

**PLANNING COMMISSION MEETING
ESCANABA, MICHIGAN
October 12, 2017**

A meeting of the Escanaba Planning Commission was held on Thursday, October 12, 2017, at 6:00 p.m. in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

PRESENT: Chairperson Kel Smyth, Deputy Secretary Brian Black, Commissioner James Hellerman, Commissioner Paul Caswell, and Commissioner Richard Clark

ALSO PRESENT: Jake Modestow of Stonefield Engineering and Design, Dennis Evinson of Dagenais Enterprise, Code Inspector Blaine DeGrave, and Executive Assistant Lisa Glish

ABSENT: Vice-Chairperson Christine Williams and Commissioner Craig Gierke

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

ROLL CALL

Executive Assistant Lisa Glish conducted roll call.

APPROVAL/CORRECTION OF THE MAY 10, 2017 PLANNING COMMISSION MEETING MINUTES

A motion was made by Commissioner Clark, seconded by Commissioner Hellerman, to approve the August 15, 2017 Planning Commission meeting minutes as submitted. Ayes were unanimous.

APPROVAL/ADJUSTMENTS TO THE MAY 10, 2017 PLANNING COMMISSION MEETING AGENDA

None.

CONFLICT OF INTEREST DECLARATIONS

None

UNFINISHED BUSINESS

None.

PUBLIC HEARING

1. Site Plan Review – 301 North Lincoln Road – Proposed Dental Office

Blaine DeGrave stated that in accordance with the Escanaba Zoning Ordinance Section 1803.3, a site plan review of a 3,543 sq. ft. building for a proposed dental office to be located within the Delta Plaza Outlot property located at 301 North Lincoln Road, Escanaba will take place.

Commissioner Caswell noted that he believes that the company name should have been included in the information packet for this project, not instead of referencing it as “Proposed

3. The 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, the applicant's met on September 11, 2017, with the City of Escanaba staff to review the proposed project, the City of Escanaba Code of Ordinances, and the City Comprehensive Plan. Attending this meeting was: City Manager Patrick Jordan, Electrical Distribution Engineer Mike Furmanski, City Engineer/Public Works Superintendent Bill Farrell, Public Safety Director Rob LaMarche, Water/Wastewater Superintendent Jeff Lampi, Planning and Zoning Administrator Blaine DeGrave, and Executive Assistant Lisa Glish. Present from Stonefield Engineering and Design (via conference call) were Brandon Schram, Ursula Fialho, Ashley Nathan, Rachel Miller, and Jake Modestow. Present from the Michigan Department of Transportation (via conference call) was Ben Carrigan, Ben Feldhausen, Dan Kari, and Dave Bradley.
5. In accordance with the requirements found in Chapter 18, Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, 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, Section 1803.1.1.4. Approval; Referral, City Administration has deemed the site diagram will be completed and is referring the plan to the Planning Commission for review.
7. All fee and notification requirements of the Ordinance have been accommodated.

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.

SITE PLAN APPROVAL STANDARDS:

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

- A. The primary structure shall be oriented so that their main entrance faces the street upon which the lot fronts.
- B. All roof-mounted equipment, if any, shall be screened from recreation trails or from public sidewalks.
- C. Reasonable and visible sound mitigation measures shall be provided.
- D. The principle building is arranged to permit adequate emergency access to all sides.
- E. The development shall have legal access to a public or private street.
- F. The development provides for vehicular and pedestrian circulation.
- G. All parking areas shall be designed for safe and efficient vehicular and pedestrian circulation.
- H. All loading and unloading areas shall be properly screened which are visible from public rights-of-way.
- I. Exterior lights shall be reflected downward and away from adjacent properties and right-of-ways.
- J. Adequate utilities shall be provided to properly serve the development. All utilities shall be placed underground.
- K. All premises shall be graded to prevent accumulation of stagnant water.

STAFF FINDINGS, COMMENT, GENERAL PLAN GOALS AND CONDITIONS OF APPROVAL:

Staff is recommending conditional approval of the site plan diagram for the following reasons:

The proposed use is consistent with the surrounding uses in the area and is a permitted use by right.

The proposed construction site plan complies with zoning requirements as listed in Chapter 10, Commercial District “E”

The conditional approval is based on the proposed project creating a non-conforming use/structure in that the parking space requirements for the existing mall complex will no longer be met under Section 1702 PARKING SPACE REQUIREMENTS and it is proposed that the current property owner, Dial Escanaba Outlots LP/Dial Escanaba Mall 1 LP request a variance

through the Board of Appeals to reduce the required parking spaces for this mall area and to also create a 2nd frontage street to accommodate traffic ingress and egress for these potential outlot properties.

FISCAL IMPACT:

The construction value of the building is estimated to be \$600,000.

PUBLIC CONTACT:

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.

Staff report was posted on the City of Escanaba website for public review.

The meeting agenda was posted on the City's official notice bulletin board and the City of Escanaba's website.

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?
4. Is the development designed to minimize impacts on sensitive environmental resources?

ALTERNATIVES:

Not applicable.

ENFORCEMENT HISTORY:

None

OTHER CONSIDERATIONS:

- Impact on the adjoining parcel ingress, egress and parking
- Impact on existing mall parking
- Impact on future development parcels adjacent and along North Lincoln Road

BACK UP INFORMATION:

1. Pre-Site Plan Review Meeting Minutes.
2. Application for Zoning Land Use Approval.
3. Site Plan Diagram.
4. Assessor's Property Information Card.
5. Site Photographs.
6. 300' radius property owner/tenant notification letter.
7. 300' radius property owner/tenant name and address list.

