

**PLANNING COMMISSION MEETING  
ESCANABA, MICHIGAN  
Thursday, October 8, 2015**

A meeting of the Escanaba Planning Commission was held on Thursday, October 8, 2015, at 6:00 p.m. at the City Hall/Library Complex, 410 Ludington Street, Escanaba, MI 49829.

**PRESENT:** Commissioners James Hellerman, Stephen Buckbee, Thomas Warstler, Roy Webber, and Brian Black

**ABSENT:** Vice Chairperson Kelvin Smyth, Chairperson Patrick Connor, Commissioners Paul Caswell and Christine Williams

**ALSO PRESENT:** City Manager Jim O'Toole, Council Liaison Ronald Beauchamp, and Executive Assistant Buffy Smith

Jim O'Toole stated Commissioner Stephen Buckbee volunteered to act as Chairperson with the absence of Chairperson Connor and Vice Chairperson Smyth.

Meeting called to order at 6:00 p.m. by Commissioner Stephen Buckbee.

**ROLL CALL**

Executive Assistant Buffy Smith conducted the roll call.

**APPROVAL/CORRECTION OF THE SEPTEMBER 10, 2015 PLANNING COMMISSION MEETING MINUTES**

A motion was made by Commissioner Warstler, seconded by Commissioner Black, to amend the September 10, 2015 Meeting Minutes to include Mayor Marc Tall and Council Liaison Ronald Beauchamp as present. Ayes were unanimous.

**APPROVAL/ADJUSTMENTS TO THE AGENDA**

None.

**CONFLICT OF INTEREST DECLARATIONS**

None.

**UNFINISHED BUSINESS**

None.

**PUBLIC HEARING**

**Site Plan Review – Downtown Development Authority Market Place Project – Ludington Street, South 15<sup>th</sup> Street, and 1<sup>st</sup> Avenue South.**

Jim O'Toole stated the request for a public hearing on a proposed 8,000 +/- square foot multi-use Market Place facility with parking for a Downtown Development Authority project to be located on Ludington Street, South 15<sup>th</sup> Street, and 1<sup>st</sup> Avenue South will be conducted.

Jim O'Toole discussed the type of request before the Board:

Site Plan Review and Approval. In accordance with Section 1801.3. Site Plan Required of Escanaba's Zoning Ordinance, a site plan review for a Land Use Permit must be conducted prior to the use permit issuance.

**COMPLIANCE WITH DEVELOPMENT STANDARDS:**

1. The proposed construction will be located on property which is zoned a Commercial District (F). The use is a permitted use by right as outlined in Section 1002.1. General. Paragraph B and W.
2. The proposed construction meets the setback standards of the districts.
3. The preliminary proposed construction site plan diagram complies with Chapter 18. Site Plan and Sketch Plan Standards, Section 1802 Site Plan Diagram/Requirements, paragraph 1802.2 Site Plan Diagram Requirements, subparagraphs A - X.
4. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.1.1.1. Pre-Application Conference was conducted
5. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph Section 1803.1.1.2. Application, the applicant applied for site plan consideration as required.
6. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph Section 1803.1.1.3. Official Review, an official City administration preliminary review was conducted for comments as to the proposed development's conformance to all applicable standards and requirements.
7. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph Section 1803.1.1.4. Approval; Referral, City administration will deem the site diagram to be complete.
8. All fee and notification requirements of the Ordinance have been accommodated.

Jim O'Toole stipulated for the record the duties of the Planning Commission:

In accordance with Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.2. Public Hearing Requirement, prior to voting on a final site plan, the Planning Commission must hold a Public Hearing so as to facilitate public review and understanding of the proposed development. In accordance with Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.3. Planning Commission Review, once a site plan is forwarded to the Planning Commission, the Planning Commission is required to review the site plan according to the standards and requirements of Chapter 18. Site Plan and Sketch Plan Standards. The Planning Commission must approve or deny the site plan according to the standards and requirements of the Zoning Ordinance within 45 days of submission of said plan.

In accordance with Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.4. Site Plan Approval, should the Planning Commission approve the site plan, the applicant, the owner of record, or the legal representative thereof, the Planning

Commission Chairperson and one other member of the Planning Commission shall each sign four copies of the approved site plan. The Planning Commission shall transmit one signed copy of the plan and any conditions attached to the Code Official, and one signed copy each to the office of the City Clerk and the applicant. One signed copy shall be retained in the Planning Commission file.

