

**CITY OF ESCANABA
PLANNING COMMISSION
Official Proceedings – May 11, 2023**

MEETING CALLED TO ORDER

A meeting of the Escanaba Planning Commission was held on Thursday, May 11, 2023, at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

Chair Hellermann called the meeting to order at 6:02 PM.

ROLL CALL

Chair James Hellermann:	Present	Comm. Nevin Naser:	Present
Secretary Kelli VanGinhoven:	Present	Comm. Michael Harris:	Present
Comm. Roy Webber:	Present	Comm. Mark Sadowski:	Present
Comm. David Mason:	Present		

With seven in attendance, a quorum of the Planning Commission was present.

ALSO PRESENT

City Administration:

Tyler Anthony, Planning & Zoning Administrator Heather Calouette, Administrative Assistant

Others:

Stosh Wasik, CEO, The Fire Station	James Martone, Attorney, The Fire Station (Virtual)
Brian Savolainen, Civil Engineer, The Fire Station	Brandon Hayes, PE, PTOE, Fishbeck Inc. (Virtual)
Kathy Hedges	Jacie Duranso, License & Compliance Director, The Fire Station (Virtual)

One unnamed individual was present.

MINUTES

A motion was made by VanGinhoven to approve the April 13, 2023 minutes as presented. Supported by Harris. MOTION PASSED.

AGENDA

A motion was made by Webber to move unfinished business to the end of the meeting. Supported by Harris. MOTION PASSED.

CONFLICT OF INTEREST DECLARATIONS

None.

PUBLIC COMMENT

Stosh Wasik explained that he wanted to reserve time during the site plan review.

PUBLIC HEARINGS

None.

NEW BUSINESS

NB1: Site Plan Amendment – 201 North Lincoln Road

Anthony presented the proposed site plan amendment. As submitted by The Fire Station LLC (TFS), two site plan options had been offered for the Planning Commission’s consideration. The first option showed vehicle entry from 1st Avenue North & exit onto North Lincoln Road, and the second option showed a combined entry/exit on North Lincoln Road only. Since both options qualified as major site plan amendments under zoning ordinance sec. 1806.1, the Planning Commission’s approval was required.

James Martone, attorney for TFS, discussed a traffic impact study by Fishbeck Inc. He explained that site conditions only allowed vehicles to exit onto North Lincoln Road. Entry could only be made via the Delta Plaza Mall’s parking lot. Martone noted that this arrangement was unfit for business operations and that the property was made unusable. He acknowledged that this was approved by the Planning Commission at their meeting on November 10, 2022, and that said approval included one condition. The only condition of site plan approval was that TFS would secure an access easement via the mall parking lot. Martone noted that no easement had been agreed on despite months of negotiation, and that they wished not to force one by legal action.

Per zoning ordinance sec. 1704.1.2(C), the site did not meet minimum requirements for an additional driveway. Further, sec. 1704.1.2(D) stated that one-way access points were discouraged on North Lincoln Road. Martone indicated that both sections allowed the Planning Commission to permit a second driveway if no other reasonable opportunities existed. He stated that the second driveway as presented was not included simply for ease, but that it was needed to make their property accessible to their customers. He then demonstrated the number of customers during peak hours and expressed no concerns for possible gridlock due to the new driveway.

Brandon Hayes, PE, PTOE, of Fishbeck Inc. presented a traffic impact study in great detail. The study was done in March and analyzed the intersection of North Lincoln Road and 1st Avenue North. The study was based on a traffic model compiled from roadway characteristics and video-based vehicle counts. That video data analyzed two 2-hour windows (11 AM to 1 PM and 4 PM to 6 PM) collected over three days. Based on data from another TFS location, Hayes noted that 10 customers would be expected during peak-hour traffic, a negligible amount in terms of traffic circulation. He then concluded, noting that no roadway nor traffic control improvements were necessary for either site plan option, and that neither scenario would have caused any negative on- or off-site traffic impact.

