

**PLANNING COMMISSION MEETING
ESCANABA, MICHIGAN
April 9, 2015**

A meeting of the Escanaba Planning Commission was held on Thursday, April 9, 2015, at 6:00 p.m. at the City Hall/Library Complex, 410 Ludington Street, Escanaba, MI 49829.

PRESENT: Chairperson Patrick Connor, Vice Chairperson Kel Smyth, Commissioners Roy Webber, Brian Black, James Hellermann, Stephen Buckbee, Christine Williams and Tom Warstler

ALSO PRESENT: City Manager Jim O'Toole, Executive Secretary Kim Peterson, WYKX/WLUC Radio Representative Craig Woerpel, Real Estate Acquisition and Development Representative Guy Stewart, CUPPAD Representative Ann Miller and Chamber of Commerce Director Vickie Micheau

Chairperson Connor called the meeting to order at 6:02 p.m.

Roll Call

Executive Secretary Kim Peterson conducted the roll call.

Approval/Correction of the March 18, 2015, Planning Commission Meeting Minutes

A motion was made by Commissioner Buckbee, seconded by Commissioner Warstler, to approve the March 18, 2015, Meeting Minutes. Ayes were unanimous.

Approval/Adjustments to the Agenda

None.

Conflict of Interest Declarations

None.

UNFINISHED BUSINESS

None.

PUBLIC HEARING

Special Land Use Permit – Patrick Barron Properties, LLC – 2808 North 28th Street – Communication Tower and Equipment Shelter.

City Manager O'Toole stated Patrick Barron Properties, LLC is proposing to construct a 115' monopole communication tower and shelter facility at 2808 North 28th Street, Escanaba. A public hearing on the special land use permit will take place so that there is a public understanding of the project.

City Manager O'Toole cited the Compliance With Development Standards as follows:

1. The proposed construction will be located on property which is zoned as an Industrial Park District (F-1). The use is a permitted use as a Special Land Use with Planning Commission approval as outlined in Section 1403.1.A
2. The proposed construction meets the standards of the City of Escanaba Wireless Telecommunications Facilities Ordinance.
3. The preliminary proposed construction site plan diagram complies with Chapter 18. Sketch Plan Standards, Section 1808 Sketch Plans Required and Section 1809 Sketch Plan Diagram Requirements.
4. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.1.1.1. Pre-Application Conference, a staff meeting and review was conducted on March 9, 2015.
5. All fee and notification requirements of the Ordinance have been accommodated.

City Manager O'Toole cited the Duties of the Planning Commission as follows:

The Planning Commission must hold a Public Hearing so as to facilitate public review and understanding of the proposed development.

The Planning Commission must approve or deny the site plan according to the standards and requirements of the Telecommunications Facilities Ordinance within 45 days of submission of said plan.

Should the Planning Commission reject the site plan, the property owner may appeal the decision to the Zoning Board of Appeals.

If a protest of the proposed special land use permit is presented to the Planning Commission at or before the public hearing date on the request and it is properly signed by the owners of at least twenty percent (20%) of the noticed area of land included in the request, excluding publicly owned land, or by owners of at least twenty percent (20%) of the area of and included within an area extending out at least one hundred (100) feet from any point on the boundary of land included in the request, excluding publicly owned land, then such request for special land use permit approval shall be passed only upon an affirmative vote of three-fourths of the members of the Planning Commission.

No protests were filed.

City Manager O'Toole cited Staff Comment, General Plan Goals and Conditions of Approval as follows:

1. Staff is recommending approval of the site plan diagram for the following reasons:
 - A. The proposed use is consistent with the Escanaba Telecommunication Facility Ordinance.
 - B. The proposed use is an allowable use under a special land use permit which is issued by the Planning Commission.

City Manager O'Toole stated the fiscal impact would be the construction value of the proposed facility is estimated to be \$150,000. Notice of Public Hearing was published in the Escanaba Daily Press Newspaper and meeting notices were mailed to the adjacent property owners of the project site. The meeting agenda was posted on the City's official notice bulletin board and the City of Escanaba's website.

Guy Stewart appeared before the Planning Commission and stated he is present to represent SBA who is the tower owner and Verizon Wireless who will be the first tenant on such tower. Verizon Wireless has identified a signal issue on the north side of the City that they would like to resolve. The site being proposed was selected after review of the Wireless Telecommunication Facilities Ordinance.

