

City of Escanaba
PLANNING COMMISSION – OFFICIAL PROCEEDINGS
November 8, 2018

MEETING CALLED TO ORDER

A meeting of the Escanaba Planning Commission was held on Thursday, November 8, 2018, at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

Chairman Smyth called the meeting to order and introduced new member Planning Commission member Stephen Davis.

ROLL CALL

Name	Present	Absent	Name	Present	Absent
Chair Kelvin Smyth	x		Comm. Dominic Benetti	x	
Vice-Chair Christine Williams	x		Comm. Paul Caswell	x	
Sec. Brian Black	x		Comm. Richard Clark	x	
Dep. Sec. James Hellerman	x		Comm. Craig Gierke	x	
			Comm. Stephen Davis	x	

ALSO PRESENT

City Administration	Others
Blaine DeGrave, Planning & Zoning Administrator	
Roxanne Spencer, Confidential Secretary	
Marc Tall, Mayor	

One (1) other unnamed individual was in attendance.

MINUTES

Williams asked DeGrave if he had followed up with the City Attorney as requested at the last meeting regarding enforcing consequences for a developer beginning work on a project prior to site plan approval by the Planning Commission, as the Chamber of Commerce had done. DeGrave noted he had not done so yet, but would make it a priority. Discussion followed on if it was the Planning Commission's or the Code Official's authority to impose citations and fines in this type of case. There was a consensus that the prohibitions against beginning any site work before Planning Commission approval should be more strongly enforced, using the consequences already available per ordinance.

Williams recommended that the October 11, 2018 minutes be corrected on page 6, paragraph 2 to include the phrase "of the fence" at the end of the first sentence for clarification.

A motion was made by Caswell, seconded by Williams to approve the October 11, 2018 minutes with the addition of the phrase "of the fence" to the end of the first sentence on page 6, paragraph 2. Ayes were unanimous.

AGENDA

Smyth asked for any proposed adjustments to the agenda. None were suggested.

CONFLICT OF INTEREST DECLARATIONS

Davis spoke to the discussion in the October 11, 2018 meeting regarding whether his positions on the Board of Trustees at Bay College and Planning Commission would be a conflict of interest. He noted that when he was approached to serve on the Planning Commission, he asked Bay College if there was a conflict. While it was

unknown if there was an attorney's opinion on it, the fact the Tom Butch was serving on the Gladstone Planning Commission while also being on the Board at Bay indicated there was no apparent conflict of interest to serve in both capacities. Smyth indicated that his concerns were centered on the fact that there are now three people from Bay College seated on the Planning Commission, which could potentially cause some issues with majority votes in cases where all three had to excuse themselves from any agenda item relating to the College, but with a full Commission now, it seemed like there will not be an issue.

No conflicts of interest were noted for the current meeting.

UNFINISHED BUSINESS

1. Discussion on Amending the Zoning Ordinance to Allow Storage Units in Specified Zoning Districts

DeGrave referred to the information in the packet provided by Richard Smith from CUPPAD regarding potential standards for storage units to be included in the zoning ordinance. General discussion followed on whether any changes needed to be made to the ordinance at all, as general consensus was now leaning toward not allowing mini-storage units in any residential district.

DeGrave recommended that it would be helpful for him to have the ordinance wording changed to be more specific to include "mini-storage units" under Light Manufacturing & Heavy Manufacturing districts as a special land use permits, so that such projects would still go to the Planning Commission for approval. Smyth asked if using the standards from Richard Smith's information would be needed. DeGrave responded that he did not think so, as it would be part of the review and recommendations on a special land use permit.

Smyth summarized that consensus was that no action would be taken regarding the allowance of storage units in residential districts, but that the addition of adding specific language to clarify the inclusion of mini storage units in Light Manufacturing and Industrial districts would be discussed under Unfinished Business, Item 2.

2. Discussion on Amending the Zoning Ordinance to Allow Expanded Uses in Light Manufacturing Districts

Gierke noted that based on the idea that some retail spaces are now empty and are unlikely to be used for retail purposes in the future according to the trend across the nation, he believes that there is a need to allow more light manufacturing in the North Lincoln Road corridor. Smyth noted that recent City Council actions supporting the re-development of mall property are likely to continue. Gierke re-iterated that it is not just the mall property he is concerned about, but the entire corridor without getting into spot-zoning. He does not want to exclude commercial uses, but rather add more allowed uses with light manufacturing.