In accordance with Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.5.1 Site Plan Rejection, should the Planning Commission reject the site plan, the property owner may appeal the decision to the Zoning Board of Appeals.

Jim O'Toole stated the site plan approval standards:

In accordance with Section 1804. Site Plan Approval Standards of Escanaba's Zoning Ordinance, the proposed site conforms to the following site development standards:

- A. The main entrance face will be on Ludington Street.
- B. There will be no roof mounted equipment.
- C. Reasonable and visible sound mitigation measures have been taken.
- D. The building is arranged to permit adequate emergency access to all sides.
- E. The development has legal access to Ludington Street, South 15<sup>th</sup> Street and 1<sup>st</sup>. Avenue South.
- F. The development provides for vehicular and pedestrian circulation.
- G. All parking areas are designed to facilitate safe and efficient vehicular and pedestrian circulation.
- H. Minimal curb cuts (no alterations) are being proposed.
- I. All loading and unloading areas and outside storage areas shall be adequately screened. Recycling storage areas have been provided within the structure.
- J. Exterior lights shall be reflected downward and away from adjacent properties and right-of-ways.
- K. Adequate utilities will be provided and placed underground.
- L. All premises shall be graded to prevent accumulation of stagnant water.

Jim O'Toole stated the staff findings, comments, general plan goals, and conditions of approval:

- 1. Staff is recommending approval of the site plan diagram for the following reasons:
  - A. The proposed use is consistent with the zoning designation for the district.
  - B. The proposed use is an approved use by right in accordance with the zoning ordinance.
  - C. A purchase option on the property has been secured by the Downtown Development Authority.
  - D. The proposed project and use is consistent with the City of Escanaba Downtown

Development Authority Amended and Restated Development Plan and Tax Increment Financing Plan as outlined in Table 2, Priorities – Projects and Program Based on Survey, Table 4, Collective Prioritization (establishment of a retail incubator and Indoor/Outdoor Farmers Market Building -year around use) and Table 5 of the Near Term Projects and Program (0 to 5 years).

- E. The proposed project is included in the approved DDA 5 Year Capital Improvement Plan and DDA Budget.

Recommended conditions of approval: Staff is recommending the following conditions of approval:

1. All Landscaping as shown in the site plan drawing be installed, inspected, and approved no later than one (1) year after the certificate to occupy the facility is issued.
2. No permanent structures be placed in the alley way, which will connect the building with the playground.

Jim O'Toole stated the construction value of the accessory building is estimated to be \$900,000+/-.

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

Jim O'Toole reviewed the standards and questions (finding of facts):

In accordance with Chapter 18. Site Plan and Sketch Plan Standards, Section 1801 General, paragraph 1801.1. Purpose, the Planning Commission must ensure that the plan outlines the use and development of the property and is designed to provide for the future growth and development of business that seek an aesthetically attractive working environment.

1. Is the development designed to integrate well with adjacent developments?
2. Is the development designed to minimize nuisance impacts on adjoining parcels?
3. Is the development designed to ensure safe and functional traffic access and parking?
4. Is the development designed to minimize impacts on sensitive environmental resources?

Jim O'Toole stated he reviewed the amended drawing with City staff this afternoon. Discussion included the location of the current alley. There is a major water line that runs down the alley. The thought is to use the space for the project but with non-permanent structures only, this includes removing the grill from this location. Also a rolled curb would be installed on both sides, the parking lot side and the street side, so that in the event of an emergency or a delivery truck, access would be possible. Removable decorative pilings with chains will be installed in this area to prevent access on a routine basis. Stubbing out a waterline was an option, which would be done in the design work.

Jim O'Toole asked Director of the DDA, Ed Legault, to make a presentation.

Ed Legault stated it's been a little longer than a year since the last discussions on a new Market Place occurred. At that time there was a delay out of his control with the grant process. Since then the only negative comment he heard was if the location could be moved from 9<sup>th</sup> Street, 1<sup>st</sup> Avenue

North to someplace on Ludington Street. While waiting to straighten out the income status, the opportunity for this project to move on to Ludington Street became available.