Commissioner Hellermann stated according to Verizon Wireless advertisement, there is enough coverage in this area and he worked in the area and has no problems with his coverage as he is a customer of Verizon Wireless. He is questioning whether or not this tower being proposed on this site is necessary.

Mr. Stewart stated the signals would be used for other uses, such as internet. He stated Verizon Wireless identified a location that they needed a tower and would not want to construct a tower if not needed.

Commissioner Hellermann stated after reviewing the ordinance it states a necessity is part of the ordinance for construction.

Commissioner Williams stated she did not see a landscaping plan. She further stated whenever there is an opportunity to add landscaping to the environment and enhances the infrastructure with vegetation and greenery should be taken.

Mr. Stewart said he believed the Industrial Park would not require landscaping; however, he would comply with such and sees no issues.

Chairperson Connor opened the public hearing.

Tom Rymkos, Escanaba Township, stated he thought the tower would be beneficial for the City and the property owner as money is being spent.

Patrick Barron, property owner, stated the tower would be constructed in the corner of the property where parking and equipment are located. This tower will not affect the long-term aspect of the company. He stated as far as landscaping, the property is clean and brush is removed. This project is good for SBA and for him.

Chairperson Connor closed the public hearing.

Commissioner Black questioned what the potential cons would be with the tower construction.

Mr. Stewart stated the cons that he hears are for towers being constructed near residences.

City Manager O'Toole stated the flight path was cleared and the proposed construction is off the right-of-way and was reviewed. There was also a series of investigations conducted for interference, and there were no concerns.

A motion was made by Commissioner Williams, seconded by Vice Chairperson Smyth, to approve the Special Land Use Permit submitted by Patrick Barron Properties, LLC at 2808 North 28th Street for a 115' monopole communication tower and equipment shelter. A condition of approval is the landscaping requirements are followed as stated in the Ordinance.

Motion was approved with Commissioner Hellermann opposing.

Special Land Use Permit – Delta County U.P. State Fair Authority – On or Around 9th Avenue North (Undeveloped).

City Manager O'Toole stated the Delta County U.P. State Fair Authority is requesting an 18 month Special Land Use Permit be issued which would allow property that is owned and controlled by the Authority near 9th Avenue north to be leased to the American Transmission Company which will be used as a temporary storage facility for ATC's Bay Lake transmission line construction.

City Manager O'Toole stated the current zoning is Heavy Manufacturing "G" District.

City Manager cited the Compliance With Development Standards/Staff Comment, General Plan Goals and Conditions of Approval as follows:

1. The proposed temporary use will be located on property which is zoned as Heavy Manufacturing "G" District. The use is a use that is customary in that particular zone. The use can be a permitted use as a special land use with Planning Commission approval as outlined in Section 1403.1.A
2. The proposed use is being proposed on undeveloped property which does not have any frontage to a constructed public street and will be out of the public view.
3. The use is temporary in nature and all property will be returned to its original state or better upon completion of the lease.
4. All fee and notification requirements of the Ordinance have been accommodated.

City Manager O'Toole cited the Duties of the Planning Commission as follows:

The Planning Commission must hold a public hearing so as to facilitate public review and understanding of the proposed development.

Should the Planning Commission reject the site plan, the property owner may appeal the decision to the Zoning Board of Appeals.

If a protest of the proposed special land use permit is presented to the Planning Commission at or before the public hearing date on the request and it is properly signed by the owners of at least twenty percent (20%) of the noticed area of land included in the request, excluding publicly owned land, or by owners of at least twenty percent (20%) of the area of and included within an area extending out at least one hundred (100) feet from any point on the boundary of land included in the request, excluding publicly owned land, then such request for special land use permit approval shall be passed only upon an affirmative vote of three-fourths of the members of the Planning Commission.

City Manager O'Toole stated Notice of Public Hearing was published in the Escanaba Daily Press Newspaper and meeting notices were mailed to the adjacent property owners of the project site. The meeting agenda was posted on the City's official notice bulletin board and the City of Escanaba's website.

Chamber of Commerce Director Vickie Micheau stated they look at this project as an opportunity to develop this area in terms of improving the roadway. This will also eliminate a problem as the overflow parking lot can be developed so people won't block the sand road.

