical business and they will be side by side. Commissioner Webber stated if you look at the Standards and Questions (Finding of Facts) asks if the development is designed to integrate well with adjacent developments. He stated he can't say 100% that is would be because the business would be obviously a direct competitor selling the same products. He feels there might be an identity issue where customers come to your business by mistake.

Mr. O'Toole stated it is a use permitted by right so the Planning Commission cannot dictate use and the City doesn't dictate commerce.

Vice Chairperson Connor asked if it was standard not to have fire protection and is a standard practice.

Mr. Berlin and Mr. O'Toole indicated it is standard for a building of this size not to require a sprinkler system.

Vice Chairperson Connor asked if a DEQ permit was obtained for crossing the sewer lines.

Mr. Berlin stated there was a question as to whether they needed to get a MDEQ permit for the storm sewer crossing sanitary line and Mr. O'Toole indicated that has been resolved and no MDEQ permit is needed.

Vice Chairperson Connor asked if the land division application was submitted and approved.

Mr. O'Toole stated it was applied for and the City Assessor has given approval.

Chairperson Buckbee noticed there are front doors and two side doors, but no back entrance on the west side. He questioned whether this met fire code requirements.

Mr. O'Toole stated this meets egress and all requirements as per building code.

Chairman Stephen Buckbee opened the meeting to Public Hearing

Richard Meyer, employee of Advanced Auto Parts which will be AutoZone's neighbor directly to the south. He stated he realizes the Planning Commission does nothing with commerce, but it is a Planning Commission and you would have something to say about stacking businesses that do the same thing on top of each other. Mr. Meyer has concerns on the following:

1. How does AutoZone plan on doing their snow removal? Currently, Advanced Auto Parts snow removal is done by pushing the snow banks up to the front of the lot alongside US2 & 41. Super One directly to the north of Advanced Auto Parts pushes all their snow to the south and builds a 30 foot bank directly to the north.
2. Concerns of water from AutoZone's roof and parking lot as there is already a drainage problem in the parking lot. After a hard rain storm there is a lake that forms in that parking lot at the storm drain which will be located directly west of Advanced Auto Parts. According to AutoZone's site plan, they are going to change the grading of the lot to push more water into our parking lot. Mr. Meyer stated the water goes to the center of Super One's parking lot as there is one large storm drain in the middle of that parking lot. He stated they have watched cars stall out in the parking lot after good hard rain storm from the water being so high.
3. There will be six new parking spots AutoZone plans on putting in because their lot is too small to have an appropriate amount of parking spots for the building per square foot, per City of Escanaba Ordinance. AutoZone is planning on six shared and new parking spots to be put in and will they actually fit at the east side row of parking spots in between that and the existing light pole that's there. The last parking space will be right where the current storm drain is located.
4. AutoZone's loading zone will be located on the south end of the building. When AutoZone brings a semi in to unload, are they going to block off their driveway and their parking lot or are they going to hang out into what they are calling a north and south driving lane on the edge of that parking lot. Mr. Meyer stated if you go to the parking lot and take a look, it is a south only driveway with south facing parking spaces and there are no north facing parking spots. When AutoZone parks their approximate 80' semi, are they going to block off the entire front of their building or are they going to hang out into Northland Center's parking lot, which is Super One's parking lot, through their six shared parking spots. How is the semi going to park and are they going to be a nuisance to Northland Center and make their employee/delivery persons move or are they going to pull in and block off the entire front of their building and trap their customers in their parking lot until trucks are done unloading. Mr. Meyer questioned whether the shared parking, employee parking, and delivery parking will be using the shared parking because AutoZone's lot is too small.
5. Mr. Meyer questioned the effect on other businesses. He stated currently between 11:30 a.m. and 1:30 p.m. is being used by Super One and Pizza Hut customers as this is the area where AutoZone's building will be constructed. Super One also rents out that part of the lot, which is owned by Dial Properties, to a Fireworks Dealer, Christmas Tree Dealer, and a local farmer. A car club also meets there every Tuesday and Thursday.
6. Mr. Meyer states there will be an impact on traffic as he went to MDOT and got the crash statistics, however, the data is too broad to indicate that it is actually just that corner.

