

**CITY OF ESCANABA  
PLANNING COMMISSION  
Official Minutes – Thursday, February 8, 2024**

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**MEETING CALLED TO ORDER**

A meeting of the Escanaba Planning Commission was held on Thursday, February 8, 2024 at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

*Chair Connor called the meeting to order at 6:00 PM.*

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**ATTENDANCE**

**Membership:**

Chair Patrick Connor.....	Present	Commr. Kasja Nelson.....	Present
Secretary Roy Webber.....	Present	Commr. Christiana Reynolds.....	Present
Commr. James Hellermann.....	Present	Commr. Mark Sadowski.....	Present
Commr. Michael Harris.....	Absent		

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

**City Administration:**

- |  |                               |
|--|-------------------------------|
| • Tyler Anthony, Planning & Zoning Admin | • James McNeil, City Manager  |
| • Brianna Ecklid, Confidential Secretary | • Craig Woerpel, DDA Director |
| • Ronald Beauchamp, City Council Liaison |                               |
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**Others:**

- |                 |                   |
|-----------------|-------------------|
| • Tyler DuBord  | • Carl Stenberg   |
| • Joe Kaplan    | • Peter Strom     |
| • Ed Legault    | • Beth Sviland    |
| • Barry Polzin  | • Matthew Sviland |
| • Eric Rose     | • Chris Williams  |
| • Jeff Slagstad |                   |

32 other unnamed individuals were present.

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**MINUTES**

**Webber moved to approve the January 11, 2024 regular meeting minutes as proposed. Nelson seconded.**

**A voice vote was taken. MOTION PASSED.**

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**AGENDA**

**Hellermann moved to approve the meeting agenda as proposed. Sadowski seconded.**

**A voice vote was taken. MOTION PASSED.**

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**CONFLICT OF INTEREST DECLARATIONS**

Webber declared a conflict of interest on agenda items PHI and NBI. He was on the waiting list for a unit in the project proposed in both items, and he felt it would be best to excuse himself from these votes. Connor noted that it would be best for Webber to leave the room during discussion and voting on the two agenda items; Webber agreed to do so.

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**PUBLIC COMMENT ON AGENDA ITEMS**

Strom, resident of Escanaba, addressed two items on the agenda – PHI and NBI. He felt that it was premature to approve the proposed Special Land Use permit (SLU), as he worried that some substantial issues still needed to be resolved. He did not oppose the proposed development, instead wanting the work to be done properly without a rush. Strom expressed that the Commission should postpone the issue until more study was done to find possible issues.

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**PUBLIC HEARINGS****PH1: Special Land Use – 200 Ludington Street**

Anthony introduced the item.<sup>1</sup>

*Chair Connor opened the public hearing at 6:04 PM.*

The SLU's applicant, Matt Sviland (the Applicant), approached the podium. Before the meeting, he distributed additional materials to the Commission.<sup>2</sup> He explained that he was a City resident, that he served on the Brownfield Redevelopment Authority at the time, and that he was a member of the DDA at the time. The Applicant requested that the Commission approve both the SLU. He explained that his development met all the requirements for this area. He and his team had worked closely with the City to fix issues that came up, pointing to the Zoning Board of Appeals' cancelled special meeting.<sup>3</sup> He told the Commission that his team geared the project to fit the Master Plan's vision, referring to multiple passages in the Master Plan which expressed a need for high-end housing. The Applicant also explained that seniors and high-end professionals desire this kind of housing which was not available to them in Escanaba. He then went on to note that the online survey done during the research for the Master Plan showed that 34.3% of respondents asked for condominiums, more than for any other housing type. He further explained working closely with the Michigan Department of Environment, Great Lakes, & Energy (EGLE), receiving grant funding through them for the project within the brownfield redevelopment planning process. He felt there was a lot of environmental work being done to make this project a success. The Applicant closed, stating that projects like this one were to add critically needed housing in the City and help to boost the tax base. The project already had 90 people signed up to buy a unit in this condominium and has overwhelming support from the community.

Rose approached the podium and explained that he spoke on behalf of himself and two of his neighbors; because of this, he asked for five minutes to speak.

*Chair Connor set a five-minute time limit for Rose's public comment.*

Rose, his wife, and two of his neighbors who together owned properties on South 2<sup>nd</sup> Street within 300 feet of the SLU, spoke in opposition to it. He felt that the project did not fit in with the Master Plan at all. He read from the Master Plan, noting that the property was in an E-3 zoning district. He stated that the project was going to cause the exact opposite of that zoning district's intent.

Legault, Delta County EDA Executive Director, spoke in support of the SLU. He explained that projects like this SLU had been included in the City's Master Plans for 30 years, and that no progress had ever been made. He was frustrated by this and noted that, in his experience, chances

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<sup>1</sup> See Appendix 1, PHI.

<sup>2</sup> See Appendix 2 exhibit "A".

<sup>3</sup> Escanaba Zoning Board of Appeals special meeting, 15 December 2023.

like this SLU do not come up often. Legault noted that the City constantly struggled with keeping businesses on Ludington Street due to its length; projects like this SLU were going to help fix that. He acknowledged that such projects were rather exclusive, but that they can greatly benefit the City and the DDA, economically. He noted that business always follows wherever the professionals go; if those people could not find suitable housing, they would not come, and neither would the business. Legault then referred to an advertisement which had been placed in the newspaper the Tuesday before the meeting. He found it extremely misleading and confusing. He also felt that it was cowardly for the person who placed it to not print their name on the ad.

Kaplan, resident of Escanaba, spoke in opposition to the SLU. While he approved of the project in principle, he worried that it amounted to selling part of Ludington Park. If that were the case, the proper path forward would have been to allow citizens to vote on the SLU.<sup>4 5 6</sup> Kaplan referred to the City Charter on this point.<sup>7 8 9</sup> He felt it to be a mistake to act on the SLU without a vote.

Strom spoke in opposition to the SLU. He listed four reasons why the project should have been put on hold. Firstly, he felt that the project landed within the boundaries of Ludington Park, and he noted agreement with Kaplan's public comment. Secondly, he posited that, if the property was indeed part of the park, then what other City action needed to be taken? Thirdly, he understood that a new Master Plan was about to be developed, and he supported that action. Lastly, he noted that there could be more issues that pop up. He wanted the SLU to succeed but asked for caution.

Polzin, the Applicant's architect, spoke in support of the SLU. He explained that, five or six years earlier, the City had made plans to sell the property subject to the SLU (the Property); many of these decisions had been made long ago, with the advice of the City Attorney at that time. The City and the Applicant had entered into a purchase agreement with an understanding of their development plans. He stated that there was no issue whatsoever regarding the SLU, and he explained that this type of housing was needed immediately.

Beth Sviland, resident of Escanaba, spoke in support of the SLU. She reported that they had received an email from Jim O'Toole, a previous City Manager. In that email, O'Toole explained that, while the Municipal Dock was part of Ludington Park, the Property was not.<sup>10</sup>

Stenberg, resident of Bark River, briefly spoke in support of the SLU.

McNeil responded to Beth Sviland's comments. He explained that the City has found no evidence of a deed restriction on the Property, or that it was legally considered part of Ludington Park.

Woerpel, DDA Director, spoke in support of the SLU. He noted that that housing was a major issue for the City, and that projects like the SLU attract businesses and other investors.

Williams, resident of Ford River, spoke in opposition to the SLU. She was concerned with the possibility that the Property might be part of Ludington Park. She then explained that the property's historical use was more important than what is written in a deed. She felt that the SLU should have been voted on by the public.

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<sup>4</sup> Special land use approvals were solely within the jurisdiction of the Planning Commission.

<sup>5</sup> City of Escanaba, Code of Ordinances, appdx. A, sec. 205 (2023).

<sup>6</sup> State of Michigan, Michigan Compiled Laws, sec. 125.3502 (2006).

<sup>7</sup> City of Escanaba, Code of Ordinances, sec. 19-7 (1996).

<sup>8</sup> The Property was not within a designated public park.

<sup>9</sup> City of Escanaba, Code of Ordinances, sec. 19-2 (2017).

<sup>10</sup> This email was not provided.

DuBord, House of Ludington General Manager, spoke in support of the SLU. He explained that, while there had been rumors that the House of Ludington was opposed to the SLU, they actually supported it. Even though the project was going to block their view of the lake, they expected to see their revenue increase as the condominium’s residents patronized the establishment.

Jeff Slagstad, Bay Bank Senior Vice-President of Commercial Lending, spoke in favor of the SLU. He noted that both title work and insurance were brought up and explained that everything was correct and above-board. He reiterated that this kind of housing was needed.

With no further verbal comments made, Connor allowed Anthony to read the written comments received for the public hearing. Anthony read aloud such comments.<sup>11</sup>

*With no further comments, Chair Connor closed the public hearing at 7:04 PM.*

Hellermann asked Anthony to clarify for the public what “E-3” zoning meant and why a special land use permit was needed. Anthony explained the zoning district, and the difference between a future land use map and a zoning map. He then explained what special land uses were and what their purpose was. Hellermann added an explanation of what a master plan was.

Connor asked if staff had any recommendations or comment. Anthony read from the staff report.<sup>12</sup>

McNeil explained the brownfield elements of the project and why they were critical to other City projects. The City’s infrastructure was aging, and construction was planned for Ludington Street to fix the aging sanitary and storm sewers. Tax Increment Financing and other tax revenue from projects like the SLU could cover large portions of these utility project costs. McNeil encouraged Commissioners to keep a favorable view of the SLU, and that they condition their approval upon final approval of utility service to the property.

*Webber left the meeting at 7:14 PM.<sup>13</sup>*

Once Webber had left, Connor expressed his sole concern for the project; he worried that not enough turnaround space was going to be provided for fire apparatus. He reported that he had met with City Department of Public Safety officials, who had assured him that there was room in the final drawings. Upon Connor’s invitation, Polzin explained the turnaround space and fire hydrant situation. Connor further noted his concerns over fire safety, noting a then-recent fire on Ludington Street.<sup>14</sup> Polzin assured Connor that the project team was going above and beyond in terms of fire safety.

Hellermann felt torn on the SLU over the lack of storefront at ground level. Both he and Reynolds agreed that this type of housing was needed. Sadowski noted that, besides the potential windfall for the City, there were many reasons why the SLU was a good idea.

**Hellermann offered, Nelson seconded:**

**RESOLUTION No. 24-02**

**RESOLUTION TO CONDITIONALLY APPROVE A SPECIAL LAND USE PERMIT**

Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a special land use permit (hereinafter “the Permit”);

<sup>11</sup> See Appendix 2, exhibits “B” through “X”.

<sup>12</sup> See Appendix 1, PHI att. 2.

<sup>13</sup> In spite of discussion under “Conflict of Interest Declarations”, Webber did not leave the room until this point.

<sup>14</sup> On 24 January 2024, Schwalbach Kitchens at 1009 and Trinkets & Treasures at 1011 were destroyed by fire.

Whereas, The Applicant applied for the Permit for the following described property (hereinafter “the Property”):

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records, Parcel No. 051-010-2929-328-003, Commonly known as 200 Ludington Street; and

Whereas, The Planning Commission reviewed the Permit at a duly noticed public hearing which took place on the 8th day of February 2024; therefore, be it

**RESOLVED**, That the Planning Commission approves the Permit based upon the following facts:

1. The Property is in an “E-3” zoning district,
2. The Permit specifies a Condominium land use,
3. Condominium is listed as a special land use allowed in “E-3” zoning districts,
4. The Zoning Ordinance does not specify any requirements or standards for Condominium special land uses; and

**RESOLVED**, That the Planning Commission imposes the following conditions on the Permit:

1. The Applicant must resolve all current and future City utility service issues, ensuring that the land use is consistent with the public health, safety, and welfare of the City.

**A roll call vote was taken with the following results:**

**Yes: Sadowski, Connor, Nelson, Hellermann, Reynolds**

**No: None**

**Absent: Harris**

**Abstained: Webber**

**MOTION PASSED.**

*Webber reentered the meeting at 7:26 PM.*

Before returning to his seat, Webber approached the podium and spoke as a private citizen. He was glad that the SLU had been approved, and he expected it to do great things for the City.

**PH2: Zoning Map Amendment – 2730 Lake Shore Drive**

Anthony introduced the item.<sup>15</sup>

*Chair Connor opened the public hearing at 7:28 PM.*

Stenberg spoke on the proposed zoning map amendment (the Amendment). He expressed confusion over the Amendment and did not understand what it was for. Connor explained that the Amendment was meant to move a single property from one zoning district to another. Connor asked Anthony to further explain it to Stenberg; Anthony noted that the public hearing was still open, and that this period was for the public to speak - not Commissioners or staff. Members of the audience called for the Amendment to be explained before they spoke again. Brief discussion

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<sup>15</sup> See Appendix 1, PH2.

over proper procedure ensued. Hellermann asked that staff read a letter from the Amendment’s petitioner since they were not at the meeting; Anthony read the letter.<sup>16</sup>

Williams spoke in opposition to the Amendment. She reminded Commissioners that they zone for land, not for people. She felt that this was spot zoning and should not be allowed. Williams owned land adjacent to property adjacent to the property subject to the Amendment (the Subject Property). Because a gas station used to occupy the Subject Property, her property was burdened with environmental cleanup due to leaky underground fuel tanks. She felt that plenty of allowances were in place for businesses in “A” zoning districts, and that this should be enough.

*With no further comments, Chair Connor closed the public hearing at 7:35 PM.*

At Connor’s invitation, Anthony read from the staff report.<sup>17</sup> Hellermann agreed that the Amendment was spot zoning, and he found that unacceptable. He asked Anthony to list what types of business could be hosted in the “A” zoning district. Discussion ensued over what types of business were allowed on that property. Reynolds stated that spot zoning should only be allowed with a strong reason; she did not see any in this case. Webber noted that the staff report had answered “yes” and “no” to many of the questions; while an argument for the change was made, he did not find it compelling. Sadowski expressed general distaste for spot zoning, but that in this case, he found the proposed change reasonable.

**Hellermann offered, Webber seconded:**

**RESOLUTION No. 24-03  
RESOLUTION TO RECOMMEND  
DENIAL OF A ZONING MAP AMENDMENT**

Whereas, Kenneth and Donna Linder (hereinafter “the Applicant”) submitted an application for a zoning map amendment (hereinafter “the Petition”);

Whereas, The Applicant submitted the Petition for the following described property (hereinafter “the Property”):

Lots 8 and 9 of Block 6 of the Lake Shore Drive Addition No. 1 of the City of Escanaba, according to the plat thereof, as recorded in Liber 1216 of Deeds, Page 446, Delta County Records,  
Parcel No. 051-210-3606-303-005,  
Commonly known as 2730 Lake Shore Drive;

Whereas, The Planning Commission considered the Petition at a duly noticed public hearing which took place on the 8th day of February 2024; and

Whereas, The Planning Commission, after reviewing the proposed amendment, all reports and recommendations from staff, consultants, other reviewing agencies, & any public comments, identified and evaluated all factors relevant to the Petition; therefore, be it

**RESOLVED**, That the Planning Commission adopts a Recommendation to the City Council that they reject the adoption of this Amendment based upon the following facts:

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<sup>16</sup> See Appendix 2, exhibit “Y”.

<sup>17</sup> See Appendix 1, PH2 att. 4.

1. There are no substantial reasons why the Property cannot be reasonably used as currently zoned,
2. There is no land use proposed in the Petition, and therefore the question of whether the use is more appropriately handled as a permitted use by right, or as a special land use, in the existing district or another district, is irrelevant,
3. The zone change is supported in the master plan,
4. A change of present district boundaries would be compatible with existing land uses in the area since previous uses already had, and it would not adversely affect property values,
5. While no specific use is proposed, there are not enough adequate sites available elsewhere already properly zoned to accommodate the use associated with the proposed zoning,
6. While the rezoning would constitute a spot zone, granting special privileges to one landowner not available to others, that is the apparent intent of this specific zoning, and it would satisfy an existing need in the area,
7. There may have been a mistake in the original zoning classification,
8. The conditions in the area have, currently and historically, supported the proposed zoning,
9. The change will not severely impact traffic, public facilities, or the natural characteristics of the area, nor will it significantly change population density,
10. The proposed change is not out of scale with the needs of the community,
11. If approved, there will probably be no effect on stimulation of similar zoning requests in the vicinity, and there will be a neutral effect on community plans and public services,
12. The proposed change is not precedent setting,
13. The proposed boundary is appropriate; and

**RESOLVED**, That staff shall file this Recommendation with the City Council and transmit the following thereto:

1. A summary of the comments received at the hearing held on this Amendment,
2. The Amendment itself, and
3. A map depicting this Amendment.

**A roll call vote was taken with the following results:**

**Yes: Webber, Connor, Hellerman, Reynolds**

**No: Sadowski, Nelson**

**Absent: Harris**

**MOTION PASSED.**

*Seeing that the meeting had approached two hours, Chair Connor recessed the meeting at 7:52 PM.*

*Chair Connor reconvened the meeting at 8:01 PM.*

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**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS**

**NB1: Site Plan Review – 200 Ludington Street**

Due to the length of the meeting, Webber asked if the Commission could table agenda items NB2, NB3, and NB4, pursuant to the Bylaws; he felt they were not important.<sup>18</sup> Hellermann, Webber, and Anthony discussed whether NB2 needed to be reviewed at this meeting.

**Webber moved to postpone agenda items NB2, NB3, and NB4 until the March regular meeting. Nelson seconded.**

**A voice vote was taken. MOTION PASSED.**

Anthony introduced the item.<sup>19</sup> Hellermann asked Matt Sviland (the Applicant) if he could comment on the Site Plan's lack of first floor storefronts. The Applicant explained that Phase I of the project was not meant to have any storefronts, but Stage 2 was planned to. He added that a market and café were expected to lease spaces on the first floor of that project. The Applicant's architect spoke on the building massing and positioning on the property. He noted that the buildings were far shorter and took up less area than the maximum height and lot coverage requirements in the "E-3" zoning district.

*Webber left the meeting at 8:09 PM.<sup>20</sup>*

Connor asked Commissioners for any comments, and upon hearing none, he asked for a motion.

**Sadowski offered, Hellermann seconded:**

**RESOLUTION No. 24-04**

**RESOLUTION TO CONDITIONALLY APPROVE A SITE PLAN**

Whereas, Northshore Flats Development LLC (hereinafter "the Applicant") submitted an application for a site plan review (hereinafter "the Site Plan");

Whereas, The Applicant applied for the Site Plan for the following described property (hereinafter "the Property"):

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records, Parcel No. 051-010-2929-328-003,

Commonly known as 200 Ludington Street; and

Whereas, The Planning Commission reviewed the Site Plan at a regular meeting which took place on the 8th day of February 2024; therefore, be it

**RESOLVED**, That the Planning Commission approves the Site Plan based upon the following facts:

1. The Site Plan, consisting of seven separate drawing sheets, complies with sec. 1802.2 of the Zoning Ordinance,

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<sup>18</sup> Escanaba Planning Commission, Bylaws, sec. 5.C Recess (13 July 2023).

<sup>19</sup> See Appendix I, NBI.

<sup>20</sup> Again, despite discussion under "Conflict of Interest Declarations", Webber did not leave the room until this point.



2. Both proposed buildings face Ludington Street, meeting building orientation standards,
3. No roof-mounted equipment is proposed, meeting standards for such equipment,
4. No sound mitigation is needed or provided, and a transformer is sited behind the buildings and visually screened with plantings, meeting visual and sound mitigation standards,
5. Access can be practically made to both the front and back of both principal buildings, meeting emergency access standards,
6. Vehicle access is planned to route solely through an alley at the property's rear, meeting both street access and shared drive standards,
7. Congestion is anticipated to occur at the vehicular access point, where two-way onsite traffic merges down to a single lane of travel, failing to meet both circulation standards and parking area standards,
8. Physically separate and insulated pedestrian routes are provided which reflect the nearby sidewalk patterns, meeting non-motorized circulation standards,
9. The solid waste loading area is located behind the buildings, invisible from residential districts or public rights-of-way, meeting loading, unloading, and storage area standards,
10. Planned wall-mounted exterior downlight fixtures are full cutoff-type fixtures, and the bollard lights only illuminate the ground, meeting light source standards,
11. Utility placement is not completely planned yet, failing to meet utilities standards,
12. No hazardous substances or potential pollutants are stored, used, or generated at the site, meeting environmental issue standards,
13. All the existing trees will be cut down and then replaced by new trees, meeting tree preservation standards,
14. The front setback is not met,
15. Side and rear setbacks are met,
16. Lot coverage and maximum building height limits in the zoning district are not exceeded,
17. The Zoning Administrator referred the Site Plan to the Planning Commission for review with a recommendation to approve with conditions; and

**RESOLVED,** That the Planning Commission imposes the following conditions on the Site Plan:

1. The Applicant shall provide a Traffic Statement, completed by a qualified engineer, to the Planning Commission within two months. Said Traffic Statement must focus on the alley providing access to the Property, consider the impact of future development on the lot adjacent to the Property's west, and state whether the alley needs to be enlarged or not; and
2. All utility and service connections to the site, including cable television and internet services, shall be made underground, ensuring compatibility with adjacent uses of land.

**A roll call vote was taken with the following results:**

**Yes: Sadowski, Connor, Nelson, Hellermann, Reynolds**

**No: None**

**Absent: Harris**

**Abstained: Webber**

**MOTION PASSED.**

*Webber reentered the meeting at 8:17 PM.*

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**GENERAL PUBLIC COMMENT**

None.

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**COMMISSIONER/STAFF COMMENT & ANNOUNCEMENTS**

Sadowski commended Anthony for the work and research he put into every meeting.

Hellermann asked Anthony if there was a way to shorten the letter reading process during public hearings; he felt it unfair for verbal comments to be time limited, but written ones not to be.

**Hellermann moved to direct staff to, jointly with the City Attorney, to find out whether written comments in response to public hearings could be limited. Sadowski seconded.**

**A voice vote was taken. MOTION PASSED.**

Anthony reported that the City Historic Districts Ordinance required that the Historic District Commission have a liaison from the Planning Commission.<sup>21</sup> Reynolds and Webber volunteered, and discussion took place on which of them should be selected.

**Hellermann moved to appoint Webber as Liaison to the Historic District Commission. Nelson seconded.**

**A voice vote was taken. MOTION PASSED.**

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**ADJOURNMENT**

**Hellermann moved to adjourn the meeting. Sadowski seconded.**

**A voice vote was taken. MOTION PASSED.**

*The meeting adjourned at 8:21 PM.*

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**EXHIBITS TO THESE MINUTES**

**Appendix 1:** The meeting agenda and packet

**Appendix 2:**

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|---|---|
| A. Materials provided to Commissioners by Northshore Flats Development, LLC | F. Comments: Paula and Paul Jacobs      |
| B. Comments: Mike and Ellen McDonald  | G. Comments: Linda and Russell Dillon   |
| C. Comments: Sue Hilgemann  | H. Comments: Larry and Sandy Moilanen   |
| D. Comments: Peggy Berg   | I. Comments: Robert Way                 |
| E. Comments: Sue Scheeneman   | J. Comments: Greg and Linda Yagodzinski |
|   | K. Comments: Mike Quinn                 |

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<sup>21</sup> City of Escanaba, Code of Ordinances, sec. 9-121 (2009).

- N. Comments: Fr. Rick Courier
- O. Comments: Darcy Winkowski
- P. Comments: Donna McCash
- Q. Comments: Michael Dailey
- R. Comments: Sally Moore
- S. Comments: Mike & Mickey Connor

- T. Comments: Patty Heslip
- U. Comments: Jill Spencer
- V. Comments: Marty Fittante
- W. Comments: Rep. Dave Prestin
- X. Comments: Eric Henderson
- Y. Comments: Kenneth and Donna Linder

**APPROVAL**

I, Roy Webber, Secretary of the City of Escanaba Planning Commission, hereby certify that the foregoing constitutes the true and complete proposed minutes of a meeting of the Planning Commission of the City of Escanaba, County of Delta, State of Michigan, held on 8 February 2024; that I have reviewed said proposed minutes; and that said proposed minutes shall be made publicly available.

REVIEWED:

*Roy Webber*

Roy Webber, Secretary  
City of Escanaba Planning Commission

Draft reviewed on: 2-14-24

Draft available on: 2/15/2024

~~I, Patrick Connor, Chair~~ of the City of Escanaba Planning Commission, hereby certify that the foregoing proposed minutes are now approved; that these approved minutes shall be made publicly available; and that all the foregoing was/is made/given/kept in accordance with the Open Meetings Act (MCL 15.261 et seq.), the Michigan Planning Enabling Act (MCL 125.3801 et seq.), the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), said City's Code of Ordinances, and said Commission's Bylaws.

APPROVED:

*Roy P. Webber*  
~~Patrick Connor, Chair~~ Roy P. WEBBER  
City of Escanaba Planning Commission

Final approved on: 3/14/2024

Final available on: 3/15/2024



Patrick Connor, Chair  
James Hellermann, Commissioner  
Mark Sadowski, Commissioner

Roy Webber, Secretary  
Kasja Nelson, Commissioner  
Tyler Anthony, Planning & Zoning

Michael Harris, Commissioner  
Christiana Reynolds, Commissioner  
Ronald Beauchamp, City Council

## PLANNING COMMISSION

### Regular Meeting Agenda – Thursday, February 8, 2024, 6:00 PM

Council Chambers, Rm. C101 – Escanaba City Hall – 410 Ludington Street, Escanaba, MI 49829

#### CALL TO ORDER

#### ROLL CALL

**APPROVAL/CORRECTION TO MINUTES** – Regular Meeting: January 11, 2024

#### APPROVAL/ADJUSTMENT TO AGENDA

#### CONFLICT OF INTEREST DECLARATIONS

#### PUBLIC COMMENT ON AGENDA ITEMS

#### PUBLIC HEARINGS

**PH1: Special Land Use – 200 Ludington Street**

The Commission will conduct a public hearing on a Special Land Use Application. This application is for a two-building, three-story condominium.

**PH2: Zoning Map Amendment – 2730 Lake Shore Drive**

The Commission will conduct a public hearing on a proposed Zoning Map amendment. The applicant seeks to move their property from an “A” district to a “D” district.

#### UNFINISHED BUSINESS

#### NEW BUSINESS

**NB1: Site Plan Review – 200 Ludington Street**

The Commission will conduct a review of a proposed Site Plan. This review is being done in connection with the Special Land Use under agenda item PH1.

**NB2: Annual Report Review**

The Commission will review their annual report to the City Council.

**NB3: General Updates**

- a. Delta County Planning Commission Report
- b. Zoning Board of Appeals Report
- c. Zoning/Land Use Permit Report

**NB4: Training Updates**

Commissioners will report any training which they have done since the last regular meeting.

#### GENERAL PUBLIC COMMENT

#### COMMISSION/STAFF COMMENT AND ANNOUNCEMENTS

#### ADJOURNMENT

Respectfully submitted,

Tyler Anthony  
Planning & Zoning Administrator  
On behalf of the Planning Commission



Patrick Connor, Chair  
James Hellermann, Commissioner  
Mark Sadowski, Commissioner

Roy Webber, Secretary  
Kasja Nelson, Commissioner  
Tyler Anthony, Planning & Zoning

Michael Harris, Commissioner  
Christiana Reynolds, Commissioner  
Ronald Beauchamp, City Council

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## **PLANNING COMMISSION**

### **Public Participation Procedures**

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The City of Escanaba will provide all necessary, reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon five days' notice to the City of Escanaba Clerk's Office by writing or calling (906) 786-9402.

Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any material shall be made available without cost to members of the public by request before the meeting.

During the agenda item, when the floor is opened for public comment by the chair, individuals wishing to comment should:

1. Approach the podium.
2. Speak into the microphone.
3. State your full name and address for the record (providing spelling as necessary)
4. Direct all comments/questions to the Chairperson only.
5. Be guided by the following time limits:
  - Petitioner/aggrieved party – 15 minutes (unless amended by the Chair)
  - General public – 3 minutes (unless amended by the Chair)

The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson.

**Official Minutes – Thursday, January 11, 2024**

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**MEETING CALLED TO ORDER**

A meeting of the Escanaba Planning Commission was held on Thursday, January 11, 2024 at 6:00pm in Room C101 at City Hall, 410 Ludington Street, Escanaba, MI 49829.

*Chair Connor called the meeting to order at 6:00 PM.*

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**ATTENDANCE**

**Membership:**

Chair Patrick Connor .....	Present	Commr. Kasja Nelson .....	Present
Secretary Roy Webber .....	Present	Commr. Christiana Reynolds.....	Present
Commr. James Hellermann.....	Absent	Commr. Mark Sadowski.....	Present
Commr. Michael Harris .....	Absent		

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

**City Administration:**

- Tyler Anthony, Planning & Zoning Admin
- Brianna Ecklid, Confidential Secretary
- Ronald Beauchamp, City Council Liaison

No other individuals were present.

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**MINUTES**

**Webber moved to approve the December 14, 2023 regular meeting minutes as proposed. Sadowski seconded.**

**A voice vote was taken. MOTION PASSED.**

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**AGENDA**

Connor asked if there were any adjustments to be made to the addenda. Anthony noted that there was an error which needed to be corrected. The Commission’s review of their annual report did not make it into this meeting, and it was moved to the next regular meeting. In error, it was not removed from the agenda. Anthony also suggested that another sub-item be added to the “General Updates” agenda item, being a mention of the Michigan Association of Planning’s annual report.

**Sadowski moved to accept the recommended changes and approve the agenda. Nelson seconded.**

**A voice vote was taken. MOTION PASSED.**

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**CONFLICT OF INTEREST DECLARATIONS**

None.

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**PUBLIC COMMENT ON AGENDA ITEMS**

None

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**PUBLIC HEARINGS**

None.

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**UNFINISHED BUSINESS**

None.

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**NEW BUSINESS**

**NB1: Delta County Planning Commission Liaison (DCPC) Committee**

Anthony introduced the item. He then handed out to Commissioners and Beauchamp a final draft copy of the letter to the DCPC. Connor asked for a few moments to read over the letter. After this review, Connor solicited a motion to accept the draft letter as proposed.

**Sadowski moved to approve the draft letter, sign it, and send it to the DCPC, the Delta County Board of Commissioners, and the Delta County Prosecutor's Office. Webber seconded.**

**A voice vote was taken. MOTION PASSED.**

**NB2: Master Plan RFP Review**

Anthony introduced the item, explaining what a Request for Proposals (RFP) is and how it works. He and Connor then briefly discussed whether CUPPAD (Central Upper Peninsula Planning and Development Regional Commission) was involved in the new Master Plan's creation at that point; they weren't, but they did express interest to Anthony a few weeks prior.

Connor asked for a motion to accept the RFP as presented. Sadowski interjected politely, asking to have further discussion before any action was taken. He wanted to know what kind of company the City was looking for, if this company was to be Michigan-based, what information was to be expected of them, and a cost estimate of this scope of work. Anthony explained that it was very likely that a Michigan-based firm was to be chosen, since such companies were normally very experienced with State law-compliant plans. He admitted that no price estimate was in hand, as those were supposed to be received in the bids after posting the RFP.

Anthony then read from the draft RFP to better answer Sadowski's questions. He added that this process was going to be a long, but necessary one. Sadowski noted that point #5 under the "scope of work" header was extremely important to this project.

**Connor offered, Reynolds seconded:**

**RESOLUTION NO. 24-01**

**RESOLUTION TO APPROVE AND DIRECT  
THE POSTING OF A MASTER PLAN RFP**

**RESOLVED**, that the Planning Commission approves of the Master Plan RFP as prepared by its staff; and

**RESOLVED**, that the Planning Commission's staff shall, jointly with City administration, fill in the blanks, add any necessary rules or language, and post the RFP for bid.

**A voice vote was taken. RESOLUTION PASSED.**

**NB3: General Updates**

**a. Delta County Planning Commission Report**

Nelson reported that the DCPC held their first regular meeting of the year on January 8<sup>th</sup>. They re-elected their then-current slate of officers, approved the previous meeting’s minutes, tabled all the other business, then adjourned. According to Nelson, the meeting lasted only 8 minutes.

**b. Zoning Board of Appeals (ZBA) Report**

Anthony explained that a special meeting of the ZBA, which was scheduled for 15 December 2023, was canceled by the applicant. Their next regular meeting was rescheduled from 2 January to 16 January, since a quorum was not available for the former date. No new business was scheduled.

**c. Zoning/Land Use Permit Report**

Anthony presented the monthly permit report, noting that the Delta County Building & Zoning Department’s December permit list was included as a new piece of information to Commissioners. Sadowski asked how the 2023 permit numbers and collected fees looked when compared to the previous year. Anthony could not directly answer, but he did say that they were similar.

**d. Michigan Association of Planning (MAP) Annual Report**

Anthony reported that the MAP’s 2023 Annual Report had just been released, and that it was a good read for Commissioners. He noted that a link to this report was provided in the packet.

**e. Zoning Text Amendment – Chickens and Ducks**

Anthony informed the Commission that the City Council had declined their request to revisit the proposed Chickens and Ducks Ordinance. Reynolds asked if any reason was given as to why they declined, and Anthony said that none was provided.

**NB4: Training Updates**

Reynolds reported ½ hour of self-guided training on “spot zoning”. From that training, she performed a deep dive on the subject, and reviewed the Master Plan for any local concerns.

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**GENERAL PUBLIC COMMENT**

None.

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**COMMISSIONER/STAFF COMMENT & ANNOUNCEMENTS**

None.

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**ADJOURNMENT**

**A motion was made by Nelson to adjourn the meeting. Connor seconded.**

**A voice vote was taken. MOTION PASSED.**

*The meeting adjourned at 6:25 PM.*

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**EXHIBITS TO THESE MINUTES**

A. Draft: Letter to the Delta County Planning Commission, Final



**APPROVAL**

I, Roy Webber, Secretary of the City of Escanaba Planning Commission, hereby certify that the foregoing constitutes the true and complete proposed minutes of a meeting of the Planning Commission of the City of Escanaba, County of Delta, State of Michigan, held on 11 January 2024; that I have reviewed said proposed minutes; and that said proposed minutes shall be made publicly available.

REVIEWED:

*Roy Webber*

Roy Webber, Secretary  
City of Escanaba Planning Commission

Draft reviewed on: 1/22/24

Draft available on: 1/23/24 TA

I, Patrick Connor, Chair of the City of Escanaba Planning Commission, hereby certify that the foregoing proposed minutes are now approved; that these approved minutes shall be made publicly available; and that all the foregoing was/is made/given/kept in accordance with the Open Meetings Act (MCL 15.261 et seq.), the Michigan Planning Enabling Act (MCL 125.3801 et seq.), the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), said City’s Code of Ordinances, and said Commission’s Bylaws.

APPROVED:

\_\_\_\_\_  
Patrick Connor, Chair  
City of Escanaba Planning Commission

Final approved on: \_\_\_\_\_

Final available on: \_\_\_\_\_



Friday, 12 January 2024

To:  
Delta County Planning Commission  
c/o Building & Zoning Department  
2910 College Avenue  
Escanaba, MI 49829

Cc:  
Delta County Board of Commissioners  
c/o County Clerk's Office  
310 Ludington Street  
Escanaba, MI 49829

Delta County Prosecuting Attorney  
310 Ludington Street  
Escanaba, MI 49829

To the members of the Delta County Planning Commission,

We, the duly appointed members of the City of Escanaba Planning Commission, write to you, the Delta County Planning Commission, regarding some recent concerns. These concerns were brought to us by our liaison to the County Planning Commission.

One of our members, Commissioner Patrick Connor, served as liaison until recently. Commr. Connor resigned from this position at our October 12, 2023 meeting. At that meeting, he reported a series of encounters with the County Planning Commission and its staff that he viewed as retaliation for earlier public comments he made as a private citizen. Because these concerns involve some possible violations of the Michigan Open Meetings Act, the Delta County Planning Commission Ordinance, and your Bylaws, we wish to bring them to your attention.

At the regular meeting on May 16, 2023 – before he was a member of the City Planning Commission – Patrick Connor appeared before the Delta County Board of Commissioners as a private citizen. During that meeting, he spoke during the public comment period for agenda items. Per the official minutes, “[He] addressed the Board with his concerns regarding annexation, recusing a commissioner and the [County] Planning Commission.”

The Escanaba City Council appointed Connor to the City Planning Commission on June 15. On June 29, he was appointed by motion as our liaison with the County Planning Commission. After that appointment, the first and only County Planning Commission meeting he attended was the one held on October 2. At that meeting, now-Commr. Connor was informed that he could not participate in discussions with the County Planning Commission. He was also told that he could not speak during public comment. This was told to him by John Denholm, the County Planning Commission Chair, who claimed to cite the current Bylaws (see attachment 1). Both restrictions seemed to nullify his status as liaison with you.

When pressed for details, Chair Denholm told Commr. Connor that the Bylaws had been changed in “May or June”. However, the current Bylaws were adopted on March 2, 2021, and there is no evidence of any newer version than that. These Bylaws explicitly state that liaisons, including the City’s liaison, can indeed speak at meetings and participate in discussions. And of course, all individuals in attendance must be permitted to speak during public comment under the Open Meetings Act. MCL 15.263(5):

A person must be permitted to address a meeting of a public body under rules established and recorded by the public body.

Further, Commr. Connor reported that the County’s staff refused to provide a copy of the County’s Master Plan to him. He was told both that there were no copies available, and that such copies were only available to members of the County Planning Commission. In fact, this Master Plan is available online – something that could easily have been communicated to Commr. Connor, thus enabling him to participate meaningfully as our liaison. Commr. Connor perceived that these actions were in response to his remarks as a private citizen at the Delta County Board of Commissioners’ May 16 meeting.

While investigating Commr. Connor’s claims, it was found necessary to secure copies of the proposed minutes of the October 2 meeting. This was made difficult by the fact that such proposed minutes were not made available for 14 business days after the meeting (see attachment 2). Per the Open Meetings Act, such proposed minutes must be made available within 8 business days of the meeting at which they were taken. It is also worth noting that the November 6 meeting’s proposed minutes were not made available for over 30 business days after the meeting (see attachment 3).

In sum, we are concerned that the County Planning Commission denied our liaison the ability to participate, in violation of the Bylaws, and denied him the ability to speak during public comment, in violation of the Open Meetings Act. And finally, we are concerned that you failed to make the proposed minutes available within 8 business days after the meeting, as required by the Open Meetings Act.

The City Planning Commission values its relationship with the County Planning Commission. We wish to ensure that our liaison can participate meaningfully in future meetings as part of this relationship. We trust that you will address these items and ensure that they do not recur in the future.

Signed by the members of the City of Escanaba Planning Commission:

\_\_\_\_\_  
Patrick Connor, Chair

\_\_\_\_\_  
Kasja Nelson, Commissioner

\_\_\_\_\_  
Roy Webber, Secretary

\_\_\_\_\_  
Christiana Reynolds, Commissioner

\_\_\_\_\_  
Michael Harris, Commissioner

\_\_\_\_\_  
Mark Sadowski, Commissioner

\_\_\_\_\_  
James Hellermann, Commissioner

Attachments:

1. General Affidavit
2. Email thread – October Proposed Minutes
3. Email thread – November Proposed Minutes

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## PLANNING COMMISSION

### Agenda Item Report – Thursday, February 8, 2024

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#### PH1: Special Land Use – 200 Ludington Street

##### Background

The Commission will conduct a public hearing on a Special Land Use (SLU) Application. This application is for a condominium, which is a land use allowed by SLU permit in “E-3” zoning districts.

##### Issues and Questions Specified

The Zoning Ordinance does not specify requirements or standards for approving a SLU permit. This is required by the Michigan Zoning Enabling Act.<sup>1</sup>

##### Master Plan References

- Action E1 “Compatible Maritime and Waterfront Uses”  
Seek, encourage, and foster a balance of uses and activities on the waterfront that are compatible with a working port and the broader goals of the community. Opportunities for waterside public access, open space, and the expansion of public use of the waterfront include improvements such as viewing platforms, piers, street ends, and non-motorized trails where feasible, or other physical improvements to improve the character and utilization of the waterfront should be explored. Develop form-based zoning [sic] standards that support waterfront redevelopment due to the irregular property line layouts.<sup>2</sup>
- Action E2 “North Shore Property Acquisition”  
Should property within the near north shore zone within the downtown area become available, and the should the City have an opportunity to acquire it, steps should be taken to purchase or acquire the property and work with the community and the private sector on a development and infrastructure plan which will meet the needs of maritime and recreational water dependent activities that has the potential to increase the overall economic value of the community with new investment that will stimulate the revitalization of the waterfront, provide new jobs, revenues, public amenities and other benefits to the community.<sup>3</sup>
- Action E8 “Downtown Organization”  
The downtown should continue to be organized into functional zones in order to create a critical mass, for not only retail businesses, but for professional offices and services that support downtown living. The encouragement of retail and entertainment anchors in the downtown ties into the reorganization of the downtown in definable districts. Downtowns such as Escanaba have a difficult time competing with regional and franchise stores, but often times excel in specialty retail,

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<sup>1</sup> State of Michigan, *Michigan Zoning Enabling Act*, “Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions” MCL 125.3502(1)

<sup>2</sup> City of Escanaba, *2016 Master Plan*, 103

<sup>3</sup> City of Escanaba, *2016 Master Plan*, 104



restaurants, and entertainment type uses. A modification to the Zoning Ordinance encouraging the reorganization of the downtown from Ludington Park to Lincoln Road into definable districts is recommended. Zoning Ordinances should be revised to enhance street traffic by limiting non-retail first floor uses where practical. Additionally, form-based zoning standards should be adopted to reinforce desired use patterns within the downtown district. The ground floor of downtown buildings should be limited to retail uses and professional services with a retail element when located within the Central Retail District. Where possible, upper floors should be utilized for professional offices and residential units.<sup>4</sup>

**Possible Options for Action**

1. Approve the SLU permit. Sample language:

*“I move to adopt the following resolution:*

*Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a special land use permit (hereinafter “the Permit”);*

*Whereas, The Applicant applied for the Permit for the following described property (hereinafter “the Property”):*

*All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records, Parcel No. 051-010-2929-328-003,*

*Commonly known as 200 Ludington Street; and*

*Whereas, The Planning Commission reviewed the Permit at a duly noticed public hearing which took place on the 8<sup>th</sup> day of February 2024; therefore, be it*

*RESOLVED, That the Planning Commission approves the Permit based upon the following facts:*

*[provide numbered list of facts].”*

2. Conditionally approve the SLU permit. Sample language:

*“I move to adopt the following resolution:*

*Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a special land use permit (hereinafter “the Permit”);*

*Whereas, The Applicant applied for the Permit for the following described property (hereinafter “the Property”):*

*All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records, Parcel No. 051-010-2929-328-003,*

*Commonly known as 200 Ludington Street; and*

*Whereas, The Planning Commission reviewed the Permit at a duly noticed public hearing which took place on the 8<sup>th</sup> day of February 2024; therefore, be it*

*RESOLVED, That the Planning Commission approves the Permit based upon the following facts:*

*[provide numbered list of facts]; and*

*RESOLVED, That the Planning Commission imposes the following conditions on the Permit:*

*[provide list of conditions].”*

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<sup>4</sup> City of Escanaba, 2016 Master Plan, 105



3. Deny the SLU permit. Sample language:

*“I move to adopt the following resolution:*

*Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a special land use permit (hereinafter “the Permit”);*

*Whereas, The Applicant applied for the Permit for the following described property (hereinafter “the Property”):*

*All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records,*

*Parcel No. 051-010-2929-328-003,*

*Commonly known as 200 Ludington Street; and*

*Whereas, The Planning Commission reviewed the Permit at a duly noticed public hearing which took place on the 8<sup>th</sup> day of February 2024; therefore, be it*

*RESOLVED, That the Planning Commission denies the Permit based upon the following facts:*

*[provide numbered list of facts].”*

**Attachments**

1. Special Land Use Permit Application: SLU23001
2. Staff Report
3. Public Hearing Notice
4. Affidavit of Newspaper Publishing for Public Hearing Notices
5. Affidavit of Mailing for Public Hearing Notices
6. Mailing List

PROPERTY IDENTIFICATION

Address

200 LUDINGTON ST., ESCANABA, MI 49829

Parcel #

051-010-2929-328-003

GENERAL. All construction or addition to buildings in the City of Escanaba requires a zoning permit, whether a building permit is required or not. If you are unsure if you need a building permit, please call the Delta County Building & Zoning Department at (906) 789-5189. It is the responsibility of all parties involved to review the zoning ordinance for standards which may affect their project. These conditions are not exclusive.

PROPERTY LINES. It is the property owner’s responsibility to know where their property lines are. The City Engineering Department may help locate and stake existing corner markers upon request. This service is not a legal survey and is not guaranteed to be accurate. The City assumes no responsibility for property corner markings, measurements, or errors thereof. If better accuracy is desired, contact a surveyor for a legal survey.

SETBACKS. A setback is the minimum distance required between a lot line (property line) and a building’s wall or roof edge. There are some exceptions, but no new building or addition may violate these distances. Setbacks differ from one zoning district to another, and from lot to lot. On corner lots or through lots, all street-side lot lines are considered front lot lines, and setbacks are taken accordingly. The line opposite the street address is considered the rear lot line, with exceptions for lots pointed at the rear. Any remaining lines are side lot lines.

EASEMENTS. No structures are permitted in any legal easement. New or existing structures found to be in an easement will be evaluated for violation. If a violation is found, structures may need to be moved or demolished.

PENALTIES FOR WORK DONE BEFORE APPROVAL. It is illegal to begin construction work before a zoning permit is obtained. If such work is done, citations and fines may be issued. Additionally, if the work violates any provision of the zoning ordinance, that work must be moved or altered to achieve compliance.

ACCESS BY CITY EMPLOYEES. Staff from the Planning & Zoning Dept. may visit the property for zoning permit inspections. Staff from the Assessing Dept. may visit the property for tax purposes.

PROJECT INFORMATION

Special Land Use Type (as defined in zoning code)

Please complete the following information as fully as possible. Staff can help find some information. Submit this form with one print copy and one digital copy of a site plan compliant with zoning ordinance sec. 1802.2.

Project Description

THIS PROJECT IS TO CONSTRUCT TWO BUILDINGS ON THE SITE TO PROVIDE FOR 23 RESIDENTIAL CONDOMINIUM UNITS. INDOOR PARKING TO BE PROVIDED UNDER BOTH BUILDINGS WITH ACCESS FROM THE ALLEY TO NORTH AND WEST OF THE SITE. THE BUILDINGS ARE STORIES ABOVE THE PARKING LEVELS. THE FIRST FLOOR WITH RESIDENTIAL USE IS A HALF STORY ABOVE LUDINGTON STREET.

**FEES**

Your actual fee is based on your lot's area in acres. To find that amount, multiply the lot area by the indicated area factor, input that amount, add the base amount, then input the actual fee. **Max actual fee is \$2,000.**

Lot Area (i.e.: 0.164)	Area Factor	Area Amt	Base Amt	Actual Fee
Fee =	x \$250	= \$	+ \$500	= \$

**CONTACT INFORMATION & AGREEMENT**

I, the undersigned, have read and understand the statements on page 1 of this application. I acknowledge that the information in this application is true, and if found not to be true, any issued zoning permit may be void. I agree to comply with the conditions and regulations provided with any permit that may be issued and will also comply with all applicable sections of the City of Escanaba Zoning Ordinance. I give permission for officials of the City of Escanaba, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand that this is a zoning permit application and not a permit. I understand that a zoning permit, if issued, conveys only land use rights, and does not include any representation or conveyance of right in any other statute, building code, deed restriction or other property rights.

*If any of these entities are a company and not an individual, write: "Company Name (Contact's Name)"*


**Owner Name** NORTHSHORE FLATS DEVELOPMENT, LLC (MATTHEW SVILAND) **Email** swaneeinc@gmail.com

**Address, City, State, ZIP** 1121 LAKESHORE DRIVE ESCANABA, MI 49829 **Phone** 906-420-4461

**Signature**  **Date** 12/22/2023

**Applicant (if not the Owner) Name** BARRY J. POLZIN **Email** BPOLZIN@BJPARCHITECTS.COM

**Address, City, State, ZIP** 101 N. LAKESHORE BLVD. MARQUETTE, MI, 49855 **Phone** 906-226-8661

**Signature**  **Date** 12/22/2023


**Contractor (if not the Owner) Name** **Email**

**Address, City, State, ZIP** **Phone**

**Signature** **Date**

**Architect/Engineer (if not the Contractor) Name** BARRY J. POLZIN ARCHITECTS **Email** BPOLZIN@BJPARCHITECTS.COM

**Address, City, State, ZIP** 101 N. LAKESHORE BLVD. MARQUETTE, MI, 49855 **Phone** 906-226-8661

**Signature**  **Date** 12/22/2023

**Other (please specify) Name** **Email**

**Address, City, State, ZIP** **Phone**

**Signature** **Date**

\*\*\*\*\* THIS SECTION FOR STAFF USE ONLY \*\*\*\*\*

Date Submitted: 12/26/2023 Application correct?  Yes  No Zoning Code: E-3 Receipt #: 9371332 Permit #: SLU23001  
 Corner lot?  Yes  No

Easements/ROWs  
 No known easements.





Patrick Connor, Chair  
James Hellermann, Commissioner  
Mark Sadowski, Commissioner

Roy Webber, Secretary  
Kasja Nelson, Commissioner  
Tyler Anthony, Planning & Zoning

Michael Harris, Commissioner  
Christiana Reynolds, Commissioner  
Ronald Beauchamp, City Council

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## PLANNING COMMISSION

### Staff Report

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#### REQUEST OVERVIEW

**Case #** SLU23001

**Property Address:** 200 Ludington Street

**Applicant:** Northshore Flats Development LLC

**Property Owner:** City of Escanaba

**Tax Parcel #** 051-010-2929-328-003

**Zoning District:** E-3 (Central Commercial)

**Property Description:**

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock.

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#### SPECIAL LAND USE PERMIT

The Planning Commission, as outlined in Zoning Ordinance (ZO) secs. 102.5 and 205, is responsible for conducting a public hearing to review requests for Special Land Use (SLU) permits. This review covers the application, maps, drawings, and any other documents which support the request. This also includes any public comments received. The Commission must identify and evaluate all relevant factors, including criteria listed in the ZO.

Following the public hearing, the Commission must decide whether to approve, approve with conditions, or deny the SLU request. Their decision must include a statement of findings and conclusions relative to the case, which specifies the decision’s basis and any imposed conditions.

These steps ensure a thorough and transparent evaluation of SLU reviews and approvals. It also ensures public input and adherence to established criteria throughout the decision-making process.

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#### APPLICATION HISTORY

An SLU permit application was received on Tuesday, December 26, 2023 from Barry J. Polzin Architects (Architect). The Zoning Administrator then processed the application in the usual way per the ZO. This request was then placed on the February meeting agenda. This allowed time to make public hearing notices, and to hold internal review meetings.

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#### PUBLIC HEARING NOTICES

The Zoning Administrator shall set, advertise, and give notice of a public hearing in accordance with sec. 201.5. Public hearing notification requirements have been fulfilled as follows:

- 300’ Radius to Neighbors .....Monday, January 22, 2024
- Daily Press Newspaper .....Wednesday, January 24, 2024
- City of Escanaba Website & Facebook .....Thursday, January 25, 2024

**ZONING COMPLIANCE AND HISTORY**

No zoning compliance cases can be found for this property.

**April 1925:**

The City of Escanaba acquired the property.

**November 28, 2023:**

A special meeting of the Zoning Board of Appeals (ZBA) was scheduled for December 15. At that meeting, the ZBA was set to hold a public hearing and review a variance request from the Applicant. Under review was a variance request of 2’ from the maximum front setback in the “E3” zoning district, which would have created a total front setback of 7’. Front setback is limited to 0’ minimum – 5’ maximum per ZO sec. 2105.1.

**December 11, 2023:**

The ZBA’s special meeting was cancelled four days before it was held. This was because the Applicant rescinded their variance request.

**January 31, 2024:**

To the best of the staff’s knowledge, the land sale by the City to Northshore Flats Development LLC is currently pending.

**SPECIAL LAND USE REVIEW CRITERIA**

The Commission must consider certain requirements and standards in their decision to approve an SLU request.<sup>1</sup> However, the ZO does not establish any such guidelines for any land uses except for Sexually-Oriented Businesses and Marihuana Retailers, Growers, Processors, & Safety Compliance Facilities. Therefore, there are no requirements or standards in the ZO against which this SLU request can be reviewed.

**STAFF ANALYSIS**

This case finds itself in a rather strange place. Without any standards for review, the SLU request has no bar to meet. Because of this, we staff find ourselves asking these questions:

- What does a lack of requirements and standards mean for an SLU request?
- Does the lack of such things mean that an SLU should be automatically approved?
- Conversely, does that lack of guidelines mean that no approval should be made?

More questions spring to mind, but we must remain focused on the case at hand.

**FACT FINDING**

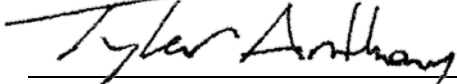
Per the *Bylaws*, all decisions made by the Commission must include findings of fact. The following is a recommended finding of fact:

1. The Property is in an “E-3” zoning district.
2. The Permit specifies a *Condominium* land use.

<sup>1</sup> State of Michigan, *Michigan Zoning Enabling Act*, “Special land uses; review and approval; application; notice of request; public hearing; incorporation of decision in statement of findings and conclusions” MCL 125.3502(1).

3. *Condominium* is listed as a special land use allowed in “E-3” zoning districts.
4. The Zoning Ordinance does not specify any requirements or standards for *Condominium* special land uses.

Respectfully submitted,



Tyler Anthony,  
Planning & Zoning Administrator

1/31/2024

Date



## PUBLIC HEARING NOTICE

**NOTICE IS HEREBY GIVEN**, in accordance with the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), that the City of Escanaba Planning Commission will conduct a public hearing on **Thursday, February 8, 2024 at 6:00 p.m.** in the Council Chambers, Rm. C101, Escanaba City Hall, 410 Ludington Street, regarding:

### ***Special Land Use Application – 200 Ludington Street***

*A condominium, consisting of two buildings, is proposed. The two buildings will each be three stories tall, with a semi-below-grade story dedicated to parking. Together, a total of 23 dwelling units are planned for the site, which will occupy 16,495 square feet of the 46,609 square-foot site.*

All interested persons are invited to attend this public hearing to express their views concerning the proposed Special Land Use Application.

Copies of the proposed Special Land Use Application are available for review at the Planning & Zoning Department (ph. 906-489-7302), Escanaba City Hall, second floor, during regular business hours.

Individuals requiring special accommodations to attend and participate in this meeting should contact the City Clerk's Office (ph. 906-786-1194) at least five days in advance.