Webber questioned Hayes regarding gridlock caused by a lack of parking. Option 1 provided only six spaces. It was possible that gridlock could form if none of the spaces were available, as customers could begin to circle the property waiting for a space. Hayes explained that the data did not support this possibility, and Martone added that the situation would not have been

changed if access via the mall parking lot was secured. Mason asked if TFS was confident that option 1 would be approved by Public Works and MDOT. Stosh Wasik, CEO of TFS, said that they anticipated such an approval.

VanGinhoven asked what Public Works Director Taavola's recommendation was for option 1. Option 1 was to be reviewed by the Planning Commission on February 9, but the agenda item was postponed and withdrawn by TFS. Anthony noted that it was not favorable to TFS. He then asked for further detail from a reported meeting TFS had with MDOT. Brian Savolainen, Civil Engineer for TFS, noted that MDOT intended to work alongside the City of Escanaba as partners in traffic safety. Staff and commissioners reviewed comments from Taavola regarding option 1 that she wrote for the February meeting. Martone indicated that TFS had attempted to contact Taavola to discuss Fishbeck Inc.'s study but were unable to get a response. Staff added that Public Works was overwhelmed with other work at that time, and that Taavola had many crises to resolve before handling ordinary business.

Commissioners pursued questions related to the 1st Avenue North driveway's location. They asked whether the study's timing in spring would be valid in the face of summer traffic. Hayes noted that it was still valid. Martone, Savolainen, and Wasik claimed that other driveways nearby were in worse positions than that which they proposed.

Wasik presented to the Commission an email from MDOT (Exhibit A). He explained that MDOT preferred option 1 over option 2. Anthony asked whether MDOT supported option 1 or simply opposed it less than option 2. Wasik and Savolainen noted that they did have concerns over both options, and Naser highlighted that point from the email.

Harris explained professional concerns about the access issue in general. From his perspective, real estate law would have caused problems for the City. Hellermann noted that the Commission's duty was to provide input on planning issues, not to dodge legal challenges.

Commissioners, staff, and TFS representatives explored various zoning ordinance technicalities. Commissioners then discussed anecdotal evidence and the opinion from Taavola for the February 9 meeting. They also considered obtaining input from the Traffic Safety Advisory Committee (TSAC). This was despite an earlier recommendation against option 1 when first reviewed by TSAC before February 9.

A motion was made by Sadowski to receive an opinion from the City Engineer within two weeks regarding TFS traffic impact studies past and present data and whether option 1 would create a viable parcel. Supported by Mason.

A roll call vote was taken with the following results:

Yes: Hellermann, Harris, Sadowski, VanGinhoven, Naser, Webber, Mason

No: None

MOTION PASSED.

All TFS representatives thanked the commissioners for their time.

NB3: Boards & Commissions Updates

- a. Delta County Planning Commission Report: VanGinhoven was unable to attend the Planning Commission Meeting. She did report, however, that the commission has a new recording secretary. They were also processing a new subdivision/condominium development for Baldwin Twp. consisting of 28 single-family detached dwellings.
- b. Zoning Board of Appeals Report: Anthony reported that a special meeting had been scheduled for May 16, 2023. The focus was a sign variance request for 517 Ludington Street.
- c. Zoning/Land Use Permit Report: Anthony noted that permits were starting to increase in frequency. He also reported 25 inspections completed and seven citations issued that week.

NB4: Training Updates

Sadowski reported that he attended a “Planning Commissioner Toolkit” training offered by the Michigan Association of Planning in Manistique on Thursday, May 4. He noted that they discussed form-based code, a topic which he had previously found interest in. Sadowski distributed extra copies of the program’s resource book to commissioners.

GENERAL PUBLIC COMMENT

Kathy Hedges, resident of Rapid River, called commissioners’ attention to page 5 of Fishbeck Inc.’s study. On that page, Hayes noted that employee parking will be off-site.

COMMISSIONER/STAFF COMMENT & ANNOUNCEMENTS

Webber reported a letter to the Editor regarding potholes in streets and parking lots City-wide.

Hellermann wished a Happy Mother’s Day to all, with special attention to Calouette who had recently had her second son.

