

**PLANNING COMMISSION MEETING  
ESCANABA, MICHIGAN  
MAY 8, 2014**

A meeting of the Escanaba Planning Commission was held on Thursday, May 8, 2014, at 6:00 p.m. in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

**PRESENT:** Vice Chairperson Patrick Connor, Secretary Roy Webber, Commissioners Todd Milkiewicz, Brian Black, Christine Williams, Kel Smyth and James Hellermann

**ALSO PRESENT:** City Manager Jim O'Toole, Ron Beauchamp City Council Liaison, DDA Director Ed Legault, City Engineer/Public Works Superintendent Bill Farrell, and Confidential Secretary Amy Peltin

**ABSENT:** Chairperson Thomas Warstler

Vice-Chairperson Connor called the meeting to order at 6:00 p.m.

**Roll Call**

Confidential Secretary Peltin conducted the roll call.

**Approval/Correction of the March 13, 2014, Planning Commission Meeting Minutes**

Commissioner Hellerman asked that a correction be made showing City Council Liaison Ron Beauchamp was present.

**A motion was made by Secretary Webber, seconded by Commissioner Smyth, to approve the March 13, 2014, Meeting Minutes with corrections. Ayes were unanimous.**

**Approval/Adjustments to the Agenda**

**A motion was made by Commissioner Williams, seconded by Commissioner Black, to approve the meeting agenda. Ayes were unanimous.**

**Conflict of Interest Declarations**

**RE: 2E1A: Issuing, deliberating on, voting on, or reviewing a case concerning him or her.**

Commissioner Williams and Commissioner Black disclosed they are members of Esky Grow Garden Group, which they have no financial gain. Commissioner Smyth stated he is a volunteer for Esky Grow. City Manager O'Toole and Vice Chairperson Connor stated since there is no direct financial gain there is no conflict of interest.

**UNFINISHED BUSINESS**

**1. Planning Commission Rules of Procedure Amendment** – City Manager O'Toole stated the Planning Commission has been working on a possible amendment to Section 5, paragraph F, Voting of the Planning Commission Rules of Procedure for some time and met with the City Attorney regarding the recommended changes by Secretary Webber and discussion from Commissioner Hellerman. The City Attorney recommended we leave the language as is. City Manager O'Toole recommended waiting until September when MEDC will be reviewing our

master plan, zoning ordinances, rules of procedure language, and other various policies as part of the Redevelopment Readiness Program and have a third independent look at the policy.

## **PUBLIC HEARING**

**1. Preliminary Site Plan/Project Review- Sheridan Road Reconstruction Project** – City Engineer/Public Works Superintendent Bill Farrell stated the City was able to obtain a Small Urban Grant 2 ½ years ago for \$187,500 and last year another \$187,500 to be able to do more work on Sheridan Road from 10<sup>th</sup> Avenue North through 17<sup>th</sup> Avenue North with both of those grants. Proposed work is to pulverize, re-grade, pave, resurface, become ADA compliant on sidewalks and crosswalks with no underground or curb work at this time. The tentative timeline is July 7<sup>th</sup> to start and the concrete work will take approximately three weeks with paving will take approximately one week. A detour route will be on Sheridan Road between 10<sup>th</sup> Avenue North and 17<sup>th</sup> Avenue North. Anticipated duration is 90 days to include clean-up and smaller projects. Vice Chairperson Connor asked if this will solve the flooding problems in that area. City Engineer/Public Works Superintendent Bill Farrell stated this will not address this issue and part of the reason being it doesn't go from 8<sup>th</sup> Avenue North to 10<sup>th</sup> Avenue North, which is the area with pipe problems. Commissioner Milkiewicz asked why the 8<sup>th</sup> Avenue North to 10<sup>th</sup> Avenue North area is not being addressed at this time. Terry Flower explained they need that area for truck routs and it would be an inconvenience to residents and bottle neck traffic. Commissioner Hellerman asked if Rampart would be in the affected area, City Engineer/Public Works Superintendent Bill Farrell stated they would not be. Commissioner Hellerman was concerned about increased traffic around Rampart. City Engineer/Public Works Superintendent Bill Farrell stated it would be increased for a short duration.

## **PUBLIC COMMENT**

Dan Samson, property owner of the former Nelson's Cash Store located at 1300 block of Sheridan Road. He asked if the sidewalks will be addressed at that time. City Engineer/Public Works Superintendent Bill Farrell stated the main sidewalks are the property owner's responsibility. Mr. Samson also questioned when the new street lights were installed why one block of commercial property was not replaced, and are there plans to replace those lights? City Manager O'Toole stated there are no plans as this time to replace those lights. The lights were replaced about five years ago and the decision on where the lights were to go was decided through a community process such as this one.