Tyler Anthony  
Planning & Zoning Administrator  
City of Escanaba



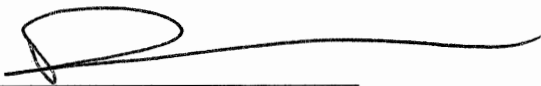
I RACHEL ROBINETTE being an authorized representative of THE DAILY PRESS/ UP ACTION NEWS

Escanaba Michigan, do hereby affirm that PUBLIC HEARING NOTICE - SPECIAL LAND USE ad(s) for  
CITY OF ESCANABA of ESCANABA, MI


were inserted first on the following dates:

01/24/24 THE DAILY PRESS  
NOT IN THE TMC WEEKLY and  
01/24/24 ON THE DAILY PRESS WEBSITE

that the attached is a true copy thereof.

  
signature of authorized representative

Subscribed and sworn to before me this TWENTY NINTH day of JANUARY

  
Notary Public, Delta County, Michigan

My commission expires \_\_\_\_\_

**KARLA J SHANN**  
**NOTARY PUBLIC-STATE OF MICHIGAN**  
**DELTA COUNTY**  
**MY COMMISSION EXPIRES MAR. 30, 2027**  
Acting in the County of Delta

**AFFIDAVIT OF MAILING FOR PUBLIC HEARING NOTICES**

The undersigned Affiant deposes and states as follows:

- 1. The Affiant is an employee of the City of Escanaba and is familiar with certain facts regarding the following described Property.

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records.  
Parcel No. 051-010-2929-328-003,  
Commonly known as 200 Ludington Street.

- 2. That the Property was subject to a Public Hearing, which was set for 8 February 2024 at 6:00 PM before the Planning Commission, regarding the following described subject.

Permit No. P-SLU23001, Special Land Use Application: A condominium, consisting of two buildings, is proposed. The two buildings will each be three stories tall, with a semi-below-grade story dedicated to parking. Together, a total of 23 dwelling units are planned for the site, which will occupy 16,495 square feet of the 46,609 square-foot site.

- 3. That a Notice was prepared for the Public Hearing, in satisfaction of MCL 125.3103. A List of all persons, which either held real property or occupied structures, within a radius of 300 feet from the Property was also prepared.
- 4. That the Affiant did deposit with the United States postal service, First-Class Mail, on 22 January 2024, copies of the Notice for the Public Hearing which were addressed to all persons included in the List.
- 5. That this Affidavit is being executed and will be recorded to provide a record of mailing for the Notice.

City of Escanaba

By: Tyler Anthony  
Tyler D.L. Anthony  
Its: Planning and Zoning Administrator

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF DELTA            )

The foregoing instrument was acknowledged before me this 23 day of January, 2024 by Tyler D.L. Anthony, Planning and Zoning Administrator, on behalf of the City of Escanaba, a Michigan municipal corporation.

Brianna J. Ecklid  
Brianna J. Ecklid  
Notary Public, County of Delta  
Acting in Delta County  
State of Michigan  
My commission expires January 19, 2029

Address_Owners	City_Owners	State	ZIP_Cod	Address_Physical	Name_Owners
E5027 State Highway M35	Escanaba	MI	49829	117 South 2nd Street	George & Robert Bonefeld
510 1st Avenue South	Escanaba	MI	49829	128 1st Avenue South	Jimmie Chase
310 Ludington Street Suite 171	Escanaba	MI	49829	111 North 3rd Street	County of Delta
614 South 17th Street	Escanaba	MI	49829	201 Ludington Street	Gina M Davidson
223 Ludington Street	Escanaba	MI	49829	223 Ludington Street	Edward & Suzell Eisenberger
209 Ludington Street	Escanaba	MI	49829	209 Ludington Street	Darren & Victoria L Feuerbach
1827 9th Avenue North	Escanaba	MI	49829	109 South 2nd Street	Craig Gouin
6800 Miller Creek Road	Missoula	MT	59803	101 South 2nd Street	Eric & Christina Henderson
7508 Club House Drive	Gladstone	MI	49837	110 North 3rd Street	Herbert D & Marcia M Iverson
225 Ludington Street	Escanaba	MI	49829	225 Ludington Street	JACL
212 1st Avenue South	Escanaba	MI	49829	212 1st Avenue South	Jeffrey Keller
328 North 10th Street	Escanaba	MI	49829	114 North 3rd Street	Claude Kobasic
208 1st Avenue South	Escanaba	MI	49829	208 1st Avenue South	Stephen R & Lee Ann LE Messimer
205 Ludington Street	Escanaba	MI	49829	205 Ludington Street	Publo Inc
117 South 3rd Street	Escanaba	MI	49829	117 South 3rd Street	Daniel F Samson
107 Chocolay River Trail	Marquette	MI	49855	111 South 2nd Street	Eric J & Kathryn S Rose
107 Chocolay River Trail	Marquette	MI	49855	107 South 2nd Street	Eric J & Kathryn S Rose
310 Ludington Street Suite 171	Escanaba	MI	49829	310 Ludington Street	County of Delta
PO Box 30028	Lansing	MI	48909	305 Ludington Street	State of Michigan Attn: Land Records
122 1st Avenue South	Escanaba	MI	49829	122 1st Avenue South	Steven M Vosters
116 South 2nd Street	Escanaba	MI	49829	116 South 2nd Street	Christopher & Lisa Warden
223 Ludington Street	Escanaba	MI	49829	216 1st Avenue South	Edward & Suzell Eisenberger
117 South 2nd Street	Escanaba	MI	49829	117 South 2nd Street	Current Occupant
128 1st Avenue South	Escanaba	MI	49829	128 1st Avenue South	Current Occupant
111 North 3rd Street	Escanaba	MI	49829	111 North 3rd Street	Current Occupant
201 Ludington Street	Escanaba	MI	49829	201 Ludington Street	Current Occupant
109 South 2nd Street	Escanaba	MI	49829	109 South 2nd Street	Current Occupant
101 South 2nd Street	Escanaba	MI	49829	101 South 2nd Street	Current Occupant
110 North 3rd Street	Escanaba	MI	49829	110 North 3rd Street	Current Occupant
114 North 3rd Street	Escanaba	MI	49829	114 North 3rd Street	Current Occupant

Address_Owners	City_Owners	State	ZIP_Cod	Address_Physical	Name_Owners
111 South 2nd Street	Escanaba	MI	49829	111 South 2nd Street	Current Occupant
107 South 2nd Street	Escanaba	MI	49829	107 South 2nd Street	Current Occupant
305 Ludington Street	Escanaba	MI	49829	305 Ludington Street	Current Occupant
216 1st Avenue South	Escanaba	MI	49829	216 1st Avenue South	Current Occupant



## PLANNING COMMISSION

### Agenda Item Report – Thursday, February 8, 2024

## PH2: Zoning Map Amendment – 2730 Lake Shore Drive

### Background

The Commission will hold a public hearing on a proposed Zoning Map Amendment. This was filed by Kenneth & Donna Linder to move their property from an “A” district to a “D” district.

### Master Plan References

None.

### Possible Options for Action

1. Recommend that City Council adopt the amendment. Sample Language:  
“I move to adopt the following resolution:  
*Whereas, Kenneth and Donna Linder (hereinafter “the Applicant”) submitted an application for a zoning map amendment (hereinafter “the Petition”);*  
*Whereas, The Applicant submitted the Petition for the following described property (hereinafter “the Property”):*  
*Lots 8 and 9 of Block 6 of the Lake Shore Drive Addition No. 1 of the City of Escanaba, according to the plat thereof, as recorded in Liber 1216 of Deeds, Page 446, Delta County Records,*  
*Parcel No. 051-210-3606-303-005,*  
*Commonly known as 2730 Lake Shore Drive;*  
*Whereas, The Planning Commission considered the Petition at a duly noticed public hearing which took place on the 8th Day of February 2024; and*  
*Whereas, The Planning Commission, after reviewing the proposed amendment, all reports and recommendations from staff, consultants, other reviewing agencies, & any public comments, identified and evaluated all factors relevant to the Petition; therefore, be it*  
*RESOLVED, That the Planning Commission adopts a Recommendation to the City Council that they consider the adoption of this Amendment based upon the following facts: [provide numbered list of facts]; and*  
*RESOLVED, that staff shall file this Recommendation with the City Council and transmit the following thereto:*
  - 1) A summary of the comments received at the hearing held on this Amendment,
  - 2) The Amendment itself, and
  - 3) A map depicting this Amendment.”
2. Recommend that City Council reject the amendment. Sample Language:  
“I move to adopt the following resolution:  
*Whereas, Kenneth and Donna Linder (hereinafter “the Applicant”) submitted an application for a zoning map amendment (hereinafter “the Petition”);*  
*Whereas, The Applicant submitted the Petition for the following described property (hereinafter “the Property”):*  
*Lots 8 and 9 of Block 6 of the Lake Shore Drive Addition No. 1 of the City of Escanaba, according to the plat thereof, as recorded in Liber 1216 of Deeds, Page 446, Delta County Records,*  
*Parcel No. 051-210-3606-303-005,*  
*Commonly known as 2730 Lake Shore Drive;*

*Whereas, The Planning Commission considered the Petition at a duly noticed public hearing which took place on the 8th Day of February 2024; and*

*Whereas, The Planning Commission, after reviewing the proposed amendment, all reports and recommendations from staff, consultants, other reviewing agencies, & any public comments, identified and evaluated all factors relevant to the Petition; therefore, be it*

*RESOLVED, That the Planning Commission adopts a Recommendation to the City Council that they reject the adoption of this Amendment based upon the following facts: [provide numbered list of facts]; and*

*RESOLVED, that staff shall file this Recommendation with the City Council and transmit the following thereto:*

- 1) A summary of the comments received at the hearing held on this Amendment,*
- 2) The Amendment itself, and*
- 3) A map depicting this Amendment.”*

### **Attachments**

1. Zoning Map Amendment Application: ZMA23001
2. “New D – Local Business Zoning District Ordinance of 2024” (Draft)
3. Amendment Map
4. Staff Report
5. Public Hearing Notice
6. Affidavit of Newspaper Publishing for Public Hearing Notices
7. Affidavit of Mailing for Public Hearing Notices
8. Mailing List

# 16

## ZONING MAP AMENDMENT APPLICATION

Planning & Zoning Department – City of Escanaba

906-786-9402 – permits@escanaba.org – 410 Ludington St. Escanaba, MI 49829

### PROPERTY IDENTIFICATION

Address	Parcel #
2730 Lake Shore Dr	051-210-3606-303-005

**AMENDMENTS.** The Council may from time to time on its motion or on petition, amend, supplement, or change the district boundaries or regulations herein established in the manner prescribed by the Michigan Zoning Enabling Act 110 of 2006. Whenever the owners of fifty (50) percent or more of the frontage in any district or part thereof shall present to the Council a petition in writing, duly signed, requesting an amendment, supplement, change, or repeal of the provisions prescribed for such district or part thereof, it shall be the duty of the Council to vote upon said petition within ninety (90) days after filing of the same by petitioners with the Council. If any area is hereafter transferred to another district by a change in district boundaries by an amendment as above provided, the provisions of this Ordinance, relating to buildings or uses of buildings or premises existing at the time of passage of this Ordinance shall apply to buildings or uses of buildings or premises existing at the time of passage of such amendment in such transferred area.

**PUBLIC HEARING NOTICE.** Public hearings for map amendments are required and shall be noticed accordingly. Notice of the public hearing will be made to certain persons and published in the newspaper not less than 15 days before the hearing so that they may appear before the Planning Commission to voice any objections, support, or to further inquire. Notice of the time and place of the public hearing shall also be given by mail to any of the following entities that have registered their name with the City Clerk for the purposes of receiving public notice: any electric, gas, or pipeline public utility company; each telecommunication service provider; each railroad operating within the district or zone affected; and the airport manager of each airport.

**AMENDMENTS AFFECTING TEN OR FEWER PARCELS.** If the proposed map amendment will impact 10 or fewer adjacent parcels, notice shall be given to 1) the owners of the property for which approval is being considered; 2) all persons to whom real property is assessed within 300 feet of the property, regardless of jurisdiction; and 3) to the occupants of all structures within 300 feet of the property, regardless of jurisdiction.

**AMENDMENTS AFFECTING ELEVEN OR MORE PARCELS.** If a map amendment is proposed that will impact 11 or more adjacent parcels, notice need not be given to those stated for amendments affecting ten or fewer parcels. *Further information regarding the process is outlined in Chapters 2 and 5 of the City Zoning Ordinance. The Ordinance can be found on our website at escanaba.org.*

### AMENDMENT DESCRIPTION

*Please describe the proposed map amendment, the reasons therefor, and any other relevant information. Attach a scaled drawing indicating what property/ies are proposed for change, and the current zoning district(s) of the property/ies and adjacent property/ies. You may also attach any evidence in support of your proposed amendment to this application.*

Description of Amendment

*We ask that the property - lot 8 of Block 6, and lot 9 of Block 6, of Lake Shore Drive Addition #1 be designated as commercial in accordance with its continued history of usage as commercial property in the city of Escanaba, or at least consider and establish the property as local Business District "D" property. It presently is located in a residential zone.*

# 16

## ZONING MAP AMENDMENT APPLICATION

Planning & Zoning Department – City of Escanaba

906-786-9402 – permits@escanaba.org – 410 Ludington St. Escanaba, MI 49829

### FEE, CONTACT INFORMATION, & AGREEMENT

Fee due upon submittal: **\$500**

I certify that the information contained in this application is true and correct to the best of my knowledge and belief at the time of the application. I acknowledge that I understand and have complied with all the submittal requirements and procedures, and that this application is complete. I further understand that an incomplete submittal may cause my application to be deferred.

*If any of these entities are a company and not an individual, write: "Company Name (Contact's Name)"*

Owner Name	Email
Kenneth & Donna Linder	Kendonnalinder@yahoo.com

Address, City, State, ZIP	Phone
W5991 34 Road	906-399-5678

Signature	Date
Kenneth Linder Donna Linder	Nov. 21, 2023

Applicant or Representative (if not the Owner) Name	Email

Address, City, State, ZIP	Phone

Signature	Date

\*\*\*\*\* THIS SECTION FOR STAFF USE ONLY \*\*\*\*\*

Date Submitted	Application correct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Receipt #	Case #
11/22/2023		9363951	2MA23001

**ORDINANCE NO. \_\_\_\_\_**

**NEW D – LOCAL BUSINESS ZONING DISTRICT ORDINANCE OF 2024**

WHEREAS, The People of the City of Escanaba did establish “An Ordinance to Amend Chapters I-XXII of The Zoning Ordinance as Codified Under Appendix A of the Code of Ordinances” on the 5<sup>th</sup> day of May 2022, with subsequent amendments thereto, hereinafter “the Zoning Ordinance”, and it is now desired to amend the Zoning Map established therein by adding another zoning district of the class known as “D – Local Business”, NOW THEREFORE, THE PEOPLE OF THE CITY OF ESCANABA HEREBY ORDAIN:

**CHAPTER I**

The Zoning Ordinance, section 401.3, established the Zoning Map. Said Zoning Map shall now be amended through the addition of a new district of an existing class. The boundaries of said new district shall contain only the following described property:

Lots 8 and 9 of Block 6 of the Lake Shore Drive Addition No. 1 of the City of Escanaba, according to the plat thereof, as recorded in Liber 1216 of Deeds, Page 446, Delta County Records;  
Parcel No. 051-210-3606-303-005;  
Commonly known as 2730 Lake Shore Drive.

Said new district shall be classified as “D – Local Business”. The surrounding districts’ boundaries shall be adjusted to reflect those of said new district. Further interpretation of district boundaries shall comply with the Zoning Ordinance.

**CHAPTER II**  
**SAVINGS CLAUSE**

If any section, subsection, sentence, clause, or phrase of this Ordinance is held to be unconstitutional, such decision shall not affect the validity of the remainder of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance, section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

**CHAPTER III**  
**CONFLICTING ORDINANCES REPEALING CLAUSE**

All Ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

**CHAPTER IV**  
**EFFECTIVE DATE**

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED:

APPROVED:

\_\_\_\_\_  
Laura Genovich,  
City Attorney

\_\_\_\_\_  
Mark Ammel,  
Mayor

Ordinance No. \_\_\_\_\_

ATTEST:

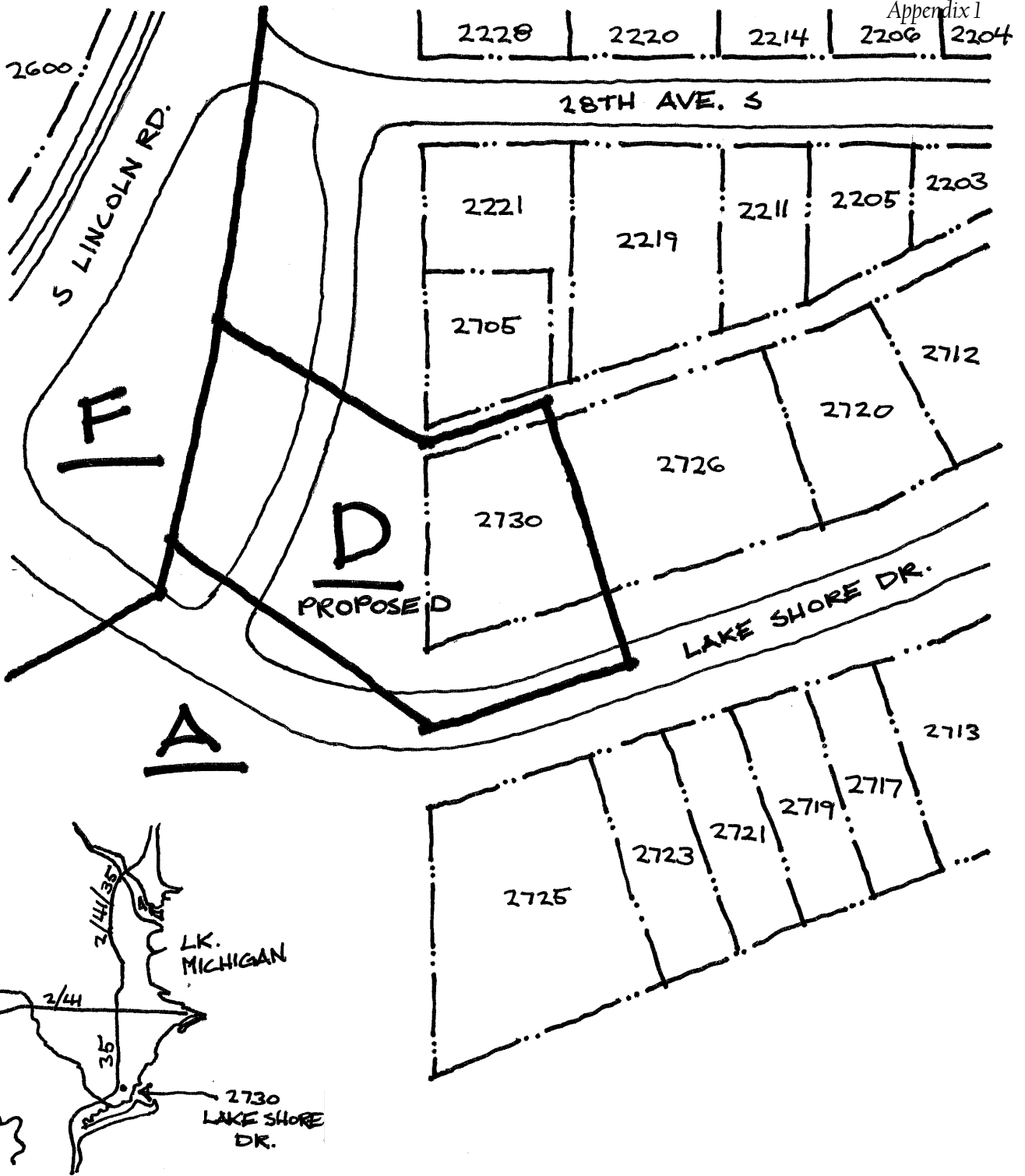
Date Approved: \_\_\_\_\_

Date Published: \_\_\_\_\_

\_\_\_\_\_  
Phil DeMay,  
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an ordinance duly adopted by the City Council of the City of Escanaba, County of Delta, State of Michigan, at a regular meeting held on \_\_\_\_\_. Said meeting was conducted, with public notice given, pursuant to and in full compliance with the Open Meetings Act, being MCL 15.261 et seq. Further, said ordinance was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on \_\_\_\_\_. The minutes of said meeting were kept and will be or have been made available as required by said Act.

\_\_\_\_\_  
Phil DeMay,  
City Clerk



**CITY OF ESCANABA**  
 PLANNING & ZONING DEPT.  
 410 LUDINGTON ST.

**MAP OF  
 NEW D-LOCAL BUSINESS ZONING  
 DISTRICT ORDINANCE OF 2024**

DRAWN: **T. ANTHONY**

DATE: **2/1/2024**

NOTE: ALL LOCATIONS ARE APPROXIMATE. CONTACT A PROFESSIONAL SURVEYOR IF LOCATIONS OF PROPERTY LINES AND STRUCTURES ARE NOT POSITIVELY KNOWN.



Patrick Connor, Chair  
James Hellermann, Commissioner  
Mark Sadowski, Commissioner

Roy Webber, Secretary  
Kasja Nelson, Commissioner  
Tyler Anthony, Planning & Zoning

Michael Harris, Commissioner  
Christiana Reynolds, Commissioner  
Ronald Beauchamp, City Council

## PLANNING COMMISSION

### Staff Report

#### REQUEST OVERVIEW

**Case #** ZMA23001

**Property Address:** 2730 Lake Shore Drive

**Applicant:** Kenneth & Donna Linder

**Property Owner:** Kenneth & Donna Linder

**Tax Parcel #** 051-210-3606-303-005

**Zoning District:** A (Single-Family Residential)

**Property Description:**

Lots 8 & 9 of Block 6 of the Lake Shore Drive Addition no. 1.

#### ZONING MAP AMENDMENT

The Planning Commission, as outlined in Zoning Ordinance sec. 103, is responsible for conducting a public hearing to review petitions for zoning ordinance or zoning map amendments. This review covers both the application and/or proposed amendment and any reports & recommendations from staff, consultants, or other reviewing agencies. This also includes any public comments received. The Commission must identify and evaluate all relevant factors, including criteria listed in the Ordinance.

Following the public hearing, the Commission must report its findings to the City Council. This report must include a recommendation for approval or denial of the amendment. Upon receipt of this report, the City Council can either schedule a public hearing or deny the amendment. The City Council's decision-making is limited to debate on criteria stated in the Ordinance. If deemed necessary, the City Council has the authority to instruct the Commission to conduct further proceedings.

These steps ensure a thorough and transparent evaluation of zoning ordinance or map amendments. It also ensures public input and adherence to established criteria throughout the decision-making process.

#### APPLICATION HISTORY

A zoning map amendment (rezoning) application was received on Wednesday, November 22, 2023 from Kenneth & Donna Linder (owners). The Zoning Administrator then processed the application in the usual way per the Zoning Ordinance, but then neglected to place it on the December meeting agenda. After realizing this mistake, the Zoning Administrator then placed the rezoning on the February meeting agenda. This allowed time to make public hearing notices.

#### PUBLIC HEARING NOTICES

The Zoning Administrator shall set, advertise, and give notice of a public hearing in accordance with sec. 201.5. Public hearing notification requirements have been fulfilled as follows:

- 300' Radius to Neighbors..... Friday, January 19, 2024
- Daily Press Newspaper ..... Wednesday, January 24, 2024
- City of Escanaba Website & Facebook..... Thursday, January 25, 2024



**ZONING MAP AMENDMENT CRITERIA**

The Commission shall consider the following criteria in their decision. Included below each standard is a staff response to that criterion.

**A. Are there substantial reasons why the property cannot be reasonably used as currently zoned?**

This refers to allowed uses in the zoning district, and whether the land can accommodate such activity.

*Staff Response:*

No, the property is perfectly capable of being used as currently zoned.

**B. Is the use more appropriately handled as a permitted use by right, or as a special land use, in the existing district or another district?**

Refer to the allowed uses in associated zoning districts.

*Staff Response:*

Irrelevant; no use is directly proposed here. This question is better suited to Special Land Use cases, where an actual land use is required as part of the process.

**C. Is the zone change supported in the master plan?**

See Map 32: “City of Escanaba Future Land Use” in the Escanaba Master Plan for more clarity.

*Staff Response:*

Yes and no. According to the Future Land Use map, the property is set to remain in a “moderate density residential” development area. However, there is an area projected to become a “general business district [sic]” across the highway to the northwest.

Per the Master Plan (p. 122): “The purpose of [these] areas ... is to accommodate a wide range of retail, office, and service uses that are compatible with residential neighborhoods. [It] exists within the fabric of a traditional residential neighborhood and serves as a transition between residential areas and more intensively developed zones.”

Being that such an area is designated on the *opposite* side of a 50-mph highway from the residential area – with no traffic signals or guarded crosswalks – it is hard to claim that it exists within that neighborhood. Allowing for some such Local Business District area on the highway’s near side would satisfy its intent.

**D. Would a change of present district boundaries be compatible with existing land uses in the area? Would it adversely affect property values?**

*Staff Response:*

Yes, it would be compatible; no, it would not adversely affect property values. The land uses on this property have been commercial in nature for as far back as can be reached. Property values wouldn’t be swayed one way or the other in the short term – although, if a small business moves in and succeeds, property values may rise over time.

**E. Are adequate sites available elsewhere that are already properly zoned to accommodate the proposed use?**

Again, this refers to allowed uses in a given zoning district.

*Staff Response:*

No. Currently, there are only four “D” zoning districts in the entire City, containing six properties in total. Only one of them is currently vacant, and it is located on the opposite side of the highway from the residential neighborhood such a district is intended to serve. While, again, no use is directly proposed here, there are not enough available sites to accommodate the uses listed for “D” zoning districts.

**F. Would the rezoning constitute a spot zone granting special privileges to one landowner not available to others?**

A zoning ordinance or amendment ... creating a small zone of inconsistent use within a larger zone is commonly designated as spot zoning (Penning v. Owens 1954).

*Staff Response:*

Yes and no. It would certainly constitute a spot zone, if adopted. However, all other “D” zoning districts qualify as spot zones. That is exactly the intent of this class of districts: to be woven into residential areas sparingly, allowing for some of the once-common businesses necessary for the vitality of such areas.

It is the Staff’s opinion that the “D” zoning district was created specifically to solve – albeit unartfully – a problem common to our chosen zoning style: the homogenization of vast areas of cities, where nothing but single-family dwellings are found. No ill will is harbored against such a land use here, but saturating a district with it and not allowing for some neighborhood self-sufficiency does no good.

**G. Was there a mistake in the original zoning classification?**

*Staff Response:*

Possibly. However, there is conflict between the different historical zoning maps on whether the property has always been in an “A” district, or if it was in a “D” district at some point.

**H. Has there been a change of conditions in the area supporting the proposed zoning?**

The conditions cited here refer only to physical characteristics and land use practices.

*Staff Response:*

Technically, no. But the need was always there, and it was usually satisfied by whatever use was present at this property at any given time.

**I. Would the change severely impact traffic, public facilities, and the natural characteristics of the area, or significantly change population density?**

*Staff Response:*

It would have zero impact.

**J. Is the proposed change out of scale with the needs of the community?**

Refer to sec. 5.3 of the Escanaba Master Plan for more clarity.

*Staff Response:*

Not at all. In fact, the mixing of uses is encouraged by that section.