- Drivers cut through the parking lot to avoid the light all the time. When people are traveling from the south and try to turn into the first entrance, which they show on their plans as the divided driveway, semi-trucks jump the curb all the time at that entrance.
7. Mr. Meyer has concerns about the types of vegetation around the proposed construction and what kind of upkeep is AutoZone going to be held to because if the 65 spruces are planted, they will run out of room.
 8. Mr. Meyer stated in the Lincoln-Ludington Corridor Management Plan, any new construction will take care of any existing bad curb cuts. So the two-way driveway should be turned in to an "In Only" to southbound traffic because the northbound traffic is already a problem.
 9. Mr. Meyer stated in the Escanaba Master Plan for Economic Development, it states that the Planning Commission can consider whether the use of the property meets the criteria and keeps the economics of the current community up and going. He stated there are currently five car dealerships and four independent auto part stores, so customers have nine places to buy auto parts. He questioned whether it was a really good idea to bring in another auto parts store and there is rumors of another auto parts (O'Reilly Auto Parts) coming to Escanaba.

Mr. O'Toole addressed Mr. Meyer's concerns.

1. Discussion was held on snow removal and there are minimum green space requirements that are used for snow storage area. Mr. O'Toole stated if their proposed plan is not adequate and it is proven not to be adequate they will be required to haul the snow away.
2. Mr. O'Toole stated there was considerable discussion with the City Engineer and the Wastewater Department on drainage and the storm sewer there is adequate in size. Mr. Berlin stated the current parking lot does drain to the existing catch basin with the amount of grass cover that he is proposing for the site, he anticipates reducing the amount of storm water runoff. Mr. Berlin further stated they are reducing the amount of surface by just over 2% and any impacts to the existing system capacity will only benefit AutoZone.
3. Mr. O'Toole stated there is an agreement with Dial Enterprises for six new parking spots in the shared parking lot. Mr. O'Toole stated he calculated all the minimum parking needs of all the uses on the Dial property and what they currently have are in excess of what they need so AutoZone entered into an agreement for sharing some parking spots.
4. Mr. Berlin stated the loading space size meets the City's criteria and is not part of the 24' two-way drive isle and not part of the parking area. The area is 10' x 80' and trucks fit on the south end and there is a 4' loading mechanism.
5. Mr. O'Toole stated it wasn't a concern for the Planning Commission that various vendors set up in the parking lot area throughout the year as they are doing it by permission of the property owner and will cease to happen.
6. Mr. O'Toole stated when Advanced Auto Parts was built, considerable time was spent designing and eliminating curb cuts on that particular stretch of road and the entrance and exit that is currently there would be between Advanced Auto Parts and AutoZone and was designed to allow a retail use on the property that AutoZone is proposing to build on. This was done in accordance with the Lincoln Road Corridor Management Plan.
7. Vegetation will be planted and it must be maintained, if it is not maintained it will become a zoning violation and orders will be issued for none compliance.

Commissioner Williams questioned the distance from Advanced Auto to AutoZone and Mr. Berlin stated it was 155'.

Mr. Berlin stated a question was raised on whether there would be sufficient room in the parking lot and he believes there is as the parking area is a huge and is more than ample room to add six parking spots.

Commissioner Warstler questioned whether AutoZone would be resurfacing their parking area and Mr. Berlin responded yes as there is a good chance the area will be concrete everywhere, however, bids will be sent out to include asphalt.

Mr. O'Toole stated O'Reilly Parts purchased the Great Northern Buffet and believes they will present their site plan at the June Planning Commission Meeting.

A motion was made by Vice Chairperson Connor, seconded by Commissioner Black, to approve AutoZone's site plan as submitted. Ayes were unanimous.