Lori Rose, lives on the 1200 Block of Sheridan, asked if there are any plans to work on the sewer in that area. City Manager O'Toole stated this project is strictly top work. Ms. Rose also asked on the hours of operation. Terry Flower stated it be 7:00 a.m. to 7:00 p.m. for tentative hours and will vary greatly, more likely it will be from 7:30 a.m. to 6:00 p.m. Ms. Rose also stated a few years ago there was an accident on 12<sup>th</sup> Avenue North and Sheridan Road and the original green street sign is missing. She further stated she is a member of the Historical Society and they would like to be notified of anything is dug up or found during resurfacing.

**2. Street Resurfacing Priorities – 2014-15 – Citywide** – The upcoming fiscal year budget begins July 1, 2014, and the City has additional funds for streets. There are two types of streets in Escanaba, major and local streets. An example of a major street would be Sheridan Road and a local street would be neighborhood street. This year's budget for paving is \$400,000, which is a significant amount of money given the financial road situation in the State of Michigan right now. The State of Michigan was supposed to vote today for an additional \$450 million dollars to be released through the Act 51 Road Funding Program to local units. City Manager O'Toole stated if that is passed the City will just go down the established list until the funds are depleted.

City Engineer/Public Works Superintendent Bill Farrell is here to discuss the PAZER system and present a slide show on the list of streets on the priority list. City Manager O'Toole stated there is 85 miles of streets and 80% are in poor condition, so the list could be much longer but it addresses the amount of money we have to work with and certain ground conditions.

City Engineer/Public Works Superintendent Bill Farrell explained the PAZER Rating which is a 1-10 scale with 10 being fairly new and 1 being in poor condition. They use the PAZER rating with and drive the streets, compare, contrast, measure, and set limits of the project. Some items they consider are is it a patching project, low PAZER rating, amount of curb repair needed, which is more expensive and their goal is to put down as much as new asphalt as possible. There are approximately 24 projects and priority based on several factors such as condition, money, life left in the road, etc. City Engineer/Public Works Superintendent Bill Farrell also applied for left over Small Urban Grant funding for 5<sup>th</sup> Avenue South from South Lincoln Road to South 19<sup>th</sup> Street and has not heard if they will receive funding but have set aside \$35,000 in match funds, which if not approved, will be used for other projects on the list. There is one project on North 16<sup>th</sup> Street and 15<sup>th</sup> Avenue North that they are hoping to get done by July 1, 2014. Commissioner Black asked if Public Works has an ability to track usage numbers of streets. City Engineer Farrell/Public Works Superintendent stated they do, but not all streets and this is something they will be looking into and PAZER doesn't take into account sides of street where there is parking.

#### **Major Streets -Priority**

5<sup>th</sup> Avenue South- Alley between 15<sup>th</sup>, 16<sup>th</sup>, and 14<sup>th</sup> Street  
12 Avenue North/Lincoln Road at 23<sup>rd</sup> Street – Fairgrounds Entrance

#### **Local Streets – Priority**

7<sup>th</sup> Avenue South – Lake Shore Drive  
20<sup>th</sup> Street North - 4<sup>th</sup> Avenue & 5<sup>th</sup> Avenue  
15<sup>th</sup> Street South – 9<sup>th</sup> Avenue – 10<sup>th</sup> Avenue  
2<sup>nd</sup> Avenue North & 12<sup>th</sup> Street Intersection  
14<sup>th</sup> Avenue South-Willow Creek Road/South 30<sup>th</sup> Street (apply another coat of chip seal)  
16<sup>th</sup> Street North -11<sup>th</sup> Avenue North & 12<sup>th</sup> Avenue North  
Ogden & 4<sup>th</sup> Street Intersection  
15<sup>th</sup> Street South – 6<sup>th</sup> & 7<sup>th</sup> Avenue South  
10<sup>th</sup> Avenue South – 14<sup>th</sup> – 15<sup>th</sup> Street South

City Manager O'Toole explained there are eight major streets at an estimated cost of \$627,000 and fourteen local streets at an estimated cost of \$627,000. City Manager O'Toole stated Public Works will go down the list until funds run out. Other factors to take into consideration on what projects get completed are weather and Public Works only has a staff of eleven full-time employees down from thirty-three full-time employees at one point. City Manager O'Toole noted there will be in total over the next twelve months, including the Sheridan Road project, and receiving funding for 5<sup>th</sup> Avenue project will be just under \$1 million of real paving, which is a significant amount. For comparison, the project at Ogden Avenue costs is estimated at \$15,000 and is the least expensive on the list. The average for a standard local city neighborhood block to mill and fill is \$30,000. Commissioner Williams asked if the Ogden Avenue project ends up needing sewer repair work does that monies come out of the road repair budget.

