



Patrick Connor, Chairperson  
Kel Smyth, Vice-Chairperson  
Roy Webber, Secretary  
Brian Black, Commissioner  
Tom Warstler, Commissioner  
James Hellerman, Commissioner

**PLANNING COMMISSION  
REGULAR MEETING AGENDA  
February 11, 2016, at 6:00 p.m.**

*Christine Williams, Commissioner  
Morley Diment, Commissioner  
Paul Caswell, Commissioner*

*James V. O'Toole, City Manager  
Ronald Beauchamp, City Council Liaison*

Escanaba City Hall, Council Chambers, 410 Ludington Street, Escanaba, MI 49829

**Thursday, February 11, 2016, at 6:00 p.m.**

CALL TO ORDER

ROLL CALL

APPROVAL/CORRECTION(S) TO MINUTES – January 14, 2016

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION

UNFINISHED BUSINESS – None

PUBLIC HEARING - None

NEW BUSINESS

**1. Review – Special Assessment Petition Process for Street Construction – North 26<sup>th</sup> Street between 3<sup>rd</sup>. Avenue North and 6<sup>th</sup> Avenue North.**

**Explanation:** Administration will review the special assessment petition process being utilized for the construction of North 26<sup>th</sup> Street which is being installed between 3<sup>rd</sup>. Avenue North and 6<sup>th</sup> Avenue North. The purpose of the review is to advise the petitioning properties owners of the process that is used in the City.

**2. Approval – Community Participation Plan – Redevelopment Ready Communities Program.**

**Explanation:** Administration will review a DRAFT Community Participation Plan with the Planning Commission and public. The plan is an essential tool for outlining how elected officials, appointed officials, and boards and commissions engage the public throughout a planning and development process such as updating the Community Master Plan.

**3. Update – Community Master Plan.**

**Explanation:** Administration will update the Planning Commission and public on the status of the revised master planning process.

**4. Project Updates:**

- a. Zoning Board of Appeals Hearings/Decisions.
- b. Delta County Planning Commission Update. The Planning Commission will be updated on the activities at the latest Delta County Planning Commission Meeting.
- c. Zoning/Land Use Permit Update.
- d. Various.

GENERAL PUBLIC COMMENT

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

ADJOURNMENT

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling City Hall at (906) 786-9402.

Respectfully Submitted,

Patrick Connor, Chairperson  
Planning Commission

**PLANNING COMMISSION MEETING  
ESCANABA, MICHIGAN  
January 14, 2016**

A meeting of the Escanaba Planning Commission was held on Thursday, January 14, 2016, at 6:00 p.m. in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

**PRESENT:** Chairperson Patrick Connor, Secretary Roy Webber, Commissioner Brian Black, Commissioner Tom Warstler, Commissioner James Hellerman, and Commissioner Morley Diment.

**ALSO PRESENT:** City Manager Jim O'Toole, City Council Liaison Ron Beauchamp, Executive Assistant Buffy Smith, Code Official Blaine DeGrave, City Engineer Bill Farrell, DDA Director Ed LeGault, Marquette Attorney Steve Pence.

**VIA PHONE CONFERENCE:** Peter Jobson, Excel Realty President

**ABSENT:** Commissioner Paul Caswell, Commissioner Christine Williams, and Vice-Chairperson Kel Smyth.

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

**Roll Call**

Executive Assistant Buffy Smith conducted the roll call.

**Approval/Correction of the December 10, 2015, Planning Commission Meeting Minutes**

A motion was made by Secretary Webber, seconded by Commissioner Warstler, to accept the December 10, 2015 Planning Commission meeting minutes as submitted. Ayes were unanimous.

**Approval/Adjustments to the Agenda**

A motion was made by Commissioner Black, seconded by Commissioner Warstler, to approve the January 14, 2016 Planning Commission agenda as submitted. Ayes were unanimous.

**Conflict of Interest Declarations**

None.

---

**UNFINISHED BUSINESS**

None.

**PUBLIC HEARING**

1. **Review of 223 Ludington Street/216 1<sup>st</sup> Avenue South –Traffic Assessment Plan, Water Management Catch Basin Plan, and Property Screening Plan**

At the September 10, 2015 meeting of the Planning Commission, the Planning Commission conditionally approved a site plan for a proposed 34 dwelling unit senior/elderly affordable housing project with an adjoining off-street parking lot. Per the Planning Commission, an additional review on the proposed traffic assessment plan, water management catch basin plan, and property screening details was mandated.

Jim O'Toole stated the results of the traffic assessment plan submitted by Traffic Engineering Associates, Inc. (attached), the company retained to conduct the study. City Engineer Bill Farrell reviewed the traffic assessment. A copy of Mr. Farrell's findings is attached.

Jim O'Toole stated the results of the Dry Well Catch Basin Detail, which has been reviewed by City Engineer Bill Farrell. Water for this property will be managed on the property and not discharged into the alley.

Jim O'Toole stated the fencing options that have been provided (attached), which include six (6) foot vinyl fencing on both sides of the property. The project will consist of ten (10) or more vehicle spaces and according to the zoning requirement for screening amongst adjacent property owners the proposed fencing will meet the requirement. Also the requirements in Zoning Ordinance Section 19.12.8.1 will be met with the proposed vinyl fencing.

Mr. Steve Pence, counsel for the House of Ludington, stated the application is pending with the State of Michigan for funding approval. When the application was submitted last fall, the conditional approval from the September 2015 meeting caused a deduction of five (5) points toward candidacy of funding. Mr. Pence stated that all requests per Planning Commission have been met and they are seeking Board approval to move forward.

Mr. Peter Jobson with Excel Realty, joining via telephone conference, stated the three (3) issues addressed last fall seem to be minor issues to him and don't present problems with this project. Concerns on fencing, have been addressed. There will be a six (6) foot vinyl fence on both sides of the parking lot behind the House of Ludington. The traffic study has been completed. Vehicles will enter from the alley, the property will offer angled parking, and residents will exit onto Ludington Street with the option of turning right only. Two (2) parking spaces have been removed from Ludington Street closest to the property exit to offer greater visibility from the left. Mr. Jobson believes there will be less congestion than current traffic because he believes seniors have a reduced amount of trips per day compared to the current apartment units in place. And presently, for any current tenants, onsite parking is not available. This project will be adding thirty-seven (37) parking spaces between the two (2) parking options. Lastly, Mr. Jobson stated the storm water issues in question will be minimized with the Dry Well Catch Basin plan as submitted that will be used.

Mr. O'Toole questioned Mr. Jobson on the status of funding. Mr. Jobson replied there has not been an official word just yet and he should hear more by next week. If the funding is denied due to the point deduction, the next submission deadline is April 1, 2016.

---

Chairman Connor questioned Mr. Jobson if there will be signage on the property since the site plan does not show signage. Mr. Jobson replied there will be signs showing entrance and exits onto/off the property.

Secretary Webber questioned how many handicap parking spaces are being proposed. Mr. Jobson replied the minimum code handicap requirements will be met. Mr. O'Toole stated code requires one (1) handicap space and the site plan submitted shows three (3).

Commissioner Diment stated the alley seems narrow and questioned if it will be widened to handle the increase of traffic flow. Mr. Jobson stated he doesn't feel there will be a road problem with capacity of traffic.

City Engineer Bill Farrell stated the alley is in rough condition, with a lot of potholes. He stated the alley can be patched or it can be re-paved. The cost of re-paving the alley would need to be shared between neighbors, along with the developer.

Commissioner Black asked if the developer is concerned with liability issues in the alley because of the condition and drainage concerns. Mr. Jobson stated the City owns the alley. He believes the alley should be repaired and he would be willing to contribute to the role of repairing it.

Mr. O'Toole stated if a petition is submitted from the property owners and if 51% sign this petition, the City would, under charter, be obligated to fix the alley.

Mr. Pence reminded everyone that there are no other options available for repairing this building.

Mr. O'Toole stated that two (2) new parking lots have been proposed. And that the situation cannot be worse than what is currently in place. If it happens to get worse, Mr. Jobson will need to correct the problem.

Commissioner Warstler questioned Mr. Farrell about the installation of one (1) or two (2) speed bumps on the property before entering the sidewalk area to slow or stop traffic. They would be located a few feet from the sidewalk into the parking lot and used for the exit onto Ludington Street. Mr. Farrell stated this would not be a problem.

Secretary Webber stated the alley as is cannot handle traffic two (2) cars wide. Mr. Farrell stated that is correct but that it is normal for the alleys in the City. The alley traffic will be two (2) way but only one (1) car wide. Chairman Connor questioned if one (1) way traffic was looked into, which to date is not an option but can be researched.

Commissioner Hellerman suggested bringing additional traffic concerns to the Traffic Advisory Board for review.

Commissioner Warstler asked Mr. Jobson if he is willing to commit to repaving the alley from property line to property line. Mr. Jobson stated yes, he would like to have a good relationship with the City and is willing to commit to rebuilding the roadway within the confines of the House of Ludington, contingent upon approval.

Mr. Jobson stated an unconditional approval is needed to move forward with two (2) year duration from tonight's date.

---

Mr. Diment is concerned with the flow of traffic onto Ludington Street. He is concerned the senior residents will turn left even though turning right will be the required option.

Mr. O'Toole questioned Mr. Farrell on the safety of the turn right only option from the property. Mr. Farrell stated turning right will be a forced option because of the raised curb, which would make it difficult for left turns onto Ludington Street.

Chairman Connor opened the floor to the public.

Tom Jenson, 116 South 2<sup>nd</sup> Street, stated the turning right option on to Ludington Street from the property is a not a good idea and will cause problems. He feels the parking lot design is backward.

David Schwalbach, 212 1<sup>st</sup> Avenue South, stated the six (6) foot vinyl fence is acceptable. He would like to see the four (4) foot wall on the property removed and fencing installed. As for the alley, he is concerned with semi-trucks and trailer traffic because of the confined space. He suggested a reverse layout for the parking lot instead of what is being proposed.

Mr. O'Toole questioned Mr. Jobson if there was any parking lot concerns off of 1<sup>st</sup> Avenue South in regards to changing the traffic flow direction. Mr. Jobson stated no objections.

David Schwalbach stated the catch basin area is a flood area, and floods a couple times a year currently due to the exiting sewers which need repairs. He would like to see the sewer system fixed. He has problems in his garage with drainage every year. He is not against the project, he only has concerns.

Steve Messimer, 208 1<sup>st</sup> Avenue South, stated he is not against the project. His concern is the flow of traffic. He would like more options for getting in and out of the property. He would like the alley fixed. He also stated each year he has to physically remove ice from his property due to drainage problems.

Mr. O'Toole questioned Mr. Jobson that if the Planning Commission moves forward with approval, if he is willing to repave the alley from property line to property line and to reverse the parking configuration of the 1<sup>st</sup> Avenue South parking lot to enter through the alley and exit off in to 1<sup>st</sup> Avenue South. Mr. Jobson verbally made the commitment that he is willing to do so and will follow up in writing in the next few days.

Commissioner Warstler questioned Mr. Farrell that if the parking pattern on the new lot is reversed, if one (1) parking space will be lost. Mr. Farrell replied the tree would need to be removed. Mr. Warstler also questioned the current set-backs, which go almost to the sidewalks, if they would need to be changed. He is referring to the site distance. If site distance is less than 25 feet on both sides, it will need to be adjusted if approved this evening.

Dan Sampson, 117 South 3<sup>rd</sup> Street, questioned what portion of the alley will be repaved and how much will it cost to repave the alley. Mr. Farrell stated a rough estimate of \$30 per foot on each side, which is an estimated \$60 per foot for the confines of the House of Ludington alley.

**A motion was made by Commissioner Warstler, seconded by Secretary Webber, to approve the site plan as submitted with the following commitments from the developer: The 1<sup>st</sup> Avenue South parking lot layout and entrance and exit will be modified to enter the parking lot from the alley and exit onto 1st Avenue South, a speed bump will be installed on the East side parking lot exit (onto Ludington Street) on private property just before exiting the sidewalk onto Ludington Street, and the developer rehabilitate and resurface the alley behind the House of Ludington to City specifications from the East property line to the West property line. Ayes were unanimous.**

#### NEW BUSINESS

1. Year End Review/Goal and Objective Setting – 2015 Planning Commission Plan of Work and 2016 Planning Commission Plan of Work

City Manager Jim O'Toole stated the Planning Commission 2015 year-end report details (attached). Chairman Connor will present the year-end report to the City Council on January 21, 2016.

**A motion was made by Secretary Webber, seconded by Commissioner Black, to approve the 2015 Planning Commission Year End report as submitted. Ayes were unanimous.**

**2. Community Visioning Session – Community Master Plan Update**

City Manager Jim O'Toole stated the Community Participation Plan details (attached). This public participation plan is a plan in writing on what the City is doing and how the City will accomplish their goals. The State of Michigan reviewed the participation plan with positive feedback, such as the City's plan being used as an example. Mr. O'Toole stated this report will be updated annually.

**3. Project Updates:**

- A. Zoning Board of Appeals Hearings/Decisions – No new updates.
- B. Delta County Planning Commission Update – No new updates.
- C. Zoning/Land Use Permit Update – No new updates.
- D. Various – No new updates.

**GENERAL PUBLIC COMMENT**

Blaine DeGrave commented on his property located at 1900 South Lincoln Road, which is currently zoned as residential property, if it can be re-zoned as commercial property. Mr. O'Toole stated Mr. DeGrave needs to submit in writing his request for a zoning amendment.

**COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS**

None.

**ADJOURNMENT**

**A motion was made by Commissioner Warstler, seconded by Secretary Webber, to adjourn the meeting. The meeting adjourned at 8:23 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

November 6, 2015

Mr. Peter Jobson, President  
Excel Realty Group  
3690 Orange Pl. #517  
Beachwood, OH 44122

**Traffic Engineering  
Associates, Inc.**  
517/627-6028 FAX: 517/627-6040

PO Box 100  
Saranac, Michigan 48881

Dear Mr. Jobson:

Traffic Engineering Associates, Inc. (TEA) conducted a trip generation and site circulation review for the proposed House of Ludington Senior Retirement Center development located on Ludington Street in the City of Escanaba, Michigan.

#### **PROJECT DESCRIPTION**

The proposed House of Ludington Senior Retirement Center development will be located in the existing House of Ludington Hotel located on Ludington Street, between South 2<sup>nd</sup> Street and South 3<sup>rd</sup> Street. The House of Ludington Senior Retirement Center will consist of 34 new apartments constructed in the existing House of Ludington Hotel.

The purpose of this review is to determine the traffic generated by the proposed House of Ludington Senior Retirement Center development, and to determine if there will be any traffic safety issues with the proposed new parking and driveways.

#### **TRAFFIC ANALYSIS**

For this analysis, trip generation rates were derived from the ITE TRIP GENERATION MANUAL (9th edition). The ITE trip generation rates for Senior Adult Housing - Attached (Land Use Code 252), were selected as representing the new 34 senior apartments. The ITE description of Senior Adult Housing - Attached is as follows:

*Senior adult housing consists of attached independent living developments, including retirement communities, age-restricted housing and active adult communities. These developments may include limited social or recreational services. However, they generally lack centralized dining and on-site medical facilities. Residents in these communities live independently, are typically active (requiring little to no medical supervision) and may or may not be retired.*



It is projected that the proposed House of Ludington Senior Retirement Center development, with 34 new senior apartments will generate 7 AM peak hour trips, 10 PM peak hour trips and 122 total weekday trips.

Description	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	
Senior Adult Housing - Attached, Code 252	34 Units	2	5	7	5	5	10	122

### PARKING AND DRIVEWAYS

The site plan shows that there will be three (3) new parking areas. The first will be located south of the proposed House of Ludington Senior Retirement Center between 1<sup>st</sup> Avenue South and the existing alley. This parking area will consist of one (1) drive having 21 angled parking stalls with one (1) handicap stall. The drive will be one-way northbound with traffic entering on 1<sup>st</sup> Avenue South and exiting into the alley with the ability to exit left or right. The alley is an east-west alley and connects with South 2<sup>nd</sup> Street on the east and South 3<sup>rd</sup> Street on the west.

The second parking area will be located immediately adjacent to the House of Ludington Senior Retirement Center on the east side of the building. This parking area will also have only one (1) northbound one-way driveway. Traffic using this parking area will enter via the alley and exit onto Ludington Street with the restriction to exit as a right turn only onto Ludington Street. This parking area will contain 12 parking stalls with one (1) handicap stall.

The third parking area will be located on the alley, just east of South 3<sup>rd</sup> Street. There will be four (4) perpendicular parking stalls on the north side of the alley.

### FINDINGS

A review of the proposed site plan traffic flow shows that both new parking lots will be designed as one-way northbound with a restricted right turn only exit at the north parking lot adjacent to the proposed House of Ludington Senior Retirement Center.

The north parking lot, adjacent to the proposed House of Ludington Senior Retirement Center, will be exiting onto Ludington Street, a major roadway. A review of the traffic volumes obtained from the City of Escanaba, which were taken in September of 2007 on Ludington Street between 4<sup>th</sup> and Lakeshore, show that the AM peak hour (8 – 9 AM) eastbound volume is 69 vehicles, and the westbound volume is 71 vehicles for a total of 140 vehicles during the AM peak hour. The PM peak hour (5 – 6 PM) eastbound traffic



volume is 131, and the westbound traffic volume is 99 vehicles for a total of 230 vehicles during the PM peak hour.

The north parking lot drive approach will be constructed as a right turn only exit drive; therefore, only the eastbound traffic on Ludington Street will have any impact on the exiting traffic. The total exiting traffic for this development is 5 vehicles in the AM peak hour and 5 vehicles in the PM peak hour, which will be distributed between the three (3) new parking areas.

With the total exiting and entering traffic volumes for the proposed House of Ludington Senior Retirement Center anticipated to be minimal, and with the eastbound traffic volume on Ludington Street during both the AM and PM peak hours being minimal, there are no expected traffic conflicts for the right turn exiting traffic onto Ludington Street.

There are no anticipated traffic safety issues with the south parking lot as the exiting traffic will exit into the alley and travel either east or west to minor roadways.

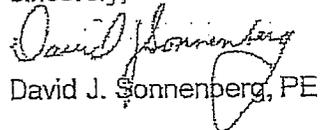
#### RECOMMENDATIONS

It was noticed that there is existing on-street parking on the south side of Ludington Street, both east and west of the proposed north parking lot drive approach. In order to minimize traffic conflicts between exiting driveway traffic and the eastbound Ludington Street traffic, as well as improving the sight distance for right turning traffic exiting the parking lot, it is recommended that one (1) of the first two (2) parking spaces immediately west of the drive approach be relocated further to the west, and the second parking space be eliminated. This recommended improvement is shown on the attached site plan.

There are no other traffic safety concerns identified with this project.

If you have any questions, please write or call.

Sincerely,

  
David J. Sonnenberg, PE

Enclosure: Site Plan



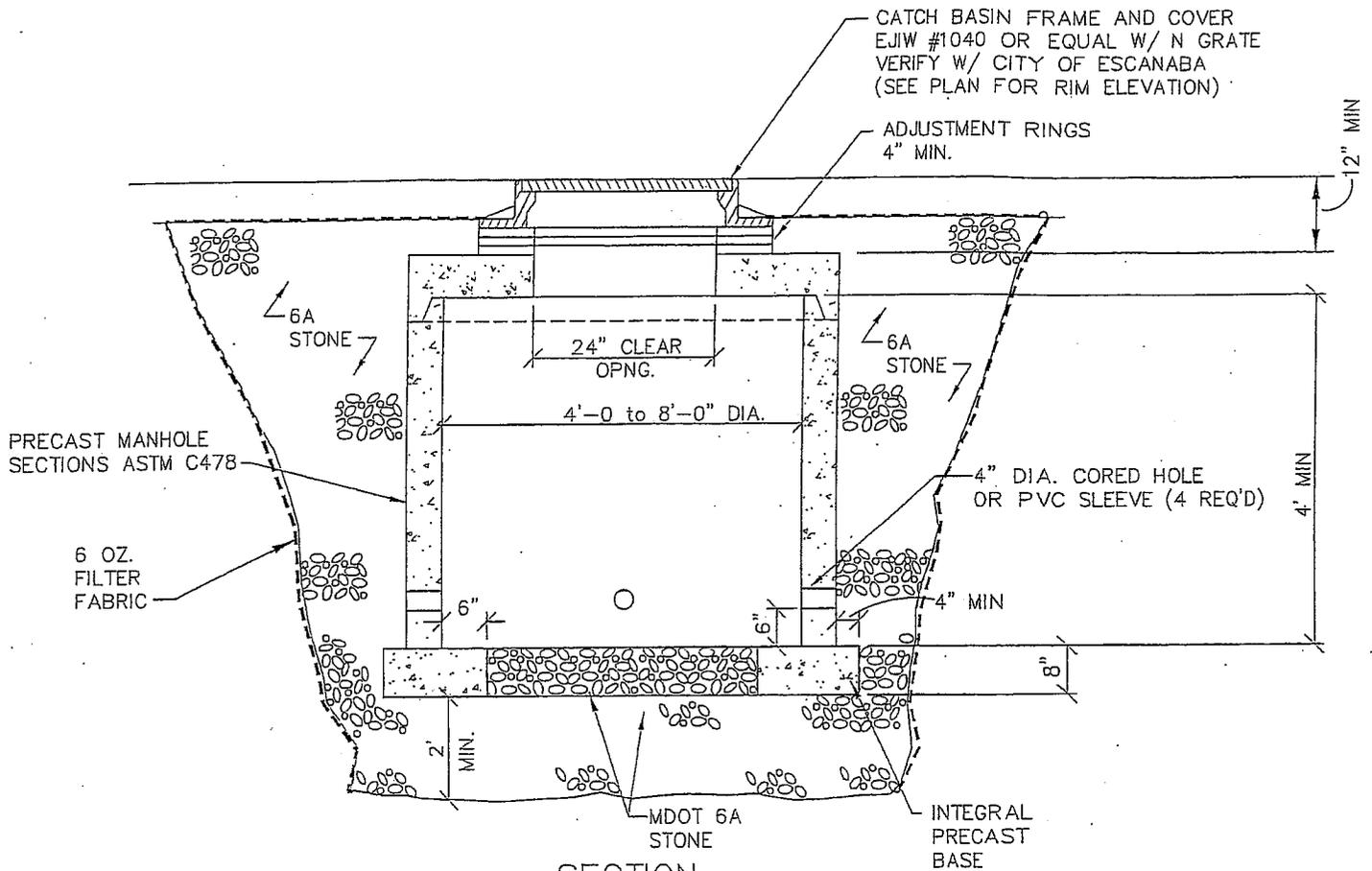


MEMORANDUM

TO: James V. O'Toole, City Manager  
FROM: William S. Farrell, City Engineer   
DATE: 11/30/2015  
RE: House of Ludington Senior Housing Project – Review of Traffic Assessment

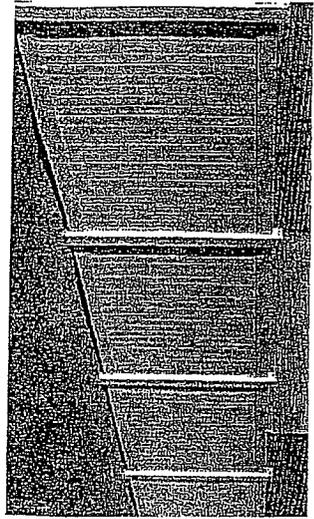
A traffic assessment was completed on November 6, 2015 for the House of Ludington Senior Retirement Center development by Traffic Engineering Associates, Inc of Saranac, Michigan. The purpose of the Assessment was to determine if the development will create any safety issues with the proposed new parking and driveways. I have reviewed the Assessment, which is attached. I believe the proposed trips generated are a touch light but not a concern. The logic associated with the Assessment is similar to the logic that we used while working with the developer on the layout of the lot. In conclusion, I find nothing of concern with the proposed Assessment.