City Manager O'Toole stated administration has reviewed traffic and utilities and there were no issues.

Commissioner Warstler stated an 18 month Special Land Use Permit was applied for and questioned the provisions "what if" for an extension. City Manager O'Toole stated if an extension was needed, it would have to go back before the Planning Commission.

Commissioner Webber questioned whether the money from this lease would be placed in the general fund for the Fair Authority. Mrs. Micheau stated yes.

Chairperson Connor opened the public hearing up.

Tom Rymkos, Escanaba Township, stated ATC has done work on two substations in his township and they have done a great job and they are an asset to the community.

Carl Lemmer, Real Estate Contractor for ATC, stated he is the project manager that approved the acquisition of the right-of-way on this project and is available to answer any questions.

Chairperson Connor closed the public hearing.

A motion was made by Commissioner Buckbee, seconded by Commissioner Warstler to approve the Special Land Use Permit to the Delta County U.P. State Fair Authority on or around 9th Avenue North (undeveloped) for ATC's Bay Lake transmission line construction to have a temporary storage facility. Ayes were unanimous.

NEW BUSINESS

Update – MEDC Redevelopment Ready Communities – DRAFT Report of Findings.

City Manager O'Toole stated the MEDC Redevelopment Ready Communities program is a certification program which supports community revitalization and the attraction and retention of businesses, entrepreneurs and talent throughout Michigan. The City of Escanaba is one of nineteen communities in Michigan enrolled in the program. The Planning Commission is being asked to review the DRAFT Report of Findings.

Various areas were reviewed and rate was assigned ranging from best practices with public participation, zoning requirements, etc.

A Joint Meeting of the City Council, Planning Commission, Downtown Development Authority and Historic District Commission is being scheduled for May 20, 2015.

Once the report is reviewed, a work list will be created and items will be updated/upgrading throughout the year. The State of Michigan will then certify the City of Escanaba as ready to go which will open up doors with respect to marketing.

Update – Community Master Planning Process.

City Manager O’Toole stated Ann Miller from CUPPAD is present to provide an update to the Planning Commission on the progress made in developing a timeline for the completion of the Community Master Plan.

CUPPAD Representative Ann Miller stated she would like to have a work group to discuss in depth issues. She would also like to have a discussion on the energy and flooding issues within the City.

A subcommittee to meet with CUPPAD will be Christine Williams, Roy Webber, Tom Warstler, Brian Black and Jim O’Toole.

Project Updates:

- A. Zoning Board of Appeals Hearings/Decisions – None.
- B. Superior Trade Zone – City Manager O’Toole stated The Superior Trade Zone has been approved. They are meeting with MEDC and the units of government that have signed the inter-local agreement.
- C. Delta County Planning Commission Update – Chairperson Connor stated the Commission met this past Monday and discussed a paint ball field in Rapid River that would be leased land and rezoning is needed.
- D. Zoning/Land Use Permit Update – City Manager O’Toole stated as of April 9, 2015, the following has been issued and declared values given: two residential homes for \$634,000; three residential remodels for \$48,000; five new commercials for approximately \$8,000,000; five commercial remodels at \$59,000; and three demolitions at \$128,000.
- E. Various – City Manager O’Toole stated the MSHDA/SHPO Certified Local Government have submitted the approval letter and the City is officially certified with the United Stated Department of the Interior of the National Park Service. An architect came from the University of Michigan to the City and several downtown historical buildings were identified for evaluation. The State of Michigan gives an amount of money to the federal government and from that money 10% is set aside for communities.

GENERAL PUBLIC COMMENT

Tom Rymkos, Escanaba Township, stated the agreements with the City of Gladstone have been signed for the construction of the proposed bike path.

City Manager O’Toole stated the Joint Government Committee of Delta County has embraced the concept of a County-Wide Master Plan. A 2% Hannahville Grant Application will be written to have CUPPAD prepare such Plan.

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

Commissioner Webber stated some type of branding is needed for the City of Escanaba.

ADJOURNMENT

A motion was made by Commissioner Warstler, seconded by Vice Chairperson Smyth, to adjourn the meeting. The meeting adjourned at 7:50 p.m. Ayes were unanimous.

Patrick Connor, Chairperson
Escanaba Planning Commission

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

Roy Webber, Secretary
Escanaba Planning Commission