NEW BUSINESS

Update – 2013-18 Planning Commission Capital Improvement Plan and the Budget

Mr. O'Toole gave an update on the upcoming fiscal year budget and funded capital improvements. The DDA did fund \$15,000 for design services for the Downtown Building Façade Improvement Program. The DDA changed the funding for the Downtown District Corner Street Sign Replacement as the project was going to be over the course of three years and now the entire Ludington Street corridor from Lincoln Road to Beaumeir Way will be completed entirely by July 1, 2013, with costs being under \$18,000. The DDA funded the Commercial Weatherization Optimization Program for \$3,000. Property Acquisition, Purchase and Demolition Program for \$50,000 was in the budget and the DDA is in negotiation with UPPCO to buy their vacated building on Stephenson Avenue for an historic renovation for a year round farmer's market. Power Pole Replacement for \$250,000 was approved. Street Light Replacement for \$100,000 was approved with the advancement of LED street lighting. The unions have agreed to fund and construct a project for Monument to Labor which will go before the Planning Commission for site plan review with the proposed site being Rose Park on the north side near the roundabout and will be part of the Esky 150. The Liberty Tree Project at Veteran's Park and funding is being worked on for putting in a victory garden around the liberty Elm tree that was planted about three years ago and will be part of Esky 150. The Esky 150 Trees and Neighborhood Planting Parties are progressing. The Westside ORV Trail Connector from Escanaba to Hermansville Trail was approved for \$5,000 which is part of a \$240,000 project being done from a State of Michigan Recreational Grant. Downtown National Register of Historic Places to become a local certified government was approved and the DDA and the Historic District Committee is working on such and \$500 that was budgeted is mainly for outreach public meetings. Parking Lot Beautification for the 1200 Block of 1st Avenue North was approved for \$5,000. The Farmer's Market Incubator and Preservation and Upgrade for Engineering Services were approved \$50,000 and a site plan will go before the Planning Commission. A New Electrical Substation for \$2.5 million is being planned. Major Street Resurfacing and Curb Repair Citywide was originally \$187,500 through a State of Michigan Grant was doubled for \$365,000 which should be enough to complete Sheridan Road. Resurfacing and Curb Repair Citywide for Local Streets was approved for \$100,000. Sidewalk Repair and Maintenance Program Citywide was approved \$5,000 and another \$5,000 for the Non-Motorized Recreational Trail Upgrades on the west side of town. The DDA District Curb Repair Program funded \$18,000 at a yet to be determined site. The City met with MEDC for another \$400,000 grant for Downtown Building Façade Improvement Program with 20 applicants being interested for such. Chip Seal Project for South 32nd Street from 3rd Avenue

South to 4th Avenue South which was \$20,000 is no longer included in the proposed plan because 51% of the property owners did not sign the petition, however, the City is looking at alternatives. The John D. Besse Park of \$280,000 has started breaking ground for the pavilion and the area is cleared with \$180,000 of playground equipment being ordered. A grant was submitted to the State of Michigan Passport Grant for the Ludington Park Tennis Courts, Basketball Courts and Sidewalk at the Pavilion and there is a match of \$13,000. The Marina Water Basin Management Plan Phase II of the Treatment was budgeted for \$15,000 to complete this year. The Marina Entrance Dredging and Harbor Basin Dredging received funding of \$262,500 and the project will start in the fall because piping plovers are nesting in the area.

Commissioner Williams questioned whether additional grant opportunities for facades by becoming a National Historic Register. Mr. O'Toole stated potentially but from another funding source.