**K. If the change is approved, what would be the probable effect on stimulation of similar zoning requests in the vicinity? Would this secondary effect negatively impact community plans and public services?**

*Staff Response:*

No stimulus of similar requests is expected, which would maintain a neutral effect.

**L. Is the proposed change precedent setting?**

*Staff Response:*

No; the precedent is already there. See the staff response to Question F above.

**M. Is the proposed boundary appropriate?**

*Staff Response:*

Yes. It’s one parcel.

**STAFF ANALYSIS**

This case roughly mirrors one which the Commission heard last year – roughly.

In fact, that case had an intent opposite to that which is under consideration here. That case (1801 Ludington Street) sought to move a commercially-zoned property – with a then-recently discontinued commercial use – into a residential zoning district so that a residential use could be established there. Without rezoning the property, a residential use would be illegal.

This case seeks to move a residentially-zoned property – which has only hosted commercial uses – into a commercial zoning district so that such uses can be established there once again. Without rezoning the property, a commercial use is illegal.

The owners have been trying to sell this property for some years. No sale has been made, almost entirely because of a conflict between the property’s zoning district classification and its tax classification. It’s zoned residential, but it’s taxed commercial. Because no commercial uses are allowed on the property, no businesses wish to buy it. And because the building currently on the property would be very expensive to convert into a dwelling, or to demolish and replace, no homebuyers wish to pick it up, either. Because the property once hosted a motor vehicle fueling station, potential buyers are also worried about environmental issues.

Staff believe this to be a very reasonable request. Its core purposes are to 1) make practices legal which have existed outside the Zoning Ordinance for decades; 2) done no harm to the neighborhood zoning-wise, through its commercial land uses; and 3) create an opportunity establish amenities which any residential district needs to function. The Commission would be doing right by the community if they were to recommend adoption of this rezoning amendment.

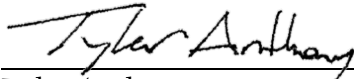
**FACT FINDING**

Per the *Bylaws*, all decisions made by the Commission must include findings of fact. The following is a recommended finding of facts:

1. There are no substantial reasons why the Property cannot be reasonably used as currently zoned.
2. There is no land use proposed in the Petition, and therefore the question of whether the use is more appropriately handled as a permitted use by right, or as a special land use, in the existing district or another district, is irrelevant.
3. The zone change is supported in the master plan.
4. A change of present district boundaries would be compatible with existing land uses in the area since previous uses already had, and it would not adversely affect property values.
5. While no specific use is proposed, there are not enough adequate sites available elsewhere already properly zoned to accommodate the use associated with the proposed zoning.

6. While the rezoning would constitute a spot zone, granting special privileges to one landowner not available to others, that is the apparent intent of this specific zoning, and it would satisfy an existing need in the area.
7. There may have been a mistake in the original zoning classification.
8. The conditions in the area have, currently and historically, supported the proposed zoning.
9. The change will not severely impact traffic, public facilities, or the natural characteristics of the area, nor will it significantly change population density.
10. The proposed change is not out of scale with the needs of the community.
11. If approved, there will probably be no effect on stimulation of similar zoning requests in the vicinity, and there will be a neutral effect on community plans and public services.
12. The proposed change is not precedent setting.
13. The proposed boundary is appropriate.

Respectfully submitted,



Tyler Anthony,  
Planning & Zoning Administrator

1/26/2023

Date



## PUBLIC HEARING NOTICE

**NOTICE IS HEREBY GIVEN**, in accordance with the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), that the City of Escanaba Planning Commission will conduct a public hearing on **Wednesday, February 8, 2023 at 6:00 p.m.** in the Council Chambers, Rm. C101, Escanaba City Hall, 410 Ludington Street, regarding:

### ***Zoning Map Amendment – 2730 Lake Shore Drive***

*The Commission will hold a public hearing on a proposed Zoning Map amendment. The applicant seeks to move their property from an A (Single-Family Residential) district to a D (Local Business) district.*

All interested persons are invited to attend this public hearing to express their views concerning the proposed Zoning Map Amendment.

Copies of the proposed Zoning Map Amendment are available for review at the Planning & Zoning Department (ph. 906-789-7302), Escanaba City Hall, second floor, during regular business hours.

Individuals requiring special accommodations to attend and participate in this meeting should contact the City Clerk's Office (ph. 906-786-1194) at least five days in advance.

Tyler Anthony  
Planning & Zoning Administrator  
City of Escanaba



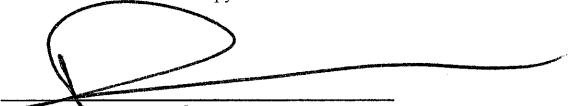
I RACHEL ROBINETTE being an authorized representative of THE DAILY PRESS/ UP ACTION NEWS

Escanaba Michigan, do hereby affirm that PUBLIC HEARING NOTICE - ZONING MAP AMENDMENT ad(s) for  
CITY OF ESCANABA of ESCANABA, MI

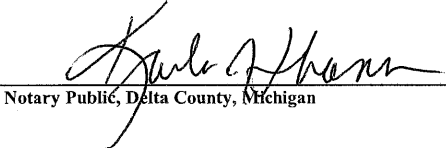
were inserted first on the following dates:

01/24/24 THE DAILY PRESS  
NOT IN THE TMC WEEKLY and  
01/24/24 ON THE DAILY PRESS WEBSITE

that the attached is a true copy thereof.

  
signature of authorized representative

Subscribed and sworn to before me this TWENTY NINTH day of JANUARY

  
Notary Public, Delta County, Michigan

My commission expires \_\_\_\_\_

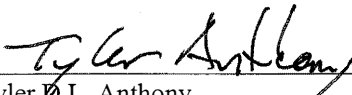
**KARLA J SHANN**  
**NOTARY PUBLIC-STATE OF MICHIGAN**  
**DELTA COUNTY**  
**MY COMMISSION EXPIRES MAR. 30, 2027**  
Acting in the County of Delta

**AFFIDAVIT OF MAILING FOR PUBLIC HEARING NOTICES**

The undersigned Affiant deposes and states as follows:

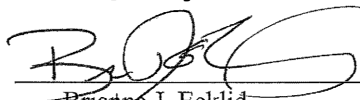
1. The Affiant is an employee of the City of Escanaba and is familiar with certain facts regarding the following described Property.  
     Lots 8 and 9 of Block 6 of the Lake Shore Drive Addition No. 1 of the City of Escanaba, according to the plat thereof, as recorded in Liber 1216 of Deeds, Page 446, Delta County Records.  
     Parcel No. 051-210-3606-303-005,  
     Commonly known as 2730 Lake Shore Drive.
2. That the Property was subject to a Public Hearing, which was set for 8 February 2024 at 6:00 PM before the Planning Commission, regarding the following described subject.  
     P-ZMA23001, Zoning Map Amendment: The applicant seeks to move their property from an A (Single-Family Residential) district to a D (Local Business) district.
3. That a Notice was prepared for the Public Hearing, in satisfaction of MCL 125.3103. A List of all persons, which either held real property or occupied structures, within a radius of 300 feet from the Property was also prepared.
4. That the Affiant did deposit with the United States postal service, First-Class Mail, on 19 January 2024, copies of the Notice for the Public Hearing which were addressed to all persons included in the List.
5. That this Affidavit is being executed and will be recorded to provide a record of mailing for the Notice.

City of Escanaba

By:   
 Tyler D.L. Anthony  
 Its: Planning and Zoning Administrator

STATE OF MICHIGAN            )  
   ) ss  
 COUNTY OF DELTA            )

The foregoing instrument was acknowledged before me this 23 day of January, 20 24 by Tyler D.L. Anthony, Planning and Zoning Administrator, on behalf of the City of Escanaba, a Michigan municipal corporation.

  
 Brianna J. Ecklid  
 Notary Public, County of Delta  
 Acting in Delta County  
 State of Michigan  
 My commission expires January 19, 2029

Address_Owners	City_Owners	Stat	ZIP_Cod	Address_Physical	Name_Owners
2228 26th Avenue South	Escanaba	MI	49829	2228 26th Avenue South	Ronald T & Lori A Stankowicz
2220 26th Avenue South	Escanaba	MI	49829	2220 26th Avenue South	William Leveille
2214 26th Avenue South	Escanaba	MI	49829	2214 26th Avenue South	James & Rhonda Beaudoin
2219 26th Avenue South	Escanaba	MI	49829	2219 26th Avenue South	Jon & Kerri Lancour
2211 26th Avenue South	Escanaba	MI	49829	2211 26th Avenue South	Alfred L Kommes
2205 26th Avenue South	Escanaba	MI	49829	2205 26th Avenue South	Clinton B & Danielle Marie Travis
2704 Lake Shore Drive	Escanaba	MI	49829	2203 26th Avenue South	Jamie A St Jacques
2726 Lake Shore Drive	Escanaba	MI	49829	2726 Lake Shore Drive	Lee & Melody Morrison
2720 Lake Shore Drive	Escanaba	MI	49829	2720 Lake Shore Drive	Dale P & Linda M Stannard
2712 Lake Shore Drive	Escanaba	MI	49829	2712 Lake Shore Drive	Brian P Stefl
342 Camino Del Mundo	Fort Collins	CO	80524	2221 26th Avenue South	Regina R Thompson c/o Terry N Thompson
2705 South Lincoln Road	Escanaba	MI	49829	2705 South Lincoln Road	Brian B & Diane C Donovan
4684 D Road	Bark River	MI	49807	2725 Lake Shore Drive	Carl & Therese Stenberg
4485 10.75 Lane	Bark River	MI	49807	2723 Lake Shore Drive	Joseph Kaplan & Christine Williams
4485 10.75 Lane	Bark River	MI	49807	2721 Lake Shore Drive	Joseph Kaplan & Christine Williams
2203 26th Avenue South	Escanaba	MI	49829	2203 26th Avenue South	Current Occupant
2221 26th Avenue South	Escanaba	MI	49829	2221 26th Avenue South	Current Occupant
2723 Lake Shore Drive	Escanaba	MI		2723 Lake Shore Drive	Current Occupant
2721 Lake Shore Drive	Escanaba	MI	49829	2721 Lake Shore Drive	Current Occupant
2719 Lake Shore Drive	Escanaba	MI	49829	2717 Lake Shore Drive	Anthony K Westerberk
2717 Lake Shore Drive	Escanaba	MI	49829	2717 Lake Shore Drive	Current Occupant
PO Box 48	Escanaba	MI	49829	2713 Lake Shore Drive	Elementary Rentals LLC
2713 Lake Shore Drive	Escanaba	MI	49829	2713 Lake Shore Drive	Current Occupant
2711 Lake Shore Drive	Escanaba	MI	49829	2711 Lake Shore Drive	Zachary Jennings
2719 Lake Shore Drive	Escanaba	MI	49829	2719 Lake Shore Drive	Anthony K Westerberk
PO Box 30028	Lansing	MI	48909	2801 Lake Shore Drive	State of Michigan - DNR
W5991 Number 34 Road	Carney	MI	49812	2730 Lake Shore Drive	Kenneth A & Donna R Linder



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## PLANNING COMMISSION

### Agenda Item Report – Thursday, February 8, 2024

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#### **NB1: Site Plan Review – 200 Ludington Street**

##### **Background**

The Commission will conduct a review of a proposed Site Plan. This review is being done in connection with the Special Land Use under agenda item PH1.

##### **Master Plan References**

- Action E1 “Compatible Maritime and Waterfront Uses”  
Seek, encourage, and foster a balance of uses and activities on the waterfront that are compatible with a working port and the broader goals of the community. Opportunities for waterside public access, open space, and the expansion of public use of the waterfront include improvements such as viewing platforms, piers, street ends, and non-motorized trails where feasible, or other physical improvements to improve the character and utilization of the waterfront should be explored. Develop form-base zoning [sic] standards that support waterfront redevelopment due to the irregular property line layouts.<sup>1</sup>
- Action E8 “Downtown Organization”  
The downtown should continue to be organized into functional zones in order to create a critical mass, for not only retail businesses, but for professional offices and services that support downtown living. The encouragement of retail and entertainment anchors in the downtown ties into the reorganization of the downtown in definable districts. Downtowns such as Escanaba have a difficult time competing with regional and franchise stores, but often times excel in specialty retail, restaurants, and entertainment type uses. A modification to the Zoning Ordinance encouraging the reorganization of the downtown from Ludington Park to Lincoln Road into definable districts is recommended. Zoning Ordinances should be revised to enhance street traffic by limiting non-retail first floor uses where practical. Additionally, form-based zoning standards should be adopted to reinforce desired use patterns within the downtown district. The ground floor of downtown buildings should be limited to retail uses and professional services with a retail element when located within the Central Retail District. Where possible, upper floors should be utilized for professional offices and residential units.<sup>2</sup>
- Action E21 “Brownfield Plan Implementation”  
Continue to implement the City’s brownfield redevelopment plan. Seek grant funding for brownfield redevelopment as needed.<sup>3</sup>
- Action H1 “Housing Variety Modifications - New Development”  
Housing variety modifications to the City’s Zoning Ordinance should be made which encourages the development of a variety of housing types such as owner-occupied townhomes, owner-occupied condominiums, and mixed uses. A variety in the housing styles will allow all

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<sup>1</sup> City of Escanaba, 2016 Master Plan, 103

<sup>2</sup> City of Escanaba, 2016 Master Plan, 104

<sup>3</sup> City of Escanaba, 2016 Master Plan, 107



age groups to find housing based on lifestyle conditions and remain in the City. The 2016 Target Market Analysis done for Delta County by Land Use USA indicates the market for single-family homes in Escanaba is saturated and that there is an unmet demand for owner-occupied townhomes, condominiums, and mixed-use housing units.<sup>4</sup>

- Action NI “Green Infrastructure”  
Revise site development guidelines to improve stormwater management practices. Although development standards already require stormwater management, additional guidelines that encourage impervious surfaces and low-impact development practices would improve environmental sustainability.<sup>5</sup>

**Possible Options for Action**

1. Approve the Site Plan. Sample language:

*“I move to adopt the following resolution:*

*Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a site plan review (hereinafter “the Site Plan”);*

*Whereas, The Applicant applied for the Site Plan for the following described property (hereinafter “the Property”):*

*All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records,*

*Parcel No. 051-010-2929-328-003,*

*Commonly known as 200 Ludington Street; and*

*Whereas, The Planning Commission reviewed the Site Plan at a regular meeting which took place on the 8<sup>th</sup> day of February 2024; therefore, be it*

*RESOLVED, That the Planning Commission approves the Site Plan based upon the following facts:*

*[provide numbered list of facts].”*

2. Conditionally approve the Site Plan. Sample language:

*“I move to adopt the following resolution:*

*Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a site plan review (hereinafter “the Site Plan”);*

*Whereas, The Applicant applied for the Site Plan for the following described property (hereinafter “the Property”):*

*All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records,*

*Parcel No. 051-010-2929-328-003,*

*Commonly known as 200 Ludington Street; and*

*Whereas, The Planning Commission reviewed the Site Plan at a regular meeting which took place on the 8<sup>th</sup> day of February 2024; therefore, be it*

*RESOLVED, That the Planning Commission approves the Site Plan based upon the following facts:*

*[provide numbered list of facts]; and*

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<sup>4</sup> City of Escanaba, 2016 Master Plan, 109

<sup>5</sup> City of Escanaba, 2016 Master Plan, 110



RESOLVED, That the Planning Commission imposes the following conditions on the Site Plan:  
[provide list of conditions].”

3. Deny the Site Plan. Sample language:

“I move to adopt the following resolution:

Whereas, Northshore Flats Development LLC (hereinafter “the Applicant”) submitted an application for a site plan review (hereinafter “the Site Plan”);

Whereas, The Applicant applied for the Site Plan for the following described property (hereinafter “the Property”):

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock, as recorded in Liber 91 of Deeds, Page 351, Delta County Records,

Parcel No. 051-010-2929-328-003,

Commonly known as 200 Ludington Street; and

Whereas, The Planning Commission reviewed the Site Plan at a regular meeting which took place on the 8<sup>th</sup> day of February 2024; therefore, be it

RESOLVED, That the Planning Commission denies the Site Plan based upon the following facts:  
[provide numbered list of facts].”

**Attachments:**

1. Site Plan Review Application: SLU23001
2. Drawings
3. Staff Report

**PROPERTY IDENTIFICATION**

Address	Parcel #
200 LUDINGTON ST., ESCANABA, MI 49829	051-010-2929-328-003

**GENERAL.** All construction or addition to buildings in the City of Escanaba requires a zoning permit, whether a building permit is required or not. If you are unsure if you need a building permit, please call the Delta County Building & Zoning Department at (906) 789-5189. It is the responsibility of all parties involved to review the zoning ordinance for standards which may affect their project. These conditions are not exclusive.

**APPLICATION.** Site Plan review ensures that developments integrate well with adjacent uses, minimize nuisance to adjoining land, provide safe and functional traffic access and parking, and reduce impacts on the environment. Site plan review applications shall be received not less than 21 calendar days before a scheduled Planning Commission review. All site plans shall be submitted to the Zoning Administrator for administrative review, who shall determine whether the site plan is complete and ready for Commission review.

**STANDARDS.** A site plan shall conform to all applicable local, State, and federal laws and ordinances. Approval may be conditioned upon the applicant receiving necessary local, State, and federal permits before final site plan approval. In addition, a development shall conform to the site development standards cited in City of Escanaba Zoning Ordinance sec. 1907, which shall be reflected on the site plan.

**NOTICE TO NEIGHBORS.** On all developments requiring site plan review by the Planning Commission, regardless of whether a public hearing is required, the City shall notify property owners within 300’ of the site plan parcel of the date, time, location of the review and give information on how comments may be submitted.

**PENALTIES FOR WORK DONE BEFORE APPROVAL.** It is illegal to begin construction work before a zoning permit is obtained. If such work is done, citations and fines may be issued. Additionally, if the work violates any provision of the zoning ordinance, that work must be moved or altered to achieve compliance.

**ACCESS BY CITY EMPLOYEES.** Staff from the Planning & Zoning Dept. may visit the property for zoning permit inspections. Staff from the Assessing Dept. may visit the property for tax purposes.

**PROJECT INFORMATION**

*What are you building? Please check only one.*

<input checked="" type="checkbox"/> NEW BUILD or ADDITION: Multi-family residential building (5 units or more)	<input type="checkbox"/> NEW BUILD or ADDITION: Industrial building	<input type="checkbox"/> NEW BUILD or ADDITION: Any building within zoning district C-2: Residential  <input type="checkbox"/> Planned-Unit Development, E-1: Planned Commercial Development, or E-2: Special Planned Development
<input type="checkbox"/> NEW BUILD or ADDITION: Commercial building of 5,000 s.f. or more in lot coverage	<input type="checkbox"/> NEW BUILD or ADDITION: Communications tower	
	<input type="checkbox"/> CHANGE OF USE: 200 to 2299 Ludington Street	

*Please complete the following information as fully as possible. Staff can help find some information. Submit this form with **one print copy and one digital copy** of a site plan compliant with zoning ordinance sec. 1802.2.*

Project Description

**THIS PROJECT IS TO CONSTRUCT TWO BUILDINGS ON THE SITE TO PROVIDE FOR 23 RESIDENTIAL CONDOMINIUM UNITS. INDOOR PARKING TO BE PROVIDED UNDER BOTH BUILDINGS WITH ACCESS FROM THE ALLEY TO NORTH AND WEST OF THE SITE. THE BUILDINGS ARE STORIES ABOVE THE PARKING LEVELS. THE FIRST FLOOR WITH RESIDENTIAL USE IS A HALF STORY ABOVE LUDINGTON STREET.**

E-3 CENTRAL COMMERCIAL

61,485 S.F.

4

52'-11"

Zoning Use Type

Area (s.f.)

# of Floors Above Grade

Max Height (ft)

New utility services to be provided by the City:



Electric



Water



Sanitary Sewer



Storm Sewer

n/a

**FEES**

Your actual fee is based on your lot's area in acres. To find that amount, multiply the lot area by the indicated area factor, input that amount, add the base amount, then input the actual fee. **Max actual fee is \$2,000.**

Lot Area (i.e.: 0.164)	Area Factor	Area Amt	Base Amt	Actual Fee
Fee =	x \$150	= \$	+ \$400	= \$

**CONTACT INFORMATION, AFFIDAVIT, AND SIGNATURES**

I, the undersigned, have read and understand the statements on page 1 of this application. I acknowledge that the information in this application is true, and if found not to be true, any issued zoning permit may be void. I agree to comply with the conditions and regulations provided with any permit that may be issued and will also comply with all applicable sections of the City of Escanaba Zoning Ordinance. I give permission for officials of the City of Escanaba, the County, and the State of Michigan to enter the property subject to this permit application for purposes of inspection. Finally, I understand that this is a zoning permit application and not a permit. I understand that a zoning permit, if issued, conveys only land use rights, and does not include any representation or conveyance of right in any other statute, building code, deed restriction or other property rights.

*If any of these entities are a company and not an individual, write: "Company Name (Contact's Name)"*


**Owner Name** Email  
 NORTSHORE FLATS DEVELOPMENT, LLC (MATTHEW SVILAND) swaneeinc@gmail.com

Address, City, State, ZIP Phone  
 1121 LAKESHORE DRIVE ESCANABA, MI 49829 906-420-4461

Signature Date  
 12/22/2023

**Applicant (if not the Owner) Name** Email  
 BARRY J. POLZIN BPOLZIN@BJPARCHITECTS.COM

Address, City, State, ZIP Phone  
 101 N. LAKESHORE BLVD. MARQUETTE, MI, 49855 906-226-8661

Signature Date  
 12/22/2023


**Contractor (if not the Owner) Name** Email

Address, City, State, ZIP Phone

Signature Date

**Architect/Engineer (if not the Contractor) Name** Email  
 BARRY J. POLZIN ARCHITECTS BPOLZIN@BJPARCHITECTS.COM

Address, City, State, ZIP Phone  
 101 N. LAKESHORE BLVD. MARQUETTE, MI, 49855 906-226-8661

Signature Date  
 12/22/2023

**Other (please specify) Name** Email

Address, City, State, ZIP Phone

Signature Date

\*\*\*\*\* THIS SECTION FOR STAFF USE ONLY \*\*\*\*\*

Date Submitted Application correct?  Yes  No Zoning Code Receipt # Permit #  
 12/26/2023 Corner lot?  Yes  No E-3 9371332 SLU23001

Easements/ROWs  
 No known easements.



# NORTHSHORE FLATS

200 LUDINGTON ST., ESCANABA, MICHIGAN 49829  
JANUARY 26, 2023

OWNER:  
NORTHSHORE FLATS DEVELOPMENT LLC  
1121 LAKESHORE DRIVE  
ESCANABA, MI 49829

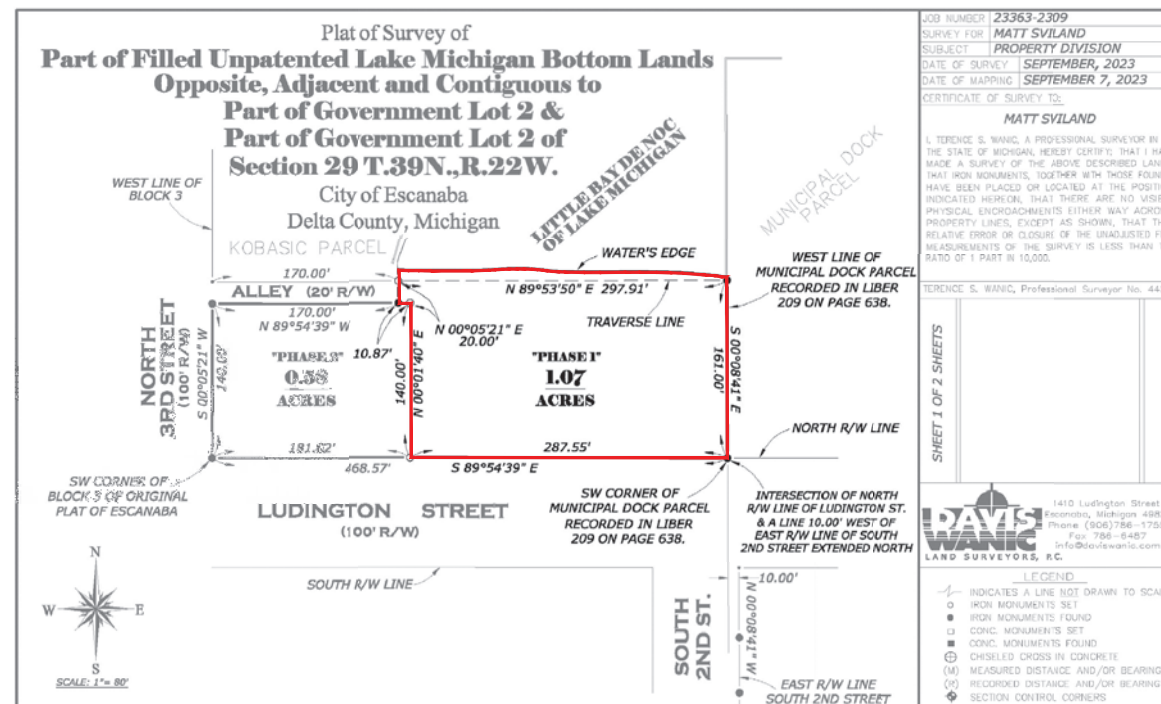
ARCHITECT:  
BARRY J. POLZIN ARCHITECTS  
101 N. LAKESHORE BLVD.  
MARQUETTE, MI 49855  
906-226-8661



NEIGHBORHOOD SITE PLAN  
SCALE: 1" = 60'-0"



CONCEPTUAL RENDERING ONLY: SEE FOLLOWING SHEETS FOR ACCURATE REPRESENTATION OF PROJECT



SURVEY  
SCALE: 1" = 80'-0"

JOB NUMBER	23363-2309
SURVEY FOR	MATT SVILAND
SUBJECT	PROPERTY DIVISION
DATE OF SURVEY	SEPTEMBER, 2023
DATE OF MAPPING	SEPTEMBER 7, 2023
CERTIFICATE OF SURVEY TO:	MATT SVILAND
I, TERENCE S. WANG, A PROFESSIONAL SURVEYOR IN THE STATE OF MICHIGAN, HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE ABOVE DESCRIBED LANDS, THAT IRON MONUMENTS, TOGETHER WITH THOSE FOUND HAVE BEEN PLACED OR LOCATED AT THE POSITIONS INDICATED HEREON, THAT THERE ARE NO VISIBLE PHYSICAL ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES, EXCEPT AS SHOWN, THAT THE RELATIVE ERROR OR CLOSURE OF THE UNADJUSTED FIELD MEASUREMENTS OF THE SURVEY IS LESS THAN THE RATIO OF 1 PART IN 10,000.	
TERENCE S. WANG, Professional Surveyor No. 442596	

LEGAL DESCRIPTION

NORTHSHORE FLATS PHASE 1: FROM THE SW CORNER OF BLOCK 3 OF THE ORIGINAL PLAT OF ESCANABA AS RECORDED IN LIBER "A" OF DEEDS ON PAGE 74 MEASURE S.89°54'39"W. A DISTANCE OF 10.87 FEET, THENCE N.00°05'21"W. A DISTANCE OF 20.00 FEET TO A TRAVERSE LINE ALONG THE SHORE OF LITTLE BAY DE NOC, THENCE N.89°53'50"E. ALONG SAID TRAVERSE LINE A DISTANCE OF 297.91 FEET TO A POINT ON THE WEST LINE OF THE MUNICIPAL DOCK PARCEL AS RECORDED AT LIBER 209 OF DEEDS ON PAGE 638, THENCE S.00°08'41"E. ALONG SAID WEST LINE A DISTANCE OF 161.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF SAID LUDINGTON STREET, THENCE N.89°54'39"W. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 287.55 FEET TO THE POINT OF BEGINNING. CONTAINING 1.07 ACRES.