---

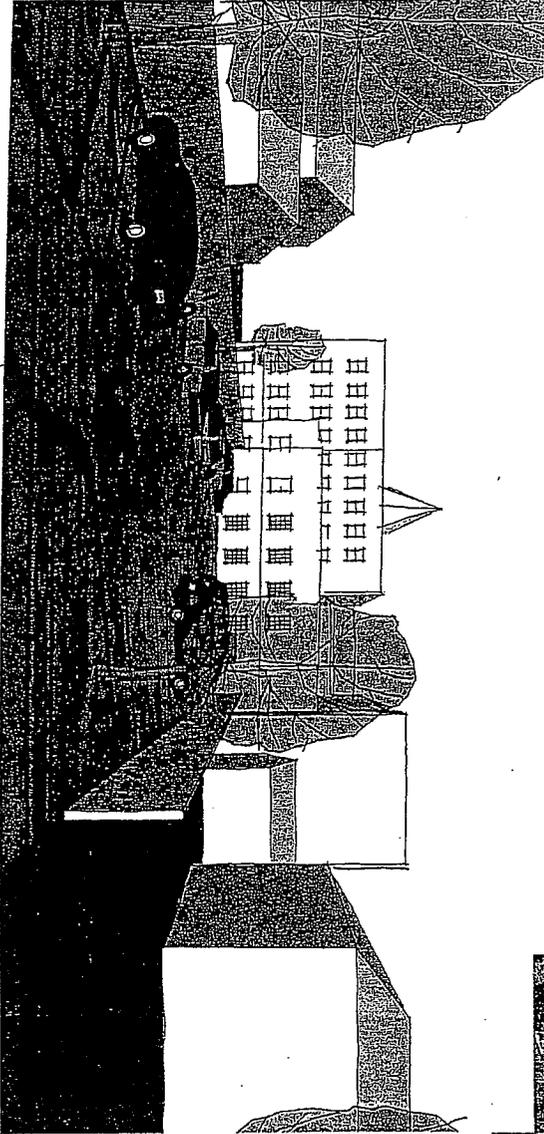


SECTION  
DRY WELL CATCH BASIN DETAIL  
 NOT TO SCALE

H.O.L.

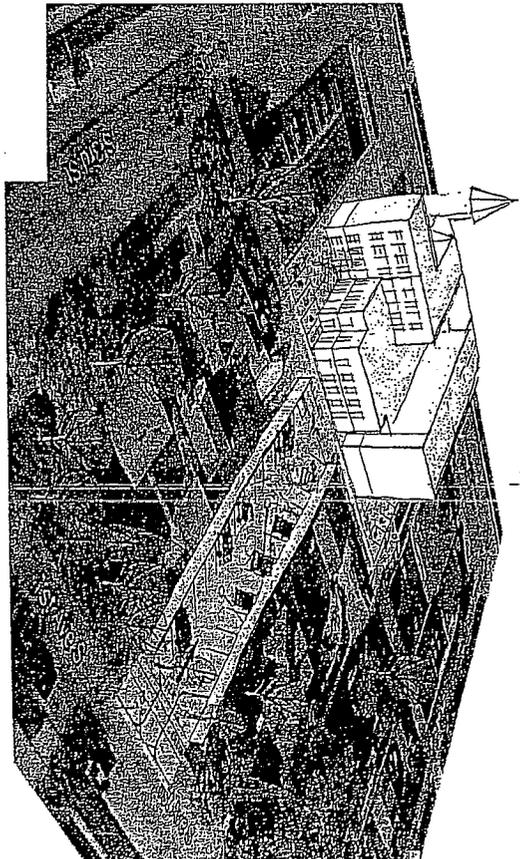


PROPOSED FENCE PRODUCT



6' HIGH VINYL FENCE

VIEW FROM 1ST AVE



BIRD'S EYE VIEW

H. D. HOOKER & DEJONG  
ARCHITECTS & ENGINEERS

PRELIMINARY  
NOT FOR  
CONSTRUCTION

Project #: P11556  
Date: 12/16/15

PR-1

PARKING LOT DETAILS  
EXCEL REALTY  
HOUSE OF LUDINGTON  
223 Ludington St, Escanaba, MI 49829

# 2015 PLANNING COMMISSION YEAR END REPORT



January 5, 2016

Dear City Council Members and Residents of the City of Escanaba:

It is with pleasure that the Escanaba Planning Commission submits to you this 2015 Year-End Report on issues and matters brought before the Planning Commission in Calendar Year 2015.

### 2016 Meeting Schedule

All meetings are held at 6:00 p.m. in the Council Chambers

- ◆ *January 14, 2016*
- ◆ *February 11, 2016*
- ◆ *March 10, 2016*
- ◆ *April 14, 2016*
- ◆ *May 12, 2016*
- ◆ *June 9, 2016*
- ◆ *July 14, 2016*
- ◆ *August 11, 2016*
- ◆ *September 8, 2016*
- ◆ *October 13, 2016*
- ◆ *November 10, 2016*
- ◆ *December 8, 2016*

In carrying out the duties and responsibilities of the Planning Commission conveyed under the Municipal Planning Act, Act 285 of 1931, as amended, the City and Village Zoning Act, Act 207 of 1921, as amended and Chapter 21 of the Escanaba Code of Ordinances, the Planning Commission hereby submits the 2015 Planning Commission Year-End Report for your review and consideration.

### **ROLE OF THE PLANNING COMMISSION**

The roles of the Planning Commission include some functions in addition to the statutory duties and responsibilities. The role of the Planning Commission includes the social or cultural expectation that citizens have of the service that the Planning Commission provides in helping to set and implement local land use and development policy. There are eight (8) key roles of the Planning Commission:

- A. Educate the public about local planning issues, the master plan and land use regulations.
- B. Cooperate and coordinate with other units of government on planning matters.
- C. Prepare, adopt and maintain a master plan.
- D. Review other community's draft master plans when submitted for that purpose, and provide coordination of planning and zoning in other units of government.
- E. Draft and present to the City Council a zoning ordinance and amendments and advise on various zoning actions.
- F. Review and comment on proposed public works projects.
- G. Prepare and annually adopt a capital improvement program.
- H. Prepare subdivision regulations and advise on proposed plats.

Respectfully Submitted,  
Patrick Connor  
Planning Commission Chairman

~~PERFORMING MEMBERS - INDICATED BY~~



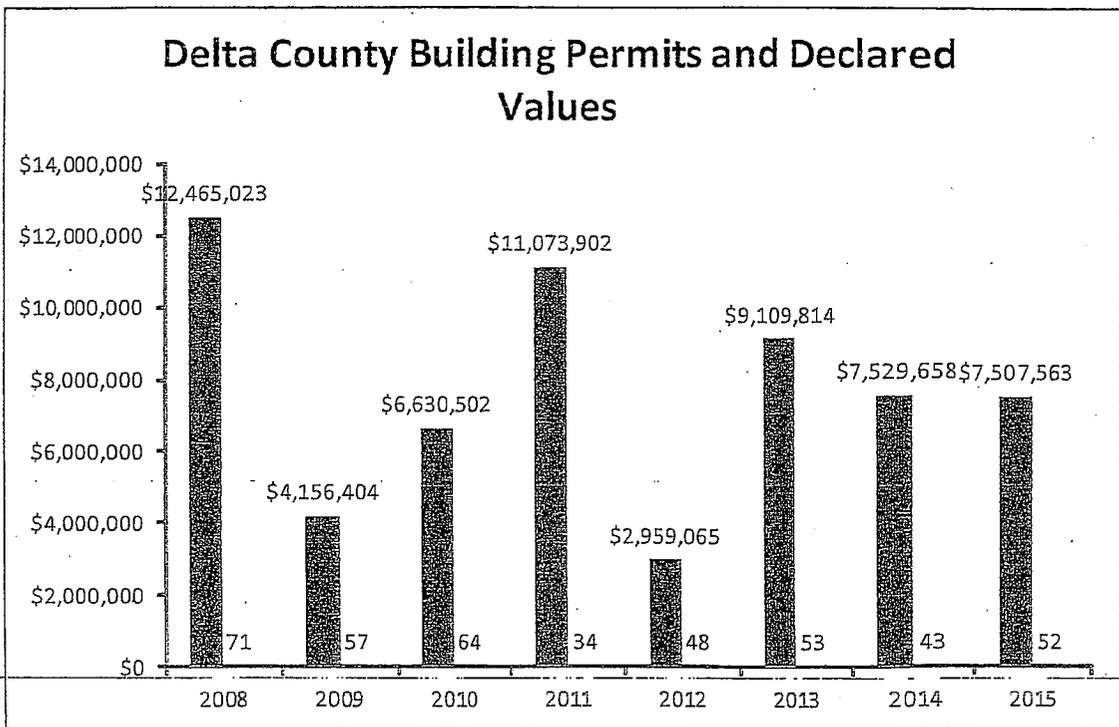
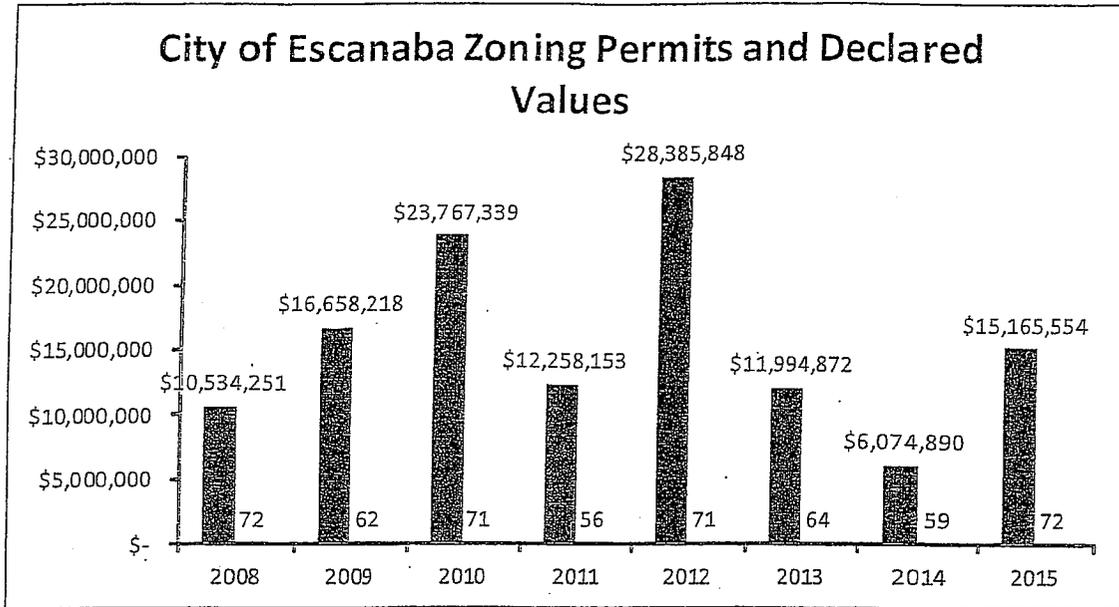
INCREASING



STAYING ABOUT THE SAME



DECLINING



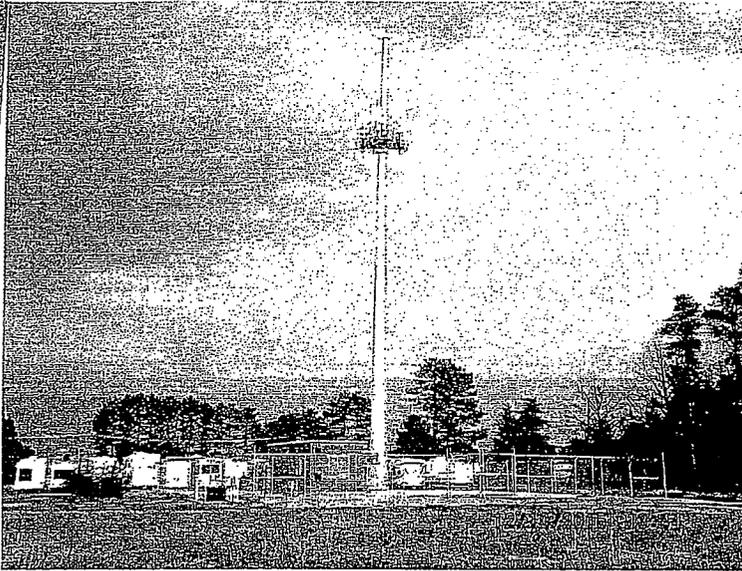
NOTE: The figures on the bottom of both charts reflect how many Zoning Land Use Permits were issued for each year.

---

## SITE PLAN REVIEW/SPECIAL LAND USE PERMITS

---

### Patrick Barron Properties, LLC Communication Tower and Equipment Shelter



Special Land Use Permit located at 2808 North 28th Street. The Planning Commission conducted a Public Hearing and approved a Special Land Use permit for a 115' monopole communication tower and equipment shelter at 2808 North 28th Street.

---

### Delta County U.P. State Fair Authority

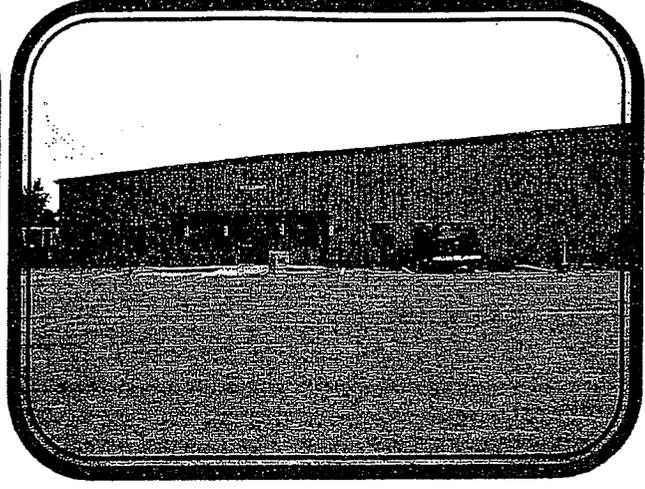
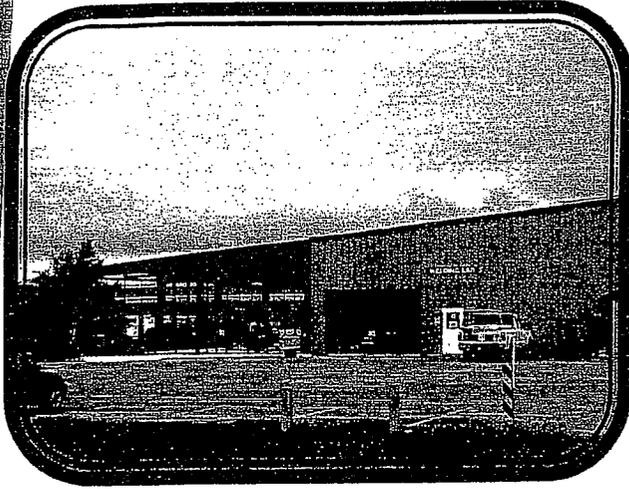


Special Land Use Permit on or around 9th Avenue North (undeveloped). The Planning Commission conducted a Public Hearing and approved a Special Land Use permit to the Delta County U.P. State Fair Authority on or around 9th Avenue North (undeveloped) for ATC's Bay Lake transmission line construction to have a temporary storage facility.

---

### Bay De Noc Community College

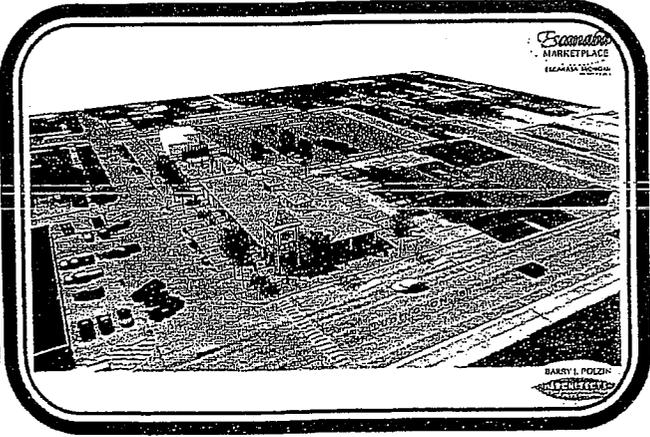
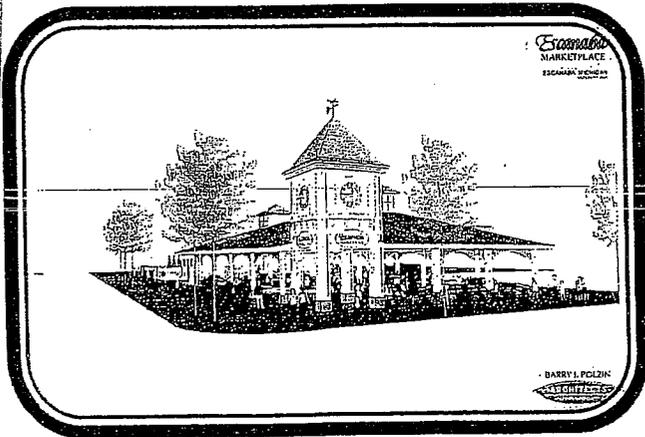
Site Plan Review located at 2001 North Lincoln Road. The Planning Commission conducted a Public Hearing and approved the Bay de Noc Community College site plan for a 6,413 square foot addition to the welding classroom, office, and shop area.



### Downtown Development Authority Market Place Project

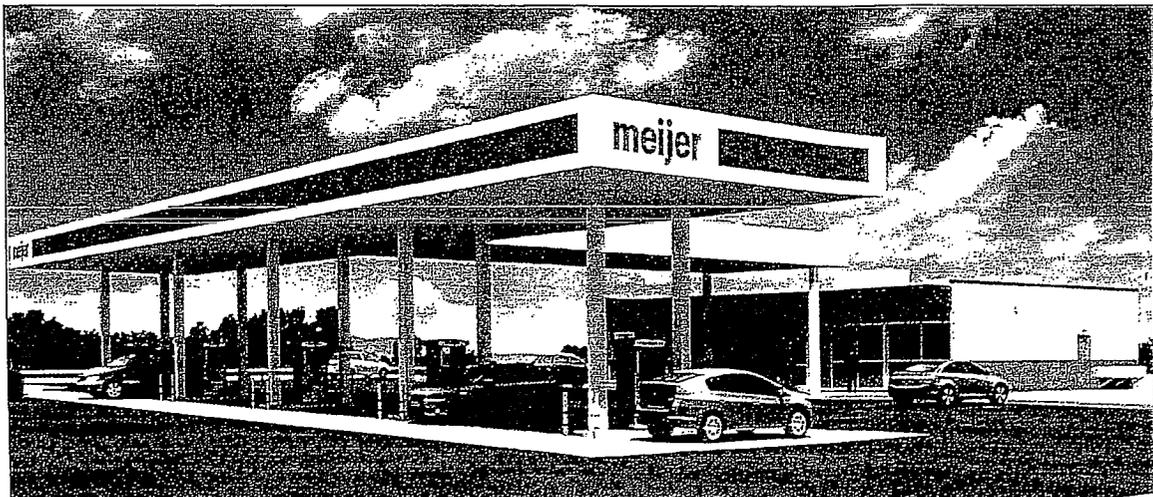
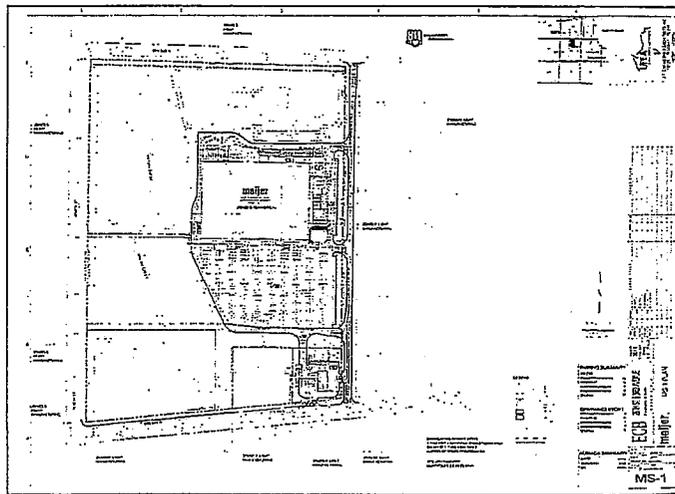
Site Plan Review located at Ludington Street, South 15th Street, and 1st Avenue South.

