

**PLANNING COMMISSION MEETING
ESCANABA, MICHIGAN
June 8, 2017**

A meeting of the Escanaba Planning Commission was held on Thursday, June 8, 2017, at 6:00 p.m. in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

PRESENT: Chairperson Kel Smyth, Vice-Chairperson Christine Williams, Deputy Secretary Brian Black, Commissioner James Hellerman, and Commissioner Richard Clark

ALSO PRESENT: Delta County Sheriff Ed Oswald, Delta County Administrator Ryan Bergman, Joe Pacheco from Bay College Campus Security, City Engineer Bill Farrell, City Manager Jim O'Toole, Code Inspector Blaine DeGrave, and Executive Assistant Lisa Glish

ABSENT: Commissioner Paul Caswell

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 Hellerman, seconded by Vice-Chairperson Williams, to approve the May 10, 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

Vice-Chairperson Williams stated that she works for property adjacent to the property in question (Bay College), and she stated that conversations have been held in her presence about the possible jail addition.

Commissioner Black stated that he also works for Bay College but he not been involved any conversations concerning the jail addition.

UNFINISHED BUSINESS

None.

PUBLIC HEARING

- 1. Site Plan Review/Special Land Use – Delta County Correctional Institution Addition.**

Blaine DeGrave stated that in accordance with the Escanaba Zoning Ordinance, Section 1803.3 and Section 1301.1.B a site plan review and special land use review of a proposed 25,057 s.f. correctional institution addition to the existing Delta County Service Center located at 2920 College Avenue, Escanaba will now take place.

Blaine then read the following Site Plan Review Report:

**CITY OF ESCANABA
SITE PLAN REVIEW/USE REPORT
CASE NO. PC-060817-01**

REFERENCE: **Delta County Correctional Institution Building Addition
2920 23rd Avenue North Site Plan Review/Use**

DATE: June 8, 2017

PROPERTY OWNER/APPLICANT ADDRESS:

Ryan Bergman, Delta County Administrator
County of Delta
310 Ludington
Escanaba, MI 49829

DESCRIPTION OF PROPOSED PROJECT/TYPE OF REQUEST:

In accordance with Section 1803.3 and Section 1301.1.B, a site plan review and special land use review of a proposed 25,057 s.f. correctional institution addition to the existing Delta County Service Center located at 2920 College Avenue, Escanaba, MI will take place.

CURRENT ZONING:

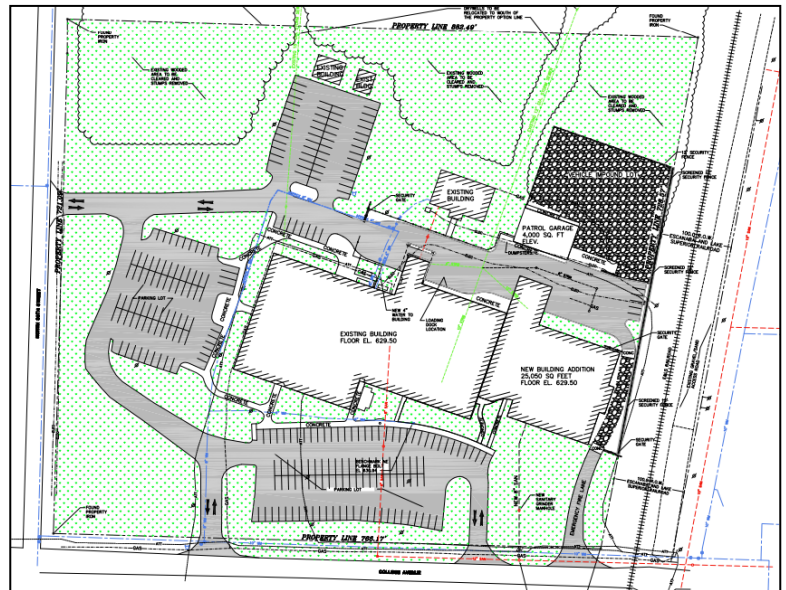
Light Manufacturing District “F”

ORDINANCE:

Ordinance No.1028 City of Escanaba Zoning Ordinance.