NOTES

- A SEDIMENTATION AND EROSION CONTROL PERMIT APPLICATION WILL BE MADE PRIOR TO CONSTRUCTION. SILT FENCE TO BE PLACED AT EDGES OF BUILDABLE SITE.
- ANY LOCAL, STATE, OR FEDERAL PERMITS THAT ARE REQUIRED WILL BE OBTAINED PRIOR TO CONSTRUCTION.

SITE DATA

ZONING:	E-3 CENTRAL COMMERCIAL
SITE AREA:	46,609 S.F. (1.07A)
BUILDING FOOTPRINT AREA:	16,495 S.F.
LOT COVERAGE:	35% (85% MAXIMUM ALLOWED)

BUILDING DATA

USE GROUP	R2	
FIRST FLOOR:	BUILDING 'A' 7,166 S.F.	BUILDING 'B' 9,329 S.F.
SECOND FLOOR:	5,863 S.F.	7,718 S.F.
THIRD FLOOR:	5,863 S.F.	7,718 S.F.
PARKING:	7,845 S.F.	10,183 S.F.
TOTAL:	2,6537 S.F.	34,948 S.F.

THE ENTIRE BUILDING IS PROTECTED BY AN AUTOMATIC FIRE SUPPRESSION SYSTEM.

INDEX TO DRAWINGS

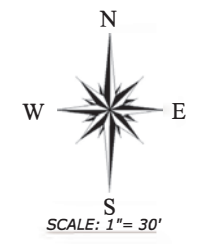
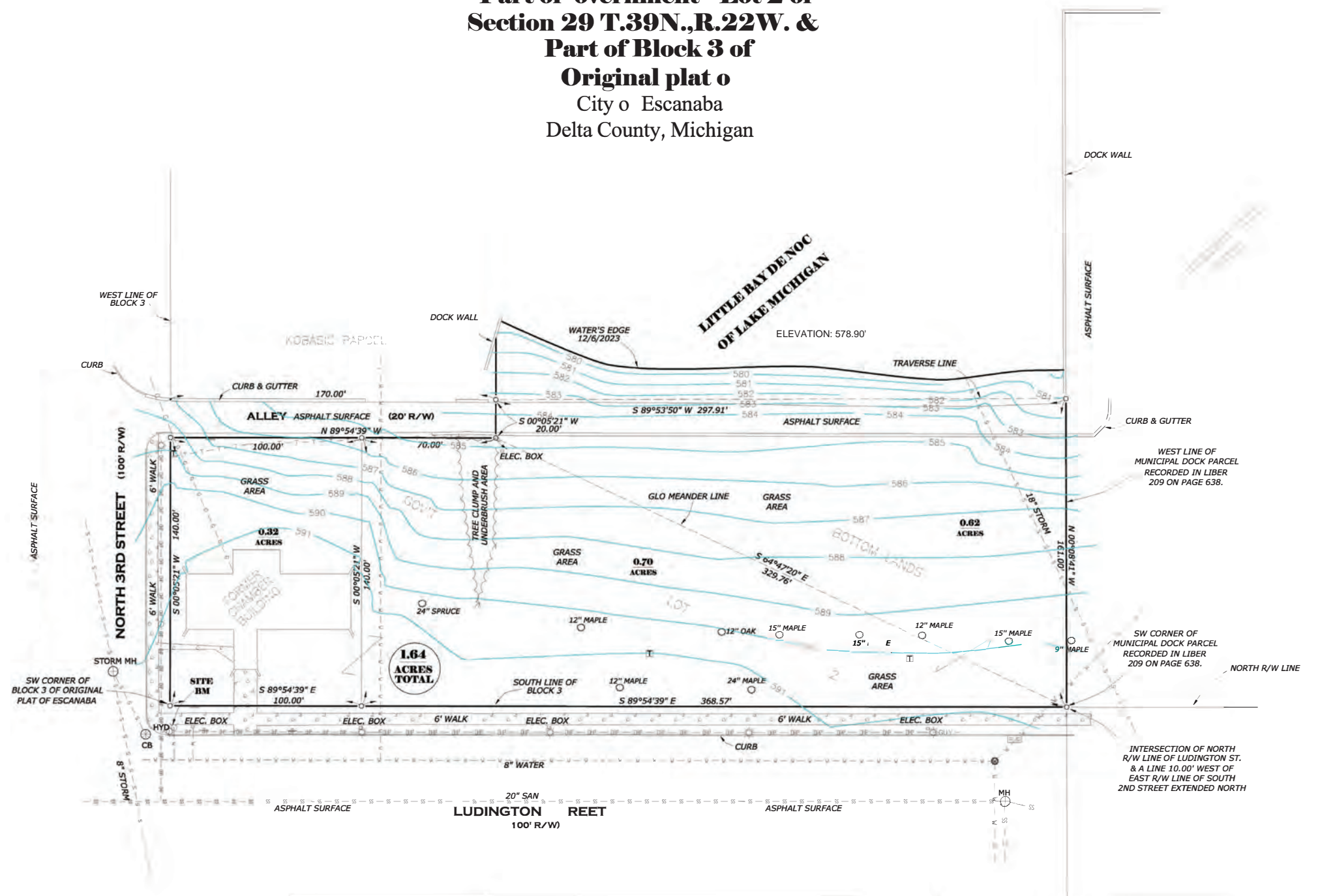
- COVER
- C1.0 PARCEL SURVEY
- AS1.0 ARCHITECTURAL SITE PLAN
- AS1.1 UTILITY/GRADING SITE PLAN
- L1.0 LANDSCAPE PLAN
- A1.0 FLOOR PLANS/EXTERIOR ELEVATIONS
- R1.0 RENDERINGS



BARRY J. POLZIN  
ARCHITECTS



Plat o Survey of  
**Part o Filled Unpatented Lake Michigan Bottom lands**  
**Opposite, Adjacent and contiguous to**  
**Part of Government Lot 2 of**  
**Section 29 T.39N.,R.22W. &**  
**Part of Block 3 of**  
**Original plat o**  
 City o Escanaba  
 Delta County, Michigan



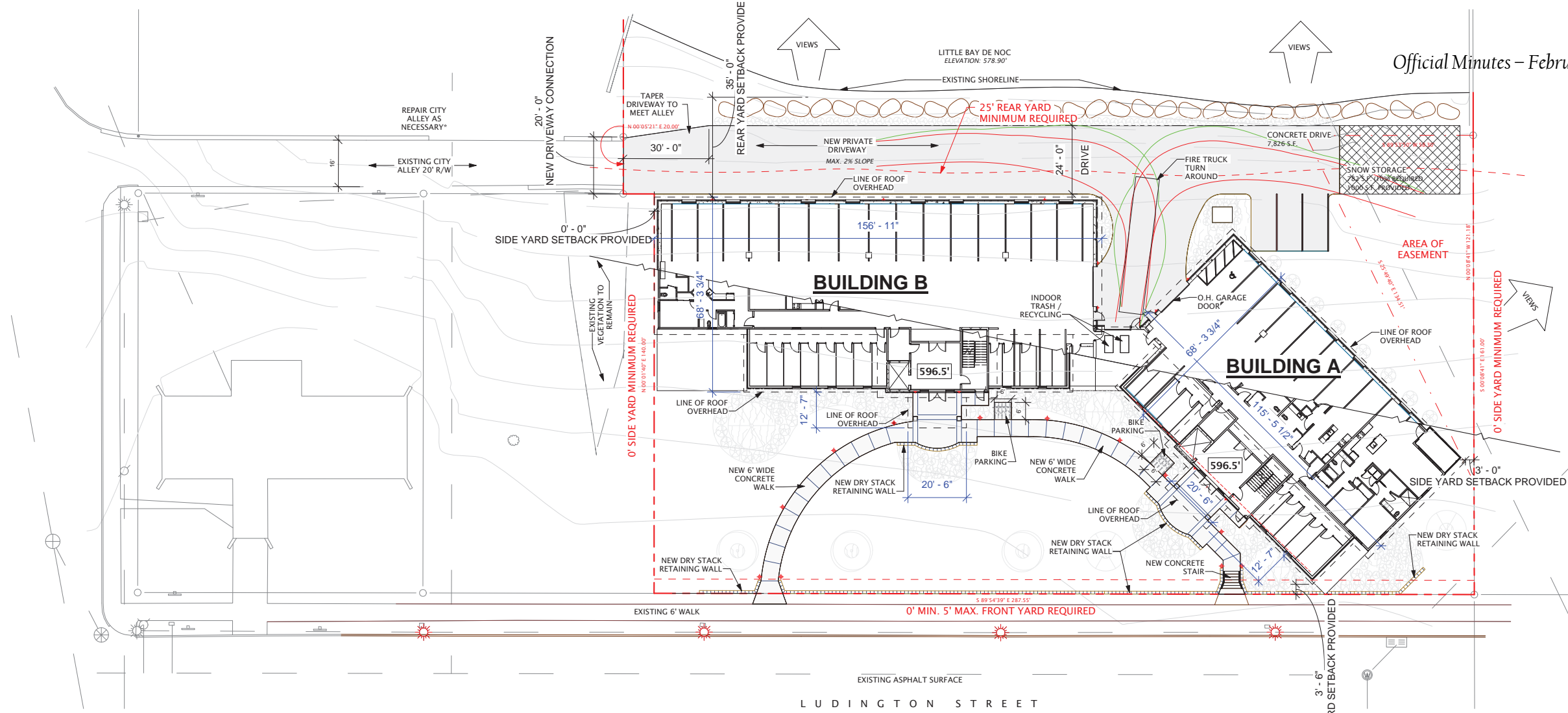
**LEGEND**

- ⊕ INDICATES A GUARD POST
- △ INDICATES A SIGN
- INDICATES AN IRON MONUMENT'S SET
- INDICATES IRON MONUMENTS FOUND
- ⊕ INDICATES A TELEPHONE JUNCTION BOX
- ⊕ INDICATES A LIGHT POLE
- ⊕ INDICATES A UTILITY POLE
- ⊕ INDICATES A WATER VALVE
- ⊕ INDICATES A CATCH BASIN
- HYD ⊕ INDICATES A MAN HOLE
- INDICATES PROPERTY SETBACKS
- INDICATES UNDERGROUND FIBER LINE
- W—W— INDICATES A WATERMAIN
- E—E— INDICATES UNDERGROUND POWER
- P—P— INDICATES OVERHEAD POWER / CABLE
- G—G— INDICATES UNDERGROUND GAS LINE
- T—T— INDICATES UNDERGROUND TELEPHONE
- S—S— INDICATES SANITARY SEWER LINE
- GUY—GUY— INDICATES GUY WIRE
- S—S— INDICATES STORM LINE
- INDICATES CONCRETE SURFACE

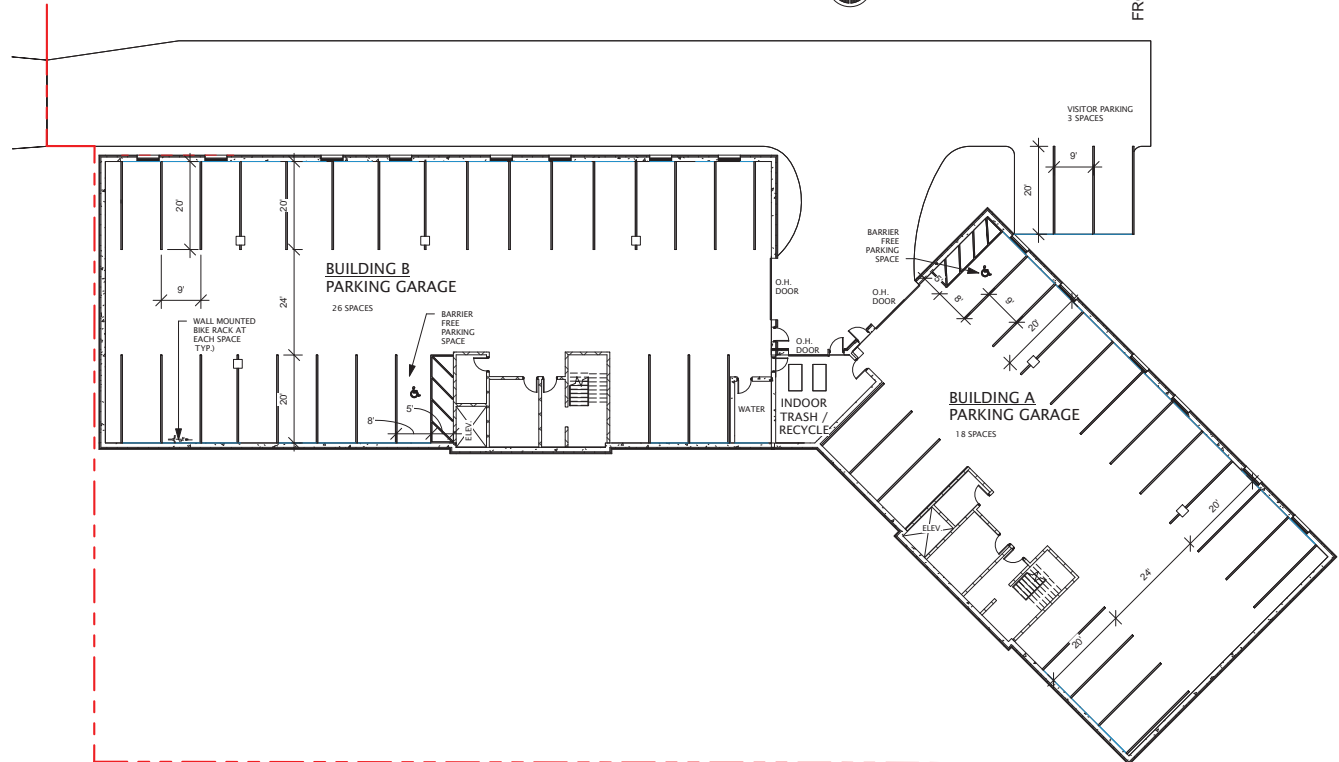
SURVEY TESTS:	BENCH MARK DATA
1. UNDERGROUND UTILITY LOCATION WERE LOCATED FROM EXISTING ON GROUND MARKINGS OR CITY UTILITY MAPPING. 2. ELEVATIONS ARE IN NGVD 29 DATUM. 3. HORIZONTAL COORDINATES ARE REFERENCED TO LOCAL SITE. 4. CONTOUR INTERVAL IS 1.0'.	NW FLANGE NUT ON HYDRANT NEAR SW PROPERTY CORNER ELEVATION = 593.60' (NGVD 29 DATUM)  REFERENCE BENCHMARK - C & GS MONUMENT - BM F 203 ELEVATION = 606.35' (NGVD 29 DATUM)

**SWANEE INC.**  
 LAND SURVEYING, INC.  
 1410 Ludington Street  
 Escanaba, Michigan 9829  
 Phone (906)786-1755,  
 Fax 786-6487

JOB NUMBER: SWANEE INC. TOPO - 23J  
 SURVEY FOR: SWANEE INC.  
 SUBJECT: TOPOGRAPHIC SURVEY  
 DATE OF SURVEY: DECEMBER, 2023  
 DATE OF MAPPING: DECEMBER 11, 2023



ARCHITECTURAL SITE PLAN  
1" = 20'-0"



PARKING GARAGE LEVEL  
1" = 20'-0"

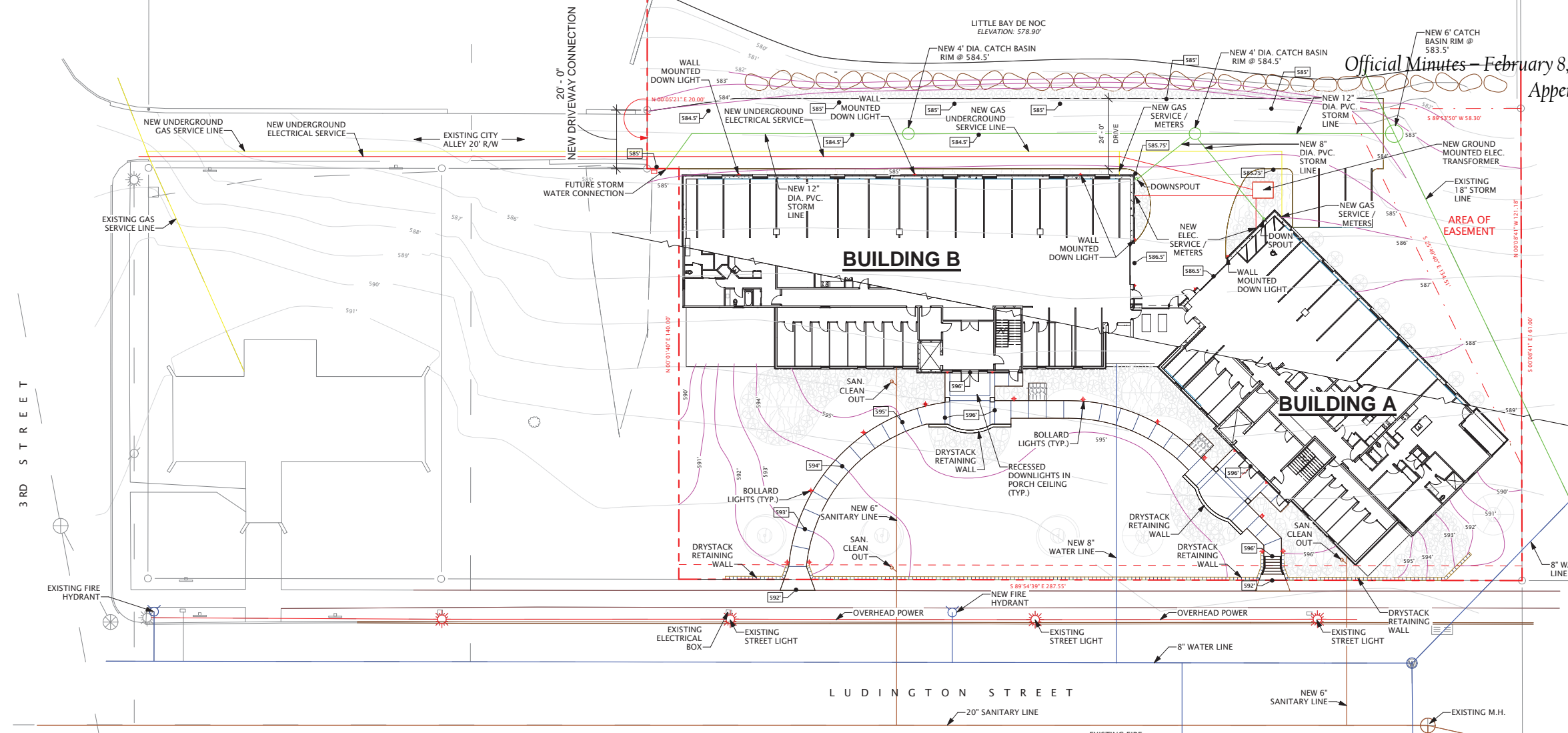
BUILDING B		
	UNITS	REQUIRED PARKING SPACES
1 BED	2	2
2 BED	9	12
3 BED	2	3
		17 SPACES REQUIRED
2 BIKE PARKING SPACES PER UNIT PROVIDED INDOORS		26 SPACES SPACES PROVIDED INSIDE

BUILDING A		
	UNITS	REQUIRED PARKING SPACES
1 BED	2	2
2 BED	6	8
3 BED	2	3
		13 SPACES REQUIRED
2 BIKE PARKING SPACES PER UNIT PROVIDED INDOORS		20 SPACES SPACES PROVIDED 18 INSIDE / 2 OUTSIDE

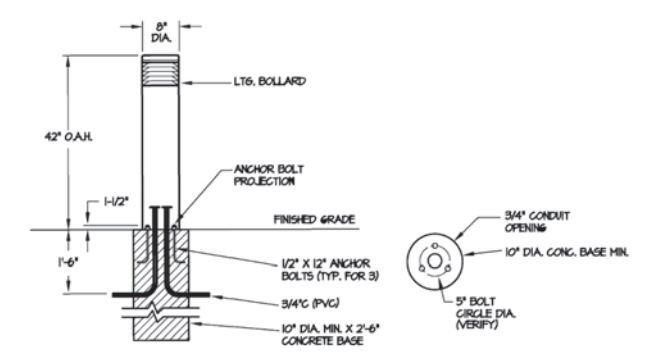
REVISION	DATE	ISSUE	BY

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UTILITY / GRADING SITE PLAN  
1" = 20'-0"



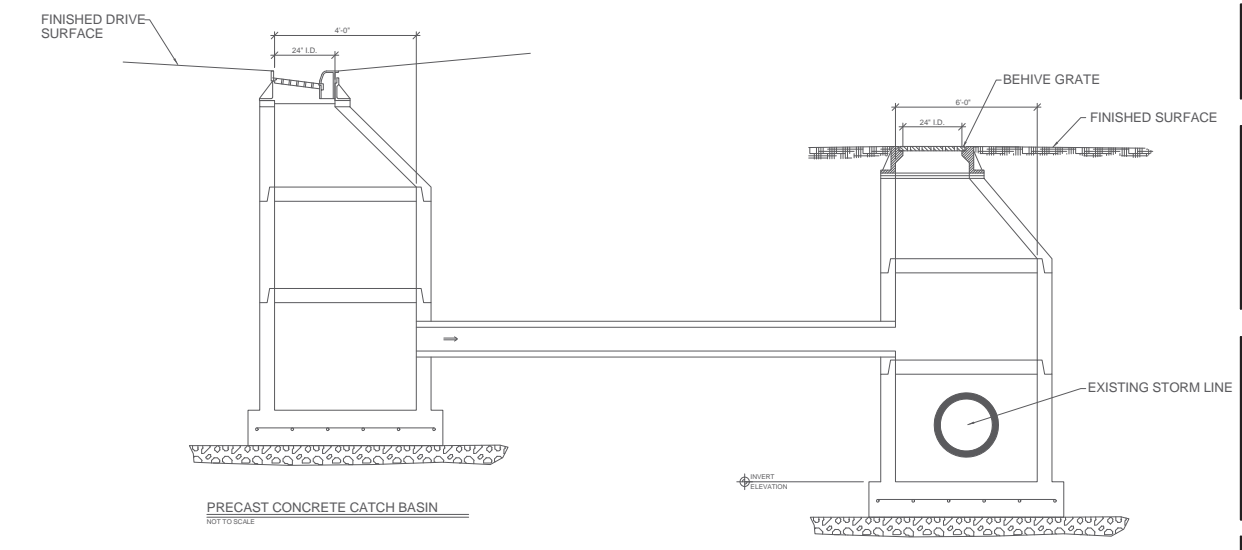
TYPE "DD" LIGHTING FIXTURE AND CONCRETE BASE DETAIL

NO SCALE  
NOTE: VERIFY BASE PLATE, BOLT PATTERN AND BASE CONFIGURATION AND REQUIREMENTS WITH MANUFACTURER.

BOLLARD LIGHT  
RAB LIGHTS BOLLARD B17 19W



WALL MOUNTED DOWNLIGHT  
RAB LIGHTS SLIM 37W FULL CUTOFF MOUNTED AT 9' ABOVE DRIVEWAY



STORM WATER SYSTEM DIAGRAM

Design: Barry J. Polzin  
Drawn By: MRA  
Date of Issue: 1/26/24

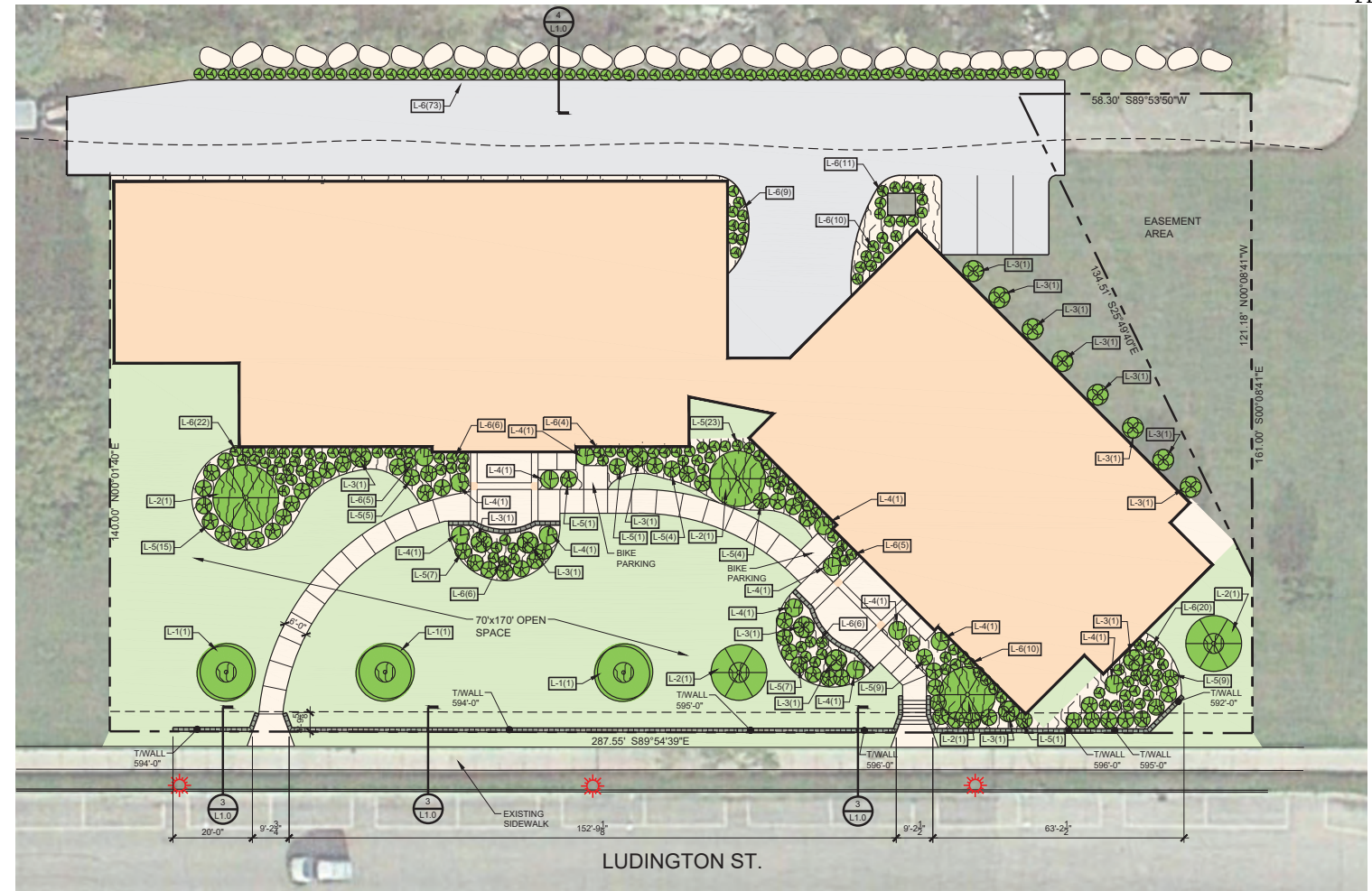
REVISION	DATE	ISSUE	BY

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IRRIGATION SPECIFICATIONS	
1.	CONTRACTOR SHALL SUBMIT A DETAILED IRRIGATION DESIGN DRAWING FOR THE IRRIGATION SYSTEM, PIPING LAYOUT AND SIZING, LOCATION AND TYPE OF SPRINKLER HEADS, VALVES (NUMBERED, WITH GPM RATES), CONTROLLER AND ELECTRICAL SERVICE, AND A COMPLETE SCHEDULE OF PARTS AND FITTINGS. SUBMIT MANUFACTURER'S PRODUCT DATA FOR ALL SYSTEM COMPONENTS.
2.	DO NOT BEGIN WORK UNTIL IRRIGATION DESIGN DRAWING AND MANUFACTURER'S PRODUCT DATA ARE APPROVED BY ARCHITECT.
3.	LOCATION OF CONTROLLER SHALL BE CONFIRMED WITH ARCHITECT PRIOR TO INSTALLATION. PROVISIONS FOR 110V ELECTRIC SERVICE FOR CONTROLLER.
4.	INDICATE HYDROSTATIC WATER PRESSURE ON IRRIGATION DESIGN DRAWING. HYDROSTATIC PRESSURE SHOULD BE AT LEAST 60 PSI. PROVIDE PUMPS AS REQUIRED TO PROVIDE PRESSURE.
5.	SYSTEM SHALL BE DESIGNED FOR HEAD-TO-HEAD COVERAGE WITH CAPABILITY FOR 1" WATER/HOUR COVERAGE OF ALL AREAS. COVERAGE AREA INCLUDES ALL PLANTING BEDS AND LAWN AREAS.
6.	KEEP FACE OF BUILDING, WALKS, DRIVES, PARKING AND OTHER PAVED AREAS DRY.
7.	PROVIDE SEPARATE ZONES FOR LAWN VERSES PLANTING VERSES ANNUAL/PERENNIAL AREAS.
8.	PIPING MUST BE LAID OUT TO AVOID ROOTS OF NEW AND EXISTING TREES. IF HEADS MUST BE LOCATED NEAR EXISTING TREES, THE PIPE ROUTE SHOULD BE AIMED RADIALLY TOWARD THE TREE, NOT ACROSS ITS ROOT ZONE.
9.	UPON INSTALLATION OF ALL MAIN LINE PIPE, PERFORM A ONE HOUR 100 PSI PRESSURE TEST IN THE PRESENCE OF ARCHITECT. DO NOT CONTINUE WITH THE WORK UNTIL A SUCCESSFUL PRESSURE TEST HAS BEEN DEMONSTRATED.
10.	UPON COMPLETION OF THE INSTALLATION, INSPECT AND FINE TUNE THE ENTIRE SYSTEM. DEMONSTRATE THE SUCCESSFUL OPERATION OF ALL ZONES IN THE PRESENCE OF THE OWNER. SUBMIT COMPLETE OPERATING AND MAINTENANCE INSTRUCTIONS INCLUDING WINTER SHUT DOWN AND SPRING START UP TO THE OWNER.
11.	PROVIDE AND INSTALL IRRIGATION METER (CITY ISSUED) AND ANY REQUIRED BACKFLOW PREVENTION.