The Planning Commission conducted a Public Hearing and approved the site plan for the Market Place project to be located at Ludington Street, South 15th Street, and 1st Avenue South.



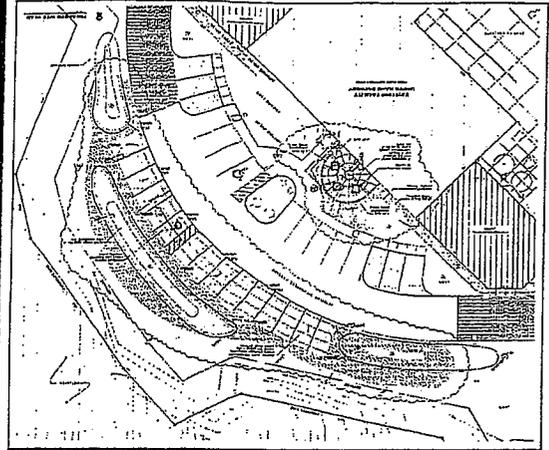
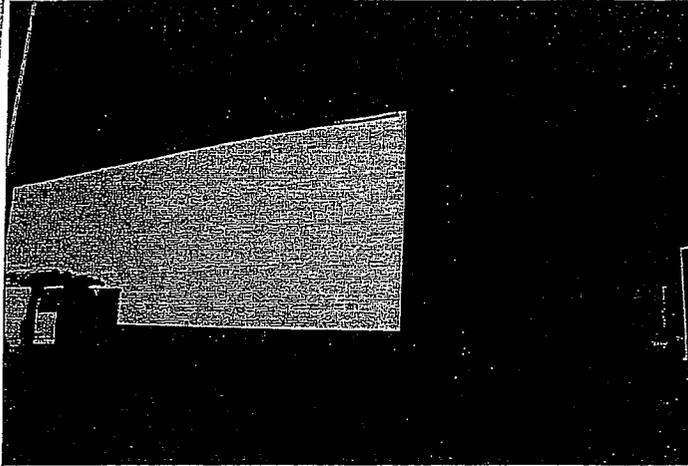
## Meijer Store

Site Plan Review for 505 North 26th Street, between 3rd Avenue North and 6th Avenue North.  
The Planning Commission conducted a Public Hearing and approved the site plan for Meijer Store to construct a 205,308 square foot retail, grocery facility along with a 2,509 square foot gas station.



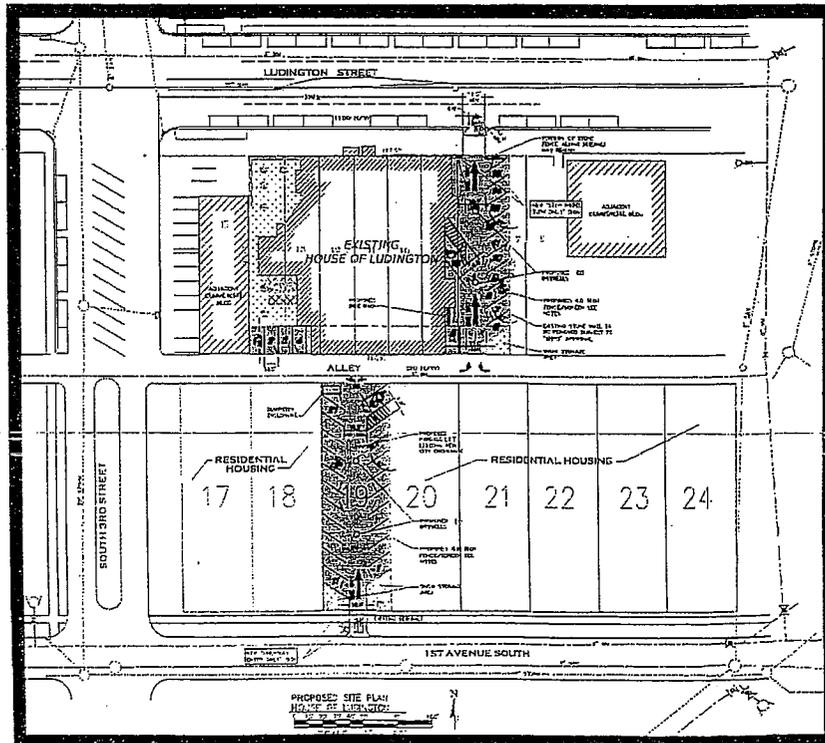
### Upper Hand Brewery, Inc.

Site Plan Review located at 3525 Airport Road. The Planning Commission conducted a Public Hearing and approved a site plan for their 6,000 square foot expansion at the Upper Hand Brewery, 3525 Airport Road.



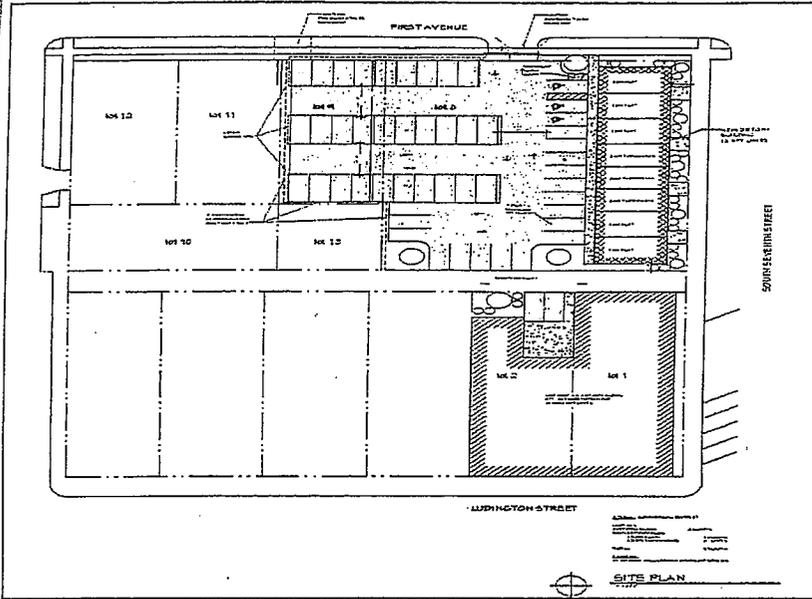
### House of Ludington

Public Hearing for a Site Plan Review/Special Land Use at 223 Ludington Street. The Planning Commission conducted a Public Hearing and approved a site plan and a Special Land Use permit for a proposed 34 unit elderly/senior affordable housing project.



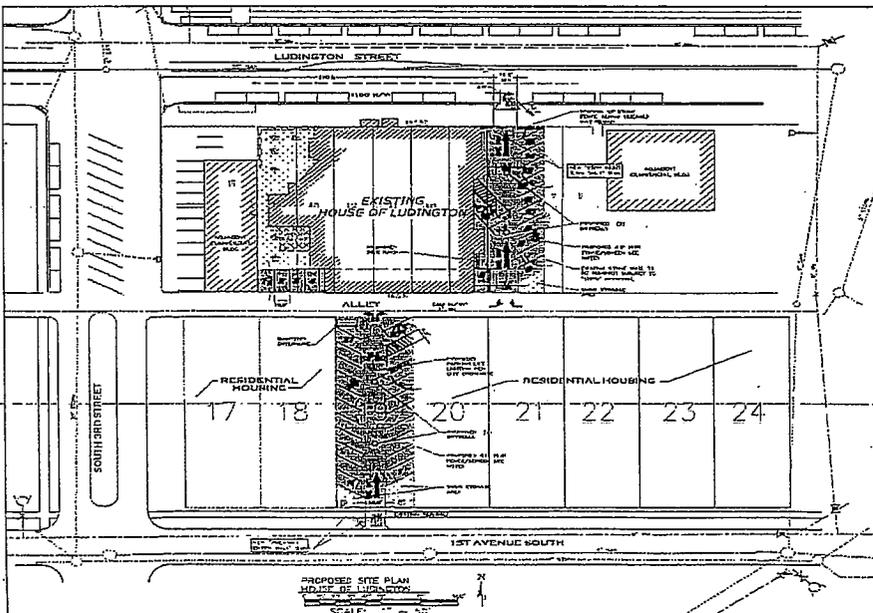
# ZONING BOARD OF APPEALS

## PK Development Group



Public Hearing for a parking variance request at 617 and 623 Ludington Street/608 and 630 1st Avenue South. The Zoning Board of Appeals conducted a Public Hearing and denied the parking variance request for a dimensional variance to Section 1702 parking space requirements and Table 1702 of the Escanaba Zoning Ordinance, which would allow them to reduce the number of required and combined off street parking spaces from 74 to 51 spaces for a proposed mixed use commercial and 37 unit affordable housing project.

## House of Ludington



Public Hearing for a parking variance request at 223 Ludington Street. The Zoning Board of Appeals conducted a Public Hearing and accepted the parking variance request for a dimensional variance to Section 1702 parking space requirements and Table 1702 of the Escanaba Zoning Ordinance, allowing them to reduce the number of required and combined off street parking spaces from 68 to 34 spaces for a proposed use for a 34 unit affordable elderly/senior housing project.

# January 1, 2015, to December 31, 2015

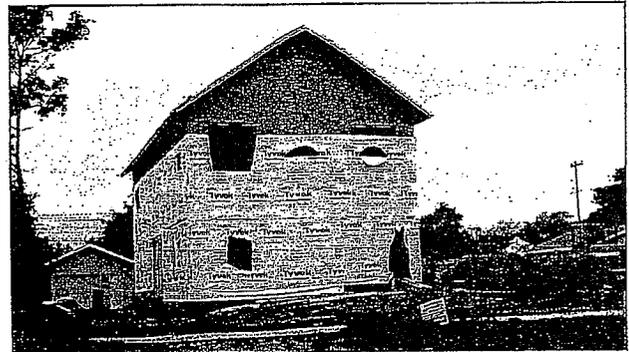
3 New Residential Zoning Permits Were Issued

New Residential Homes - Value \$881,960

NEW RESIDENTIAL HOMES			
	2014	2015	
New Residential Zoning Permits	3	3	↔
New Residential Value	\$735,000	\$881,960	↑



2005 South 22nd Street



1812 Lake Shore Drive



1710 21st Avenue South

# January 1, 2015, to December 31, 2015

## 29 Residential Remodel Zoning Permits Were Issued

### Residential Remodel - Value \$346,524

RESIDENTIAL REMODEL			
	2014	2015	
Residential Remodel Zoning Permits	36	29	↓
Residential Remodel Value	\$624,140	\$346,524	↓

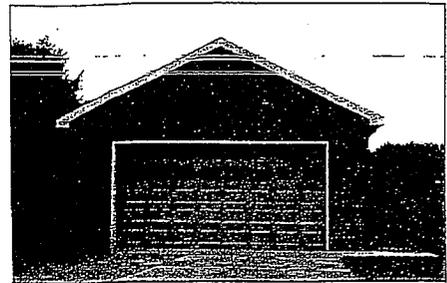
614 South 20th Street (Garage)	1702 9th Avenue North (Addition)	302 South 18th Street (Window)
1921 8 <sup>th</sup> Avenue North (Deck)	306 2nd Avenue South (Porch/Deck)	1122 10th Avenue South (Handicap Ramp)
1712 Lake Shore Drive (Addition)	1510 South 13th Street (Garage)	429 South 14th Street (2 Porches)
712 Lake Shore Drive (Porch with Roof)	1002 South 14th Street (Shed)	2520 3rd Avenue South (Deck)
1500 Lake Shore Drive (Shed)	1202 South 21st Street (Shed)	1313 11th Avenue South (Porch)
1407 Sheridan Road (Garage)	925 6th Avenue South (Pergola)	
816 Ludington Street (Handicap Ramp)	901 N 19th Street (Garage)	
1644 South 16 <sup>th</sup> Street (Shed)	1315 10th Avenue South (Garage)	
509 South 22 <sup>nd</sup> Street (Garage/Addition)	2404 3rd Avenue South (Windows/Doors)	
620 South 19th Street (Garage Addition)	421 South 8th Street (Garage)	
2100 Lake Shore Drive (Deck)	326 South 6th Street (Garage)	
815 South 20th Street (Storage Building)	1534 South 14th Street (Addition/Garage)	



1712 Lake Shore Drive



421 South 8th Street



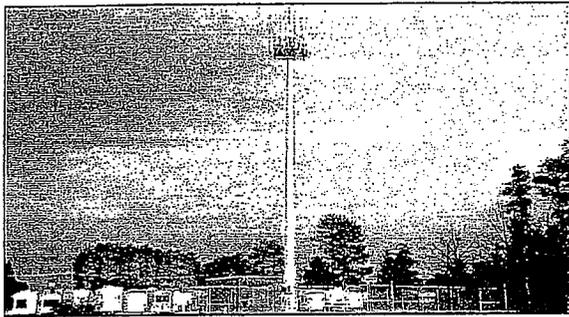
614 South 20th Street

# January 1, 2015, to December 31, 2015

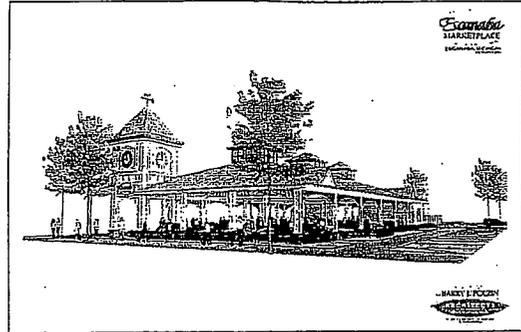
4 New Commercial Zoning Permits Were Issued

New Commercial - Value \$8,252,000

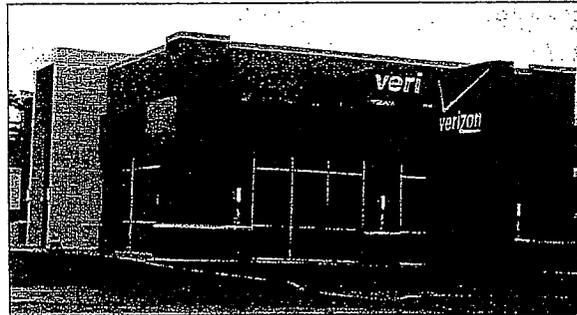
NEW COMMERCIAL			
	2014	2015	
New Commercial Zoning Permits	5	4	↓
New Commercial Value	\$1,140,000	\$8,252,000	↑



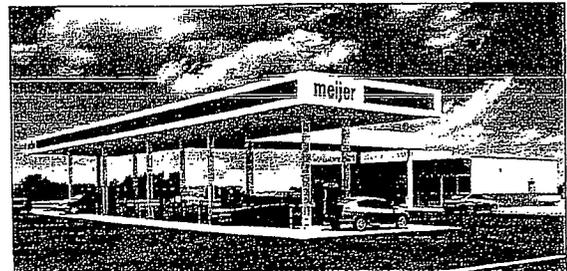
Tower 2808 N. 28th Street



DDA Market Place



609 North Lincoln Road



Meijers Store

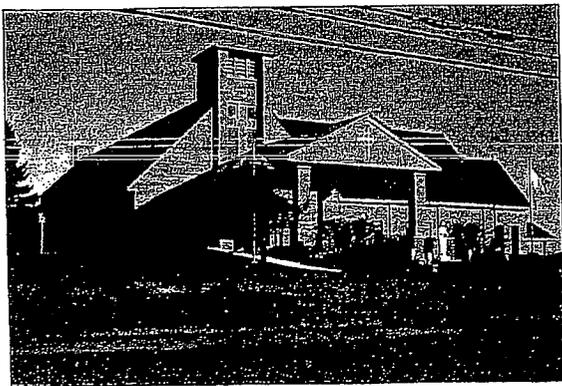
# January 1, 2015, to December 31, 2015

25 Commercial Remodel Zoning Permits Were Issued

Commercial Remodel - Value \$5,392,120

COMMERCIAL REMODEL			
	2014	2015	
Commercial Remodel Zoning Permits	4	25	↑
Commercial Remodel Value	\$2,835,000	\$5,392,120	↑

1700 Sheridan Road (Storage)	701 North Lincoln Road (Office Addition)
202 North 30 <sup>th</sup> Street (Wireless Cell Site)	2601 North 30 <sup>th</sup> Street (Building Addition)
825 South 26 <sup>th</sup> Street (Community Building)	2001 North Lincoln Road (Office Addition/Storage)
202 North 30 <sup>th</sup> Street (Upgrade Cell Site)	2001 North Lincoln Road (Welding Addition)
114 North 25 <sup>th</sup> Street (Storage Shed)	503 North Lincoln Road (Remodel Menu Board/Drive Thru)
2900 3 <sup>rd</sup> Avenue North (Adult Day Care)	3525 Airport Road (Building Addition)
2701 North Lincoln Road (Storage)	1123 1st Avenue North (Deck)
409 South 22 <sup>nd</sup> Street (Garage)	536 North Lincoln Road (Addition of AT&T to Building)
624 Ludington Street (Antenna Update)	801 Stephenson Avenue (Add Office/Storage)
2007 South 21 <sup>st</sup> Street (Press Box)	817 South Lincoln Road (Canopy Addition)
3001 Danforth Road (Storage Building)	330 South 10th Street (Covered Deck)
2900 3 <sup>rd</sup> Avenue North (Garage/Storage)	2502 North 30th Street (Addition)
408 North Lincoln Road (Building Remodel)	



St. Anne's Parish



Bishop Noa Home

## January 1, 2015, to December 31, 2015

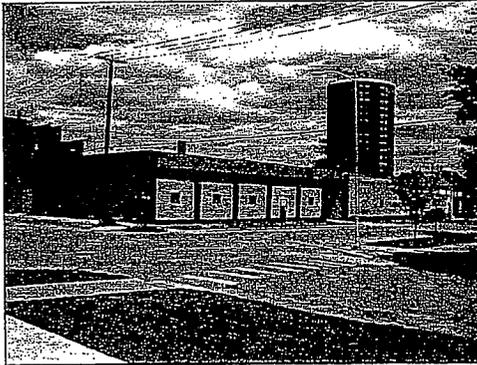
**10 Demolition Permits Were Issued**

**Demolition - Value \$292,950**

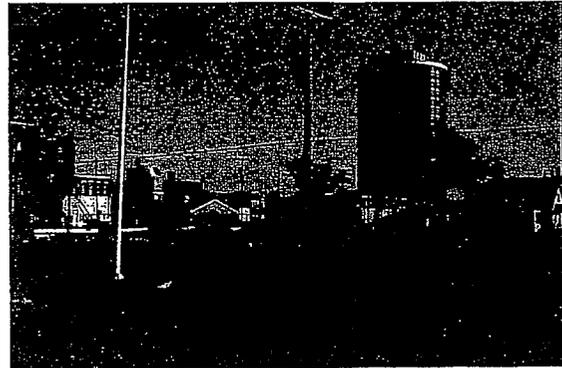
DEMOLITION			
	2014	2015	
Demolition Permits	8	10	↑
Demolition Value	\$40,500	\$292,950	↑

609 North Lincoln Road (Restaurant)	2501 1st Avenue South (Building)
630 1 <sup>st</sup> Avenue South (Commercial)	2101 8th Avenue South (Residential)
624 North 19 <sup>th</sup> Street (Garage)	212 North 12th Street (Residential)
1328 North 16 <sup>th</sup> Street (Garage)	1704 Ludington Street (Building)
117 North 22nd Street (Building)	1102 8th Avenue South (Residential)



630 1st Avenue South Before



630 1st Avenue South After

## January 1, 2015, to December 31, 2015

**1 Change of Use Permit Was Issued**

**Change of Use - Value \$0**

CHANGE OF USE			
	2014	2015	
Change of Use Permits	2	1	↓
Change of Use Value	\$250	\$0	↓

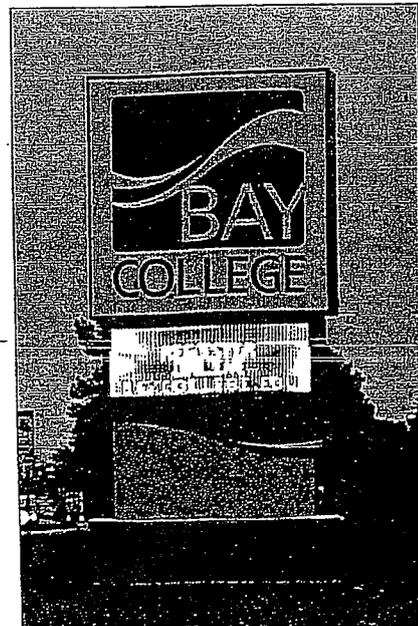
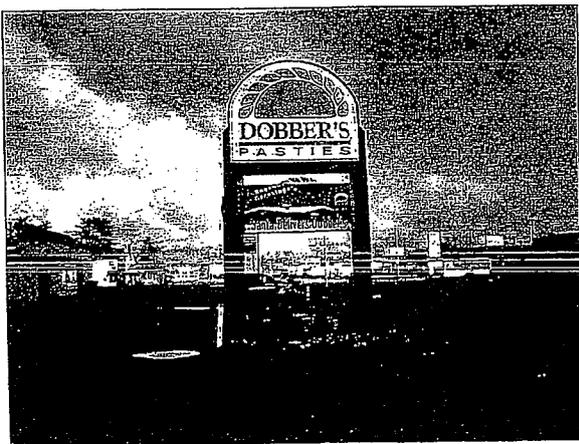
1517 Ludington Street