COMPLIANCE WITH DEVELOPMENT STANDARDS:

1. The proposed addition will be located within property which is zoned Light Industrial “F”.
2. The proposed addition will be on property where the permitted use is allowed by a Special Land Use Permit under Section 1303: Subsection 1303.1 General, (B). Penal and Correctional Institution.



3. The proposed site plan meets the setback standards of the district.
4. The proposed 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.
5. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph 1803.1.1.1 Pre-Application Conference. A Pre-Application Site Plan Review Meeting was conducted on Tuesday, May 9, 2017 with the following personnel attending the meeting: Captain Jamie Segorski of Escanaba Public Safety, City of Escanaba Engineer Bill Farrell, Director Rob LaMarche of Escanaba Public Safety, Delta County Sherriff Ed Oswald, Todd Sabourin of Miron Construction, Dennis Bittner of Bittner Engineering, Craig Bal of Bittner Engineering, Jason Thibeault of Delta County Sherriff's Office, City of Escanaba Manager Jim O'Toole, Cory Schroeder of Delta County Maintenance Department, Delta County Administrator Ryan Bergman, Gerry Tatrow of Delta County, David Rivard of Delta County, City of Escanaba Executive Assistant Lisa Glish, Dan Menacher of Delta County, Kevin Dubord of the City of Escanaba Assessor's Office, Gerald Pirkola of the City of Escanaba's Electric Department, City of Escanaba Water/Wastewater Superintendent Jeff Lampi, Joe Mrak of Securitecture, and Jim Escamilla of BYCE.
6. In accordance with the requirements found in Chapter 18. Site Plan and Sketch Plan Standards, Section 1803 Site Plan Review, paragraph Section 1803.1.1.2. Application, the applicant applied for site plan special land use consideration as required.
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 has deemed the site diagram to be complete.
8. All fee and notification requirements of the Ordinance have been accommodated.
9. In accordance with Section 1301.1.B a Special Land Use Permit is required.

DUTIES OF THE PLANNING COMMISSION

1. 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.
2. 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.
3. 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 sited 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.
4. 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 Board of Appeals.

5. Upon approval of the site plan and in accordance with Section 205 Special Land Use Permit Approval of the Escanaba Zoning Ordinance, a Special Land Use permit is also required.
6. In accordance with Section 205.5 Protest; if a protest of the proposed Special Land Use Permit is presented to the Planning Commission at or before the public hearing date on the request and it is properly signed by the owners of at least twenty percent (20%) of the noticed area of land included in the request, excluding publicly owned land, or by owners of at least twenty percent (20%) of the area of and included within an area extending out at least one hundred (100) feet from any point on the boundary of land included in the request, excluding publicly owned land, then such request for special land use permit approval shall be passed only upon an affirmative vote of three-fourths of the members of the Planning Commission.

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

Staff is recommending approval of the site plan and special land use permit for the proposed project for the following reasons:

1. The proposed use is consistent with Section 1303: Uses Allowed by Special Land Use Permit under 1303.1 General (B) Penal Correctional Institutions.
2. The proposed use is common to the adjoining property uses, namely the Michigan Department of Human Health and Human Services – Bay Pine Center, located at 2425 North 30th Street, Escanaba, MI.
3. On November 8, 2016, the voters of the City of Escanaba (along with County residents) approved a millage request of \$0.85/\$1,000 of Taxable Value to fund and construct the facility at this location. In the City of Escanaba the vote tally was 3,000 Yea and 2,155 Nay.
4. In the 2016 Escanaba Master Plan, Chapter 12. Plan Implementation, Section 1. Local Economy, Objective 1.1. North Shore Waterfront Redevelopment, Action E3. There is the goal of relocating downtown waterfront civic buildings such as the current jail facility to a site better suited to their uses so that the lakefront property can be repurposed for private development opportunities and new investment which has the potential to positively impact the revitalization of the downtown area, preserve the maritime water-dependent activities, provide new jobs, increase property values, and provide public amenities and other benefits to the City.
5. The proposed addition to the existing Delta County Service Building maximizes the use of an underutilized public building which is owned by the taxpayers of Delta County.
6. The proposed addition to the existing Delta County Service building meets or exceeds all development standards as required by the City Zoning Ordinance.

FISCAL IMPACT:

The estimated cost of construction for this project is \$15.5 million dollars.