LANDSCAPE NOTES	
1.	CONTRACTOR SHALL STAKE OUT ALL TREES AND PLANTING BED CONFIGURATIONS PRIOR TO ACTUAL CONSTRUCTION FOR APPROVAL BY ARCHITECT.
2.	ENSURE THAT ALL PLANTING BEDS AND LAWN AREAS HAVE POSITIVE DRAINAGE AWAY FROM BUILDING. CONTACT ARCHITECT IF PROBLEMS ARISE.
3.	ALL SHRUBS AT EDGE OF PLANTING BED SHALL BE PLANTED IN LINE AND FOLLOWING THE EDGE OF THE PLANTING BED. PLANTS TO BE SET BACK FROM EDGE OF PLANTING BED. 1/2 THE DISTANCE OF O.C. PLANT SPACING.
4.	INSTALL SOD IN ALL AREAS AS INDICATED. SOD TO BE KENTUCKY 31 FESCUE. SOD SOIL LAYER TO BE FLUSH WITH ADJACENT PAVEMENT. SOD TO BE PLACED OVER 4" TOPSOIL (MINIMUM).
5.	ALL PLANTING BEDS TO BE BOUNDED BY EDGING. EDGING TO BE 3/16" X 4" STEEL EDGING PAINTED DARK GREEN, BY JOSEPH RYERSON & SONS, ST. LOUIS, MISSOURI (314) 231-1020 (OR EQUAL). INSTALL EDGING IN CONSISTENT STRAIGHT OR CURVED ALIGNMENT. TOP OF EDGING TO BE 1" - 1.5" ABOVE ADJACENT GRADE.
6.	INSTALL FLAT MULCH RING AROUND TREES IN ALL SOD AREAS. MULCH TO BE 3" THICKNESS, 2" BEYOND TRUNK.
7.	MULCH AT BEDS IN PARKING LOTS TO RECEIVE 3" OF STONE MULCH.

LANDSCAPE SPECIFICATIONS	
1.	ALL PLANT MATERIAL SHALL MEET OR EXCEED THE SPECIFICATIONS OF THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS, CURRENT EDITION.
2.	ALL PLANTING BEDS FOR SHRUBS, GROUND COVER, AND ANNUALS/PERENNIALS SHALL HAVE CONTINUOUS BED PREPARATION. EXISTING SOIL SHALL BE MIXED WITH SOIL AMENDMENTS AND/OR CONDITIONERS CONSISTENT WITH THE BEST LOCAL PRACTICES OF THE REGION, TO A DEPTH OF 2" - 4" BELOW AND 12" WIDER THAN THE ROOT BALL OR CONTAINER.
3.	ALL PLANTING BEDS SHALL BE MULCHED WITH 2" - 3" DEPTH OF MULCH.
4.	ALL LANDSCAPE AND IRRIGATION WORK SHALL BE GUARANTEED FOR ONE (1) YEAR BEGINNING ON THE DATE OF ACCEPTANCE OF THE COMPLETE INSTALLATION BY THE OWNER OR PROJECT DESIGN CONSULTANT.

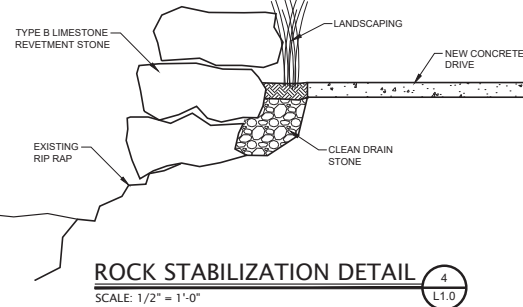
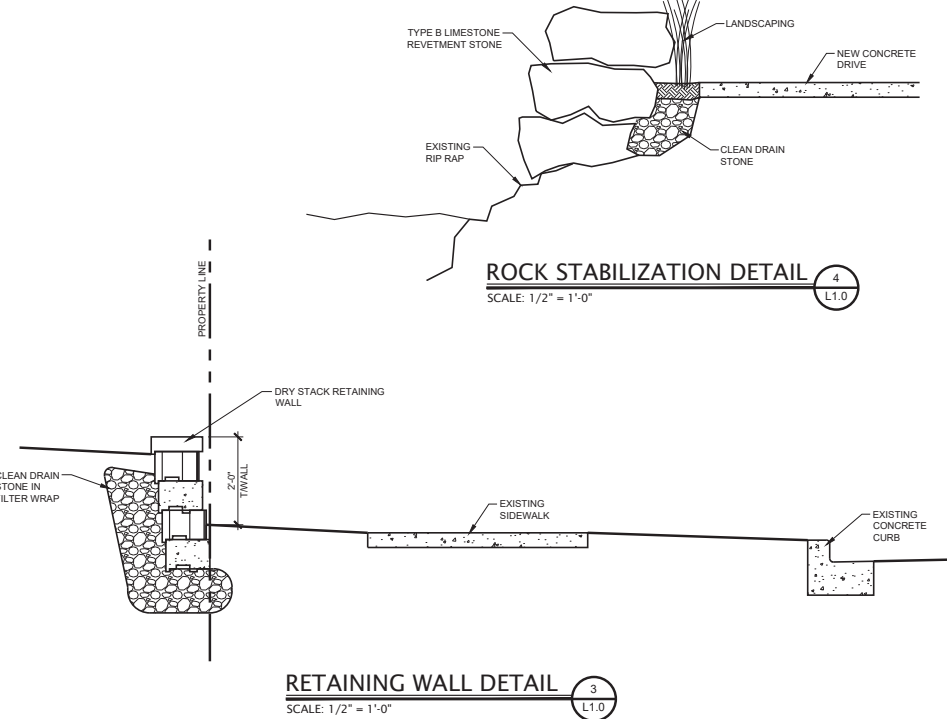
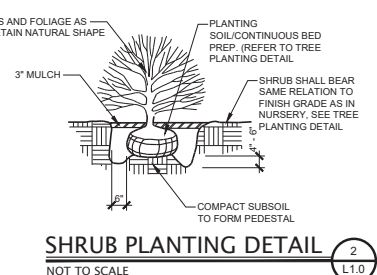
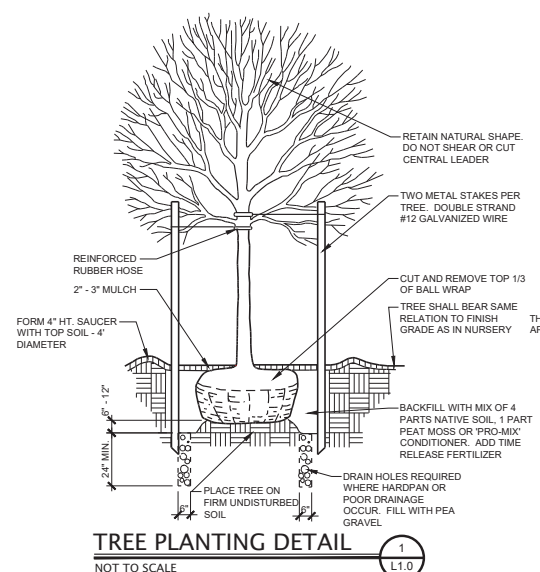


LANDSCAPE PLAN  
SCALE: 1" = 20'-0"

TREE REPLACEMENT PLAN	
•	EXISTING VEGETATION TO BE REMOVED FROM THE SITE FOR CONSTRUCTION AND REGRADING REQUIRED.
•	8 EXISTING TREES OF 8"Ø OR GREATER TO BE REPLACED WITH 8 NEW TREES (5 NATIVE BIRCH, 3 NATIVE SPRUCE)

PLANT LEGEND					
SYMBOL	TAG	COMMON NAME	BOTANICAL NAME	PLANTING SIZE	MATURE SIZE
	L-1	PAPER BIRCH	BETULA Papyrifera	3"Ø	50'
	L-2	WHITE SPRUCE	PICEA GLAUCA	8"	25'
	L-3	RED OSIER DOGWOOD	CORNUS SERICEA	3"	3'-9"
	L-4	NORTHERN WHITE CEDAR	THUJA ACCIDENTALIS	6"	8'
	L-5	GROUND JUNIPER	JUNIPERUS COMMUNIS	24"	5'
	L-6	BIG BLUESTEM	ANDROPOGON GERARDII	2 GAL.	5'-7"

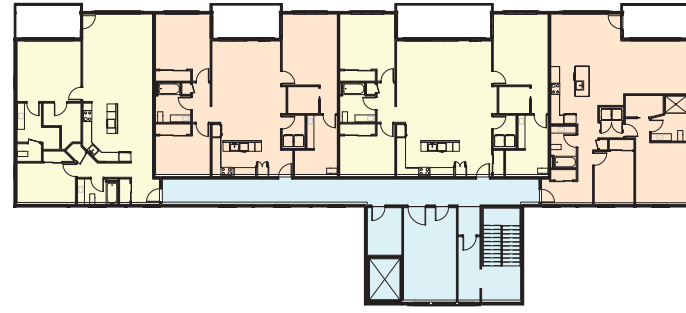
PLANT SPACING AS SHOWN ON PLAN  
 SOD AREAS  
 WOOD MULCH



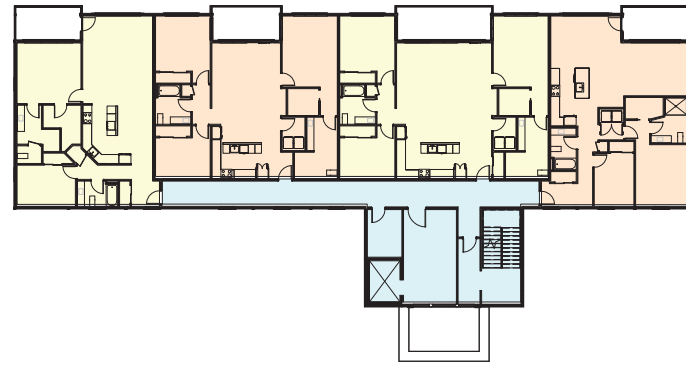
REVISION		
DATE	ISSUE	BY

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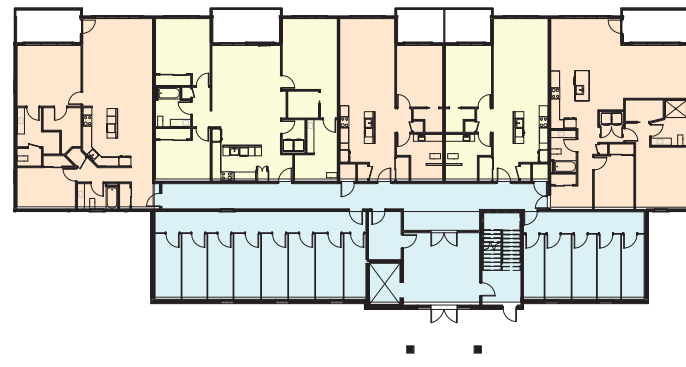




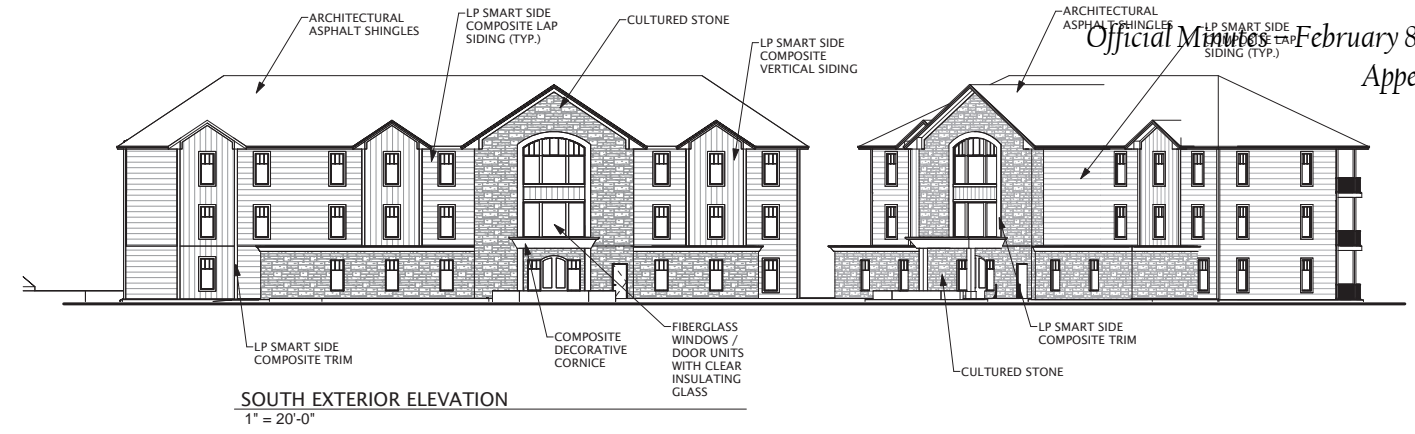
THIRD FLOOR PLAN  
1" = 20'-0"



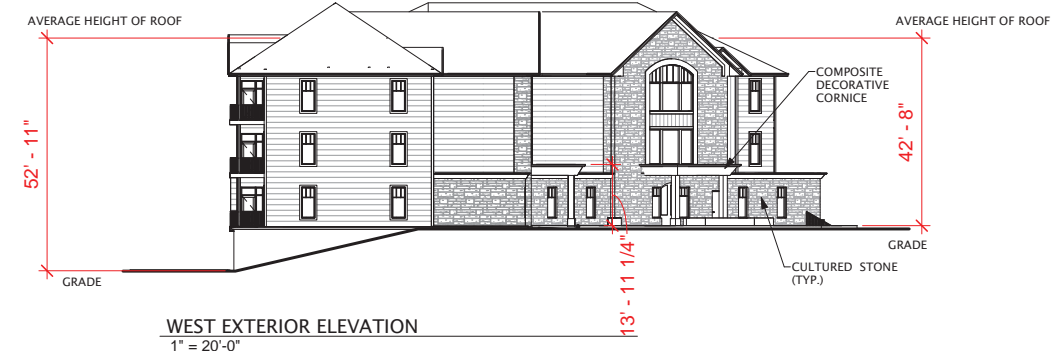
SECOND FLOOR PLAN  
1" = 20'-0"



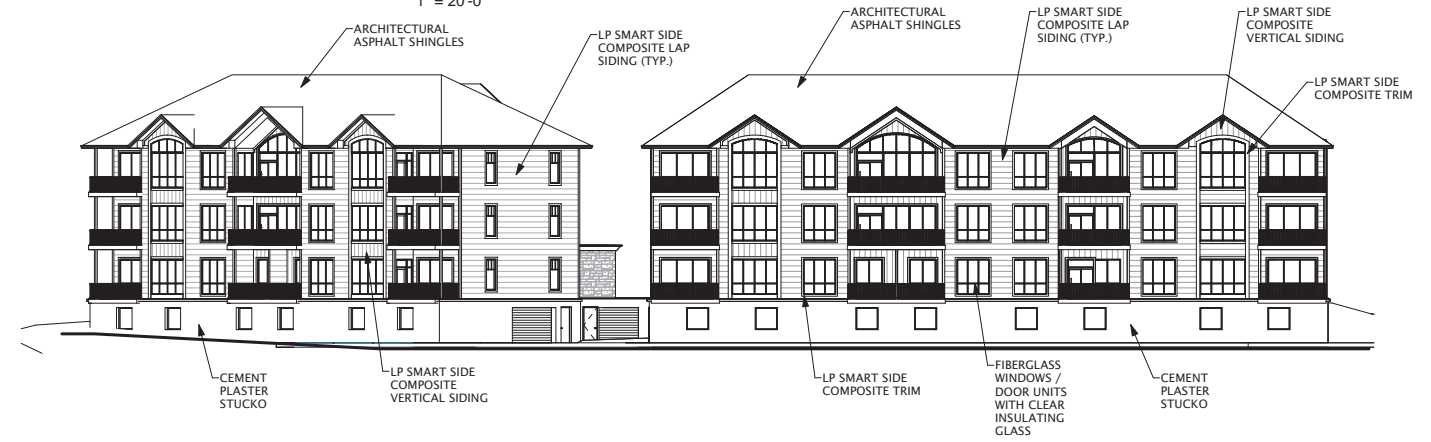
FIRST FLOOR PLAN  
1" = 20'-0"



SOUTH EXTERIOR ELEVATION  
1" = 20'-0"



WEST EXTERIOR ELEVATION  
1" = 20'-0"



NORTH EXTERIOR ELEVATION  
1" = 20'-0"



EAST EXTERIOR ELEVATION  
1" = 20'-0"

BUILDING B				BUILDING A			
	1 BED	2 BED	3 BED	1 BED	2 BED	3 BED	
1 BED	2	3	-	1	2	-	
2 BED	-	3	1	2	2	1	
3 BED	-	3	1	3	2	1	
	2	9	2	2	6	2	
			13				10

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**NORTHSHORE FLATS**  
200 LUDINGTON ST, ESCANABA, MI 49829

Design: Barry J. Polzin  
Drawn By: MRA  
Date of Issue: 1/26/24

REVISION	DATE	ISSUE	BY

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CONCEPTUAL RENDERINGS ONLY: SEE OTHER SHEETS FOR ACCURATE REPRESENTATION OF PROJECT

SHEET:  
**R1.0**





Patrick Connor, Chair  
James Hellermann, Commissioner  
Mark Sadowski, Commissioner

Roy Webber, Secretary  
Kasja Nelson, Commissioner  
Tyler Anthony, Planning & Zoning

Michael Harris, Commissioner  
Christiana Reynolds, Commissioner  
Ronald Beauchamp, City Council

## PLANNING COMMISSION

### Staff Report

#### REQUEST OVERVIEW

**Case #** SLU23001

**Property Address:** 200 Ludington Street

**Applicant:** Northshore Flats Development LLC

**Property Owner:** City of Escanaba

**Tax Parcel #** 051-010-2929-328-003

**Zoning District:** E-3 (Central Commercial)

**Property Description:**

All of Block 3 of the Original Plat of the City of Escanaba, according to the plat thereof, except the west 100 ft of the south 140 ft and except the part assessed to Hansen & Jensen Oil Co. north of alley in said Block 3 adjacent to the Municipal Dock.

#### SITE PLAN REVIEW

The Planning Commission, as outlined in Zoning Ordinance (ZO) sec. 1803.2, is responsible for reviewing Site Plans for all land use requests listed in sec. 1801.2.2. This review covers only the application, maps, and drawings required as part of the request. This also includes any public comments received. The Commission must identify and evaluate all relevant factors, including criteria listed in the ZO.

Following the review, the Commission must decide whether to approve, approve with conditions, or deny the Site Plan. Their decision must include a statement of findings and conclusions relative to the case, which specifies the decision’s basis and any imposed conditions.

These steps ensure thorough and transparent Site Plan reviews and approvals. It also ensures public input and adherence to established criteria throughout the decision-making process.

#### APPLICATION HISTORY

On Wednesday, September 6, 2023, a pre-application meeting was held. Attendees included the Applicant, City Manager James McNeil, and Planning & Zoning Department staff. A second meeting was held on Thursday, November 16, 2023, with the same attendance as the first meeting, but included Barry J. Polzin Architects (Architect) virtually.

A Site Plan review application was received on Tuesday, December 26, 2023 from the Architect. The Zoning Administrator then processed the application in the usual way per the ZO. This request was then placed on the February meeting agenda. This allowed time to make public hearing notices, and to hold internal review meetings.

Two internal review meetings were held. The first took place on Thursday, January 11, 2024, and was attended by City Manager James McNeil, City Engineer Terry Flower, Public Works Director Kent Dubord, Electric Utility Director Gerald Pirkola, Water/Wastewater Superintendent Jeff Lampi, Chief of Police John Gudwer, and Planning & Zoning Department staff. The second meeting was held on Thursday, January 18, 2024. Attendees were relatively the same as the first

meeting, but added in were Rental and Fire Code Inspector Jude VanDamme and the Applicant. The Architect attended this meeting virtually, as well.

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## **SITE PLAN REQUIREMENTS**

All site plans meant for Commission review must include certain information. These required details are listed in sec. 1802.2, and they are listed below. Included with each requirement is a staff response to that item.

- A. The site plan must consist of an accurate, reproducible drawing at a scale of one (1) inch equals twenty (20) feet or less, showing the site, its zoning classification, location, type, and size of structures and/or land on adjacent properties within two hundred (200) feet of the property.**

*Staff Response:*

The Site Plan consists of many drawings, but most are drawn at a scale of 1" = 20'-0". Included in the drawings are the Property and its zoning district. However, they do not clearly show the location, type, and size of structures and/or land within 200' of the Property.

- B. A boundary survey of the property prepared by a registered surveyor showing the location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.**

*Staff Response:*

A boundary survey and a topographic survey are both included in the drawings. Both were prepared by Davis Wanic Land Surveyors PC. Together, they show the existing and proposed boundary lines, dimensions, a legal description, and monument locations. Setbacks are shown elsewhere in the drawings.

- C. Location and type of significant existing vegetation as determined by a qualified, city approved authority.**

*Staff Response:*

This information is included on the topographic survey.

- D. Location and elevations of existing water courses and water bodies, including county drains and manmade surface drainage ways.**

*Staff Response:*

Lake Michigan, being the only adjacent water body, is shown accordingly.

- E. Location of existing and/or proposed buildings and intended uses thereof, as well as the length, width, and height of each building.**

*Staff Response:*

This information can be found across the drawings, but mostly in the "Architectural Site Plan".

- F. Proposed location of accessory structures, buildings and uses, including but not limited to, all flagpoles, light poles, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where applicable.**

*Staff Response:*

This information is included in the drawings.

- G. Location of snow storage areas.**

*Staff Response:*

Snow storage is included on the “Architectural Site Plan”.

- H. Location of existing public roads, rights-of-way, and private easements of record and abutting streets. Dedication of any right-of-way for widening, extension, or connection of major streets as shown on the official Master Street Plan and granting of easement(s) for public utilities where required.**

*Staff Response:*

Adjacent and nearby streets & alleys (Ludington Street, North 3<sup>rd</sup> Street, unnamed alley) are shown, and so is an existing easement for a storm sewer.

- I. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development.**

*Staff Response:*

This information is included in the drawings.

- J. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carpools, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.**

*Staff Response:*

sdfsdf.

- K. Location, size, and characteristics of all loading and unloading areas.**

*Staff Response:*

This information is included in the drawings.

- L. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.**

*Staff Response:*

This information is included in the drawings.

- M. Location of water supply lines and/or wells, including fire hydrants and shut-off valves, and the location and design of storm sewers, retention or detention ponds, wastewater lines, clean-out locations, connection points and treatment systems, including septic systems, if applicable.**

*Staff Response:*

This information is mostly included in the drawings; shut-off valves are not shown. No wells, retention or detention ponds, or septic systems are planned for the site.

- N. Location of all other utilities on the site, including but not limited to natural gas, electric, cable TV, telephone and steam.**

*Staff Response:*

Only electric and natural gas utilities are shown on the drawings.

- O. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools, if applicable.**

*Staff Response:*

This information is included in the drawings.

**P. Location, size, and specifications of all signs and advertising features.**

*Staff Response:*

No signs or advertising features are proposed.

**Q. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.**

*Staff Response:*

The locations of exterior lighting are shown on the drawings – so are the fixture types – but no areas of illumination are included.

**R. Location, height, size and specifications of all fences, walls, and other screening features with cross sections.**

*Staff Response:*

This information is included in the drawings.

**S. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material, the proposed size at the time of planting must be indicated. All vegetation to be retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.**

*Staff Response:*

This information is included in the drawings.

**T. Location, size, and specifications for screening of all trash receptacles and other solid waste disposal facilities.**

*Staff Response:*

Solid waste receptacles will be kept indoors between the buildings; no screening is required.

**U. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.**

*Staff Response:*

No such facilities or structures are proposed.

**V. Identification of any significant site amenities or unique natural features.**

*Staff Response:*

Unique natural features are identified, and there are no significant site amenities.

**W. Identification of any significant views onto or from the site to or from adjoining areas.**

*Staff Response:*

See the above response.

**X. North arrow, scale and date of original submittal and last revision.**

*Staff Response:*

North arrows and scales are included in the drawings, and so is the current revision's date, but the original submittal date is missing.

**Y. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan.**



*Staff Response:*

This information is included in the drawings.