# January 1, 2015, to December 31, 2015

23 Sign Permits Were Issued

SIGN PERMITS			
	2014	2015	
Sign Permits	19	23	↑

218 South 10th Street (Beauchamp Chiropractor)	1013 1st Avenue North (Social Security Administration)
110 North 14th Street (Dinello's Gourmet Deli & Subs)	828 Sheridan Road (UP Health Rampart EMS)
710 South Lincoln Road (UP Health System)	301 North Lincoln Road (Maurices)
1126 North Lincoln Road (GFS Marketplace)	1818 North Lincoln Road (Nortrax)
811 North Lincoln Road (Jimmy John's)	503 North Lincoln Road (McDonald's)
501 Stephenson Avenue (Race Driven)	536 North Lincoln Road (AT & T)
2313 Ludington Street (Dominos)	843 North Lincoln Road (Edward Jones)
516 North Lincoln Road (Wells Fargo)	827 North Lincoln Road (Dobber's Pasties)
1205 Ludington Street (Wells Fargo)	317 North Lincoln Road (Saykly's)
2511 Ludington Street (Riverside Auto Sales—Chrysler)	805 Stephenson Avenue (Rent-A-Maid)
408 North Lincoln Road (Burger King)	2001 North Lincoln Road (Bay College)
609 North Lincoln Road (Team Wireless)	



# January 1, 2015, to December 31, 2015

## 71 Fence Permits Were Issued

FENCE PERMITS			
	2014	2015	
Fence Permits	50	71	↑

218 South 5th Street	306 2nd Avenue South	208 South 4th Street
711 South Lincoln Road	409 South 15th Street	901 South Lincoln Road
1031 Stephenson Avenue	1501 16th Avenue South	1216 North 19th Street
608 South 8th Street	212 Lakeshore Drive	910 South 10th Street
721 South 10th Street	1310 12th Avenue South	3120 7th Avenue South
2114 6th Avenue South	602 North 18th Street	1501 11th Avenue South
1810 3rd Avenue South	1112 South 15th Street	1606 North 19th Street
201 North 16th Street	1409 5th Avenue South	314 South 8th Street
700 South 20th Street	1107 South 20th Street	320 South 11th Street
1700 Ludington Street	1202 North 19th Street	1411 North 19th Street
911 South 11th Street	518 South 10th Street	403 South 12th Street
1720 21st Avenue South	610 South 13th Street	1311 North 18th Street
1306 North 16th Street	708 South 11th Street	1123 1st Avenue North
419 South 15th Street	912 1st Avenue North	2315 Lake Shore Drive
709 South 16th Street	522 South 19th Street	602 South 16th Street
804 South 17th Street	1921 3rd Avenue North	2005 8th Avenue South
1710 1st Avenue South	1115 Washington Avenue	1818 22nd Avenue South
221 North 16th St. - 217 North 16th St.	1008 2nd Avenue North	205 North 20th Street
500 South 29th Street	319 South 10th Street	2209 12th Avenue South
309 South 14th Street	804 South 18th Street	1900 3rd Avenue North
317 South 15th Street	1401 Lake Shore Drive	320 South 18th Street
314 South 6th Street	1421 9th Avenue South	511 South 19th Street
405 South 15th Street	626 South 13th Street	1901 9th Avenue North
914 2nd Avenue South	1610 1st Avenue North	



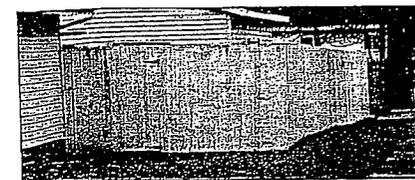
2315 Lake Shore Drive



212 Lake Shore Drive



626 South 13th Street



1818 22nd Avenue South

## NOTABLE CAPITAL IMPROVEMENTS MADE IN 2015

### Willow Creek Road Improvement Project.

Willow Creek Road between 8th Avenue South to the waste water facility.

The existing roadway was pulverized with approximately 350 tons of pulverized material salvaged. The remaining material was used to strengthen the base as the road was re-shaped, re-graded, and paved. Approximately 1518 tons of new asphalt was laid to provide a 3" asphalt surface which ran 3700 lineal feet. New shoulders were also installed on the roadway. The estimated project costs were \$165,000.



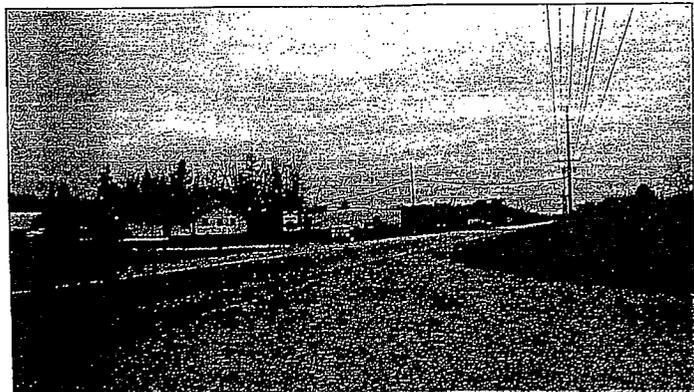
Willow Creek Road, 8th Avenue  
Before



Willow Creek Road, 8th Avenue  
After

### Whitetail Industrial Park High Speed Network Infrastructure Construction.

New infrastructure to provide a fiber connectivity back-bone to the current and future businesses in the Whitetail Industrial Park was installed. The estimated cost of the project was \$74,287.62.



2nd Avenue North and North 12th Street Intersection. The intersection of 2nd Avenue North and North 12th Street was resurfaced with 2" asphalt or approximately 45.95 tons. Along with the road resurfacing 8 cross walks were brought up to ADA standards. The estimated project cost was \$27,000.



After

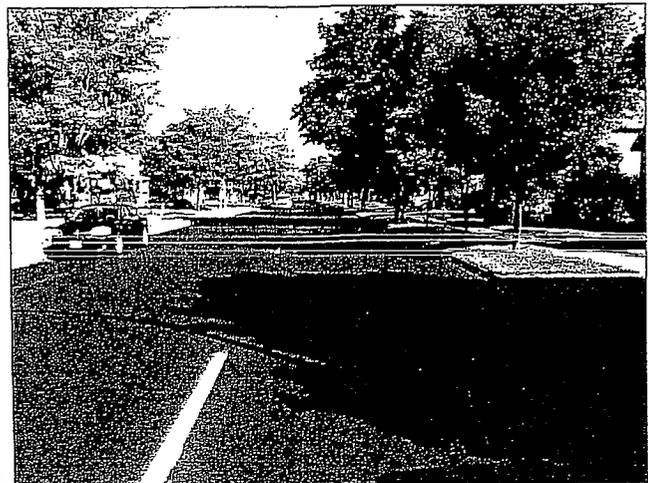
South 14th Street Improvement Project.

South 14th Street from 3rd Avenue South to 6th Avenue South.

The existing roadway surface was milled 2" and resurfaced with 2" of asphalt for 1450 linear feet. Approximately 760 tons of new asphalt was laid. Along with the road resurfacing, 28 crosswalks were brought up to ADA standards. Estimated project cost was \$135,000.

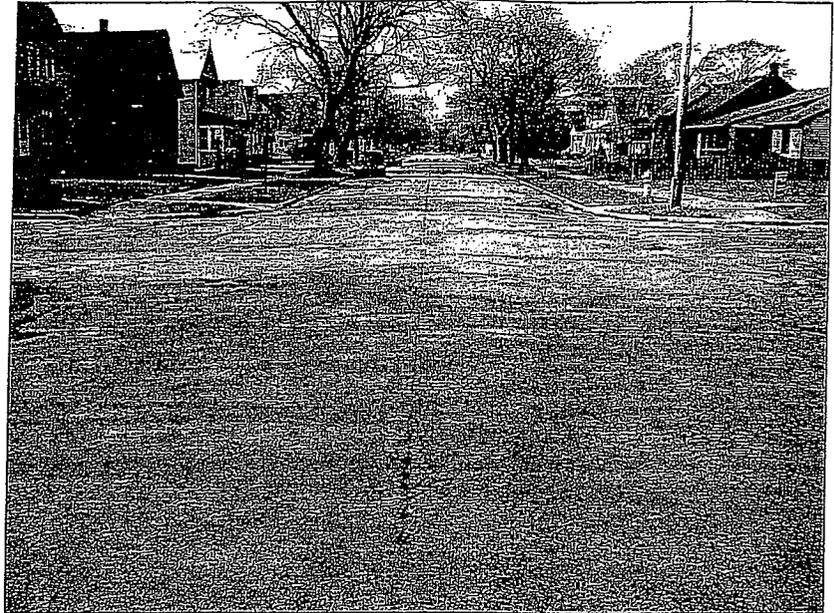


Before

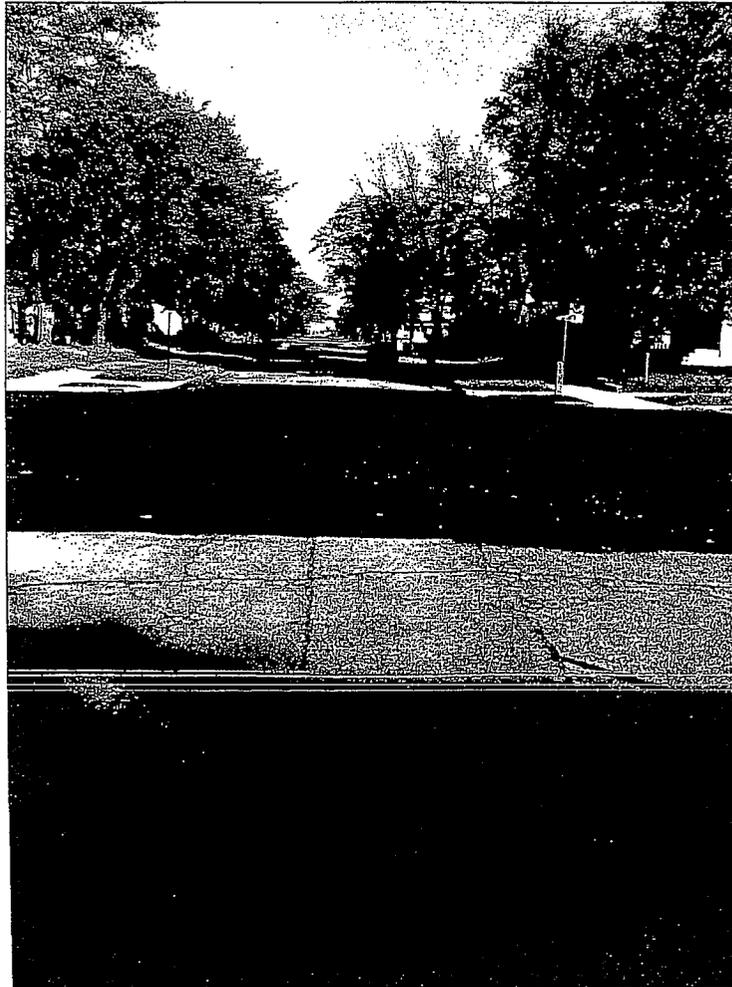


After

**15th Avenue North and North 16th Street Intersection.** The intersection of 15th Avenue North and North 16th Street was resurfaced with 2" of asphalt or approximately 45.81 tons. Along with the road resurfacing 8 cross walks were brought up to ADA standards. The estimated project cost was \$20,000.



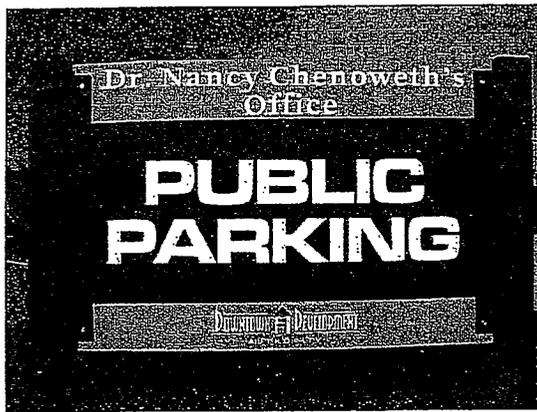
Before



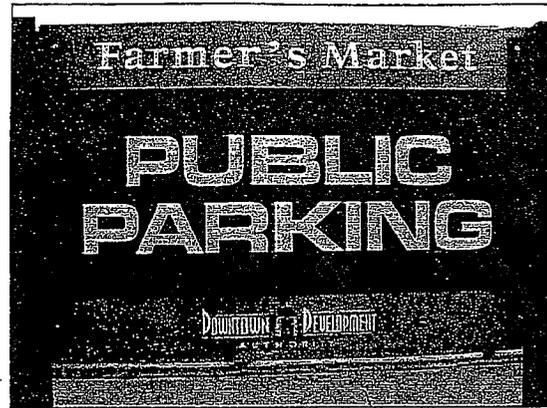
After

Parking Lot Improvements – All DDA Parking Lots.

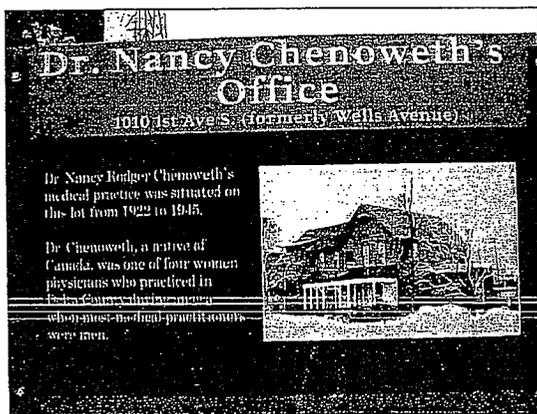
The DDA controlled parking facilities located at 100 block of 1<sup>st</sup> Avenue South, 1100 block of 1<sup>st</sup> Avenue North, North 14<sup>th</sup> Street and 1<sup>st</sup> Avenue North, South 10<sup>th</sup> Street and 1<sup>st</sup> Avenue South, North 9<sup>th</sup> Street and 1<sup>st</sup> Avenue North, South 8<sup>th</sup> Street and 1<sup>st</sup> Avenue South, 1<sup>st</sup> Avenue South and South 7<sup>th</sup> Street, 700 block 1<sup>st</sup> Avenue North and 600 block and 1<sup>st</sup> Avenue North have new historically themed signage that would raise the awareness of the public parking lots with the use of new directional signs on Ludington Street and parking lot signs at the public parking lots. The individual sites of the public parking lots all had significant historical events or structures that were at the original lot locations. Signs for Ludington Street directing public to the off Ludington Street parking area will also be included. General maintenance, seal coating, and stripping of lots will take place in the Spring 2016.



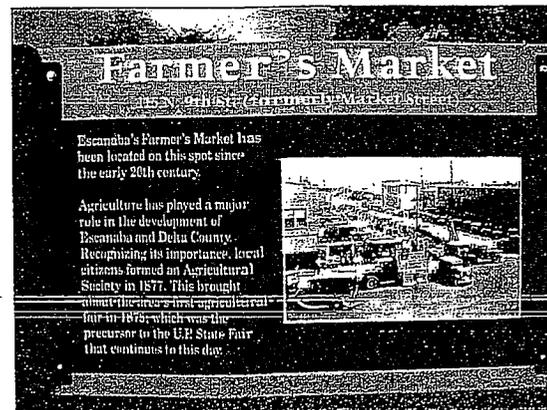
Front of Sign



Front of Sign



Back of Sign



Back of Sign

**Power Pole Replacement.**

Within the Escanaba distribution system, many poles are approaching or have exceeded their expected life. Pole inspectors have identified poles within our system that need to be replaced. The total number of distribution poles tested in 2015 was 321. The number of distribution poles replaced in 2015 was 80.

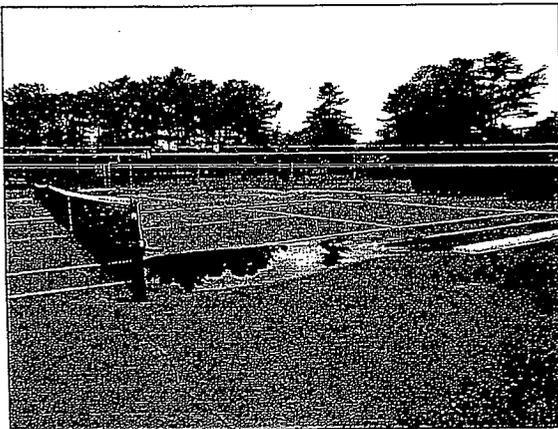
**Street Light Replacement.**

There have been great advancements made in LED street lighting over the past few years. These advancements resulted in better products and more affordable fixtures. Replacement of the existing HID street lights and dusk-to-dawn lights with LED equivalents continued. The City has approximately 1,550 street lights and 300 dusk-to-dawn lights on the distribution system. The number of street lights replaced with new LED lights in 2015 was 96.

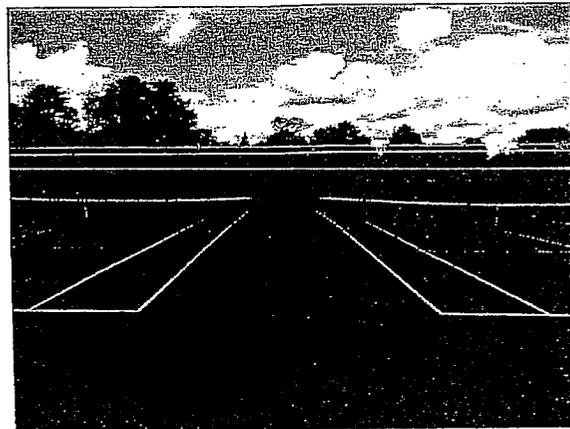


**Veteran's Park Tennis Courts Resurfacing.**

American Systems of Wisconsin, Inc. of Suamico, WI, provided all labor and materials, filing, resurfacing, and related work to restore the Veteran's Tennis courts. Work included power wash, crack filling, patching, fixing a 6' X 9' bird bath on the South court, two (2) coats dark green acrylic re-surfacer, and two (2) coats dark green acrylic color and 2" wide white playing lines painted. The court dimensions are 120' long X 110' wide. Total project cost was \$9,700.



Before



After

## ANTICIPATED CAPITAL IMPROVEMENTS FOR SPRING 2016

Sanitary Sewer Main Replacement or Repair – Alley Between 22<sup>nd</sup> Avenue South and 23<sup>rd</sup> Avenue South Extending From Lake Shore Drive to 23<sup>rd</sup> Avenue South Lift Station.

The current sanitary sewer main is scheduled to be relined.

Sanitary Sewer Main Replacement or Repair – Mall Parking Lot Extending From or Around 2300 Ludington Street North to the 2500 Block 3<sup>rd</sup> Avenue North.

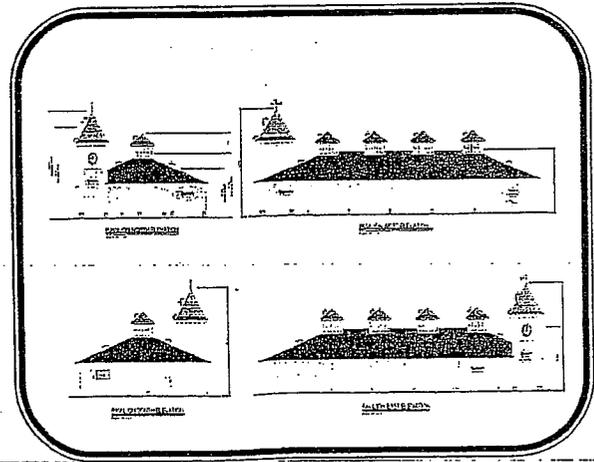
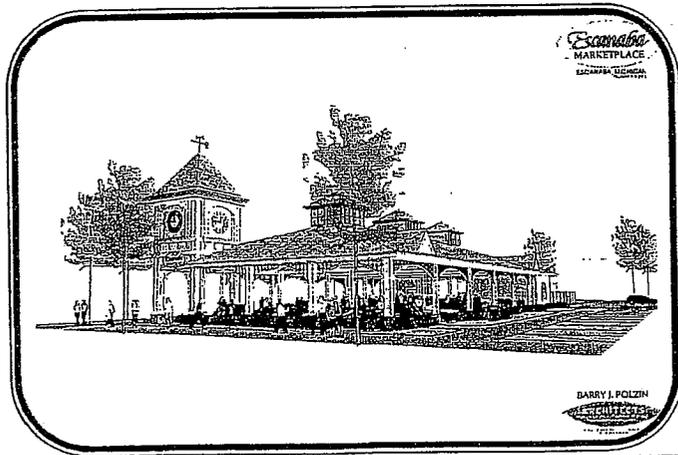
The current sanitary sewer main is scheduled to be relined.

Sanitary Sewer Main Replacement or Repair – Alley West of South 19<sup>th</sup> Street Extending From 8<sup>th</sup> Avenue South to 10<sup>th</sup> Avenue South.

The current sanitary sewer main is scheduled to be relined.

Downtown Market Place Construction Documents — Ludington Street, South 15th Street, and 1st Avenue South.

The DDA has retained the professional services of Mr. Barry Polzin, of Barry J. Polzin Architects, Marquette Michigan, to complete construction drawings for a proposed 8,046 square foot Market Place project with parking to be located on Ludington Street and South 15th Street. The project is expected to be let out for bid by February 15, 2016, with work commencing on or around April 15, 2016. The estimated cost of the project is \$1,062,300.