Clark raised concerns about the atmosphere being affected on the Lincoln Road corridor if Light Manufacturing districts were expanded. Williams referenced the US-2 Corridor Visual Enhancement Plan (available on the City's website) noting the intention to "green up" those corridors, which increasing Light Manufacturing would not do. Hellerman comment that both new construction and re-purposing of old structures would still have to come before Planning Commission for review of compliance with existing guidelines regarding parking, green space, etc. and that Light Manufacturing businesses could still be aesthetically pleasing on the exterior, while operating machinery on the interior. Discussion followed regarding the likelihood that light manufacturing businesses seeking property in this corridor would also have a retail/commercial component.

DeGrave noted that he does not think that changing the allowed uses in a Light Manufacturing district would address the issue, but rather suggested that reviewing and changing the zoning map to better reflect actual current use of properties and to better guide future development. He also stated that Light Manufacturing may not be the best zoning designation along the North Lincoln Road corridor, and suggested that Commercial may be a better option, noting that not all allowed uses in a Light Manufacturing district would be desirable in the corridor, but would have to be approved if listed as an allowed use, whereas the Commercial designation gives stricter control over the types of uses. Benetti noted that we need to focus on considering the best designation to attract businesses to the area.

Gierke noted his concerns for the length of time some of the buildings along the corridor would remain empty if nothing is done to encourage new development. Williams asked about the possibility of incentivizing the re-development existing infrastructure. Gierke noted that tax breaks have historically been given for industrial properties, but only recently for commercial properties.

It was requested that prior to the next meeting, a Zoning Map with key businesses marked be distributed (specifically the North Lincoln Road corridor), for review and continued discussions of proposed changes to the Zoning Map in that region.

PUBLIC HEARINGS - None

NEW BUSINESS

1. Nomination for Appointment to Delta County Planning Commission

DeGrave noted that Williams' appointment to the Delta County Planning Commission is expiring in December and it was unknown how the Planning Commission has historically arrived at their nomination for the Mayor's official appointment. Williams stated that she would like to continue in her appointment, if the Planning Commission agreed, as the County Commission was just beginning a Master Plan process for which she believes she can be of assistance.

Clark made a motion, seconded by Gierke, to recommend to the Mayor to appoint Christine Williams to the Delta County Planning Commission for another term. Motion passed with unanimous ayes.

2. Recommendation for Term Re-Alignment

DeGrave explained that recently Planning Commission terms have simply been extended for a year, rather than for 3 year terms as outlined in the Planning Commission ordinance. Additionally, one of the term expirations had been shifted so that instead of 3 seats expiring every year in a 3-year rotation, now one year would have 2 seats expiring and one year would have 4 seats expiring.

Smyth raised the issue of whether any term limitations existed. Gierke noted that he believed historically Planning Commissioners could only serve two consecutive terms. Spencer stated that no term limitations are stated in either the Planning Commission ordinance or by-laws. Hellerman volunteered to have his term expiration extended to 2021 to coincide with Smyth and Black.

Benetti made a motion, seconded by Davis, to recommend to City Council to realign the Planning Commission terms according to 3-year increments and to extend Hellerman's term expiration to 2021. Motion passed with unanimous ayes.

3. Review of 2018 Goals & Set 2019 Goals

DeGrave noted that one of the Planning Commission's responsibilities is to regularly review the Zoning Ordinance for recommended revisions. The 2018 Planning Commission goals included the review of Chapters 18 & 19, the review of distressed properties for zoning requirements/uses, and training on form-based codes.

DeGrave reviewed the revisions recommended by staff for Chapter 18, including striking obsolete wording on building permits; changing required site plan copies from 15 to 1 (plus a digital copy); changing final site plan copies to require only 2 copies; putting snow storage on a separate line for site plan review requirements; changing from having a second Planning Commission member sign site plans to having the Code Official sign, removing the exception of projects under 100 s.f. for zoning permits, and removing the list in Section 1804 that duplicated the site plan approval standards found in Chapter 19.

DeGrave raised the question as to whether the commissioners had any thoughts on retaining hard copies versus digital copies of approved site plan drawings. Williams noted she believes it should be in keeping with the City's official record retention policy.

Discussion took place regarding the striking of wording regarding occupancy permits in Section 1804.1, as the City has not issued occupancy permits since building permit approval transferred to the County. Williams questioned who is responsible to verify that projects have been completed according to the Planning Commission's approved requirements. DeGrave noted that since he began the zoning portion of the job, he has not done it, but that he could see the value in doing so. Williams indicated that perhaps the follow-up review process should be augmented, so further review of this section of the code should be done before any changes are made.