#### **PUBLIC COMMENT**

NONE

**3. Downtown Market Place Project – North 9<sup>th</sup> Street and 1<sup>st</sup> Avenue North** – City Manager O’Toole entered into record the site plan review report – see attached. All fee and notification requirements to include letters sent to property owners within 400 feet of the property and also an ad was placed in the Daily Press and through various social media and bulletin boards. All documents are included in the agenda packet and available to the public. Staff recommends approval on the site of the current Farmer’s Market. DDA Director Ed Legault addressed the Planning Commission and public with a position paper outlining the history of the Farmer’s Market and a DDA Planning Timeline – see attached.

DDA Director Legault explained this is part of redeveloping downtown and is an important aspect to start moving forward on some of the items discussed in the past. On April 30, 2014, DDA Director Legault had the opportunity to meet for six hours with two representatives from the Michigan Economic Development Corporation (MEDC). He reviewed the Marketplace project, as well as the Façade project, with them. MEDC was very enthusiastic about what the DDA can achieve with the proposed construction. MEDC offered additional feedback that felt would enhance our grant opportunities. DDA Director Legault stated they did look into the Northern Motors building and the bottom line was the utilities on that building would cost roughly \$36,000 and that is over 15% of the budget. It makes more sense as he looks to utilize the dollars he takes in to have a structure that is more of a nine month out of a year structure. DDA Director Legault stated the cost estimate at this time is \$703,000 and feels he should be able to get 50% through a Food to Farm Grant from the MEDC. The MEDC also felt there were other grants that could be utilized to enhance some of the background utilities and would like to see them underground and have pointed him to some grants that may be able to help with those costs. Esky Grow has been onsite for at least four years and were given property to educate students about how to grow food. In meeting with Esky Grow they have worked out a plan where they can enhance their education opportunities, not only for students, but for the public in general. DDA Director Legault would like to also incorporate the students, not only in the growing, but the business administration aspect to further their education.

There is a second phase if the opportunity avails itself. DDA Director Legault stated the Farmer’s Market has historically always had a parking problem and the other issue was how to open the Farmer’s Market up to Ludington Street. They have looked at a project where the DDA would create a space from Ludington Street to the Marketplace, making it more of a park like setting and making it a conduit from Ludington Street and the Marketplace and open more parking from Ludington Street. City Manager O’Toole stated this would be gated to control night mischief. Secretary Webber feels nine months of operation is not realistic. DDA Director Legault stated the structure is partially enclosed and some open space can be closed off with weather curtains. Secretary Webber asked what type of heating will be used and if radiant heat has been considered. DDA Director Legault hasn’t discussed the heating system at this point. City Manager O’Toole did meet with the gas company about a program they offer and discussed the possibility of providing portable heaters and large grill/cook stove with discussions ongoing. Commissioner Hellermann stated he feels the clock tower is excessive and there are a lot of power poles not shown in the drawings and the utility expense would be great. DDA Director Legault has looked into grant opportunities to take a look at burying the utilities around the Marketplace structure. City Manager O’Toole stated MEDC does have an infrastructure program and the Electric Department is working on an estimate. If the utilities are underground, the MEDC would be able to assist with more funding. Commissioner Black commented that it sounds like everything is contingent on receiving grant funding and he asked what are the odds of receiving the funds. DDA Director Legault feels the odds are over 50% and the infrastructure grant is in the 90% range if not more. City Manager O’Toole stated we cannot make an official submission to the MEDC for grant funds until we get site plan approval. DDA Director Legault

explained the structure is not being built just for the Farmer's Market, they will utilize that structure but the Marketplace itself will be utilized by many different venues downtown, as long as working with the schools, family reunions, etc. This is the first step in creating a place where people young and old and create some really good memories at the Marketplace.