- Z. The following additional information if requested by the Zoning Administrator:**
- 1. A report describing the soil types and the ability of soils to accommodate the proposed development.**
  - 2. A tree location survey signed by an engineer, surveyor, landscape architect, showing all existing tree having a diameter at breast height of six inches or greater, the common and/or scientific names and the diameter at breast height of these trees, plus an indication of trees to be preserved, to be transplanted, or to be removed during site development. Closely grouped trees shall be designated by the predominate species represented, the number present and the diameter at breast height range of the group or clump.**
  - 3. The existing and proposed topography at two (2) foot contours.**
  - 4. Any other information necessary to establish compliance with City Ordinances.**

*Staff Response:*

None of this information was requested by the Zoning Administrator.

## **DEVELOPMENT STANDARDS**

To achieve the purposes of the ZO, each site plan is reviewed against a common list of standards. These development standards are listed in sec. 1907.1, and they are listed below. A longer description for each standard can be found in that section of the ZO; for brevity, only their titles are shown here. Included below each standard is a staff response to that criterion.

**A. Building orientation.**

*Staff Response:*

Both proposed buildings face Ludington Street. Therefore, this standard is met.

**B. Roof equipment.**

*Staff Response:*

No roof-mounted equipment is proposed. Therefore, this standard is met.

**C. Visual and sound mitigation.**

*Staff Response:*

No sound mitigation is needed or provided. A transformer is sited behind the buildings, but it is visually screened with plantings. Therefore, this standard is met.

**D. Emergency access.**

*Staff Response:*

Access can be practically made to both the front and back of both principal buildings. Therefore, this standard is met.

**E. Street access.**

*Staff Response:*

Access is made via a public alley to North 3<sup>rd</sup> Street. Therefore, this standard is met.

**F. Circulation system.**

*Staff Response:*

Given that vehicle paths onsite are two-lanes wide (24' minimum), but the ingress/egress path is only wide enough for one lane (16' total), staff are worried about congestion. Therefore, this standard is not met.

**G. Non-motorized circulation system.**

*Staff Response:*

Physically separate and insulated pedestrian routes are provided, reflecting the nearby sidewalk patterns. Therefore, this standard is met.

**H. Parking areas.**

*Staff Response:*

The parking area itself is well-enough designed, but the only access point is via a 16-foot-wide, 170-foot-long alley. See standard “F” above. Therefore, this standard is not met.

**I. Shared drives.**

*Staff Response:*

Vehicle access is planned to route solely through an alley at the property’s rear. Therefore, this standard is met.

**J. Loading, unloading and storage areas.**

*Staff Response:*

The solid waste loading area is located behind the buildings and is not visible from residential districts or public rights-of-way. Therefore, this standard is met.

**K. Light sources.**

*Staff Response:*

Planned wall-mounted exterior downlight fixtures are full cutoff-type fixtures, and the bollard lights will only illuminate the ground. Therefore, this standard is met.

**L. Utilities.**

*Staff Response:*

The details of all utilities are still being developed, but all such services will be underground. Therefore, this standard is met.

**M. Environmental issues.**

*Staff Response:*

No hazardous substances or potential pollutants will be stored, used, or generated at the site. Therefore, this standard is met.

**N. Tree Preservation Purpose and Intent.**

*Staff Response:*

None of the existing trees are planned to remain. However, all will be replaced by new trees. Therefore, this standard is met.

**O. Storm Water Control Plan.**

*Staff Response:*

A storm sewer is planned which will divert all stormwater coming from the building roofs into an existing system. Therefore, this standard is met.

---

**STAFF ANALYSIS**

In addition to the standards and requirements, there are a few more items which need attention.

All rear and side setbacks are met for the project. However, it is worth noting that only building “A” meets the front setback. Gamesmanship is in play here, as the Applicant poses that, since “A” and “B” are joined by a connector which is not visible from the street, they must be considered as one building. If they are one building, then since “A” meets the front setback, “B” doesn’t need to be concerned with this standard. Commissioners are encouraged to review the ZO’s definitions.

Sec. 2114 of the ZO establishes “special requirements” for the E-3 zoning district. Per sec. 2114.1, “residential dwellings [cannot occupy] the front 50% [of] ground floor area ... unless the ground floor is elevated by [1/2] story.” Building “B” meets this criterion, but building “A” does not.

To find this, it was necessary to fix the elevation at which “grade” was found. By reviewing the drawings against the ZO’s definition of grade, building “A” had a grade at 592’, and “B” had 590.5’.

With this, the definition of “story” had to be considered next. A story which is more than 50% below grade level does not count as a story. The parking level of “A” does not qualify as a story since its elevation is at 586.5’. Given that the floor-to-floor height of this level is 9’, half-story height is 4.25’. So by adding the half-height to the story’s elevation, we see that the 50% threshold is 590.75’. With this being less than the 592’ grade, the parking level does not count as a story, and the first residential level is the ground story.

According to the drawings, the residential levels’ floor-to-floor height is 12’ in both buildings, which gives us a half-story height of 6’. Since the first story of “A” needs to be elevated above grade by 1/2 story, and grade is at 592’, that story’s elevation must be at least 598’. But per the drawings, this story has an elevation of only 596’, falling 2’ short of the minimum. Therefore, building “A” does not meet the standard of sec. 2114.1.

Repeating the foregoing processes for “B” gives us a different result. The parking level of “B” has the same elevation and half-story height as “A”. Since grade for “B” is found at 590.5’, and the half-story height elevation is less than that at 590.75’, the parking level does count as a story.

With the half-story height of the parking level now in control, the floor elevation of the first residential level must be at least 4.5’ above the grade of “B”. With that grade being 590.5’, adding the half-story height gives us 595’. Since the floor elevation of the first residential level is at 596’, it exceeds the minimum by 1’. Therefore, building “B” does meet the standard of sec. 2114.1.

Moving down to sec. 2114.3, we have standards for exterior finish materials to be reviewed. The buildings are to be finished in cultured stone and faux-wood composite siding. The stone finish is listed as acceptable, but the composite is not listed. This section does note that buildings may be finished with “future acceptable building materials compatible with surrounding properties.” This, however, is for the Commission to determine.

The Zoning Administrator now refers this Site Plan to the Commission for review, recommending approval with conditions. The following is a suggested list of conditions:

1. The Applicant shall provide a Traffic Statement, completed by a qualified engineer, to the Planning Commission within two months. Said Traffic Statement must focus on the alley providing access to the Property, consider the impact of future development on the lot adjacent to the Property’s west, and state whether the alley needs to be enlarged or not.

2. All utility and service connections to the site, including cable television and internet services, shall be made underground, ensuring compatibility with adjacent uses of land.

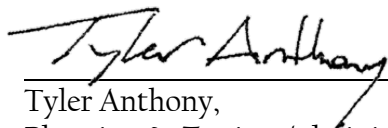
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**FACT FINDING**

Per the *Bylaws*, all decisions made by the Commission must include findings of fact. The following is a recommended finding of facts:

1. The Site Plan, consisting of five (5) separate drawing sheets, complies with sec. 1802.2 of the Zoning Ordinance.
2. Both proposed buildings face Ludington Street, meeting building orientation standards.
3. No roof-mounted equipment is proposed, meeting standards for such equipment.
4. No sound mitigation is needed or provided, and a transformer is sited behind the buildings and visually screened with plantings, meeting visual and sound mitigation standards.
5. Access can be practically made to both the front and back of both principal buildings, meeting emergency access standards.
6. Vehicle access is planned to route solely through an alley at the property's rear, meeting both street access and shared drive standards.
7. Congestion is anticipated to occur at the vehicular access point, where two-way onsite traffic merges down to a single lane of travel, failing to meet both circulation standards and parking area standards.
8. Physically separate and insulated pedestrian routes are provided which reflect the nearby sidewalk patterns, meeting non-motorized circulation standards.
9. The solid waste loading area is located behind the buildings, invisible from residential districts or public rights-of-way, meeting loading, unloading, and storage area standards.
10. Planned wall-mounted exterior downlight fixtures are full cutoff-type fixtures, and the bollard lights only illuminate the ground, meeting light source standards.
11. Utility placement is not completely planned yet, failing to meet utilities standards.
12. No hazardous substances or potential pollutants are stored, used, or generated at the site, meeting environmental issue standards.
13. All the existing trees will be cut down and then replaced by new trees, meeting tree preservation standards.
14. The front setback is not met.
15. Side and rear setbacks are met.
16. Lot coverage and maximum building height limits in the zoning district are not exceeded.
17. The Zoning Administrator referred the Site Plan to the Planning Commission for review with a recommendation to approve with conditions.

Respectfully submitted,



Tyler Anthony,  
Planning & Zoning Administrator

2/1/2024

Date

# CHAPTER 21 – CENTRAL COMMERCIAL DISTRICT “E-3”

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## **Section 2101 – General Provisions**

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### **2101.1 Purpose**

The Central Commercial District is intended to permit both large and small-scale “downtown” commercial development at an intensity which provides significant incentives for infill development, redevelopment, and the continued economic viability of existing development.

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## **Section 2102 – Uses Permitted in a Central Commercial District**

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### **2102.1 General**

In a Central Commercial District, a building, structure, or premises, may be erected or used for one (1) or more of the following specified purposes:

- A. Bar
- B. Dwelling, above first floor
- C. Cultural facilities (such as theaters, galleries)
- D. Food production, minor
- E. Health services
- F. Office, medical
- G. Office, professional
- H. Recreation, indoor
- I. Restaurant
- J. Retail, indoor
- K. Public or governmental building
- L. Service establishment

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## **Section 2103 – Uses Allowed by Special Land Use Permit**

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### **2103.1 General**

The following uses of land and buildings, together with accessory uses, are allowed in the Central Commercial District if a special land use permit is issued according to the standards of this chapter:

- A. Eating and drinking places which include drive-in service.

- B. Banks and other financial institutions which provide drive-in services.
- C. Outdoor vendors, open-air markets.
- D. Hotels, Motels, Inns, Bed and Breakfast, and similar lodging uses.
- E. Condominium, townhouse, multiplex, apartment, and other multifamily residential.
- F. Marihuana Provisioning Centers, Retailers, and Microbusinesses. Medical marihuana provisioning centers authorized under the Medical Marihuana Facilities Licensing Act, Act 281 of 2016, MCL 333.27101 et seq, and retailers and microbusinesses (up to 150 plants) authorized under the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951 et seq, subject to Ordinance 1269 of the City Code of Ordinances and Section 205 of this Zoning Ordinance.

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## **Section 2104 – Accessory Uses Permitted in a Central Commercial District—When Located on the Same Lot with the Principal Use**

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### **2104.1 Allowed Accessory Uses**

Uses customarily incident to any of the permitted uses and located on the same lot therewith, provided all area and yard requirements are met.

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## **Section 2105 – Yards and Setbacks**

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### **2105.1 Front Setback**

Front yard setbacks shall be zero (0) feet minimum, and five (5) feet maximum.

### **2105.2 Side Setback**

Side setbacks shall be zero (0) feet.

### **2105.3 Rear Setback**

Rear setbacks shall be twenty-five (25) feet.

in any area on or parallel to the front lot line except that it shall be located a minimum of two (2) feet behind the inside edge of the established sidewalk line.

- E. No person being the owner, lessee, occupant or agent for the same, of any building in the City shall erect, cause to be erected, or maintain on or about the walk or stairway to the entrance to such building, any railing, fence, guard or other projection on to which there shall be affixed or placed, or in any manner attached, any barbed wire construction, nor shall there be maintained, either partially or wholly, around any area adjacent to any street, alley, lane or public way, or in or along any street or sidewalk in front or adjacent to any public spaces or place, or nail or cause the same to be nailed or fastened, in any form, shape or manner, upon any partition form, any such barbed wire construction, nor shall any electrical current be charged through any fence whatsoever.
- F. Any person within the corporate limits of the City erecting or maintaining any fence or wall between the edge of the established lot line and the inside edge of the sidewalk or where any sidewalk would normally be, shall be fully responsible for the care and maintenance of the fence or wall and shall assume full responsibility for any damaged arising due to the erection of such fence or wall.
- G. A special permit granted by the Planning Commission shall be required of those individuals wishing to erect a protective measures fence; such permit shall be granted only after demonstration of the need of such fence. The owner, or agent thereof, of a protective measure fence shall be granted permission to erect necessary and reasonable barriers along the uppermost edge of the protective measures fence that he deems reasonable for the protection of property within the enclosed area.

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## **Section 2113 – Signs**

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### **2113.1 General**

All signs within the Central Commercial District shall conform to the standards within Chapter 20 – Signs.

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## **Section 2114 – Special Requirements**

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### **2114.1 Prohibited Residential Dwellings**

Residential dwellings are prohibited from occupying the front fifty (50) percent ground floor area in any building unless the ground floor is elevated by one-half story.

### **2114.2 Screening**

Dumpsters, solid waste containers, recycling containers (except for recycling containers located at Recycling Collection Centers), or solid waste must be enclosed by a privacy fence/wall constructed of wood, vinyl, cement, or metal not less than six (6) feet in height. Dumpsters, solid waste containers, recycling containers (except for recycling containers located at Recycling Collection Centers), or solid waste handling area must be screened from abutting property and from public view from a public street.

### **2114.3 Construction Materials**

At least eighty (80) percent of the front side of commercial buildings, as well as any other sides that face adjacent residential areas, shall be finished with face brick, wood, glass, stone, fluted cement block or future acceptable building materials compatible with surrounding properties. All materials shall meet appropriate architectural, aesthetic and safety concerns as provided for in duly adopted ordinances and/or building and fire codes.

### **2114.4 Incentives for Better Design and Creativity**

Excellence in design and planning which may be achieved through appropriate innovation and imaginative concepts is encouraged. To accomplish this, alternative compliance may be proposed to the Escanaba Planning Commission in achieving appearance standard goals, provided that such change will produce a more logical and attractive use of property, in that it will be beneficial rather than detrimental to the surrounding area and the community. Proposed design alternatives acceptable under this process must not represent a

We **Planning Commission** **ance starting on Friday 2/9 at 7:00 PM EST that will continue until** **small number of municipalities. We apologize for the inconvenience.**

Official Minutes – February 8, 2024

Appendix 2  
Exhibit A

**200 LUDINGTON ST** ESCANABA, MI 49829 (Property Address)

Parcel Number: 051-010-2929-328-003

**Property Owner:** CITY OF ESCANABA

**Summary Information**

> Assessed Value: \$0 | Taxable Value: \$0

> Property Tax information found

Parcel is Vacant

Owner and Taxpayer Information

<b>Owner</b>	CITY OF ESCANABA 410 LUDINGTON ST ESCANABA, MI 49829-3924	<b>Taxpayer</b>	SEE OWNER INFORMATION
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General Information for Tax Year 2023

<b>Property Class</b>	001 RETIRED SPLIT/COMBINE	<b>Unit</b>	051 City of Escanaba
<b>School District</b>	ESCANABA AREA PUBLIC SCHOOLS	<b>Assessed Value</b>	\$0
<b>Map #</b>	Not Available	<b>Taxable Value</b>	\$0
<b>User Num Idx</b>	0	<b>State Equalized Value</b>	\$0
<b>User Alpha 1</b>	Not Available	<b>Date of Last Name Change</b>	06/04/2018
<b>User Alpha 3</b>	Not Available	<b>Notes</b>	Not Available
<b>Historical District</b>	Not Available	<b>Census Block Group</b>	Not Available
<b>User Alpha 2</b>	Not Available	<b>Exemption</b>	No Data to Display

Principal Residence Exemption Information

**Homestead Date** No Data to Display

Principal Residence Exemption	June 1st	Final
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2022	\$0	\$0	\$0
2021	\$0	\$0	\$0
2020	\$0	\$0	\$0

Land Information

<b>Zoning Code</b>	E3 CENTCOM	<b>Total Acres</b>	Not Available
<b>Land Value</b>	Not Available	<b>Land Improvements</b>	\$0
<b>Renaissance Zone</b>	Not Available	<b>Renaissance Zone Expiration Date</b>	Not Available
<b>ECF Neighborhood</b>	Not Available	<b>Mortgage Code</b>	No Data to Display
<b>Lot Dimensions/Comments</b>	Not Available	<b>Neighborhood Enterprise Zone</b>	No

Lot(s)	Frontage	Depth
Lot 1	Not Available	Not Available
<b>Total Frontage: 0.00 ft</b>		<b>Average Depth: 0.00 ft</b>

Legal Description

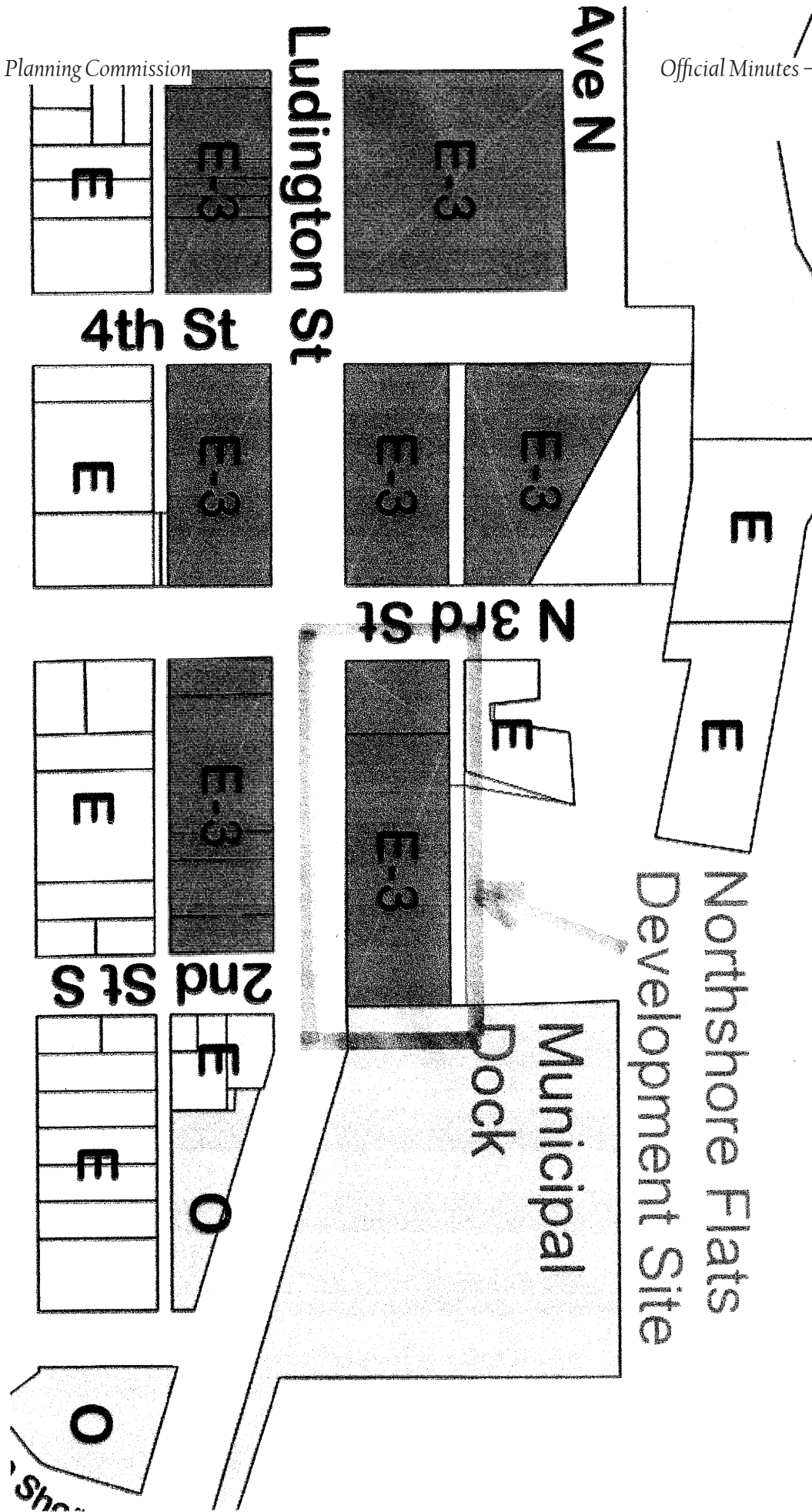
ALL OF BLK 3 OF THE ORIGINAL PLAT EXC W 100 FT OF S 140 FT & EXC PRT ASSESSED TO HANSEN& JENSEN OIL CO N OF ALLEY IN SD BLK 3 ADJACENT TO MUNICIPAL PARK

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Page History



# Zoning Map Enlargement with E-3 Commercial Designation



Planning Commission

Sho



### 3.6 Issues and Opportunities

**Issues:**

The 2010 Census shows the population of Escanaba has declined by 22 percent since 1960, recent data indicates this decline has continued. Since the 2000 Census the population has decreased by -9.0 percent. The loss of population increases the per capita cost of infrastructure and public services and has a negative impact on economic development.

Census data also indicates Escanaba’s population is aging, which is aligned with regional, state, and national trends. An aging population will affect the demand for services, such as health care and public transportation. In addition, people in the community may find their existing home or neighborhood no longer meets their needs and may look to move to smaller homes or senior apartments.

The census data shows many people are leaving the region in their early twenties. This loss of people in their prime working age limits economic development, as companies want to be located where there is an ample workforce. Furthermore, the population of Escanaba has a lower percentage of people with bachelor’s degrees than Michigan as a whole, as young adults are leaving to pursue opportunities elsewhere. A community with a highly educated population can attract knowledge-based industries.

**Opportunities:**

The population density is high compared to most of the surrounding communities. Density enables more efficient transit services, walkability, reduced fuel consumption, and greater economic growth. Future development should seek to improve growth patterns to sustain the dense, historic core of the community that provides the City with its unique sense of place.

The changing household characteristics indicate more residents of the city are living alone and there are more homes with people over 65 than there are with children under 18. Seniors, as well as young professionals, want denser low-maintenance housing, such as condos, in walkable neighborhoods. There is a market for this type of housing in Escanaba, and developing this type of housing can help to attract and retain residents.

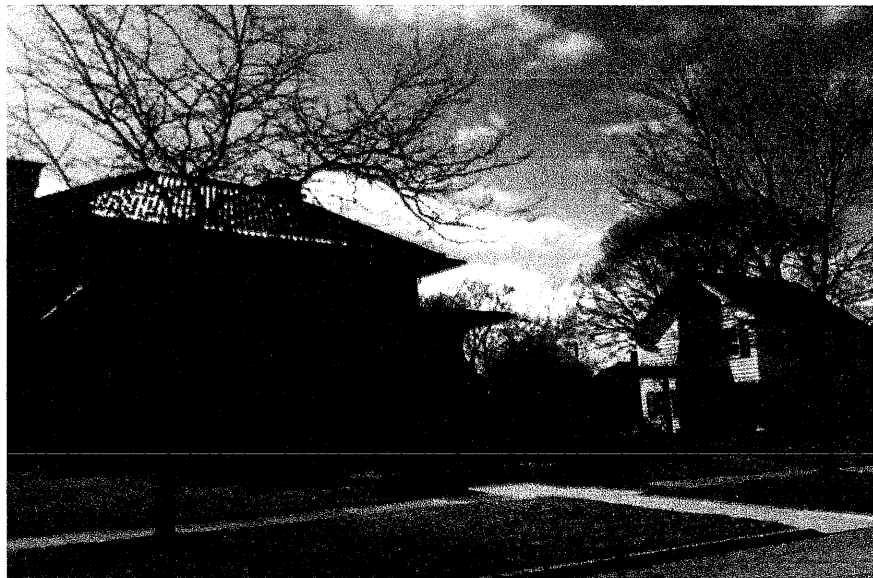


Image 3-1: Historic homes in Escanaba.

## 5.3 Issues and Opportunities

### **Issues:**

The majority of housing units in the City are single-family detached units, although relative to the surrounding rural areas, the City has a high percentage of multi-family structures. Modifications should be made to the City Zoning Ordinance which encourage the development of a variety of housing types, such as townhomes, attached residential dwellings, and mixed uses. A variety in housing styles will allow all age groups to find housing based on lifestyle conditions and remain in the City.

The majority of homes in the city were built prior to 1940. While the older homes contribute to the aesthetic character of the community, they are also more costly to heat and maintain.

Along with most other areas in the country, the number of people per household has slowly decreased over the last several decades. While the total number of people living in Escanaba has declined, there has not been a surge in vacant homes, there are simply fewer people in each house.

In public surveys, residents indicated that improving the quality of housing, especially in the downtown area, to be a primary concern. There are two neighborhood enhancement areas identified on Map 13, and these areas are located on the east side of Lincoln Road on either side of Ludington Street. The intent of the neighborhood enhancement areas is to concentrate code enforcement, infrastructure improvements, and home ownership programs in defined areas to increase the property values resulting in stabilized neighborhoods.

The increase in the percent of rental units is a concern as it is an indicator of economic insecurity.

### **Opportunities:**

In order to protect historic neighborhoods the City could adopt an historic overlay that would protect the aesthetic character of these areas. The historic stock of residential structures sets the City apart from surrounding Townships. Efforts to manage this historic resource should be a priority for the community. The area between 1st Avenue South, South 7th Street, and Lake Shore drive to be designated as an historic overlay district, which means it poses a high concentration of historic structures deserving to be preserved for the community. A neighborhood historic overlay district would provide a basis for the City to manage the appearance of the exterior of new structures and significant additions within this area. The overlay district would not be a local historic district but a zoning tool used to preserve the architectural and historic integrity of the neighborhood.

There is a demand in the local housing market for units often called the 'missing middle'. This includes market rate multi-family or clustered housing within walking distance to shops and other amenities that can help the City meet the demand from young professionals and retirees for walkable urban living.

There are policy and funding tools available from Michigan State Housing Development Authority (MISDHA) and U.S. Department of Housing and Urban Department (HUD) to help the City address the levels of blight and homeownership.

hunting, natural resources) • Create residential units in under-ut training, grants, technical assistance from State and Federal sources • Better utilizing ports and the business opportunities associated with them • Effectively advertise winter opportunities to tourists • Encourage more high-end and mixed use housing • Increase vibrancy of downtowns, particularly in the evenings • Promote Community for a Lifetime designation • Find ways to utilize the U.P. State Fairgrounds year-round • Maintain Escanaba’s historic character

## Threats

Potential threats were identified to provide a realistic look into what the City may be facing in the future. Below is a list of the threats provided by workshop attendees.

- Economy • Lack of employment diversity • Resistance to change • Aging communities
- Winter weather misconception • Costs shifted to local government • Inmates from downstate
- Federal and State mandates • Dark store tax loopholes affect on tax revenues
- Lack of regional transportation plan • Risk of losing commercial service at airport

## Group Strategy Development Exercise

Utilizing the information gathered through the S.W.O.T exercise, participants divided into six focus groups to develop strategies to address an identified opportunity or threat. The following is a summary of the focus group’s strategic discussions.

### UTILIZING THE LAKEFRONT

Better utilizing the lakefront by developing hotels or a convention center has the potential to increase tourism, boating activity, and the local economy. It also has the potential to positively impact park use, business traffic, and area walkability. The first step towards implementation would be addressing the current zoning situation. Then, with the support of the public, a Lakefront Development Master Plan can be created. With the development of the lakefront the community will hopefully see an increase in tourism, jobs, and a more vibrant downtown.

### MAINTAINING HISTORIC CHARACTER

Escanaba’s rich history was listed as an asset to the City. Maintaining the historic character of the city would improve neighborhood aesthetics, increase property values, strengthen the community’s sense of place, and attract families and tourists to the area.

This can be done by taking advantage of facade grants, encouraging historic restorations, and offering incentives. Educating the public on importance of historic districts and increasing awareness of available programs will play an important role in maintaining the City’s historical character. Having the schools participate in historic home tours was an educational opportunity that was identified.