Barry Polzin Architect of Architects made a presentation stating this is a perfect site for this project. This location offers good visibility and will fill in the blank space. He stated the location is a great spot for this project offering great parking. The adjoining lot offers expansion. The Farmer's Market is considered a social event. This design and site give the opportunity for other events to take place. The location will be good for families with the secure area located in the back for children. There is a patio area to the South that will be on site all the time. The design and structure is similar to before and is designed to capture the historic sense of Escanaba. The space inside the structure is open. There will be plenty of light shining down in the building. The roof over the entire building will offer good protection from the rain. Storm water/rain water will be controlled on site. The property will provide plenty of green areas. All lighting is down lighting, which will light the inside space but will not escape the building into the sky or the streets. The lighting will be great for any evening activities. Overall, this is a great opportunity for a great space to develop downtown Escanaba.

Ed Legault stated the building is used on Wednesday's and Saturday's for the Farmer's Market but the building will also be available for formal events, such as class reunions, family reunions, or other activities. He believes an additional sixty (60) events can take place outside the Farmer's Market. Citizens could utilize the building/space for a fee.

Mr. O'Toole stated a second (2<sup>nd</sup>) parcel along the building of Jim's Music (commonly known as the Ness properties) will be green space. Also on the 15<sup>th</sup> Street side, which is currently angled parking, the boulevard will be restored to include green space using grass pavers. An enhanced cross-walk on Ludington Street would be installed for when the Junior High School is dismissed each day. This will help with the safety of the children on this corner.

Commissioner Buckbee opened any questions to the Board.

Commissioner Roy Webber questioned the diagram in regards to the clock tower, if only three (3) sides of the clock will be visible. Barry Polzin stated the height of the building was increased a bit to aid in visibility. And after close review of all angles of the images presented, the plan presents good visibility of the clock tower, which is an icon for downtown Escanaba.

Commissioner James Hellerman questioned if a purchase agreement with the current owners for the property was in place. Ed Legault replied yes, they do have a purchase agreement.

Commissioner Stephen Buckbee asked about a possibility of blocking the walls somehow during the winter months on some sort of temporary basis. Ed Legault replied the building will not be in service the full twelve (12) months, but an estimated nine (9) months. He stated that part of the design is to have some pull downs that can be utilized to close off spaces when the cooler seasons approach. Mr. Buckbee also questioned if outside heating vents are an option to add to the seasonal length. Barry Polzin replied yes, a radiant heater, would be a good source of heating. They have also looked into options to block off wind and to possibly enclose the building such as awning fabric. He continued to state this building would be good for outdoor weddings as proposed, which seems to be an increasing demand. Commissioner Buckbee stated he would like to use the building throughout the entire year if possible. He suggested a skating rink or other activities to provide more use of the structure, which would make the building more useful to the City.

Commissioner Brian Black asked if the structure could be modified down the road if needed. Mr. Polzin replied it could be with glass windows as a possibility. It would be costly but it certainly can

be done. Commissioner Tom Warstler questioned if insulated garage doors had been looked into as an option to keep the wind out. He feels this is an inexpensive, good option to promote more use.

City Manager Jim O'Toole stated that if the site plan is approved, if funding is provided, Mr. Polzin's next step would be to do construction drawings.

Commissioner James Hellerman questioned if additional parking had been researched and he questioned the residents from the South closest to the project. Ed Legault stated there is ample amount of parking and he has not looked into additional parking for this project since there is plenty as is.

Mr. Hellerman questioned the maintenance on the property. City Manager Jim O'Toole stated the DDA would be responsible for maintenance costs. Also the maintenance on the structure itself will be handled by the DDA. Within the DDA budget there is a maintenance structures budget and money would be set in this fund for the maintenance fees.

Commissioner Stephen Buckbee asked for any public comment.

Kevin Anger, 1500 1<sup>st</sup> Avenue South, said he feels like someday he may be forced out of his property that he has owned for twenty (20) years. Ed Legault stated purchasing this property will not be necessary. Mr. Anger also questioned how this project will affect his taxes. Jim O'Toole stated this project should have no impact on his taxes. Stephen Buckbee also stated he is hearing at this point and time that Mr. Anger will not be forced to sell his property and that his taxes should not be raised in any way.