Williams made a motion, seconded by Gierke, to move forward in the process of making the proposed changes for Chapter 18 or the Zoning Ordinance, with the exception of the striking of the occupancy permit language in Section 1804.1. Motion passed with unanimous ayes.

DeGrave reviewed the recommended changes to Chapter 19 of the Zoning Ordinance, which included changing wording to reflect combined City departments and requiring landscaping plans be submitted at the time of site plan review (not separately).

Discussion took place regarding the requirement that buildings be oriented so that the entrance faces the street upon which the lot fronts. Topics included the poor aesthetics of having large blank walls facing the street, current buildings/situations where having the entrance facing the street is just not practical, and the necessity of getting variances in such situations under current zoning requirements. Williams suggested changing wording to "should" rather than "shall", so that the Planning Commission would have more leeway to approve it without needing a variance. Black noted that the intent is to have the attractive side of a building facing the street, which speaks to the Planning Commission's goal of considering the addition of form-based codes. Smyth recommended checking with CUPPAD or the MSU Extension about providing training on form-based codes and then reviewing the issue of building orientation again following the training.

Williams made a motion, seconded by Hellerman, to move forward in the process of making the proposed changes in Chapter 19 of the Zoning Ordinance, with the exception of leaving Section 1907.1 (A) Building Orientation as written. Motion passed with unanimous ayes.

DeGrave noted that regarding the goals for 2019, it is recommended to review the entire Zoning Ordinance every five years, amounting to 4 chapters per year. Clark suggested that getting the form-based code training would be advisable before reviewing any more sections of the zoning ordinance.

Clark made a motion, seconded by Davis, to set a goal of getting training for the Planning Commission on form-based zoning ordinances by July 1, 2019. Motion passed with unanimous ayes.

4. Discussion on Windmill Ordinance

Smyth noted that in light of the time, this agenda item should be tabled until December meeting. Hellerman encouraged everyone to review materials and do research before the next meeting.

Hellerman made a motion, seconded by Benetti to table the discussion regarding windmills until the next meeting. Motion passed with unanimous ayes.

5. Project Updates

a. Zoning Board of Appeals Hearings/Decisions

- Verizon Cell Tower – Use variance granted was granted in October. The project will come before the Planning Commission at the next meeting for a site plan review only.
- b. Delta County Planning Commission Update:**
- Williams reported that the Delta County Planning Commission has agreed to revise their ordinance & by-Laws, the first step to developing a new Master Plan which hasn't been done since 1993.
- c. Zoning/Land Use Permit Update:** Blaine DeGrave updated the Planning Commission with the following information:

ZONING PERMITS REPORT
January 01, 2018 thru November 7, 2018

4	NEW RESIDENTIAL HOME	\$ 1,282,000
20	RESIDENTIAL REMODEL	\$ 304,789
3	NEW COMMERCIAL	\$ 3,735,000
6	COMMERCIAL REMODEL	\$ 1,625,000
2	CHANGE OF USE	\$ -
1	HOME OCCUPATION	\$ -
1	LAND USE PERMIT	\$ -
7	DEMOLITION PERMIT	\$ 75,600
44	TOTAL	\$ 7,022,389

d. Various

GENERAL PUBLIC COMMENT - None

COMMISSION/STAFF COMMENTS

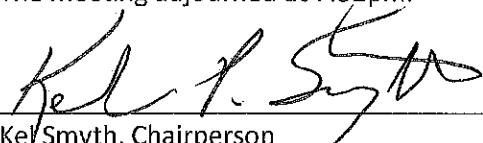
DeGrave informed the Planning Commission that U-Haul (located in the old Kmart building) is requesting to put portable mini-storage units in the parking lot (front yard space), which is not currently allowed per zoning code and will be denied.

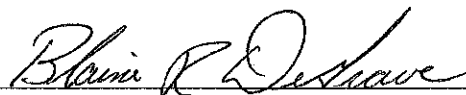
Spencer asked for Planning Commission members to submit any training hours for inclusion in the annual report. By-laws require that each member have four hours of training per year.

ADJOURNMENT

A motion was made by Smyth, seconded by Hellerman, to adjourn the meeting. Motion passed with unanimous ayes.

The meeting adjourned at 7:32pm.


 Kelly Smyth, Chairperson
 Escanaba Planning Commission


 Blaine DeGrave, Planning and Zoning Administrator
 City of Escanaba