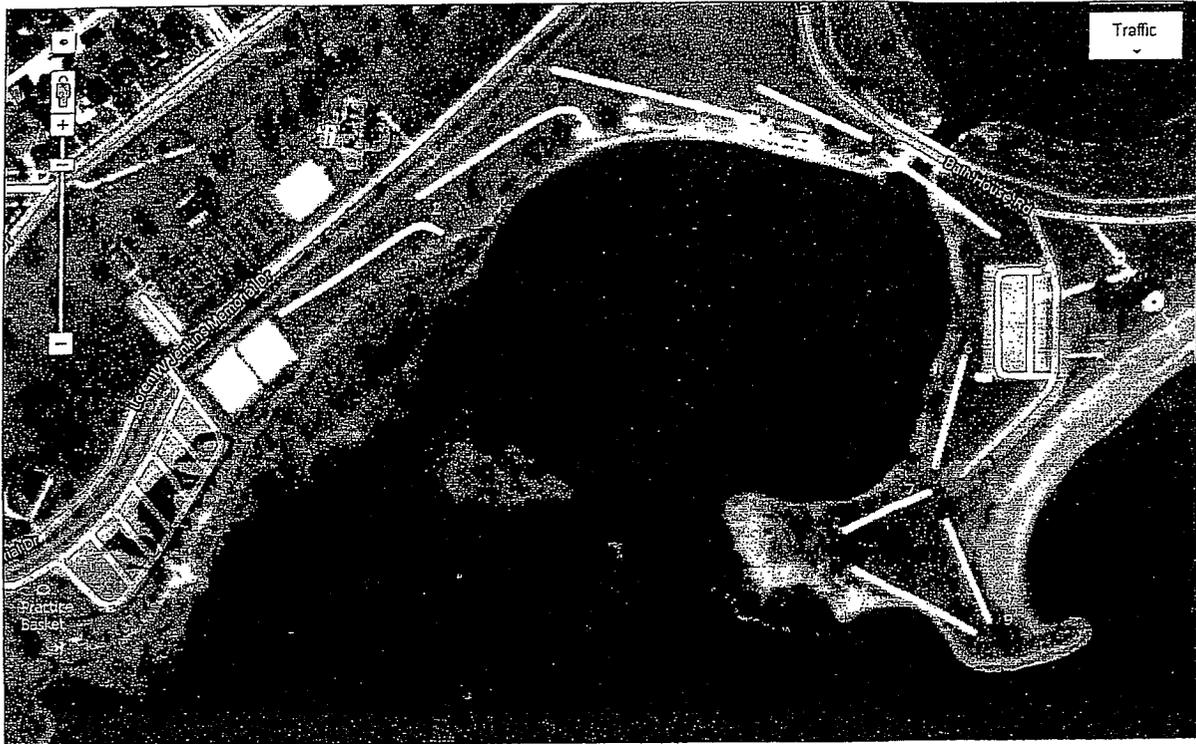


Marina Sidewalk Replacement.

Replacement sidewalk of approximately 430 feet by 8 feet wide will be installed at the Marina West seawall between docks one and two due to the settling and cracking of the existing sidewalk.

### Ludington Park Nine Hole Disc Golf Concrete Tee Boxes.

Nine (9) 4" thick concrete "Tee Box" disc golf pads of various sizes will be installed in Ludington Park. Concrete tee boxes will be flat and level with the ground as to not interfere with mowing or other maintenance operations. The concrete color will be green.



### Electrical Substation.

Work will continue on a new substation. The substation will be built in the area of the old compost site off of 20<sup>th</sup> Avenue North. The substation will consist of one main transformer, which will feed up to four circuits.

### Electrical Distribution System Repair – Ford River (along South M35).

The City of Escanaba provides electricity to parts of Ford River along South M-35. A 2,000' section of underground distribution cable located on the Breezy Point curve will be replaced with new 1/0 15kV cable.

## RECOMMENDED 2016 PLANNING COMMISSION GOALS/OBJECTIVES

In 2016, the Planning Commission will continue working on becoming a "State of Michigan Redevelopment Ready Community". As a Redevelopment Ready Community, the City of Escanaba would become state certified for supporting community revitalization and the attraction and retention of business, entrepreneurs and talent throughout Michigan. The City of Escanaba is the 19th community in Michigan to be evaluated under the statewide program and on its way to becoming redevelopment ready. With a strong history of proactive planning and strong community vision outlined in our already existing planning documents, the city has positioned itself to strengthen local quality of life and built a reputation for being proactive and business friendly. Despite solid support for redevelopment projects, Escanaba still has work to do in order to receive certification from the state. To that end, the following activities will be worked on through the Planning Commission in 2016:

1. **Community Participation Plan Creation.** The Planning Commission will create a Community Participation Plan, as part of the Community Master Planning Update process which will highlight and feature how local residents, elected officials, appointed officials, and boards and commissions engage each other throughout a planning and development process. The purpose of the plan is to make it easier for the public to get involved with planning the future of the City. This plan will take the community one step further by setting out exactly how the city will involve the community both in the way it plans for the future of the city and in how it puts those plans into action.

### Redevelopment Ready Communities

#### Tasks To Be Completed

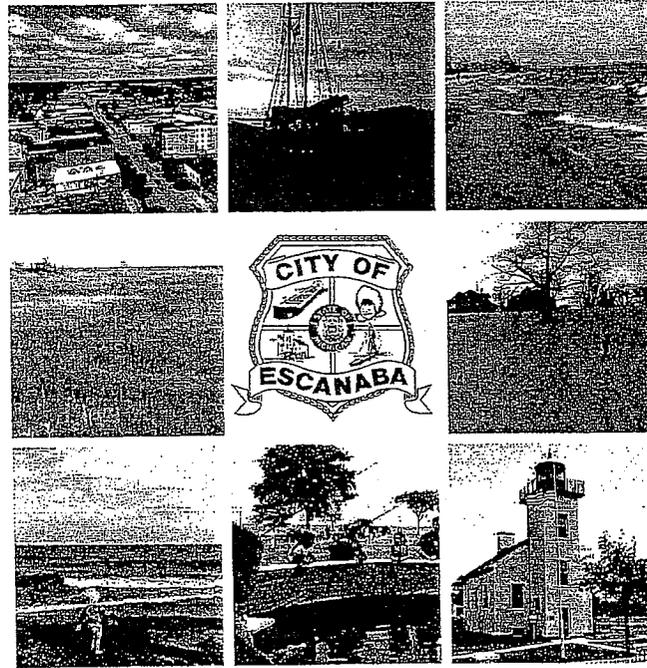
	Objective	Evaluation Criteria	Recommended Actions for Certification	Primary Responsible Party			
				City Council	Planning Commission	Down-town Development Authority	Historic Community
1	Plan review	The governing body has adopted a master plan in the past five years	Adopt an updated master plan in compliance with MPEA and Best Practice 1.1	✓	✓		
2	Zoning regulations	The governing body has adopted a zoning ordinance that align with the goals of the master plan	Review master plan goals and zoning regulations to ensure zoning ordinance regulates for the master plan vision		✓	✓	✓
3	Zoning regulations	The zoning ordinance is user-friendly and accessible online	Add a use matrix or other element and streamline text to improve user-friendliness		✓		
4	Zoning regulations	The zoning ordinance includes flexible parking requirements	Add flexible parking standards		✓	✓	

5	Zoning regulations	The zoning ordinance includes standards for green infrastructure	Incorporate green infrastructure standards into the zoning ordinance		✓	✓	
6	Development review policy and procedures	The community has a method to track development projects	Develop a simple tracking mechanism for development projects		✓		
7	Development review policy and procedures	The community annually reviews the successes and challenges with the site plan review and approval procedures	Develop a customer feedback mechanism		✓		
8	Guide to Development	The community annually reviews the fee schedule	Review the fee schedule annually	✓			
9	Education and training	The community identifies needs and tracks attendance of the governing body, boards, commissions and staff	Develop a mechanism to track training needs and attendance	✓	✓	✓	✓
10	Redevelopment Ready Sites	The community gathers preliminary development research for prioritized redevelopment sites	Gather background information for specific priority sites	✓	✓	✓	✓
11	Redevelopment Ready Sites	The community identifies available resources and incentives for prioritized redevelopment sites	Identify available resources and incentives for priority redevelopment site		✓	✓	✓
12	Marketing and promotion	The community has an updated, user-friendly municipal website	Reorganize municipal website to improve the user experience	✓	✓	✓	✓
	Public participation	The community has a public participation plan for engaging a diverse set of community stakeholders	Draft a public participation plan as outlined in Best Practice 1.2	✓	✓	✓	✓
	Redevelopment Ready Sites	The community identifies and prioritizes redevelopment sites	Identify and prioritize redevelopment sites	✓	✓		✓
	Redevelopment Ready Sites	A property information package for the prioritized redevelopment site(s) is assembled	Complete property information package for priority redevelopment site		✓	✓	✓
	Redevelopment Ready Sites	Prioritized redevelopment sites are actively marketed	Post property information package on city's website		✓	✓	✓
	Marketing and promotion	The community has developed a marketing strategy	Develop a unified marketing strategy as outlined in Best Practice 6.2	✓	✓	✓	✓

**Community Master Plan Update.** The Planning Commission will continue working on the Community Master Plan update. The Community Master Plan provides a long-range vision for the built environment of a community. It guides the appropriate use of lands within the City of Escanaba in order to protect the public health and safety and to promote general welfare. Among other issues, the Master Plan will identify:

- Suitable locations for commercial, housing, and mixed-use development
- Locations where the City should increase density, use redevelopment, or intervene in other ways
- Opportunities to extend and/or improve open space, recreational areas, and civic facilities
- Strategies from increasing economic development
- Environmental, historic, and cultural resources that need conservation
- Strategies for solving congestion and improving transit services

## City of Escanaba 2016 Master Plan



PLANNING COMMISSION MEETINGS			
	2014	2015	
Regular Planning Commission Meetings	8	10	↑
Special/Joint Planning Commission Meetings	2	3	↑

# COMMUNITY PARTICIPATION PLAN

A GENERAL OUTLINE FOR HOW THE COMMUNITY CAN PARTICIPATE IN THE PLANNING PROCESS FOR THE CREATION OF THE MASTER PLAN

## WEBSITE INFORMATION

The following detailed information can be found online:

- ◆ [Property Tax Information](#)
- ◆ [Escanaba GIS Information](#)
- ◆ [Webcast of Live Meetings](#)
- ◆ [City Council Meeting Agendas and Minutes](#)
- ◆ [City Newsletters](#)
- ◆ [News Releases](#)
- ◆ [City Codes and Charter](#)
- ◆ [City Department E-mail Access](#)
- ◆ [Budget Process Explanation](#)
- ◆ [2015-16 City Budget](#)
- ◆ [2010/11, 2011/12, 2012/13 and 2013/2014 Audits](#)
- ◆ [All Board, Commission and Committee Meeting Agendas and Minutes](#)
- ◆ [Calendar](#)

[www.escanaba.org](http://www.escanaba.org)

## INTRODUCTION

Imagine Escanaba in the year 2036 and how different it will be. Then ask yourself these questions, “What kind of City do we want the City of Escanaba to become by 2036 as residents? What do we have to do to become the City we envision? What steps will get us there?”

During 2016 the City of Escanaba will continue updating its Community Master Plan. Wide reaching representative community involvement is needed to make the project a success which is why a Community Master Plan is created. It’s our roadmap to the future!

As part of the Master Planning update, a Public Participation Plan is also being developed. This Plan is an essential tool for outlining how Elected Officials, Appointed Officials, and Boards and Commissions engage the public throughout a planning and development process. The Plan also acts as a tool for accountability and transparency requiring a municipality to seek public input as well as record the results to the people.

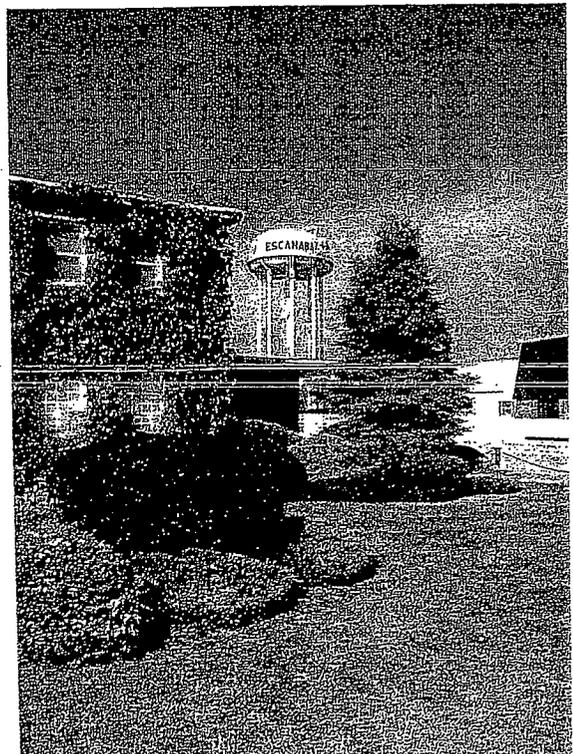
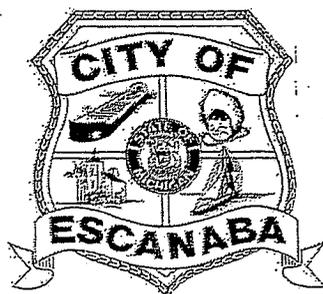


## INTRODUCTION (Cont.)

In preparing a Community Master Plan, it is important to work with Citizens to identify the issues and challenges unique to the community. As part of the Community Public Participation Plan, we as a community, must evaluate our current strengths and needs followed by a vision for the future. The City of Escanaba's Public Participation Plan strategy is to encourage community members to take part in the planning process in an effort to gain support for the collective community vision and produce a plan that best reflects the overall vision of the community. In short, the Community Master Plan will express the City's vision short- and long-term, both to make this great city even better over the next 20 years.

## PUBLIC PARTICIPATION GUIDING GOALS AND OBJECTIVES

- The City of Escanaba shall oversee all aspects of citizen/public participation in an open manner, by making the participation process accessible to anyone interested in taking part.
- The City of Escanaba shall seek out public participation in each phase of the master planning process.
- The City of Escanaba shall strive to have a diverse group of stakeholders in planning, land use, and development decisions.
- The City of Escanaba shall encourage the involvement of residents most affected by the proposed planning, land use, or development project(s).
- The City of Escanaba shall make all efforts to ensure involvement of citizens throughout all stages of the planning and review process.
- The City of Escanaba shall use all forms of communication possible for distributing information and receiving comments and feedback.
- The City of Escanaba shall support and encourage participation by making information available in a timely manner, allowing the citizens/public to take part in important decisions at various stages of the review and approval processes.
- The City of Escanaba shall record results of public participation, and report all results of records to the citizens/public.
- The City of Escanaba shall seek broad identification and representative involvement of all residents of the community. The diverse characteristics and needs of residents require different communication and outreach techniques.
- The City of Escanaba shall support and encourage continuous improvement in the methods used to meet the public need for information and involvement. Public information and involvement methods are continually evolving. The municipality is committed to seek new and innovative ways to engage and keep the public involved throughout the process.



## PUBLIC PARTICIPATION HISTORY

Over the last decade, The City of Escanaba has had an extensive history with on-going public participation in all of their planning work. The public has been actively involved in such things as the City's Downtown Federal Historic Designation Report, the Northshore Master Plan, and the Downtown 2020 Vision Plan to name a few. The City realizes and understands public participation and support is critical in having a good Plan.

## PUBLIC ACCESS TO INFORMATION

As required by law, the City of Escanaba will provide the public reasonable and timely access to information and records relating to the Community Master Plan, Public Participation Plan, and Amendments to any of the plans.

Interested stakeholders are encouraged to check the City's website at [www.escanaba.org](http://www.escanaba.org), or social media pages such as Facebook (<https://www.facebook.com/cityofescanaba>) in order to be kept informed of any meeting/hearing changes or cancellations. All meetings/hearings that take place in the Escanaba City Hall Council Chambers are live streamed through the City's website. In addition, all regularly scheduled Escanaba City Council meetings are televised on Charter Public Channel 191. Meeting/hearing agendas and packets are available ahead of time either on the City's website, or through City Clerk's Office. Meeting/hearing minutes are posted on the City's website following approval.

The Escanaba City Council and all other regularly scheduled Boards and Commissions meetings are streamed live. Meeting agendas and packets of the City Council, Planning Commission, and other Boards and Commissions shall be made available on the City's website in advance of the meeting.

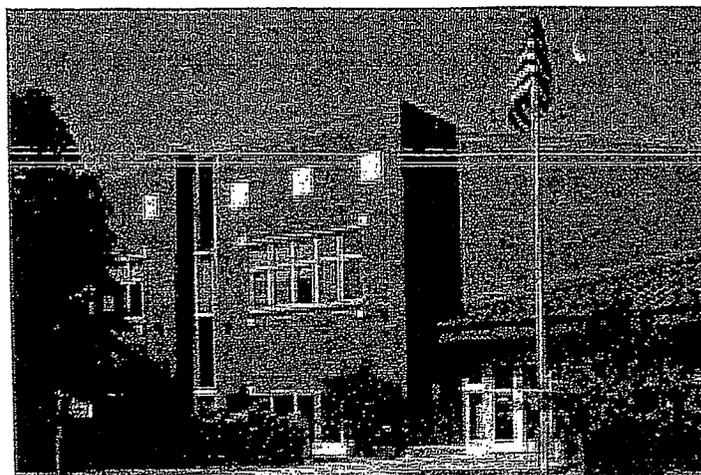
Copies of the documents will be available at the following locations:

- Escanaba City Hall - 410 Ludington Street, Escanaba, MI 49829
- Escanaba Library - 410 Ludington Street, Escanaba, MI 49829
- Catherine Bonifas Civic Center - 225 North 21st Street, Escanaba, MI 49829
- On The City's website - [www.escanaba.org](http://www.escanaba.org)

Please Note: Documents will be made available in a format accessible to persons with disabilities upon request



<https://www.facebook.com/cityofescanaba>



## KEY STAKEHOLDERS

- City Council
- City's Boards and Commissions
- City Residents
- Escanaba Area Public Schools
- Bay de Noc Community College
- Delta County Chamber of Commerce
- Central U.P. Planning and Development Regional Commission
- Delta County Economic Development Alliance
- Next Michigan Superior Trade Zone
- U.P. Economic Development Alliance
- Escanaba Downtown Development Authority
- Escanaba Downtown Partners in Business
- Commercial Business Owners
- Commercial Brokers and Real Estate Professionals
- Potential Investors and Developers
- Senior Citizens
- Public Employees
- Major Local Employers
- Civic and Social Organizations
- Students and Student Groups
- Environmental Groups
- Delta Area Transport Authority
- Relevant State Agencies
- Neighborhood Groups
- Religious Groups
- William Bonifas Fine Arts Center
- Any Other Relevant Stakeholders

## PUBLIC INVOLVEMENT STRATEGIES

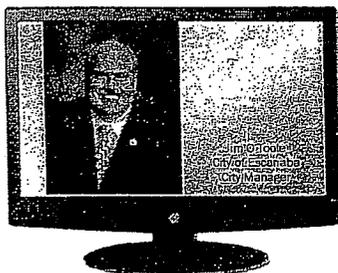
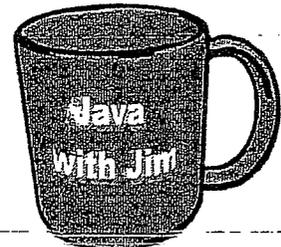
The following traditional public involvement strategies will be used by the City of Escanaba as part of public outreach:

- Public Meetings
- Community Town Hall Meetings
- Community Task Force Meetings
- Newspaper Postings
- Person to Person Communications
- Website Posting and Apps
- Public Announcements
- Utility Bill Notices
- City Cable Television Notices
- Surveys

In addition to the traditional methods used by the City of Escanaba to get citizens involved in the decision making process that will shape the future of the community, the following non-traditional methods will also be used to reach out to the citizens of the community:

### **Java with Jim**

Each month the City Manager will conduct an informal public gathering at a local restaurant. The program is called "Java with Jim", and is scheduled for every third Wednesday of each month from 8:30 a.m. to 9:30 a.m.



### **Manager's Call**

On the first and third Thursday of each month at 6:00 p.m. the City Manager will conduct "Manager's Call", which is broadcast live on the City cable television channel (Charter Community Channel 191) and webcast live through the City website located at [www.escanaba.org](http://www.escanaba.org). The purpose of this program is to disseminate information to the citizens of Escanaba concerning the day-to-day activities in the city, as well as update on upcoming meetings, programs, events, and celebrations.

## PUBLIC INVOLVEMENT STRATEGIES (Cont.)

### Radio Shows

On the first and third Friday of each month, in the morning, the City Manager will be a guest on two (2) local radio station talk shows to talk about "All Things City".



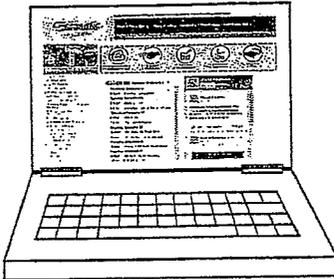
### Joint Governmental Roundtable Meeting

On the second Wednesday of each month, the City Manager along with representatives from the various local units of the government, schools, and federal agencies in Delta County will meet at 12:00 p.m. The purpose of these informal sessions is designed so that all local units of government schools, and other public agencies can collaborate on items, situations, and projects of a community wide interest. Another purpose of this regularly scheduled meeting is to review forth-coming programs of various entities, receive progress reports on current programs and initiatives, and receive other similar information from various community leaders and citizens.