Commissioner James Hellerman asked for additional comments from Mr. Anger. Mr. Anger questioned snow removal. Jim O'Toole stated that the way the alley is designed will allow good removal and snow will be stored to the West. Kevin Anger stated the East side is where he is concerned. He owns three (3) vehicles and parking in the winter is limited. City Engineer Bill Farrell stated the plowing for snow remains the same on the street; snow will be pushed to the curb just like everywhere else in the City. He stated if there is no use in the parking lot to the West, then the City will only plow the alley. Jim O'Toole stated with the restoration of the Boulevard there will be more snow storage area for the City. Snow will be piled on what will be green space.

Jim Dombrowski of Jim's Music, 1513 Ludington Street, questioned if the change in the alley will impact his delivery trucks. Jim O'Toole stated there should be no affect; trucks will be able to pull right up to Jim's Music. He also commented that the space along the wall of Jim's Music will be green space, that there will likely be grass pavers in this area. This will allow people to drive on and off into the market place for loading/unloading.

Marilyn Anger, 1500 1<sup>st</sup> Avenue South, questioned if the parking lot could be used for additional parking space when the Junior High School has activities going on. Jim O'Toole stated it will be 100% public parking.

No additional comments were made.

Commissioner Buckbee asked for recommendations for approval of the site plan for the Downtown Market Place on Ludington Street, 15<sup>th</sup> Street, and 1<sup>st</sup> Avenue South.

A motion was made by Commissioner Hellerman, seconded by Commissioner Warstler, to approve the site plan as presented for Ludington Street, South 15<sup>th</sup> Street, and 1<sup>st</sup> Avenue South, with the exception of any permanent structure being located in the alley way. Ayes were unanimous.

**NEW BUSINESS**

1. Approval of the 2016 Planning Commission Regular Meeting Calendar

A motion was made by Commissioner Warstler, seconded by Commissioner Buckbee, to approve the 2016 Planning Commission calendar as submitted. Ayes were unanimous.

**Project Updates:**

- A. Zoning Board of Appeals Hearings/Decisions – None.
- B. Superior Trade Zone – Jim O’Toole stated the Superior Trade Zone met on September 24<sup>th</sup> and the next Superior Trade Zone meeting is scheduled for October 27<sup>th</sup> at the Maple Ridge Hall at 9:00 a.m. to discuss rules or procedures, marketing, and website design.
- C. MSHDA/SHPO Certified Local Government Program – Jim O’Toole stated we continue to keep active with this.
- D. Delta County Planning Commission Update –Jim O’Toole stated, in the absence of Chairperson Connor, that wind turbine set-backs discussion took place according to the Daily Press.
- E. Redevelopment Ready Community Program – Jim O’Toole stated the first meeting was held on Tuesday, October 6<sup>th</sup> and continues to move forward.
- F. Year to Date Zoning/Land Use Permit(s) – City Manager O’Toole reviewed the below:

|    |                      |              |
|----|----------------------|--------------|
| 3  | NEW RESIDENTIAL HOME | \$881,960    |
| 24 | RESIDENTIAL REMODELS | \$341,974    |
| 3  | NEW COMMERCIAL       | \$7,510,000  |
| 23 | COMMERCIAL REMODELS  | \$3,788,920  |
| 1  | CHANGE OF USE        | \$0          |
| 0  | HOME OCCUPATION      | \$0          |
| 0  | LAND USE PERMIT      | \$0          |
| 8  | DEMOLITION PERMIT    | \$269,450    |
| 62 | TOTAL                | \$12,792,304 |

- G. Community Master Planning Process – A Charrette for the City’s Master Plan for all Boards and Commissions is scheduled for November 12<sup>th</sup> at the Middle School-Courtyard Room.
- H. Public Participation Plan Progress – A lot of ideas were launched at the meeting held on Tuesday, October 6<sup>th</sup>.

**GENERAL PUBLIC COMMENT**

None.

**COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS**

None.

**ADJOURNMENT**

**A motion was made by Commissioner Buckbee, seconded by Commissioner Warstler, to adjourn the meeting. The meeting adjourned at 6:43 p.m. Ayes were unanimous.**

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Patrick Connor, Chairperson  
Escanaba Planning Commission

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

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Roy Webber, Secretary  
Escanaba Planning Commission