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Blaine DeGrave noted that he has a Conditional Approval Motion drafted up if the Planning Commission would care to use that for approvals. He went onto explain that the reason he is requesting a Conditional Approval is due to the proposed parcel of land will be reducing the number of parking spots that the Delta Plaza Mall will have available. He then stated that under the Escanaba Zoning Ordinance the Mall is required to have a certain number of parking spaces to accommodate for the square footage of retail space; but with the mall being mostly vacant, those spaces are not being used anyway that this project would be a better fit for that vacant area.

Chairperson Kel Smyth opened the Public Hearing.

Jake Modestow from Stonefield Engineering and Design addressed the Planning Commission. Mr. Modestow stated that the company that is proposing the building is Aspen Dental.

Jake Modestow explained that the proposal will be removing the curb cuts from the highway (North Lincoln Road) and traffic would be routed to either enter from the entrance main mall entrance or the 1st Avenue North entrance. He then stated that due to the curb cuts being closed, it will allow for the property to have 13.8% green space which would include 4 trees and 42 shrubs. Jake went onto state that this project is required to have a maximum of 24 parking spots per the City Ordinance, they are requesting to increase the parking spots for this project to 30. He also noted that there will be two (2) LED light fixtures on the property, along with two (2) additional LED fixtures affixed to the building. Jake then stated that this project agrees with the City of Escanaba Master Plan and Zoning Ordinance. He then asked that the Commission approve this project unconditionally so that the project may get started.

Commissioner Caswell stated that the road needs to be DIAL's issue not Aspen's.

Commissioner Clark requested clarification that the reason for the "conditional approval" would be due to the mall no longer having enough parking spaces. Blaine DeGrave stated that that was correct.

Jake Modestow stated that there is a Restricted Easement Agreement (REA) in place between DIAL, Shopko, and themselves to allow parking for all businesses as a whole, and if there is any change in that all parties will need to sign off on the project. Jake then stated that currently the mall has over 1,000 spaces available, whereas only 880 spaces are required.

Jake then went onto state that there is an additional entrance on the building that faces North Lincoln Road to meet that zoning requirement also.

Commissioner Hellerman stated that he has been in contact with Robert Miskavich (Owner of Hudson Grill) and he has concerns for customer parking if this development is approved.

Jake Modestow stated that since the REA is in place his customers will have the benefit of accessing Aspen Dental parking.

Deputy Secretary Black questioned Jake Modestow if in his opinion is adding outlots like this is a good idea, or would it be more logical to require businesses to be places within the mall itself. Jake replied that the current development swing has been the reduction of businesses in malls due to wanting smaller sized spaces and increasing businesses in the form of outlots.

Chairperson Smyth asked if there were any further public comments, no one came forward.

Blaine DeGrave stated that he has been in communication with DIAL concerning the variance request to reduce their parking requirements for the mall. He went onto state that that variance request is scheduled to go in front of the Board of Appeals on November 1, 2017.

Kel Smyth read the suggested motion from Blaine DeGrave, it stated “Motion: Conditional approval with no construction restrictions for the project, but a requirement of the current mall over, DIAL Escanaba Outlots LP/DIAL Escanaba Mall 1 LP, to enter into an agreement with the City of Escanaba to develop a secondary road frontage/easement within the boundaries of the mall parking lot to run parallel with North Lincoln Road for access to existing and future outlots of the mall property along North Lincoln Road and to immediately pursue a reduction in parking space requirements/variance for the mall parking from the Board of Appeals.”

A discussion took place between Commissioner Members and Dennis Evinson of Dagenais Enterprise about making a motion that would be conditional verses non-conditional, it concluded that there weren't any reasons to hold up Aspen's proposal due to a lack of parking on DIAL's part.

A motion was made by Commissioner Clark, seconded by Commissioner Caswell, to approve the Site Plan as presented without any conditions. Ayes were unanimous.

NEW BUSINESS

1. Project Updates

- a. Zoning Board of Appeals Hearings/Decisions:** None.
- b. Delta County Planning Commission Updated:** None.
- c. Zoning/Land Use Permit Update:** Blaine DeGrave updated the Planning Commission with the following information:

ZONING PERMITS REPORT

January 01, 2017 thru October 12, 2017

2	NEW RESIDENTIAL HOME	\$ 405,000
27	RESIDENTIAL REMODEL	\$ 475,330
1	NEW COMMERCIAL	\$ 15,674,923
12	COMMERCIAL REMODEL	\$ 1,094,500
1	CHANGE OF USE	\$ -
2	HOME OCCUPATION	\$ -
0	LAND USE PERMIT	\$ -
5	DEMOLITION PERMIT	\$ 42,700
50	TOTAL	\$ 17,692,453

d. Various: None.

GENERAL PUBLIC COMMENT

None.

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

Blaine DeGrave requested that the November 9, 2017 scheduled Planning Commission Meeting be rescheduled for Monday, November 13, 2017 due to him being out-of-town the week of November 6th.

ADJOURNMENT

Chairperson Smyth adjourned the meeting at 6:57 p.m.

Kel Smyth, Chairperson
Escanaba Planning Commission

Blaine DeGrave, Code Inspector
City of Escanaba

Christine Williams, Vice-Chairperson
Escanaba Planning Commission