### Social Media

These social media sites will be routinely used to update the citizens of the community as part of the public involvement strategy:

- Facebook (<https://www.facebook.com/cityofescanaba/>)
- Twitter (<https://twitter.com/cityofescanaba>)
- The City of Escanaba's Website ([www.escanaba.org](http://www.escanaba.org))

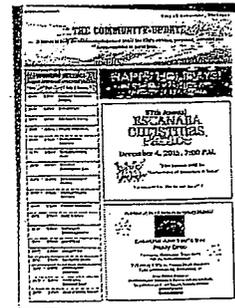


### Internet Access

The City of Escanaba webpage ([www.escanaba.org](http://www.escanaba.org)) will be continually updated throughout the planning process. All documents distributed at meetings and community events will be included on the webpage, including such items as draft maps, the planning process, schedules, frequently asked questions, related links and an interactive page where the public would have an opportunity to provide comments and make suggestions.

### Monthly Newsletter

The City of Escanaba issues a monthly newsletter which contains information about upcoming community meetings, and other public involvement / informational opportunities and schedules.



## PUBLIC INVOLVEMENT STRATEGIES (Cont.)

### **Cottage Meetings**

The City of Escanaba will also encourage cottage meetings to give the public an opportunity to gather in a comfortable space in the community to share information about the community.

By implementing these programs the overall quality of our plan and the development of our community should result in a partnership which defines the values of the community and a spirit to work together to accomplish our goals.

## GOVERNING LOCAL AND STATE REGULATIONS

The City of Escanaba follows the Local and State regulations listed below. This includes a list for the public review process, public participation, and public meetings/hearings.

- Home Rule City Act (P.A. 279 of 1909 as amended)
- The Plant Rehabilitation and Industrial Development Districts Act  
(known as the Industrial Facilities Exemption) (P.A. 198 of 1974 as amended)
- Downtown Development Authority Act (P.A. 197 of 1975 as amended)
- The Michigan Open Meeting Act (P.A. 267 of 1976 as amended)
- Brownfield Redevelopment Financing Act (P.A. 381 of 1996 as amended)
- The New Personal Property Exception Act (P.A. 328 of 1998 as amended)
- The Corridor Improvement Act (P.A. 280 of 2005 as amended)
- The Michigan Planning Enabling Act (P.A. 33 of 2008 as amended)
- The City of Escanaba's City Charter (Adopted August 29, 1921 as amended)
- The City of Escanaba's Code of Ordinances (Adopted August 29, 1921 as amended)
- Any Other Local and State Legislations



## DEVELOPMENT REVIEW BODIES / PUBLIC MEETINGS AND HEARING

### **Escanaba City Council**

The City Council is comprised of five elected at large citizens to serve four-year terms. City Council elections are held on the first Tuesday following the first Monday in November each odd-numbered year. Candidates must be U.S. citizens and a City of Escanaba resident. They are nominated at large by petitions, signed by not less than 50 qualified electors, and shall be filed with the City Clerk. The Council constitutes the legislative and governing body of the City, possessing all powers and authority to pass ordinances and adopt resolutions as they shall deem proper in order to exercise any or all powers held by the City.

After receiving a recommendation on the Master Plan by the Planning Commission, the Master Plan shall be forwarded to the City Council at the next regular meeting to be introduced and set for public hearing. Furthermore, the City Council shall, on receipt of the report of the Planning Commission, set a date for a public hearing for consideration of any proposed Zoning Code amendment, supplement or change (rezoning). The City Council shall hold public hearings as required for the review of business tax or financial assistance applications, following the notice requirements set in the local and state legislation.

Meeting Dates for 2016: Jan. 7 & 21, Feb. 4 & 18, March 3 & 17, April 7 & 21, May 5 & 19, June 2 & 16, July 7 & 21, Aug. 4 & 18, Sept. 1 & 15, Oct. 6 & 20, Nov. 3 & 17, Dec. 1 & 15

### **The City of Escanaba Planning Commission**

It has been the ongoing practice of the Planning Commission to hold public hearings for all land use and development applications (site plan, special use permit, rezoning, Master Plan updates, etc.) that come before them, as required by the Escanaba Zoning Ordinance, and other applicable regulations. Another primary objective is to develop and oversee a master plan for the physical development of the City. The Commission recommends action to the City Council on preliminary plat applications, reviews and makes recommendations concerning proposed, rezoning, or amendments to the Zoning Ordinance. Nine members are appointed for three-year terms.

The Planning Commission and City Staff schedules and publishes the notification of a public hearing before the Planning Commission in a newspaper of general distribution in the City not less than 15 days prior to the hearing on a site plan application as mandated by the commission's bylaws and the City of Escanaba Zoning Ordinance. Additionally, land use and development application notifications shall be sent by mail to the applicant, the owner of the subject property, and the owners of property within 300 feet of the subject property.

The Planning Commission meeting agenda and meeting packet shall be made available on the City's website ([www.escanaba.org](http://www.escanaba.org)), and on the City's Facebook Page (<https://www.facebook.com/cityofescanaba>) in advance of the meeting, usually the Friday the week before the scheduled meeting.

Meeting Dates for 2016: Jan. 14, Feb. 11, March 10, April 14, May 12, June 9, July 14, Aug. 11, Sept. 8, Oct. 13, Nov. 10, Dec. 8

## OTHER BOARDS AND COMMISSIONS

The City encourages participation in local government planning and policy decisions. Therefore, all citizens are invited to apply for appointments to City Boards and Commissions. These groups provide recommendations to the City Council on a variety of topics and issues. The members of the Boards and Commissions help to analyze options and influence important decisions on behalf of the community.

In general, depending on the nature and location of the project, many of the boards and commissions may review a proposed plan or specific aspect of a land use project. These Boards and Commissions function in two distinct capacities in the public policy process in the City of Escanaba - advisory and administrative. Some will serve in both capacities.

Each advisory board or commission makes recommendations to the City Council based on the scope of its particular service area. Typically, advisory Boards and Commissions have a work agenda in place for a calendar year during which it undertakes projects, deliberates on issues, and hosts special events. The City Council is responsible for making the final decisions on most issues or topics, but it will look to these groups for advice, background information, and analysis. As the elected body, the City Council has discretion to accept advice in full, in part, or not at all. Certain Boards and Commissions have an additional administrative role. This means that they are permitted or required by charter, statute or ordinance to conduct formal reviews and issue administrative decisions. These decisions are then sent to the City Council as official recommendations.

### **Board of Appeals**

The Board of Appeals has the power to hear and decide appeals on matters where the Zoning Ordinance provides for review of an administrative interpretation, exception, or special approval permit. The Board can also authorize a variance from the strict application of the Zoning Ordinance. Six members are appointed for three-year terms.

Meetings: Are called when needed.

### **Board of Equalization and Review**

The Board of Equalization and Review hears appeals from all property owners who feel their property has been inaccurately assessed and has the power to make appropriate corrections in the tax roll. Consists of the Mayor and four members, two-thirds (2/3) which shall be tax-paying electors of the City. Board Members have indefinite terms and are reappointed every two years.

Meeting Date for 2016: March 8

### **Brownfield Redevelopment Authority**

The Brownfield Redevelopment Authority facilitates the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones and to promote the revitalization of environmentally distressed areas in the community served by the City of Escanaba pursuant to Act 381. Five members are appointed for three-year terms.

Meetings: Are called when needed.

## **OTHER BOARDS AND COMMISSIONS (Cont.)**

### **Citizens' Environmental Advisory Committee**

The Citizens' Environmental Advisory Committee accumulates and coordinates citizen concerns as they pertain to environmental impacts within the City of Escanaba. Five members are appointed for three-year terms.

Meetings: Are called when needed.

### **Downtown Development Authority (DDA)**

The Downtown Development Authority (DDA) established under P. A. 197, 1975, is made up of the Mayor and 7 members to be appointed by the Mayor with Council concurrence. Not less than a majority of the members shall be persons having an interest in property located in the downtown district. Not less than one of the members shall be a resident of the downtown district, as the Escanaba area has over 100 people residing within the area. The establishment of the DDA is to correct and prevent deterioration in the business district, as described in P. A. No. 197, 1975. The Mayor and City Manager will serve for an indefinite period. The seven members meeting the criteria set forth serve for a four-year period.

Meeting Dates for 2016: Jan. 6, Feb. 3, March 2, April 6, May 4, June 1, July 6, Aug. 3, Sept. 7, Oct. 5, Nov. 2, Dec. 7

### **Electrical Advisory Committee**

The Electrical Advisory Committee was created to provide continuous information and recommendations to the Escanaba City Council on current electrical trends, operations, and needs in our community. Seven members are appointed for three-year terms.

Meeting Dates for 2016: Jan. 13, Feb. 10, March 9, April 13, May 11, June 8, July 13, Aug. 10, Sept. 14, Oct. 12, Nov. 9, Dec. 14

### **Harbor Advisory Committee**

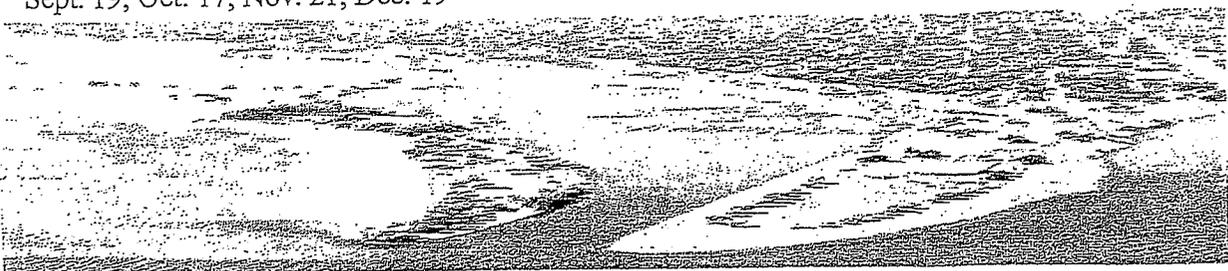
The Harbor Advisory Committee was created for the purpose to advise Administration concerning the operation and development of the Municipal Marina. Five members are appointed for three-year terms.

Meeting Dates for 2016: Jan. 12, Feb. 9, March 1, April 12, May 10, June 14, July 12, Aug. 9, Sept. 13, Oct. 11, Nov. 1, Dec. 13

### **Historical District Commission**

The Historical District Commission was created to regulate the construction, addition, alteration, repair, moving, excavation and demolition of potentially historic resources in historic district within the City limits. Seven members are appointed for three-year terms.

Meeting Dates for 2016: Jan. 18, Feb. 8, March 21, April 18, May 16, June 20, July 18, Aug. 15, Sept. 19, Oct. 17, Nov. 21, Dec. 19



## OTHER BOARDS AND COMMISSIONS (Cont.)

### Loan Administration Board (LAB)

The Loan Administration Board (LAB) is the City's approval body for economic development loans. Loan requests that meet federal, state, and local requirements are presented to the Loan Administration Board for approval, modification, or denial. Five members are appointed for six-year terms.

Meeting Dates for 2016: Jan. 21, April 21, July 21, Oct. 20

### Recreation Advisory Board

The Recreation Advisory Board advises the City Council and Administration about all phases of recreation in the City, including current operations, long-term planning, and expenditures. Five members are appointed for three-year terms.

Meeting Dates for 2016: Jan. 12, Feb. 9, March 1, April 12, May 10, June 14, July 12, Aug. 9, Sept. 13, Oct. 11, Nov. 1, Dec. 13

### Traffic Safety Advisory Committee

The Traffic Safety Advisory Committee serves the City Council and Administration in an advisory capacity, particularly for concerns related to vehicular traffic in the City. This includes traffic flow, parking restrictions, street cuts, and sidewalk planning. Five members serve three-year terms.

Meeting Dates for 2016: Feb. 16, April 19, June 21, Aug. 16, Oct. 18, Dec. 20

<b>PUBLIC ACCESS TO CITY MEETINGS</b>			
(Number indicates how many times the specific Board or Committee met)			
	2013	2014	2015
Regular City Council	24	24	24
Special / Joint City Council	27	25	23
Regular Planning Commission	8	9	11
Special / Joint Planning Commission	2	2	2
Regular Recreation Advisory Committee	6	6	6
Special / Joint Recreation Advisory Committee	1	0	3
Regular Electrical Advisory Committee	0	0	0
Special / Joint Electrical Advisory Committee	13	12	11
Regular Citizen's Environmental Advisory Committee	0	0	0
Special / Joint Citizen's Environmental Advisory Committee	0	0	2
Regular Downtown Development Authority	12	11	12
Special / Joint Downtown Development Authority	4	3	2
Regular Loan Administration Board	2	3	1
Special / Joint Loan Administration Board	1	0	3
Regular Board of Appeals	0	1	0
Special / Joint Board Appeals	0	0	4

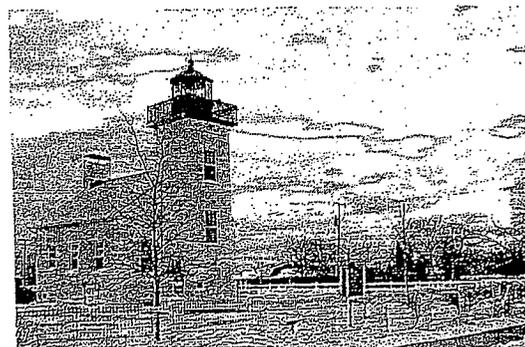
**OTHER BOARDS AND COMMISSIONS (Cont.)**

<b>PUBLIC ACCESS TO CITY MEETINGS (Cont.)</b>			
<small>(Number indicates how many times the specific Board or Committee met)</small>			
	2013	2014	2015
Regular Traffic Safety Advisory	2	3	0
Special / Joint Traffic Safety Advisory	0	1	2
Regular Harbor Advisory Committee	5	6	4
Special / Joint Harbor Advisory Committee	0	0	2
Regular Public Safety Retirement Board	11	9	7
Special / Joint Public Safety Retirement Board	0	0	2
Regular Board of Equalization and Review	6	5	5
Special / Joint Board of Equalization and Review	0	0	2
Regular Board of Library Trustees	10	10	8
Special / Joint Board of Library Trustees	0	0	2
Regular Brownfield Redevelopment Authority	2	3	0
Special / Joint Brownfield Redevelopment Authority	1	0	2
Regular Historic District Commission	2	6	3
Special / Joint Historic District Commission	1	2	4
Regular Liquor Review Board	2	1	0
Special / Joint Liquor License Review Board	0	0	2

**STATE REGULATIONS ON PUBLIC PARTICIPATION**

**Michigan Open Meetings Act**

In accordance with the Michigan Open Meetings Act (PA 267 of 1976), the City of Escanaba will hold meetings in the City Hall located at 410 Ludington Street, which is accessible to the general public. The public will be notified within 10 days of the first meeting of the public body in each calendar or fiscal year; the body will publicly post a list stating the dates, times, and places of all its regular meeting at its principle office. If there is a change in schedule, within three days of the meeting in which the change is made, the public body will post a notice stating the new dates, times, and places of regular meetings. For special and irregular meetings, public bodies will post a notice indicating the date, time, and place at least 18 hours before the meeting. Note: A regular meeting of a public body which is recessed for more than 36 hours, can only be convened if a notice is posted 18 hours in advance. Public bodies will hold emergency sessions without a written notice or time constraints if the public health, safety, or welfare is severely threatened and if two-thirds of the body's members vote to hold the emergency meeting. Any citizen can request that public bodies put them on a mailing list so that they are notified in advance of all meetings by contacting the City Clerk's Office at P.O. Box 948, 410 Ludington Street, Escanaba, MI 49829, by phone (906) 786-9402, or e-mail to clerk@escanaba.org.



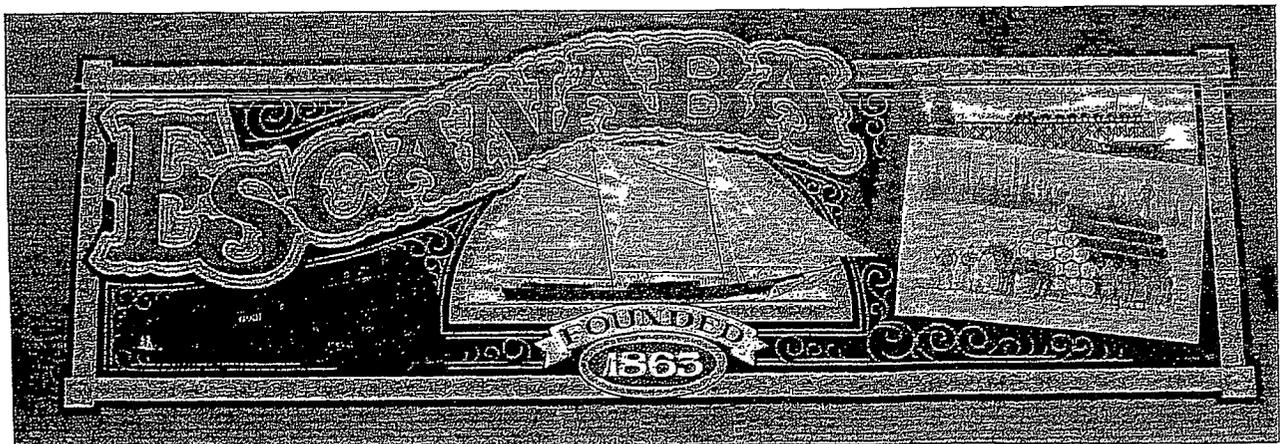
## STATE REGULATIONS ON PUBLIC PARTICIPATION (Cont.)

### Michigan Planning Enabling Act

In Michigan, the Michigan Planning Enabling Act determines the rules and regulations local governments must follow when preparing the Master Plan. In accordance with the Michigan Planning Enabling Act (PA 33 of 2008) the following parties will be notified via first class mail, personal delivery, or electronic mail by the Planning Commission of the intent to plan and request the recipient's cooperation and comment:

- The county in which the municipality is located.
- The regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.
- The county planning commission, or if there is no county planning commission, the county board of commissioners for the county in which that municipality is located.
- Each public utility company, railroad company, and public transportation agency owning and operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for the purpose with the planning commission.
- If the master plan will include a master street plan, the county road commission and the state transportation department.

After the draft master plan has been submitted to the City Council for review and approval for distribution, the draft plan will be submitted to the previously listed entities for review. Before approving a proposed master plan, the planning commission will hold not less than one public hearing on the proposed master plan. The hearing will be held after the expiration of the deadline for comment as outlined in the act. The planning commission will give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government. The planning commission will also submit notice of public hearing by first class mail, personal delivery or electronic mail to the previously listed entities for review. After the adoption of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.



## PLAN ADOPTION

### **Adoption of the Comprehensive Plan (or Update)**

The City of Escanaba will follow, at a minimum, the provisions of Michigan Public Act 33 of 2008, as amended (the Michigan Planning Enabling Act, M.C.L. 125.3801 et. seq.) for the adoption of a new Master Plan or of an update to the existing Master Plan.

The Planning Commission will send a notice to all stakeholders as listed in the State enabling legislation; the notice will explain that the Planning Commission intends to prepare a plan and request cooperation and comment on the plan now and when the plan is drafted.

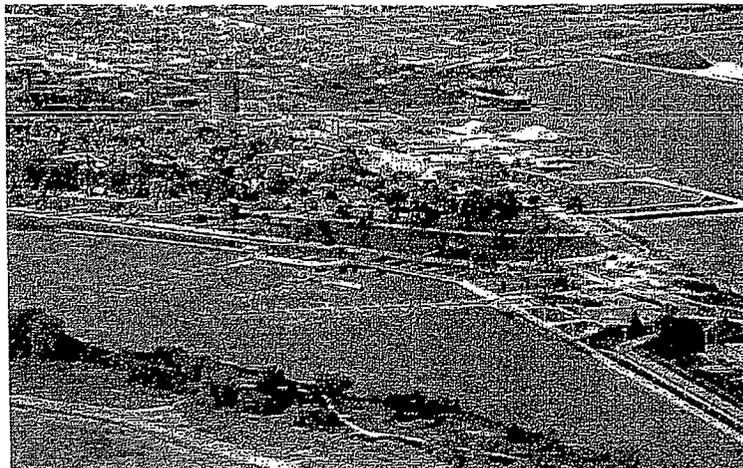
The Planning Commission and the City will then begin work on drafting or updating the plan. They shall involve the public through many of the methods listed in the section 'Methods for Community Involvement,' including, but not limited to, steering committees, open houses, community meetings, community walks and tours, website updates, social media, and surveys. The City shall encourage the involvement and participation of all stakeholders, including any marginalized groups that may be typically less involved in the planning process. Stakeholder involvement is encouraged from the beginning and the results of such public participation are made available to the community and participants and incorporated as much as is reasonably possible in the drafted plan or plan amendment.

In preparation, studies of existing conditions and probable growth should be done for the basis of the plan. The Planning Commission may make use of expert advice and information from federal, State, County, and municipal officials, departments, and agencies having information, maps, and data pertinent to the City. The City may consult with representatives of adjacent local units of government with respect to their planning so that conflicts in master plans and zoning may be avoided. The City may cooperate with all departments of the State and federal governments, public transportation agencies, and other public agencies concerned with programs for economic, social, and physical development within the planning jurisdiction and seek the maximum coordination of the local unit of government's programs with these agencies.

The City shall encourage and track the public participation through a variety of means, including minutes, public recording of meetings, comment cards, sign-up sheets, and input received verbally, through written correspondence or through website comments, and other means as appropriate.

The Planning Commission will act to submit the proposed plan to the City Council for review and comment. The process of adopting the Comprehensive Plan shall not proceed further unless the City Council approves the distribution of the proposed plan.

The City Council shall act on the proposed plan during a public meeting held in accordance with the Open Meetings Act. The City Council shall decide on the approval of the distribution of the proposed plan to local governments and agencies for review and comments.