PUBLIC CONTACT:

Notice of the Public Hearing was 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.

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

ALTERNATIVES:

Not applicable.

ENFORCEMENT HISTORY:

None.

OTHER CONSIDERATIONS:

None.

BACK UP INFORMATION:

1. Application for Zoning Land Use Approval
2. Special Land Use Permit Application
3. Electric Department
4. Application Land Use Approved for Fence/Hedge Permit
5. Assessor's Property Information Card
6. 300' radius property owner/tenant notification letter
7. 300' radius labels

NOTES/COMMENTS:

None.

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Sheriff Ed Oswald addressed the Planning Commission explaining that the Sheriff's Department is legally bound to having an office within the City Limits of Escanaba, making this a great location for a jail. Sheriff Oswald explained that they will be taking some trees out of that area and fencing the property in for security purposes. He went onto explain that he has been approached with the concern of inmates being released from the jail and walking through the Bay College campus, he explained that when an inmate will be released that the inmate will be advised about a 24-48 hour "Do Not Trespass on College property, or you will be re-arrested" notice.

Commissioner Hellerman asked if they plan to put the fence directly on the property line. Blaine DeGrave answered that they are allowed to place the fence directly on the line without issue.

Blaine DeGrave stated that the only comment he received was from the property owner of the FedEx facility, which is located near this property, concerning property values fluctuating but they never submitted a letter formally to the Planning Commission.

Delta County Administrator Ryan Bergman asked the Commission if there are an amount of trees that will be required to be planted. Blaine DeGrave answered that they need to plant 2 trees per 10,000 sq. ft. resulting in six (6) trees need to be added to the project. It was determined that these trees will be added to the front landscaping of the property.

Vice-Chairperson Williams questioned what type of screening will be on the fence. It was explained that the fence will be a chain-link fence with screening slats installed into it, and this type of screen will be used to block public site-of-view and right-of-way.

Chairperson Smyth asked for further Commission comments, and then opened the floor to Public Comments.

Joe Pacheco from Bay College Campus Security stated he was there on behalf of Bay College and the YMCA. He went onto state that through a meeting that took place at Bay College; Bay College is excited to be a good neighbor to the new jail property. He then stated that with the jail there they know that they will benefit from a higher Officer presence in the area and Emergency Responders will be closer. Officer Pacheco went onto state that the concerns that the College have are having the campus be an Open Campus due to potential new Inmate releases walking through the campus and keeping the campus tobacco and drug free.

Deputy Secretary Black questioned where the six (6) trees will be placed on the property. Sheriff Oswald stated that those trees would be incorporated in the landscaping of the property, not in the open space in front of the building because the Sheriff Department's Staff will need to be able to see if inmates are out in that area.

Vice-Chairperson Williams suggested a small picnic area be created in the area so that when Inmate visitors are in the area they use that area instead of crossing over to Bay College and attempting to use their facilities while waiting. Sheriff Oswald stated that inmate visitors do not come and wait around waiting for visitation times; the times are posted and scheduled ahead of time.

Deputy Secretary Black questioned Sheriff Oswald about inmates that are on work-release. Sheriff Oswald stated that those individuals (which there aren't many inmates that qualify for work-release, currently there are only two that qualify) are directed to go directly to and from work, using the shortest/quickest path, and those inmates are checked on.

Vice-Chairperson Williams commented that the inmates would need to then follow US-2/Hwy 41 or North 30th Street, and neither of those ways have sidewalks to walk on. Sheriff Oswald stated that again when inmates leave the jail, they will be told that they are not allowed on College property for 24-48 hours; if they break the rule then they will be rearrested for Trespassing. Oswald also stated that work-release inmates do not walk to work; they are driven or get picked up.

Commissioner Hellerman asked what concerns Jeff Lampi had for the water system during the Pre Site Plan Meeting. Jason Teebow of the Delta County Sheriff's Department stated that, stated that they replaced the water meter, and Cory Schroeder, Maintenance Superintendent for the Service Center, has been checking it daily for flux in service and haven't had any major issues arise.

Vice-Chairperson Williams asked exactly where the new vegetation will be going into the plan. Sheriff Oswald stated that the six (6) new trees will be incorporated into the landscaping between the parking lot and the road.