Commissioner Milkiewicz asked if providing access from Ludington Street will have to get approval from the Historical Commission. City Manager O'Toole stated that DDA Director Legault is working with a property owner on Ludington Street and will have to apply to the State Historic Preservation Office for significance of that particular building. Once that comes back approved, the next step will be going to the MEDC for their demolition program to buy the building and tear it down. Commissioner Milkiewicz asked if there would be a bond or mileage. DDA Director Legault stated it would be a bond/loan the DDA would pay back. Commissioner Milkiewicz stated some apprehension creating this space for just one entity would not be a good use of funds. DDA Director Legault agreed and stated that is why he felt it has to be multi-use. This space will also create some revenue which currently does not. Commissioner Williams likes the idea of having a green space and would be a nice backdrop for a function.

Commissioner Milkiewicz stated parking is always an issue but likes the Ludington Street access and should alleviate parking issues. Secretary Webber asked what the alcohol policy will be for the site. City Manager O'Toole stated an Alcohol Use Policy for the Marketplace is currently being reviewed.

Commissioner Hellermann asked who would be responsible for maintenance. City Manager O'Toole stated the DDA is a separate authority and maintenance will be the responsibility of the DDA. Commissioner Hellermann also asked if parking meets the parking standard. City Manager O'Toole stated currently it does not meet the parking standard and he has listed long-term parking as a recommended condition of approval.

## **PUBLIC COMMENT**

Glenn Vandewater of Esky Grow stated it really is going to enhance Esky Grow by increasing beds and the appearance. He stated for the past five years Esky Grow has been at that location and has produced thousands of pounds of fresh organic produce to local food pantries.

Barry Polzin, Project Architect, addressed the clock tower stating this facility will become an important public place, which makes this a wonderful project for the MEDC. Secretary Webber asked what the cost of the clock tower is. Mr. Polzin state it is roughly \$60,000. DDA Director Legault wanted to clarify that road funding and project funding are mutually exclusive and explained it is important to keep in mind how we get the funds and we have to play by MEDC rules. The MEDC is going to spend those funds whether it's Marquette, Traverse City, or somewhere else downstate and if the DDA doesn't apply for the funds or show any interest we definitely will not receive the monies. Vice Chairperson Connor has a concern that with 38 stalls it will create huge parking issues if vendors are parking on the outside. DDA Director Legault explained the vendors will have to drop off their items and move their vehicles to allow for customer parking. City Manager O'Toole is looking into a local parking ordinance to include a street barrier and vendor parking outside the lot. Secretary Webber has concerns about a walk through and depriving parking for businesses on Ludington Street. DDA Director Legault stated he spoke with Sue Nyman of Nyman Jewelers and stated she has no problems with the Marketplace utilizing Ludington Street parking, and part of being downtown is at times you may have to park around the corner. He also spoke with the business owners closest to where the walk through will be located and they are ecstatic about the project.

A motion was made by Commissioner Smyth, seconded by Commissioner Milkiewicz, to approve the site plan with the following conditions: 1. All landscaping as shown in the site plan drawing be installed, inspected and approved no later than one year after the Certificate to Occupancy is issued. 2. A long-term parking plan is developed as a result of the expanded use at the facility. Ayes were unanimous.

### NEW BUSINESS

#### Project Updates:

- A. Zoning Board of Appeals Hearings/Decisions – No meeting was held.
- B. Delta County Planning Commission Update – No meeting was held.
- C. Zoning/Land Use Permit Update – Since January 9, 2014, zoning permits have been issued with a declared construction value of \$2.6 million. There is a great deal of commercial projects going on.
- D. Various – City Manager O’Toole did tour the Bell’s Upper Hand Brewery last week, which is advancing nicely and completion is delayed until July.

### GENERAL PUBLIC COMMENT

None.

### COMMISION/STAFF COMMENT AND ANNOUNCEMENTS

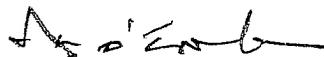
City Manager O’Toole announced a Special Joint Meeting of the Planning Commission, City Council, DDA, and Historic District Commission scheduled for May 29, 2014, to go over the National Register inclusion, becoming a Certified Government as part of our Master Plan, discussion about MEDC, and finalization of the Downtown Building Façade Guideline.

### ADJOURMENT

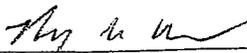
A motion was made by Secretary Webber, seconded by Commissioner Williams, to adjourn the meeting. The meeting adjourned at 7:23 p.m. Ayes were unanimous.



Patrick Connor, Vice Chairperson  
Escanaba Planning Commission



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



Roy Webber, Secretary  
Escanaba Planning Commission