### PLAN ADOPTION (Cont.)

If the City Council approves the distribution of the proposed plan, it shall notify the Planning Commission, in the manner provided by the State enabling law a copy of the proposed plan, for review and comment, to all of the units listed in the State enabling law. These entities may submit comments on the proposed plan to the Planning Commission within 63 days after the proposed plan was submitted to that entity.

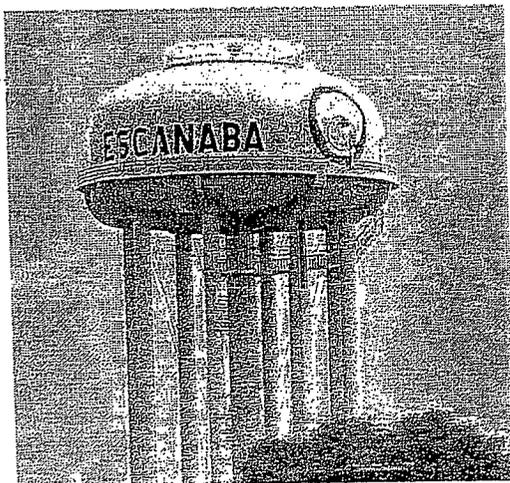
Before approving the proposed Master Plan, the Planning Commission shall hold not less than one public hearing on the proposed plan. The hearing shall be held after the expiration of the deadline for comment. The Planning Commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within Escanaba. The Planning Commission shall also submit notice of the public hearing to the entities that received initial communication.

The proposed plan must be approved by resolution of the Planning Commission carried by the affirmative votes of not less than 2/3 of the members. A statement recording the Planning Commission's approval of the plan, signed by the chairperson or secretary of the Planning Commission, shall be included on the inside of the front or back cover of the Master Plan. Following approval of the proposed Master Plan, the secretary of the Planning Commission shall submit a copy of the plan to the City Council.

Approval of the proposed plan by the Planning Commission is the final step for adoption of the plan, unless the City Council by resolution has asserted the right to approve or reject the plan. In that case, after approval of the proposed plan by the Planning Commission, the City Council shall approve or reject the proposed plan. A statement recording the City Council's approval of the Master Plan, signed by the City Clerk, shall be included on the inside of the front or back cover of the Master Plan if the City Council takes action on the Plan.

### UPDATE TO THE ZONING CODE

The City Council may of its own motion, or shall upon petition signed by the owners of a majority of the property proposed for rezoning, prepare an ordinance amending or changing the district boundaries or district regulations. In most cases, applications are due 21 days before the next meeting of the Planning Commission in order to meet the public hearing notice requirements.



The ordinance shall be introduced by City Council and then referred to the Planning Commission for review and recommendation. It may be necessary for the Planning Commission and/or the City Council to defer action on the application to one or more subsequent meetings to gather further information or to accommodate additional review and debate. The owner, applicant, or their representative will be advised in advance of any change in the review schedule. If the application involves property which falls within a wetland, historic district, floodplain, or downtown boundaries, review by one or more other boards or commissions will likely be required and may affect the overall review schedule.

## UPDATE TO THE ZONING CODE (Cont.)

Prior to submitting its recommendation to the City Council, the Planning Commission will hold a public hearing. The City Council will, on receipt of the report of the Planning Commission, set a date for a second public hearing for consideration of the proposed amendment, supplement or change. After the public hearing, the City Council may act upon the adoption thereof, with or without amendment. Whenever a written protest against such proposed amendment, supplement or change, signed by the owners of 20 percent or more of the area of land proposed to be altered or by the owners of 20 percent of the area of land within 100 feet of any part of the boundary of the land proposed to be altered, excluding any publicly-owned land from either calculation, shall be filed with the City Council, the rezoning ordinance shall not be passed except by at least a two-thirds vote of all members of the City Council.

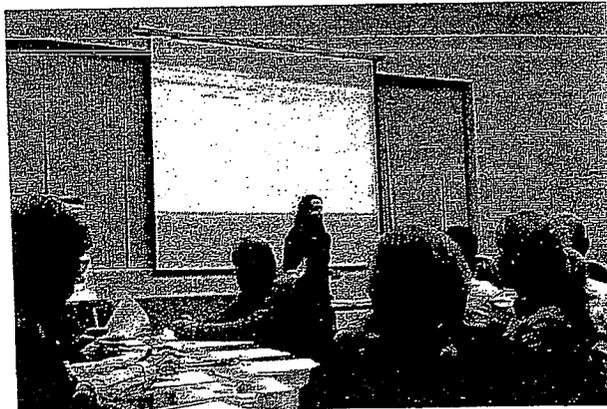
The ordinance will be noticed in a newspaper of general distribution in the City at least 15 days prior to the hearing. The notification will also be sent by mail to the applicant, the owner of the subject property, and the owners of property within 300 feet of the subject property.

Following adoption of the ordinance to amend, supplement or change the district boundaries or the district regulations, the ordinance will be filed with the City Clerk, and a notice of the ordinance adoption will be published in a newspaper of general circulation in the City of Escanaba within 15 days after adoption. The ordinance will take effect upon the expiration of seven days after its publication, unless a later effective date is specified by the City Council, or unless a notice of intent to file a petition seeking to submit the ordinance to the electors of the City for action is filed with the City Clerk within seven days after publication of the zoning ordinance.

Copies of the proposed plan will be made available for viewing at the City of Escanaba Library, the City Manager's Office, City Clerk's Office and on the City's website ([www.escanaba.org](http://www.escanaba.org)), at the time the public hearing notice is published. Any duplication costs will be incurred by the person requesting such duplication.

After the notice of this hearing has been published, written comments on the Plan may be forwarded to the City Manager's Office. Written comments will be accepted up to one week prior of the public hearing and will be address at the hearing.

Any proposed revisions after the Plan has been presented to the Planning Commission hearing or at the first City Council hearing will be held in the meeting minutes and posted on the internet site prior to the final public hearing.

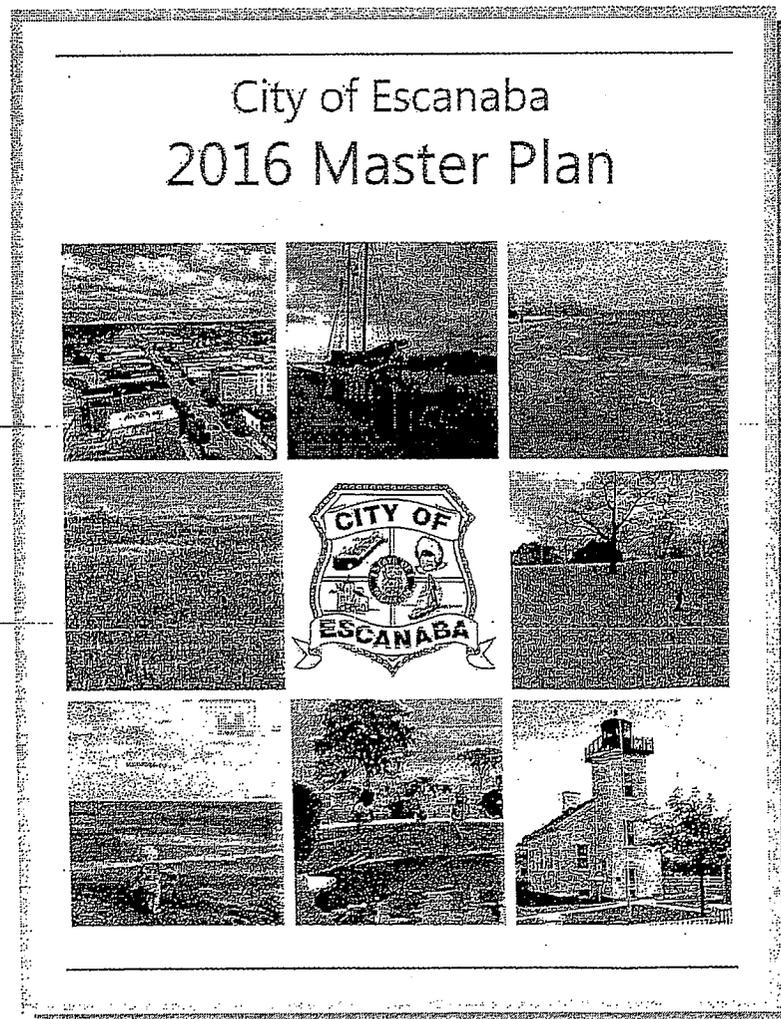


## CONCLUSION

The City of Escanaba strives to follow a transparent planning and development review process and share relevant information with community members and any other stakeholders, including the following:

- Published meeting schedules, minutes, and agendas are posted on the City's website.
- Meeting agenda packets are mailed to applicants, in the case of public hearing notices.
- Public hearing notices are sent to applicants and affected stakeholders.
- The City's website includes a variety of topics and information pertaining to the development review process, including the City Charter, the City Code of Ordinances, resolutions, strategies and planning documents, applications and fee information, maps, and much more.
- Individual webpages will be created for significant projects; these webpages will include related information and documents about the proposed projects.

In conclusion, the Public Participation Plan effort is intended to provide opportunities for the citizens of the City of Escanaba to participate meaningfully in the development of the updated Community Master Plan as well as other community driven initiatives. As the process unfolds, the process will be reviewed periodically and revisions may be made to assure that this intent is realized.



NB#1  
PC. 2/11/16

PETITIONER: Good Will Co., Inc. (Meijer)  
Michael Kinstle  
Vice President - Real Estate  
2929 Walker Avenue NW  
Grand Rapids, MI 49544

\_\_\_\_\_  
Date Received From Clerk  
\_\_\_\_\_  
Date Presented to Clerk

SPECIAL ASSESSMENT PETITION  
FOR STREET IMPROVEMENTS

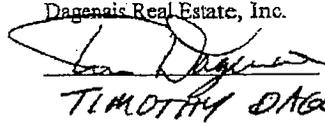
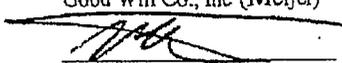
To: The Escanaba City Council

Council Members:

We, the undersigned property owners, hereby petition your honorable body for the construction of a 30 foot wide Hot Mix Asphalt paved street with concrete curb and gutter, sanitary sewer, storm sewer and water main on North 26<sup>th</sup> Street from 3<sup>rd</sup> Avenue North to 6<sup>th</sup> Avenue North.

We understand the charges for this work will be based on a special assessment rate applicable at the time the City of Escanaba budget is prepared and three (3) public hearings are held, including a public hearing at the Planning Commission. We further understand the current rate of \$350 per front foot for the specified type improvements is advisory and subject to change prior to the public hearings on the assessment and that the special assessment may be payable in annual installments as shown, plus interest at six percent (6%) per year on the unpaid balance:

<u>Amount of Assessment</u>	<u>Year</u>
Less than \$100	1
\$101 to \$200	2
\$201 to \$300	3
\$301 to \$400	4
\$401 and over	5

<u>PROPERTY ADDRESS</u>	<u>FRONTAGE</u>	<u>ASSESSMENT</u>	<u>OWNER (Signature)</u>
1. 2510 3 <sup>rd</sup> Avenue North	(1,624.98 lf)	\$568,743.00	Dagenais Real Estate, Inc.  TIMOTHY DAGENAIS 11-2-15
2. 400 North 30 <sup>th</sup> Street	(1,634.41 lf)	\$572,043.50	Good Will Co., Inc (Meijer)  Michael Kinstle

**UTILITY NOTES:**

- EXISTING HYDRAULIC AND UTILITY CONDITIONS SHALL BE SHOWN AS RECEIVED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
- WATER DISTRIBUTION SYSTEM MATERIALS SHALL BE AS SPECIFIED IN THE CITY OF LANSING STANDARD SPECIFICATIONS FOR WATER MAINS AND FITTINGS. ALL MATERIALS SHALL BE APPROVED BY THE CITY OF LANSING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LANSING.
- ALL UTILITIES SHALL BE PROTECTED AND SUPPORTED THROUGHOUT THE CONSTRUCTION AND RESTORATION WORK.
- CONTRACTOR TO PRESERVE/PROTECT ALL SURVEY POINTS AND MONUMENTS. ALL SURVEY POINTS SHALL BE REPLACED WITH ALL NECESSARY MONUMENTS/ADJUSTMENTS AT THEIR OWN EXPENSE.

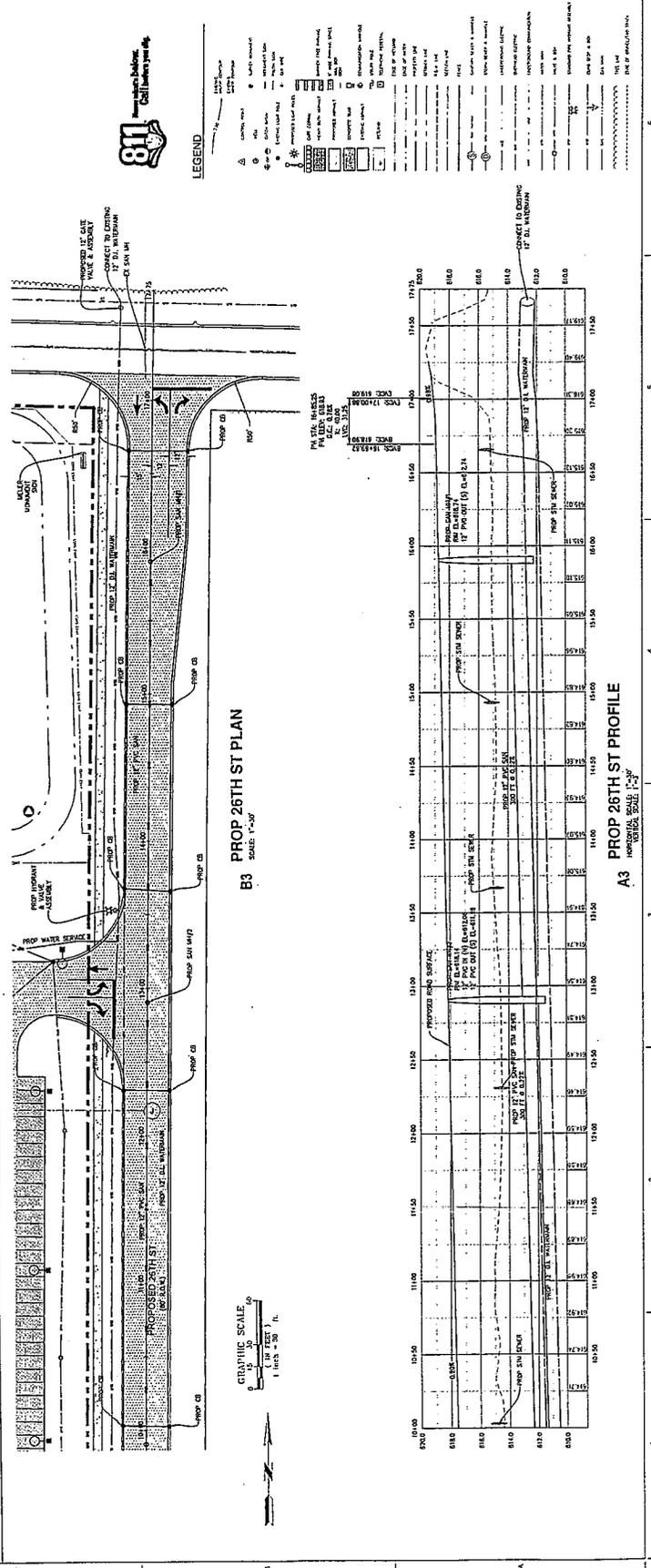
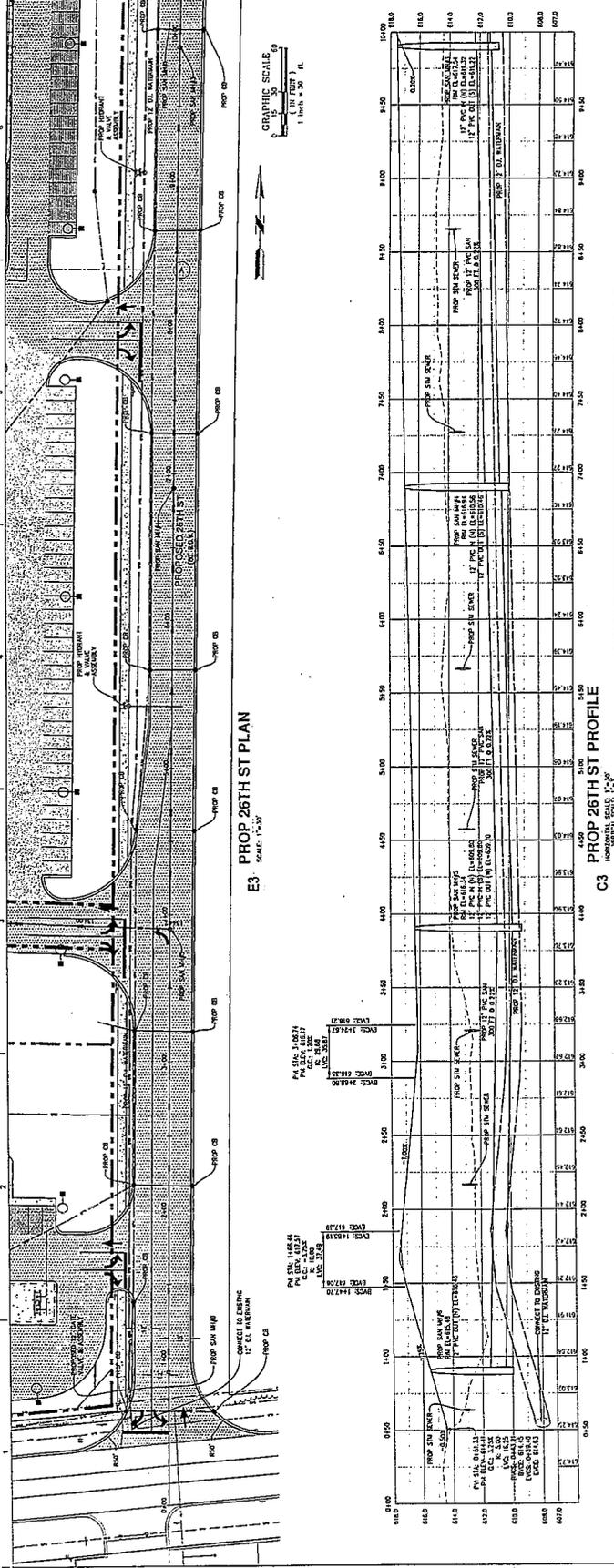
**meijer**  
MEJER DIST 19 ECB

2638 WALKER AVENUE  
GRAND RAPIDS, MICHIGAN 49504  
909-455-2111

**ECB**  
2811 & 2830 AVENUE  
GRAND RAPIDS, MI 49503

DATE	DESCRIPTION
09/24/14	SKETCH
10/27/14	MS-TPLAN
02/19/15	REVIEW

26TH ST, CITY UTILITY PLAN & PROFILE  
C900  
DATE: 02/19/15  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]  
APPROVED BY: [Signature]



**LEGEND**

Symbol	Description
Circle with dot	MANHOLE
Square with dot	CATCH BASIN
Circle with cross	WATER MAIN
Square with cross	SEWER
Circle with horizontal lines	STORM SEWER
Circle with vertical lines	WATER SERVICE LINE
Circle with diagonal lines	WATER METER
Circle with diagonal lines (other)	WATER VALVE
Circle with diagonal lines (other)	WATER METER ASSEMBLY
Circle with diagonal lines (other)	WATER METER BOX
Circle with diagonal lines (other)	WATER METER STOP VALVE
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER GASKET
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER GASKET GROMMET
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER GASKET GROMMET GASKET
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER GASKET GROMMET GASKET GASKET
Circle with diagonal lines (other)	WATER METER STOP VALVE BOX COVER GASKET GROMMET GASKET GASKET GASKET





January 25, 2016

ESCANABA PLANNING COMMISSION  
ESCANABA MICHIGAN 49829

RE: Review – North 26<sup>th</sup> Street Infrastructure and Street Design and Installation between 3<sup>rd</sup> Avenue North and 6<sup>th</sup> Avenue North.

Dear Property Owner/Occupant:

A regular scheduled meeting of the Escanaba Planning Commission has been scheduled for February 11, 2016, at 6:00 p.m. at the Escanaba City Hall, 410 Ludington Street. The following item will be on the agenda:

**Review – North 26<sup>th</sup> Street Infrastructure and Street Design and Timeline  
Between 3<sup>rd</sup> Avenue North and 6<sup>th</sup> Avenue North**

The Planning Commission will review the infrastructure and street design and timeline for the newly proposed North 26<sup>th</sup> Street to be located between 3<sup>rd</sup> Avenue North and 6<sup>th</sup> Avenue North. The purpose of the review is to allow the properties that are being assessed for the project and opportunity to review the proposed plans so that there is an understanding of the project, timeline, and process moving forward.

You are cordially invited to attend this meeting should you have any interest in this project, questions, or comments. If you have comments, but are unable to attend this meeting, please submit your written comments to the City of Escanaba Planning Commission prior to February 11, 2016. All written and signed comments will be read into the public record.

The City of Escanaba will provide all necessary, reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting/hearing upon five (5) days notice to the City of Escanaba. Individuals with disabilities requiring auxiliary aids or services should contact the City of Escanaba by writing or calling the City of Escanaba at (906) 786-9402. A copy of the various referenced plans can be viewed at City Hall, Second Floor, 410 Ludington Street, Escanaba, MI, Monday through Friday, 7:30 a.m. to 4:00 p.m.