UNFINISHED BUSINESS

UB1: Training Session

The Planning Commission postponed the second segment of three in a pre-recorded video workshop. The workshop was provided by the Michigan Association of Planning. The segment was intended to fulfill ½ hour of their annual 4-hour training requirement.

A motion was made by Webber to postpone UB1 until the next Planning Commission meeting. Supported by Mason.

A roll call vote was taken with the following results:

Yes: Hellermann, Naser, Webber, Mason

No: Harris, Sadowski, VanGinhoven

MOTION PASSED.

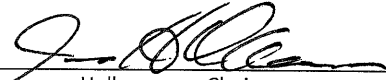
ADJOURNMENT

A motion was made by Hellermann to adjourn the meeting. Supported by VanGinhoven. MOTION PASSED.

The meeting adjourned at 7:26 PM.

APPROVAL

These minutes were approved at the June 8, 2023 meeting. HC



James Hellermann, Chair
Escanaba Planning Commission



Tyler Anthony, Planning and Zoning Administrator
City of Escanaba

EXHIBIT “A”

**Email from Daniel Kari, PE (MDOT)
to Brian Savolainen dated May 8, 2023
City of Escanaba Planning Commission
Official Proceedings – May 11, 2023**

From: Brian Savolainen bsavo2000@yahoo.com
Subject: Fw: Proposed Fire Station access alternatives in Escanaba
Date: May 8, 2023 at 2:36 PM
To: Logan Stauber logan@thefirestation.com, Stosh Wasik stosh@thefirestation.com, Brandon Hayes bhayes@fishbeck.com, Jason rg-design.co jason@rg-design.co

----- Forwarded Message -----

From: Kari, Daniel (MDOT) <karid@michigan.gov>
To: bsavo2000@yahoo.com <bsavo2000@yahoo.com>
Cc: Feldhausen, Benjamin (MDOT) <feldhausenb@michigan.gov>; Bradley, Dave (MDOT) <bradleyd5@michigan.gov>; wtaavola@escanaba.org <wtaavola@escanaba.org>
Sent: Monday, May 8, 2023 at 02:15:12 PM EDT
Subject: Proposed Fire Station access alternatives in Escanaba

Brian,

Thank you for the opportunity to meet, discuss and review details for two alternatives regarding access to a store redevelopment proposed at 201 North Lincoln Road in the City of Escanaba. The scenarios were evaluated as part of a Traffic Impact Study prepared on behalf of The Fire Station Cannabis Company by professionals at Fishbeck consultants of Traverse City, MI (Project No. 230663). The two alternatives include consideration of either two-way full-access provided solely from North Lincoln Road (US-2/US-41/M-35), or a one-way clockwise circulation scheme involving ingress from 1st Avenue North (a city street) and egress to US-2/US-41/M-35 (preferably curb-controlled, right-turn-exit-only of minimal width).

As discussed, safety is the top priority at the Michigan Department of Transportation (MDOT) and we work directly with our safety partners at the City of Escanaba regarding input and decisions of such magnitude. MDOT does have concerns with both alternatives related to safe traffic progression, mobility, congestion, and delay. Based upon several factors, it is acknowledged that less conflicts are apparent with the one-way clockwise circulation scheme in terms of minimizing vehicular conflict points and functional classification, risk of left-turn-lock-up within the busy 5-lane cross section along US-2/US-41/M-35, pedestrian exposure within the sidewalk area, intersection & approach spacing criteria, and also proximity with the two adjacent signal-controlled intersections along the trunkline.

Based upon your feedback of the comments provided during our meeting of 05/03/2023, MDOT is aware of your upcoming meeting to present the concepts studied for approval by the City of Escanaba. Pending the outcome of that meeting, please understand that MDOT would openly consider a joint review to further discuss other concerns or concepts involving parking, traffic modeling, or access scenarios at the request of the city. As discussed during our meeting and for the basis of reasoning mentioned above, MDOT is not supportive of permitting the concept for a full-access approach being provided solely from the trunkline at this location.

Daniel M. Kari, P.E.

Manager