Chairperson Smyth asked if the Commission had any further questions, none were asked.

A motion was made by Commissioner Hellerman, seconded by Commissioner Clark, to approve the Site Plan as presented with the addition of six (6) trees between the parking lot and College Avenue. Ayes were unanimous.

A motion was made by Deputy Secretary Black, seconded by Vice-Chairperson Williams to approve the Special Land Use Permit to construct a new Delta County Correctional Institution in Light Manufacturing District "F" as allowed in Section 1803 of the City of Escanaba Development Handbook. Ayes were unanimous.

2. Street Resurfacing Priorities – 2017-2018 Citywide.

Blaine DeGrave stated annually the City Administration establishes a priority list of streets to be repaved based on an evaluation system that considers such things as existing street/curb asphalt conditions, traffic volume, road failures, loose asphalt and other such factors. The Planning Commission will conduct a public hearing on the proposed 2017-2018 Local and Major Resurfacing Priority List.

City Engineer Bill Farrell addressed the Commission explaining that the streets are rated using the Pavement Surface Evaluation and Rating (PASER) system. The streets get rated with a numeric rating and those numbers are then compared against the PASER chart to help determine which streets need attention the most.

City Engineer Farrell then presented the proposed paving list as follows (in order of priority). These are the properties off of the large list that he feels they will be able to complete this year. He then stated that any remaining areas items on the list remain on the list for next year, or may be addressed if time and money allows it for this year.

1. Ogden – 1st Avenue South to South 4th Street (Cost Est. \$110,000)
2. South 11th Street – 1st Avenue South to 3rd Avenue South (Cost Est. \$70,000)
3. North 16th Street – 14th Avenue North to 15th Avenue North (Cost Est. \$27,500)
4. 5th Avenue North – North 20th Street to North Lincoln Road (Cost Est. \$50,000)
5. 10th Avenue North – North 16th Street to Sheridan Road (Cost Est. \$30,000)
6. South 11th Street – 5th Avenue South to 6th Avenue South (Cost Est. \$25,000)

Chairperson Smyth asked if the Commission had any further questions, none were asked.

A motion was made by Vice-Chairperson Williams, seconded by Commissioner Hellerman, to approve the 2017-2018 Street Paving List as presented. Ayes were unanimous.

NEW BUSINESS

1. Project Updates

- a. **Zoning Board of Appeals Hearings/Decisions:** Blaine DeGrave stated that the Zoning Board of Appeals met on June 6, 2017 concerning a variance for a billboard/sign on Stephenson Avenue. He stated that during the meeting the variance was granted with the stipulation that the new sign must be removed at the expiration of the contract in four (4) years, but the City is working with the City Attorney about a possible denial of that decision.
- b. **Delta County Planning Commission Updated:** Vice-Chairperson Williams stated that the Commission met on June 5, 2017, where at that meeting they approved a Conditional Use Permit for a one day festival in Rapid River at 9004 BB Road. She then stated that they also made some setback changes concerning a survey for 4207 US-2 (White Grocery) and they set those setbacks to 20' on the sides and 30' for the rear of the property. She then stated that they reviewed to change all "TP" districts to be "TP-2" districts to include timber production.
- c. **Zoning/Land Use Permit Update:** Blaine DeGrave updated the Planning Commission with the following information:

ZONING PERMITS REPORT

January 01, 2017 thru June 8, 2017

1	NEW RESIDENTIAL HOME	\$	180,000
9	RESIDENTIAL REMODEL	\$	169,350
0	NEW COMMERCIAL	\$	-
6	COMMERCIAL REMODEL	\$	268,500
1	CHANGE OF USE	\$	-
0	HOME OCCUPATION	\$	-
0	LAND USE PERMIT	\$	-
2	DEMOLITION PERMIT	\$	20,000
19	TOTAL	\$	637,850

- d. **Various:** None.

GENERAL PUBLIC COMMENT

None.

COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

None.

ADJOURNMENT

Chairperson Smyth adjourned the meeting at 7:09 p.m.

Kel Smyth, Chairperson
Escanaba Planning Commission

Blaine DeGrave, Code Inspector
City of Escanaba

Christine Williams, Vice-Chairperson
Escanaba Planning Commission