Sincerely,

Patrick Connor, Chairperson  
Escanaba Planning Commission

<p><b>PROOF OF SERVICE – MAILING</b></p> <p>This document was enclosed in sealed envelope, first class postage fully prepaid, and deposited in the U.S. Government Mail.</p> <p>Addressee(s): Assessed Property Owner/Occupant Impacted By Special Assessment</p> <p>Mailing Date: January 25, 2016</p>
---

**Mission Statement:**



Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.  
*The City of Escanaba is an equal opportunity employer and provider.*

138

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.
	DAGENAIS	395,000	08/30/1993	WD	WD	407/345		0.0

Property Address  
 2510 3RD AVENUE NORTH  
 Owner's Name/Address  
 DAGENAIS REAL ESTATE INC  
 1505 NORTH LINCOLN ROAD  
 ESCANABA MI 49829

Class: Commercial Vacant Zoning: E Com Building Permit(s)  
 School: Escanaba Schools 21010  
 P.R.E. 0%  
 Map #: 138  
 2016 Est TCV Tentative  
 Land Value Estimates for Land Table 10.ACREAGE

Improved  Vacant  
 Public Improvements  
 Dirt Road  
 Gravel Road  
 Paved Road  
 Storm Sewer  
 Sidewalk  
 Water  
 Sewer  
 Electric  
 Gas  
 Curb  
 Street Lights  
 Standard Utilities  
 Underground Utils.

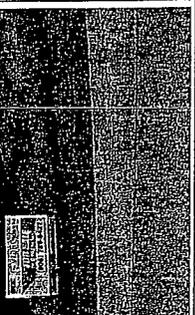
Taxpayer's Name/Address  
 DAGENAIS ENTERPRISES  
 1505 NORTH LINCOLN ROAD  
 ESCANABA MI 49829  
 Tax Description  
 SEC 25 T39N R23W [MAP# 138]  
 PRT OF E 1/2 OF NE 1/4 [11.21 AC]  
 BEG @ NW COR TH S 0°01'40" W 1661.89 FT  
 TO NLY R/W 3RD AVE N TH N 84°12' E 526.5  
 FT TH N 0°04' E 648.92 FT TH N 89°06' W  
 313.9 FT TH N 0°53'07" E 956.87 FT TO N

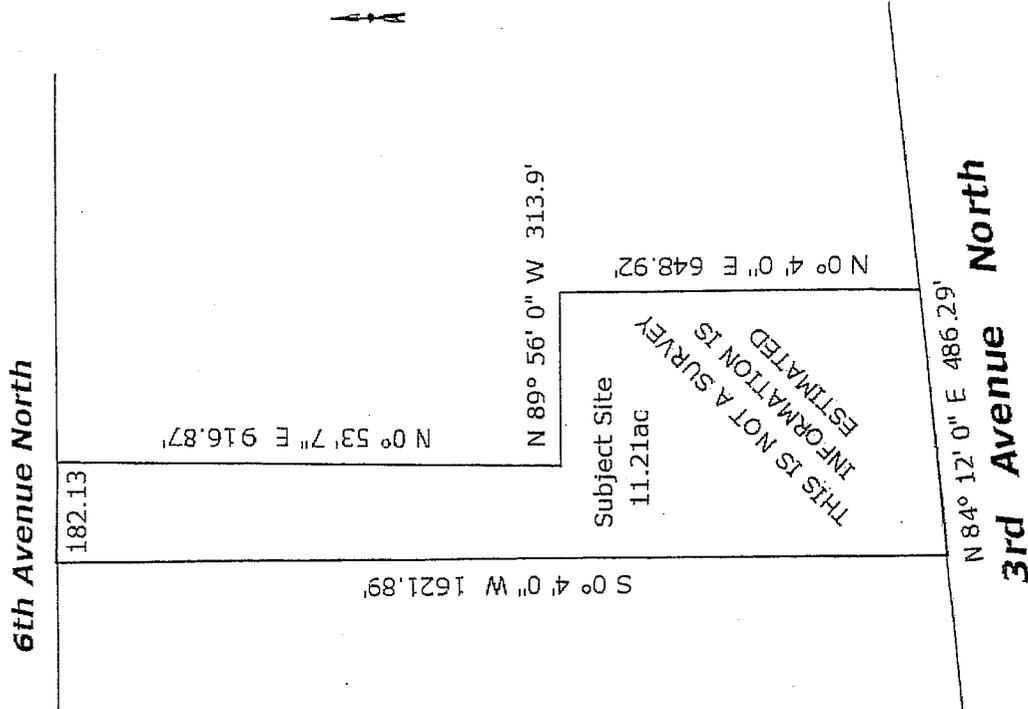
Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2016	Tentative	Tentative	Tentative			Tentative
2015	116,501	0	116,501			111,630C
2014	120,104	0	120,104			109,873C
2013	120,104	0	120,104			108,143C

Who When What  
 DRN 11/23/2015 Corrected  
 DRN 11/23/2015 Review App  
 KD 09/19/2011 Inspected

The Equalizer. Copyright (c) 1999 - 2009.  
 Licensed To: City of Escanaba, County of Delta, Michigan

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*





Sketch by Apex Sketch

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcht. Trans.
FOULIOT MARVIN R & STROPI	GOOD WILL CO INC	3,500,000	10/14/2015	WD	ARMS-LENGTH	1143/531 & 114	DAINA NORDEN	100.0
STROPICH FRANK J	STROPICH FRANK J REV LIVI	0	10/29/2007	WD	FAMILY	923/543	DAINA NORDEN	0.0

Property Address	Class: Commercial Vacant	Zoning: E Com	Building Permit(s)	Date	Number	Status
505 NORTH 26TH STREET	School: Escanaba Schools 21010					
Owner's Name/Address	2016 Est TCV Tentative					
GOOD WILL CO INC	Land Value Estimates for Land Table 10. ACREAGE					
2929 WALKER AVENUE NW	Improved	X	Vacant			
GRAND RAPIDS MI 49544	Public					

Improvements	Frontage	Depth	Rate	%Adj.	Reason	Value
Dirt Road	1740.00	1315.00	1.0000	0.0000	0 100*	0
Gravel Road	ACREAGE PA COM 1	25000/AC	47.86	Acres	25000 100	1,196,500
Paved Road	* denotes lines that do not contribute to the total acreage calculation.					
Storm Sewer	1740	Actual Front Feet,	47.86	Total Acres	Total Est. Land Value =	1,196,500
Sidewalk						
Water						
Sewer						
Electric						
Gas						
Curb						
Street Lights						
Standard Utilities						
Underground Utils.						

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2016	Tentative	Tentative	Tentative			Tentative
2015	296,783	0	296,783			127,704C
2014	305,962	0	305,962			125,693C
2013	305,962	0	305,962			123,714C

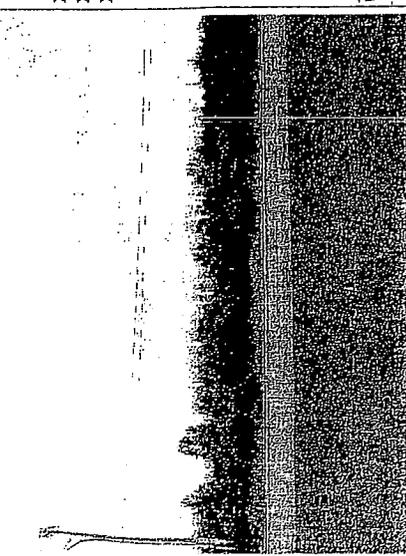
**Topography of Site**

Level	Who	When	What
Rolling	DRN	09/10/2015	Data Enter
Low	KD	09/20/2011	Inspected
High	KD	08/21/2008	Inspected
Landscaped			
Swamp			
Wooded			
Pond			
Waterfront			
Ravine			
Wetland			
Flood Plain			

Comments/Influences

The Equalizer. Copyright (c) 1999 - 2009. Licensed to: City of Escanaba, County of Delta, Michigan

\*\*\* Information herein deemed reliable but not guaranteed\*\*\*







Sec. 1. - Power; installments.

The Council shall have power to provide for the payment of all or any part of the cost of construction, reconstruction, repairs, operation or maintenance of any structure or work in the nature of public improvements, by levying and collecting special assessments upon property specially benefited. Such special assessment may be payable in yearly installments for a period not exceeding five years.

**State law reference—** Permissible that Charter provide for assessing costs of public improvements, MCL 117.4d, MSA 5.2077.

Sec. 2. - Petition by majority of landowners.

When the owners of the majority of the frontage of land liable to be assessed in any special assessment district, or part of the city which may be constituted a special assessment a district, shall petition the Council for any public improvement, the Council shall order such improvements to be made. In other cases, public improvements shall be made in the discretion of the Council.

Sec. 3. - Declaration of assessment.

When a Council shall determine to make any public improvement or repairs and defray the whole or part of the cost and expenses thereof by special assessment, they shall so declare by resolution, stating the nature of the improvements and what part or proportion of the expenses thereof shall be paid by special assessment and what part, if any, shall be paid by the general funds of the city, and shall designate the district or lands and premises upon which the special assessment shall be levied.

Sec. 4. - Estimates of expenses; plat and diagram; notice of meeting, etc.

Before ordering any public improvements or repairs, any part of the expenses of which is to be defrayed by special assessment, the Council shall cause estimates of the expense thereof to be made, and also plat and diagram, when practicable, of the work and of the locality to be improved, and deposit the same with the Clerk for public examination, and they shall give notice thereof, and of the proposed improvements, and of the district to be assessed, and of the time and place when the Council will meet and consider any objections thereto, by publication at least once five days prior to such meeting, in a newspaper published and circulating in the city.

**Editor's note—**

MCL 211.741 et seq., MSA 5.3534(1) et seq., provide for notice of special assessment hearings in addition to all other laws requiring notice by publication or posting.

Sec. 5. - Resolution directing pro rata assessment.

When any special assessment is to be made pro rata upon the lots and premises in any special assessment district, according to frontage or benefits, the Council shall by resolution, direct the same to be made by the Assessor, and shall state therein the amount to be assessed and whether according to frontage or benefits, and describe or designate an assessment district comprising the lands to be assessed.

Sec. 6. - Preparation of assessment roll.

Upon receiving such orders and directions the Assessor shall make out an assessment a roll, entering and describing therein all the lots, premises and parcels of land to be assessed, with the names of the persons, if known, chargeable with the assessment thereon, and shall levy thereon and against such property the amount to be assessed, in the manner directed by the Council and provisions of this Charter applicable to the assessment. In all cases where the ownership of any description is unknown to the Assessor, he shall, in lieu of the name of the owner, insert the word "Unknown" and if by mistake or otherwise any person shall be improperly designated as the owner of any lot or parcel of land or premises, or if the same shall be assessed without the name of the owner, or the name of a person other than the owner, such assessment shall not for any such cause be vitated, but shall in all respects be as valid upon and against such lot, parcel of land or premises, as though assessed in the name of the proper owner, and when the assessment shall have been confirmed it shall be a lien on such a lots parcel of land or premises, and collected as in this Charter provided.

#### Sec. 7. - Report of assessment roll.

If the assessment is required to be according to frontage the Assessor shall assess to each lot or parcel of land such relative portion of the whole amount to be levied as the length or front of such premises abutting upon the improvement bears to the whole frontage of all lots to be assessed, unless on account of the shape or size of any lot, an assessment for a different number of feet would be more equitable. If the assessment is directed to be according to benefits they shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefits resulting to such lot from the improvement. When he shall have completed the assessment roll he shall report the same to the Council. Such report shall be signed by the Assessor and may be in the form of a certificate, endorsed on the assessment roll, as follows:

"State of Michigan

SS

City of Escanaba,

TO THE COUNCIL OF THE CITY OF ESCANABA:

I hereby certify and report that the foregoing is a special assessment roll and the assessment made by me, pursuant to a resolution of the Council of the said city, adopted on the ;#rule; day of ;daterule; A.D. 19\_\_\_\_\_, for the purpose of paying that part of the cost which the Council decided should be paid and borne by special assessment for the (insert here object of the assessment) and in making such assessment I have, as near as may be according to my best judgment, conformed in all things to the direction contained in the resolution of the Council hereinbefore referred to, and the Charter of the city, relating to such assessment.

Dated,

\_\_\_\_\_  
Assessor".

#### Sec. 8. - Single lot assessment.

When any expense shall be incurred by the city upon or in respect to any separate or single lot, parcel of land or premises which, by the provisions of this Charter, the Council is authorized to charge and collect as a special assessment against the same, and not being that class of special assessments required to be made pro rata upon several lots or parcels of land in a special assessment district, on account of the labor,

material or services, for which such expense was incurred, verified by the Manager, with a description of the lot or premises upon or in respect to which the expense was incurred, and the name of the owner or person, if known, chargeable therewith, shall be reported to the Council in such manner as they shall prescribe. The provisions of the preceding section of this chapter with reference to special assessments generally, and the proceedings necessary to be had before making the improvements, shall not apply to assessments to cover the expenses incurred, in respect to that class of improvements contemplated in this section.

Sec. 9. - Council determination as to expenses charged.

The Council shall determine what amount or part of every such expense shall be charged, and the person, if known, against whom, and the premises upon which the same shall be levied as a special assessment, and as often as the Council shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises, and the persons chargeable therewith, respectively, to be reported by the Clerk to the Assessor, for assessment.

Sec. 10. - Levy on each lot.

Upon receiving the report mentioned in the preceding section, the Assessor shall make a special roll and levy as a special assessment therein, upon each lot or parcel of land so reported to him and against the person chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid, to be levied upon each of such lots or premises respectively, and when completed he shall report the assessment to the Council, and all the several assessments shall be kept separated.

Sec. 11. - Filing of assessment in clerk's office; notice of meeting.

When any special assessment roll shall be reported by the Assessor to the Council, as in this Charter directed, the same shall be filed in the office of the Clerk and numbered consecutively. Before adopting such assessment roll, the Council shall cause five days notice to be published in some newspaper of the city, of the filing of the same with the Clerk, and appointing a time when the Council and the Assessor will meet to review said assessment. Any person objecting to the assessment may file his objections thereto in writing with the Clerk. The notice provided for in this section may be addressed to the persons whose names appear upon the special assessment roll and to all others interested therein, and may be in the following form:

"NOTICE OF SPECIAL ASSESSMENT

To (insert the names of the persons against whom the assessment appears) and to all other persons interested:

TAKE NOTICE, That the roll of the special assessment heretofore made by the Assessor for the purpose of defraying that part of the cost which the Council decided should be paid and borne by special assessment for the (insert the object of the assessment and the locality of the proposed improvement in general terms) is now on file in my office for public inspection. Notice is also given that the Council and the Assessor of the city of Escanaba will meet at the City Hall in said city on ;daterule; to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Date \_\_\_\_\_

assessment district where the same are made, that it shall be lawful, and the Council is hereby directed and authorized to cause to be made a reassessment upon all the property in said local assessment district to pay for such improvements and to continue requiring such reassessments until a valid and sufficient assessment shall have been made.

Sec. 18. - Nothing shall impair lien.

No judgment or decree, nor any act of the Council vacating a special assessment, shall destroy or impair the lien of the city upon the premises assessed, for such amount of the assessments as may be equitably charged against the same, or, as by a regular mode of proceeding might have been lawfully assessed thereon.

Sec. 19. - Levy; tax roll.

Whenever any special assessment shall be confirmed and be payable, the Council may direct the Clerk to report to the Assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each and the name of the owner or occupant against whom the assessment was made, and direct said Assessor to levy the several sums so assessed respectively. The Assessor shall levy the sum therein mentioned upon the respective lots and premises to which they are specially assessed, and against the persons chargeable therewith, as a tax, in the general tax roll next thereafter to be made, in a column for special assessments, and thereupon the amount so levied in said tax roll shall be enforced and collected with the other taxes in the tax roll and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected, shall be paid into the City Treasury.

Sec. 20. - Collection directly.

Whenever any special assessment shall be confirmed and be payable as hereinbefore provided, the Council, instead of requiring assessments to be reported to the Assessor, as provided in the preceding section, may direct the assessment so made in the special assessment roll to be collected directly therefrom, and thereupon the Clerk shall attach his warrant to a certified copy of said special assessment roll, therein commanding the Treasurer to collect from each of the persons assessed in said roll the amount of money assessed to and set opposite his name therein, and in case any person named in said roll shall neglect or refuse to pay his assessment, upon demand, then to levy and collect the same by distress and sale of the goods and chattels of such person and return said roll and warrant, together with his doing thereon, within sixty days from the date of such warrant.

Sec. 21. - Seizure and levy upon personal property for failure to pay.

Upon receiving said special assessment roll and warrant, the Treasurer shall proceed to collect the amount assessed therein. If any person shall neglect or refuse to pay his assessment upon demand, the Treasurer shall seize and levy upon any personal property found within the city or elsewhere within the state of Michigan, belonging to such person and sell the same at public auction, first giving six days notice of the time and place of such sale, by posting such notice in three public places in the city or township where such property may be found. The proceeds of such sale, or so much thereof as may be necessary for that purpose, shall be applied to the payment of the assessment, the costs and expenses of seizure and sale, and the surplus, if any, shall be paid to the person entitled thereto.

Sec. 22. - Return of assessment roll with list of delinquent persons.

The Treasurer shall make return of said assessment roll and warrant to the Clerk, according to the requirements of the warrant, and if any of the assessments in said roll shall be returned unpaid, the Treasurer shall attach to his return a statement, verified by affidavit, containing a list of the persons delinquent and a description of the lots and premises upon which the assessment remains unpaid, and the amount unpaid by each.

Sec. 23. - Removal of warrants; certification of unpaid assessments for tax roll.

Said warrant may be renewed from time to time by the Clerk, if the Council shall so direct, and for such time as they shall determine, and during the time of such renewals the warrant shall have the same force and the Treasurer shall perform the same duties and make the like returns as above provided. In case any assessment shall be finally returned by the Treasurer unpaid, as aforesaid, the name shall be certified to the Assessor in the manner provided in Section 19 of this chapter, and shall then be levied, together with the penalty of ten percent of the amount of said assessment, in the next tax roll, and be collected and paid in all respects as provided in Section 19 of this chapter.

Sec. 24. - Collection by suit.

At any time after a special assessment has become payable, the same may be collected by suit, in the name of the city, against the person assessed, in an action of assumpsit in any court having jurisdiction of the amount. In every such action a declaration upon the common counts for money paid shall be sufficient. The special assessment roll and a certified order or resolution confirming the same shall be prima facie evidence of the regularity of all the proceedings in making the assessment, of the whole amount due, and of the right of the city to recover judgment therefor.

Sec. 25. - Expenses charged despite improper assessment.

If in any such action it shall appear that by reason of any irregularities or informalities, the assessment has not been properly made against the defendant, or upon the lot or premises a sought to be charged, the court may nevertheless, on satisfactory proof that expenses have been incurred by the city which are a proper charge against the defendant or the lot or premises in question, render judgment for the amount properly chargeable against such defendant, or upon such lots or premises.

Sec. 26. - Assessments for cleaning sidewalks.

If the owner or occupant of any lot or premises shall fail to remove the snow, ice and filth from the sidewalk upon which such property abuts, or to remove and keep the same from obstruction, encroachments, incumbrances or other nuisances, or fail to perform any other duties required by the city in respect to such sidewalks or the premises of any person, within such time and in such manner as the city shall require, the city may cause the same to be done, and the expenses or such part thereof as the city shall have determined, together with a penalty of ten per centum, may be charged and collected as a special assessment against such property as in this Charter provided.

Sec. 27. - Credit to separate funds; refunds.

Revenues and moneys raised by taxation in every special assessment district in the city, shall be credited to separate special assessment funds, and money so raised shall be used solely for the purpose specified. Provided, if there be a surplus after paying for the specified improvements, such surplus shall be refunded pro rata, as follows: By refund where the tax has been paid in full; and by credit on the assessment roll where the tax has not been fully paid.

\_\_\_\_\_  
City clerk"

**Editor's note—**

MCL 211.741, MSA 5.3534(1), supersedes any Charter requirements for mailing notice of special assessment hearings.

**Sec. 12. - Review of assessment roll; confirmation.**

At the time and place appointed for the purpose as aforesaid, the Council and Assessor, shall meet and there, or at some adjourned meeting, review the assessment roll, and shall hear any objections to any assessments which may be made by any person deeming himself aggrieved thereby, and the Council may correct said roll as to any assessment, or description of premises appearing therein, and may confirm it as reported, or as corrected, or they may refer the assessment back to the Assessor for revisions, or annul it and direct a new assessment, in which case the same proceeding shall be held as in respect to the previous assessment. When a special assessment shall be confirmed the Clerk shall make an endorsement upon the roll, showing the date of confirmation.

**Editor's note—**

MCL 211.741, MSA 5.3534(1), supersedes any Charter requirements for mailing notice of special assessment hearings.

**Sec. 13. - Confirmation of assessment roll is final.**

When any special assessment roll shall be confirmed by the Council it shall be final and conclusive.

**Sec. 14. - Lien on land assessed.**

All special assessments shall, from the date of confirmation thereof, constitute a lien upon the respective lots or parcels of land assessed, and shall be a charge against the respective owners of the several parcels as assessed until paid.

**Sec. 15. - Installments; interest.**

Upon the confirmation of any special assessment, the amount thereof may be divided into not more than five installments, one of which shall be collected each year, at such times as the Council shall determine, with annual interest at a rate not exceeding six percent per annum, but the whole assessment after confirmation may be paid to the City Treasurer at any time in full, with the accrued interest thereon, provided that no interest shall be charged until twenty days after confirmation.

**Sec. 16. - Due upon confirmation.**

All special assessments, except such installments thereof as the Council shall make payable at a future time, as provided in the preceding section, shall be due and payable upon confirmation.

**Sec. 17. - Reassessments.**

In all cases of special assessments of any kind against any property where such assessments have failed to be valid in whole or in part, the Council shall be and they are hereby authorized to cause to be re-assessed such special taxes or assessments, and to enforce their collection, and it is further provided that whenever for any cause, mistake or inadvertence, the amount assessed shall not be sufficient to pay the cost of such improvements made and enjoined on the property, or on the owners of property in the local