Update – Central U.P. Micropolitan Economic Development Project

Mr. O'Toole gave an update on the progress being made in amending the Next Michigan development Act for the creation of the Central U.P. Micropolitan Economic Development District. He stated the City of Escanaba, City of Gladstone, City of Marquette, Delta County and Marquette County are working together to create a central upper peninsula economic zone. Received twenty-one Resolution of Supports from units of government, school entities in Delta County and another nine from governmental entities and schools in Marquette County. The drafting of the amendment to the Next Michigan Act is completed and the final version was received today and will be introduced to the senate next week. The following week Jim O'Toole, Marquette County Administrator and Marquette's City Manager will be meeting in Lansing to testify before the commerce committee and meeting with several chairs of various other committees to try and get this bill passed. Meetings will also be held with representative of the Michigan Economic Development Corporation in Lansing in that they are the overseer of the Michigan Strategic Fund which this would come from.

Election - Chairperson

Mr. O'Toole stated the Planning Commission needs to elect a new Chairperson as Stephen Buckbee has term limited out and this will be his last meeting.

A motion was made by Chairperson Buckbee, seconded by Commissioner Webber, to appoint Commissioner Warstler as the new Chairperson. Ayes were unanimous.

Project Updates:

- a. Zoning Board of Appeals Hearings/Decisions
Board of Appeals for April 2013 was cancelled due to lack of agenda items.
- b. Delta County Planning Commission Update
Vice Chairperson Connor stated he attended the Delta County Planning Commission meeting and an issue was tabled for splitting a 20 acre parcel into two 10 acre parcels in Garden on the waterway. Concern was with ordinance requirements of a parcel having to be located off a public road and currently there is only an easement for the property.

c. Ordinance and Policy Review/Development

Mr. O'Toole stated there hasn't been a lot of activity with the Ordinance and Policy Review/Development as work was being done with the City Budget.

d. Zoning/Land Use Permit Update

Mr. O'Toole distributed an update on the Zoning/Land Use Permits with 15 permits being issued at a total construction value of \$1,509,300.

e. Various

Mr. O'Toole reminded the Planning Commission that the next meeting will be June 11, 2013. Bell's Manufacturing will be constructing a facility in Whitetail Industrial Park and the site plan will go before the Planning Commission. No official word on the Memory Care use off of Willow Creek Road, however, their permit is good for a year. Bishop Noa Project was delayed due to the sequester and the way they are paying for the project. Fleet Maintenance is working through Brownfield plans and they have been submitted to the State of Michigan and the original plan was to repurpose the soil on the property for berming and the State of Michigan wanted it hauled away to the landfill. No word on the Besse Project as the project was halted due to equipment costs being higher than anticipated.

GENERAL PUBLIC COMMENT

None.

PRESENTATION

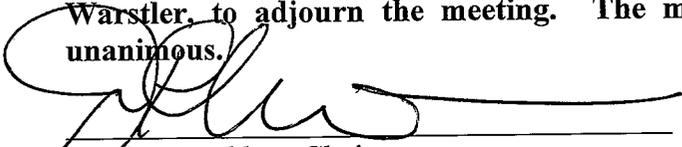
Chairperson Steve Buckbee was presented with a Certificate of Appreciation for his time served on the Planning Commission. Commissioner Moravec will be mailed his Certificate of Appreciation for his time served on the Planning Commission.

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

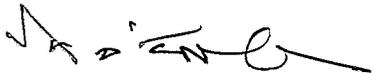
Mr. O'Toole stated Delta County is well positioned for Aquaculture Fish Farming and was briefly discussed with the feasibility study being currently conducted. The Planning Commission will have before them over the next few months what is taking place at Basic Marine with their expansion. If the Next Michigan Development designation is approved, it will open up the door for a lot of programs that the City would otherwise not have access to.

Adjournment

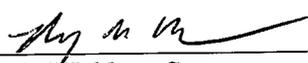
A motion was made by Chairperson Stephen Buckbee, seconded by Commissioner Warstler, to adjourn the meeting. The meeting adjourned at 7:15 p.m. Ayes were unanimous.



Stephen Buckbee, Chairperson
Escanaba Planning Commission



James V. O'Toole, City Manager
City of Escanaba



Roy Webber, Secretary
Escanaba Planning Commission