### RECREATION

A Non-Motorized Master Plan for the county was identified as one strategy to ensure that existing recreational needs are being met. Noted priority pathways include: routes to schools, parks, Bay de Noc Community College, safe crossings for Lincoln Road, connector path from south of airport to Portage Point, connector to neighboring communities, and other points of interest such as grocery stores, hospitals, employers, and scenic areas.

Better utilization (year-round) of the North Shore Boat Launch was another group recommendation. Sand Point and the Danforth Ski Hill were presented as potential sites for dog parks. City leadership

# 11. Public Participation

## 11.4 Areas of Interest

The public participation revealed areas of interest and concern within the City. Priorities for future development or enhancement are downtown, North Shore waterfront, U.S. 41 commercial corridor, and regional retail zone (see Map 29). These areas have been identified over and over again by the public through different planning processes including the 2006 Master Plan, the U.S. 2/41 Access Management and Visual Enhancement Plans, and the North Shore Master Plan. Specific initiatives to address these areas are described in the implementation chapter.

People have expressed an interest in North Shore redevelopment. However, within the large North Shore area, varied barriers and opportunities exist across different areas and therefore each area should be considered separately. The areas within the north shore waterfront can be described as the downtown waterfront, transitional waterfront, and port waterfront. These areas are shown on Map 30. Priorities for each zone are described below.

<b>Table 11-2 North Shore Development Goals</b>	
<b>Downtown Waterfront, Ludington Park to 6th Ave N</b>	
1.	Promote public access to the lake.
2.	Strategically locate development that links downtown and the waterfront, creating a critical mass for downtown.
3.	Take appropriate measures to remove blight.
4.	Create additional water related recreation uses.
5.	Promote greater use of the municipal dock.
6.	Promote higher density residential development, such as townhomes and condos if feasible.
7.	Zone for mixed use development with maritime commercial, entertainment, and residential components.
<b>Transitional Waterfront, 6th Ave N to 16th Ave N</b>	
1.	Ensure that public accessibility is maintained on the shoreline.
2.	Uses south of 14th Ave N would include higher density residential developments similar to the downtown waterfront, and commercial uses.
3.	Uses north of 14th Ave N would include water related maritime commercial uses, which would serve as a transition between residential and port activities.
4.	As a secondary use, light industrial uses, which are compatible with higher density residential development, can be accommodated north of 14th Ave
<b>Port Waterfront, 16th Ave N to City Limits</b>	
1.	Use existing deep water port for waterborne commerce.
2.	Uses would include industrial and other port related businesses.



**Action E22: Technical Assistance** - Partner with the Delta County Economic Development Alliance, the Downtown Development Authority, Michigan Economic Development Corporation, Central Upper Peninsula Planning and Development organization and the Next Michigan Superior Trade Zone in providing technical assistance and support to businesses and activities that has the potential to increase the overall economic value of the community with new investment that will stimulate and revitalize the local manufacturing base.

**Action E23: Workforce Development** - Promote partnerships between local industry and educational institutions such as Bay College, MTECH and Escanaba Area Public Schools to ensure an adequate workforce pipeline is trained and available to support businesses and activities that have the potential to increase the overall economic value of the community, stimulate and stimulate and revitalize the local manufacturing base..

**Action E24: Industry Recruitment** - Partner with the Delta County Economic Development Alliance, the Downtown Development Authority, Bay College, MTECH, Michigan Economic Development Corporation, Central Upper Peninsula Planning and Development organization and the Next Michigan Superior Trade Zone to recruit new industry to the community.

**Objective 1.10 Secondary Business District Development** - Enhance business districts throughout the community in order to provide for a wide array of retail, office, and other commercial uses in the city.

**Action E25: Regional Retail** - Accommodate big box retail development in the area west of Lincoln Road between 3rd Ave and 9th Ave North.

**Action E26: Next Michigan Superior Trade Zone Business Park at the Delta County Airport** – The Industrial Park located at the Delta County Airport should be developed as a Next Michigan Superior Trade Zone Industrial Park which encourages a multi-model mix of uses for private develop opportunities and new investment which has the potential to positively impact the manufacturing base within the community, provide new jobs, increase property values and provide public amenities and other benefits to the City of Escanaba and Delta County. A specialized form- base zoning district should be created for the purpose of accommodating multi-modal transportation, light manufacturing, research and development plants, warehousing, and similar clean industries.

**Action E27: Northtown Business District Improvements** - This neighborhood has an ethnic heritage that should be capitalized on. The area has a defined business district and well-maintained homes. Efforts to improve and enhance the business district should be implemented. Improvements should include the construction of an off-street public parking areas, facade updates, and standardized signage regulations.

## 2. Housing

The City's historic and affordable housing make home ownership in the City attainable for young families. Traditional neighborhood design makes the eastern portion of the City highly walkable. Citizens have expressed concern about the growing number of rental properties and their condition. Additionally, while there is ample supply of rental housing, much of it is unattractive for young professionals. The majority of housing in the City is detached single family housing. There is a growing market for additional types of housing including townhomes and condos.

**Goal: Encourage the provision of an adequate supply of affordable, well-maintained, safe, housing that is consistent with the needs of the local population.**

**Objective 2.1: Expand Housing Variety.** Attract new housing development that will meet the needs of a changing housing market. More housing choices will attract new residents as well as accommodate an aging population.

**Action H1: Housing Variety Modifications - New Development** - Housing variety modifications to the City's Zoning Ordinance should be made which encourages the development of a variety of housing types such as owner-occupied townhomes, owner-occupied condominiums and mixed uses. A variety in the housing styles will allow all age groups to find housing based on lifestyle conditions and remain in the City. The 2016 Target Market Analysis done for Delta County by Land Use USA indicates the market for single-family homes in Escanaba is saturated and that there is an unmet demand for owner-occupied townhomes, condominiums and mixed use housing units.

**Objective 2.2: Protect the Character of Historic Neighborhoods.** The City's historic housing stock is an asset that should be protected. The historic stock of residential structures is an asset to the community and sets it apart from the surrounding townships. Maintaining the quality and unique character of historic homes adds to Escanaba's unique sense of place and should be protected. Include schools in home tours to educate young residents about local history. Efforts to manage this unique resource should be a priority for the community.



Image 12-4: Historic homes in Escanaba.

**Action H2: Asset Inventory** - The City's Historic Commission should undertake a formal inventory of historic homes and structures in the community to support the development of various historic districts within the community.

**Action H3: Neighborhood Historic Overlay** - The area between 1st Avenue South, South 7th Street, and Lake Shore Drive should be designated as an historic overlay district, which means it poses a high concentration of historic structures deserving to be preserved for the community. The City's Historic Commission should undertake the task of creating a neighborhood historic overlay district in this area which would provide a basis for the City to manage the appearance of the exterior of new structures and significant additions to structures within this area. The overlay district would not be a local historic district, but a zoning tool used to preserve the architectural and historic integrity of the neighborhoods.

**Objective 2.3: Neighborhood Enhancement** - Address blight and maintain the quality and stability of residential neighborhoods. Through the public survey, residents expressed a strong desire to see the consistent enforcement of property maintenance codes to reduce blight in residential neighborhoods. In particular, the properties in the first three blocks off of Ludington Street between Ludington Street and 3rd Avenues North and South and between North and South 9th Streets to Lincoln Road are a

### 13.1 Framework for Future Land Use

#### Residential

Residential development comprises the majority of land use in the City and will continue to do so in the future. Within this classification, categories have been defined based on density and types of uses permitted. A variety of housing in the community is needed to meet the needs of aging residents and young professionals. Furthermore, the recent economic downturn and changing demographics have changed the demand for housing.



Image 13-1 Moderate density residential neighborhood in Escanaba.



Image 13-2 Medium density development in Marquette, MI.

#### Moderate Density

Moderate density residential development (1-7 units per acre) is the largest land use category in the City and includes traditional residential neighborhoods. The primary land use in this category is single family-homes, but also includes duplexes. There are few undeveloped parcels within the existing residential neighborhoods for new development. New moderate density development will occur within established neighborhoods if older homes are demolished and replaced.

#### Medium Density

Medium density residential zones (8 or more units per acre) provides for areas of multi-family housing units such as apartments, townhouses, and condominiums. There is a need for more market rate rental units to meet the needs of young professionals and retirees moving in the City. Areas designated for medium density residential development are currently located along 1st and 2nd Avenues South and in the neighborhood located south of the high school. The future land use map proposed to expand these areas to areas adjacent to downtown. Moderate density development should be located near amenities such non-motorized pathways and shopping areas.

#### Commercial

Commercial development in the City is typical of many rural communities in the United States where auto-centric 'big-box' development has grown along the main highway while the downtown district has seen a decline. The City should seek to limit sprawl development while improving the quality of existing commercial areas. Residents have expressed a desire for a greater variety of shopping choices and for a more vibrant downtown. The Future Land Use Map includes three types of commercial development: a downtown, regional retail, and general business districts.



Image 13-3 Downtown Escanaba.

#### Downtown District

Land use guidelines in the historic commercial core of the City should promote efficient and attractive development. Maintaining a dense, walkable downtown neighborhood focuses public investment and results in a more inviting and vibrant neighborhood. Downtown land uses accommodate high density commercial and mixed use development. Planned uses in this district include, but are not limited to retail, office, entertainment, medium density residential.



### Mixed Use

Since the mid-20th century it has been common planning practice to regulate the development of land by use. While the intention of separating land uses was to keep pollution or noisy uses from becoming a nuisance to residents, the result has been the development of low-density sprawl. Conversely, districts that incorporate a variety of compatible uses, create more vibrant and sustainable neighborhoods, and may be more attractive to retirees and young professionals moving into the area. Mixed use areas also create more pedestrian activity throughout the day, support the development of transit networks, and foster a stronger sense of place in the community.

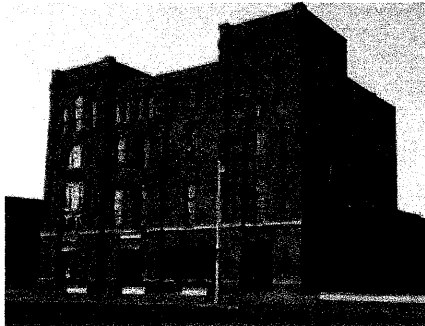


Image 13-7: Mixed Use Development in downtown Escanaba.

Mixed use development is suitable for areas adjacent to downtown and would help to increase pedestrian activity in this area. In the long term, mixed use development would be ideally located along the northern lakeshore. As long as the scale of the development is appropriate, mixed use developments could be used as a transition zone between dense commercial areas and residential zones.

### General Business District

The purpose of areas designated as local business district is to accommodate a wide range of retail, office, and service uses that are compatible with residential neighborhoods. This land use type exists within the fabric of a traditional residential neighborhood and serves as a transition between residential areas and more intensively developed zones.

The purpose of areas designated as local business district is to accommodate a wide range of retail, office, and service uses that are compatible with residential neighborhoods. This land use type exists within the fabric of a traditional residential neighborhood and serves as a transition between residential areas and more intensively developed zones.

### Industrial

The State of Michigan has undergone an economic transition away from manufacturing. Although the number and quality of industrial, skilled trades jobs have been in decline, it is likely the industry will remain important to the economy of the area for the foreseeable future. However, in order to foster greater economic resilience, community leaders should seek other types of land uses for some of the existing industrial areas that would provide for land uses that diversify the local economy. The community has repeatedly expressed a desire to see non-industrial uses on the waterfront that would allow for more public access and attract more people to the area. The shrinking coal economy may result in new opportunities for non-industrial uses on the waterfront.

The Future Land Use Map does not include the addition of new areas for industrial use in the City. Areas identified for industrial use are those that are already zoned as industrial in the City's Zoning Map. Areas for industrial land use are located on the northern shoreline of Escanaba from 14th Avenue North, areas adjacent to downtown, and the industrial areas on the northern side of the City. The City should encourage industrial development within these designated areas to ensure other industrial sites do not develop in areas which are designed for less intensive uses. Vegetated buffers should be used to minimize land use conflicts between industrial and non-industrial land uses.



Image 13-8: Existing waterfront adjacent to downtown.



Roads 132, sidewalks 16, energy system 2, more lights on side streets, storm drains 6, bury electric lines, public transit 3, alley conditions 2, infrastructure 2, more street trees, one way streets

Housing

Blight, especially near downtown and Northtown 48, affordable housing for low/middle income residents 9, improve quality of rental housing 5, build condos in Northshore/municipal dock area 4, housing rehab 3, senior housing 2, low market value of area homes

Misc.

Be more like Traverse City/Ludington/Marquette 3, downtown businesses open later 3, bullies in school, lessen distance required for school bus pick up – too dangerous for kids to walk alone because of drug problem, price gouging, Willow Creek flood plain, elementary kids on same bus as high school kids, shared community vision, expend historic district, bigger college, more children, need more

11. The city should enforce blight ordinance more strictly.

Agree 51% Disagree 6% Unsure 42%

12. Please rank from 1 (*most*) to 8 (*least*) how important the following should be to the city government?

Rank	1	2	3	4	5	6	7	8
<b>New commercial development</b>	50.6%	13.5%	10.0%	7.4%	4.6%	4.1%	3.0%	6.8%
<b>Redevelopment of vacant or underutilized properties</b>	45.6%	20.8%	10.4%	9.5%	3.0%	3.5%	3.7%	3.5%
<b>New housing development</b>	22.3%	14.7%	17.2%	15.3%	8.9%	9.8%	8.3%	3.5%
<b>Pedestrian and bicycle path</b>	34.9%	16.9%	14.3%	13.3%	7.5%	5.1%	3.2%	4.8%
<b>Preserve natural features</b>	34.5%	18.5%	13.8%	12.9%	8.4%	5.2%	3.7%	3.0%
<b>More senior housing</b>	14.0%	11.9%	21.4%	15.2%	8.7%	11.4%	11.2%	6.2
<b>Improve public services</b>	22.3%	18.6%	15.4%	14.1%	9.2%	7.5%	8.6%	4.3%

Other:

Economic Development

Attract & retain businesses 5, generate tourism 4, better jobs that pay higher wages 4, bring better restaurant and grocery options to town 3, do more to attract & retain

young professionals 2, improve perception of the city by non-residents, tax breaks for more companies to come into the area, focus development away from industry and towards recreation, no more big box stores and fast food restaurants, develop Northshore, encourage redevelopment of the mall, nightlife/restaurants on waterfront, fix up beach and downtown

#### Local Government/Public Services

More education opportunities 2, get rid of red-tape, improve jails, easier way to contact city staff, make the most of the CLG designation, attract more grants, wearable surveillance cameras for police, improve public safety, police should be proactive, not reactive, improve recycling

#### Community Character

Community clean up/enforce property maintenance codes 9, adopt policies to promote environmental sustainability 2, utilize the park more 2, remove dead tree branches, people park too close to driveways, attract a higher class of people to town, more nightlife options, enforce curfews, thin trees in Ludington Park, bring back bay fest, restore house of Ludington, create boardwalk area along waterfront, create one cohesive vision for the community, farmer's market, address zebra mussels on beach and waterfront

#### Quality of Life

Address drug problems 13, more mental health services, more activities for kids and families 4, community assistance programs (for seniors, homeless, single parents) 3, develop a dog park 2, activities for teens 2, more activities and accessibility for handicap people, the cost of living

#### Infrastructure & Transit

Road repair 8, more bike and pedestrian paths 4, fix uneven sidewalks 3, need for fixed bus routes and stops, connect ATV trails to others in the region, create redundancy in electric grid, bury power lines that run through people's backyards,

#### Housing

Better rental options for professionals 2, senior housing just for seniors, city does not need more housing, pet friendly rentals, encourage the rehabilitation of existing housing, apartments with garages, low income housing for people without children

13. What type of residential development could the city use more of?

Apartments 25% Attached townhouses/condos 34.3% Infill development 5.7%  
Manufactured homes 8.3% Multi-family homes 10.3% Senior housing 16.4%

## 7: Land Use and Zoning

While zoning has played a role in how communities organize speci represent the actual use that exists in a particular area. Under the current zoning, (highlighted in Map 19), districts are broken into twelve classifications; single-family residential, two family residential, multiple-family residential, local business, commercial, light manufacturing, heavy manufacturing, planned commercial, and industrial park. A review of Maps 22 and 23 reveals the spatial patterns of these distinct zoning districts and begins to reveal the relationship of zoning and land use distribution. The northern half of the City constitutes the majority of the heavy manufacturing district including the area known as the north shore. The primary area of light manufacturing is located at the Delta County Airport site. Commercial and Local Business

### 7.6 Issues and Opportunities

#### **Issues:**

Although much of the community is built up, there are high-quality natural areas, such as wetlands and forest areas, that must be preserved to maintain the quality of the City. A wetland management plan should be developed to guide preservation, mitigation, and recreational use of these areas.

The industrial legacy of the community continues to affect the potential for development in the City. Although there has been significant public support for waterfront redevelopment in previous plans, much of this area is privately owned and used for industrial purposes.

#### **Opportunities:**

Land use in the City has been long regulated by Euclidean zoning, which has resulted in some undesirable development patterns in the community. The lack of integration between these uses results in the development of homogeneous districts with limited pedestrian connectivity. To foster better urban design land use regulations should enable greater flexibility in uses and stricter guidelines on building form. This could be achieved through performance standards, and/or the development of zones that are regulated primarily by form. These changes would help the City in achieving the community vision.

A form based code should be considered for the downtown, encompassing Ludington Street from 1st Street to 26th Street between 1st Avenue North and 1st Avenue South, and the North Shore area. Form based codes primarily regulate the physical form of buildings and land use is a secondary concern. Form based codes are a tool to create more walkable, vibrant communities. Form based codes differ from conventional zoning by including building form standards and public space standards and result in more predictable developments and a stronger sense of place. Conventional zoning regulates and segregates land by use. The large setbacks and parking standards included in conventional zoning ordinances results in segregated land uses and auto-oriented development.

In order to ensure the preservation of wetlands, brownfield areas may also need to be restored to allow for new development. Some areas along the lakeshore have been contaminated through the intense industrial uses in the past. In order to determine a detailed location of these sites, it is recommended that these areas be carefully evaluated. Concentrating efforts on the remediation of these sites will present the City with opportunities to develop some of the more desirable land along the lakeshore. Furthermore, by opening brownfield areas within the heart of the City, demand for buildable land along the major thoroughfares will decrease limiting sprawling commercial development. An alternative use for brownfields, when feasible, could be the development of new park and recreation areas.

**Northshore Flats**

Michael McDonald <Mmcdonald225@outlook.com>

Fri 1/26/2024 6:16 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Tyler,

From 1984-1997 my wife Ellen and I lived in Escanaba. I worked for Mead Paper at the mill. We raised our 3 children in Escanaba, have many friends in town, and have been looking for a nice condo to move back if one was ever built. We currently have a house in NC, but our heart is with the friendships we have in Escanaba.

We are both seniors; a condo would be perfect for us, and we trust the Sviland's. They have always been for the community, good people.

When we saw the plans for Northshore Flats, we were excited, perfect for us and the community. We're are both 3rd and 4th generation Yoopers; our family histories started in the UP. My grandfather had his honeymoon at the House of Ludington, then The New Ludington Hotel.

I will soon be 75 years old, and would love to spend my remaining years across the street at the Northshore Flats. My wife loves Escanaba even better than I do, girlfriends, I guess.

If you Zillow lakeshore condos for sale in the U.P., or even northern lower peninsula, there are virtually none for sale, no new ones being built. There is a need for this development, and why not Escanaba. It could be the beginning of a wonderful new phase for a beautiful city.

Sincerely,

Mike and Ellen McDonald

Wishing you a great day

Sue A. Hilgemann  
3302 Monte Carlo Drive  
Weston, WI 54476  
715-501-8441  
[sueesche@gmail.com](mailto:sueesche@gmail.com)

January 27, 2024

Tyler Anthony-Escanaba Planning and Zoning Administrator  
410 Ludington Street-Second Floor  
Escanaba, MI 49829

Dear Tony:

This letter is to inform you that I am in full support of the beautiful condominium development that Matt and Beth Sviland have planned for Escanaba. I have been visiting the Escanaba area for the past 45 years visiting family and friends. When I learned about the development and being on the waterfront, this definitely is the place that I want to call home.

As where I currently reside, I plan on being active in church and civic endeavors throughout the community and will also relocate my economic assets to Escanaba as well.

I believe the Northshore Flats will help provide growth and housing that is desperately needed in the Escanaba community. The commission's approval is a crucial step for the Northshore Flats Condominiums, and I would really appreciate your show of support.

Sincerely

Sue A. Hilgemann

**A Big YES for Northshore Flats**

Papryal <papryal@chartermi.net>

Sat 1/27/2024 3:42 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

*I am in full support of the much needed development that Matt and Beth Sviland have planned for Escanaba. I believe Northshore Flats will help provide the growth and housing that is desperately needed in our community.*

*I have seen some of the plans and have friends who are interested in purchasing condos. I have shared with my friends the trust I have in Beth and Matt and their vision.*

*That Svilands are major supporters of our beautiful Escanaba. Their completed project will add value to our community and be a draw for future residents.*

*Thank you,*

*Peggy Berg*

*1615 Ludington Street*

*Apt 1A*

*Escanaba*

Sent from my iPhone

January 28, 2024

Tyler Anthony  
Escanaba Planning and Zoning Administrator

Mr. Anthony,

I am a retired homeowner, who has begun to anticipate my next steps. One of those steps is to decide “where am I going” when I sell my home. The Northshore Flats development is exciting to me, because it offers me an option for “where to go.” This project is needed in our community to provide much needed housing. In turn, a move for me to the Northshore Flats will allow me to sell my family home. Thus, giving a family an option to buy a home in the area.

I am in full support of this development. And, I know, that I am not the only one seeking a place to live between the family home and the nursing home. I hope that this project meets with your approval.

I am thankful that Swanee, Inc. has taken on this project to bring a beautiful housing option to our community.

Sincerely,

Sue Scheeneman  
4970 S Pederson Circle 17.75 Drive  
Escanaba, MI 49829

**Escanaba condominiums**

Paula <paula759@gmail.com>

Sun 1/28/2024 12:51 PM

To: Matthew Sviland <swaneeinc@gmail.com>; Tyler Anthony <tanthony@escanaba.org>

Cc: Paul <dr.paul.jacobs@gmail.com>

Dear Escanaba Planning Commission,

It is with such excitement that we await the new condominiums to be built in Escanaba. We have asked many people for years why Escanaba did not have any condominiums on the waterfront, or as a place for seniors to retire as so many other towns with a beautiful waterfront do.

So when we heard about the condominium venture, we jumped on board. We immediately signed up for a new condominium and anxiously await the day that it will be built.

I urge you to vote in favor of this condominium project that will only enhance Escanaba.

Thank you for your time and support.

Sincerely,

Paula and Paul Jacobs

906-786-7878



**North Shore Flats Development**

Russell Dillon <dillrj37@gmail.com>

Sun 1/28/2024 1:39 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Dear Mr. Anthony,

We would like to add our support to the North Shore Flats development that Matt and Beth Sviland have proposed for Escanaba.

When we visit Marquette and see the condominiums that have been developed along their lake shore and see how it has increased the beauty and image of their city, we can't help but believe that the North Shore Flats development would do the same for Escanaba. It would be a plus for visitors and residents and would help demonstrate that Escanaba is a progressive city.

Thank you,

Linda and Russell Dillon

**Northshore Flats**

**larry moilanen** <larrymoilanen98@gmail.com>

Sun 1/28/2024 10:01 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Mr. Anthony- We are contacting you in support of the Northshore Flats development proposed by Matt and Beth Sviland. This development will provide much needed new housing and an increased tax base that will be beneficial to the community.

Sent from my iPad. Larry and Sandy Moilanen

Tyler Anthony,

Escanaba Planning and Zoning Administrator:

*I am in full support of the exciting new development that Matt and Beth Sviland have planned for Escanaba. I believe the Northshore Flats will help provide the growth and housing that is desperately needed in our community. Unfortunately, I will be out of town for the February 8th meeting and will not be able to show my support in person. Please accept this letter to show my complete support of the Northshore Flats development. I've been a tenant at Matt and Beth's Lofts on Ludington for 3 years and I love everything about it, especially the wonderful people who live here. Plus the location being so close to everything I need is very convenient!*

*What I see this new development bringing to Downtown, besides a beautifully aesthetic building, is a place for young professionals, retirees and people like myself who work at Billerud and other mainstream local companies the ability to have less upkeep and spend more time enjoying and patronizing our local shops. Beyond that, the intangibles of what this development will do for the community are important, it can raise the bar so-to-speak. The City of Escanaba is very lucky to have such wonderful Business owners like Matt and Beth Sviland to head this much needed housing development in the Escanaba Downtown area.*

*Sincerely,*

*Robert A. Way*

*The Lofts on Ludington*

*1615 Ludington St*

**Northshore Flats Condo Project**

Linda Yagodzinski <lindayago1@gmail.com>

Tue 1/30/2024 2:02 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Sent from my iPad

We are writing concerning the condo development proposed by Matt Sviland.

My wife and I were both born and raised in Escanaba. I owned and operated Escanaba Lumber Company for 30 years and then sold it to Besse Forest Products.

My wife was an administrative associate to financial firms in Escanaba.

We are now retired and own a home on Lake Michigan in Ford River. We are now at the stage of our lives that we would like to downsize with a maintenance free condo as our preference. As you are probably aware there are no high end condos in Escanaba. The closest would be Marquette who have numerous condos on or near the lake. The Northshore Flats would be ideal for us. It would also be good for Escanaba as it would really enhance the east end of Ludington street.

Any consideration of our opinion would be greatly appreciated.

Greg Yagodzinski. 906.399.6851

Linda Yagodzinski 906.280.3168

**Swanee, Inc Proposed Condo Development on East Luding**

Michael Quinn <mikequinn1904@gmail.com>

Sat 1/20/2024 3:38 PM

To: Tyler Anthony <tanthony@escanaba.org>

Tyler Anthony

Escanaba Planning and Zoning Administrator

I believe you are an integral part of the condo development proposed by Matt and Beth Sviland for East Ludington Street. I'm a potential purchaser and would like to share my thoughts.

My wife and I were both born in Escanaba. We both grew up here, went to school here and raised our 4 children here. Our only time away from the Escanaba area was for college and the military. I grew up on 10th Street. I married after completing my military obligation and we lived in a small home near the South end of 14th Street. As our family grew we moved to a larger home on South 15th Street.

In the middle 1970's, I orchestrated the purchase of the former Liquor Control Building at 816 Ludington Street and converted that warehouse to a law office where I enjoyed working for almost 50 years.

Going back further than that, in 1939, my Father opened a restaurant at 1313 Ludington Street and operated that until his death in 1995. That was Tommy's Lunch then. Rosie's today. I mention these things so you will understand that I have a long time connection with Ludington Street and Escanaba.

In 1980, I had a chance to acquire lake front property about 3 miles South of the airport. We built a 4 bedroom home there and moved in in 1981 and that location was home to my wife, myself and our 4 children. Those children now have all married and have children of their own. That leaves us with a large home for 2 people. We are both in our 80's and for the last several years have talked about moving back to Escanaba. The ride on M-35 is more exciting than we would prefer. We would like to be closer to services for Church, doctors, grocery stores, etc. we don't want to leave the Escanaba area as we have friends and family here. At the same time, after almost a half century of living on Lake Michigan, it would be very painful to give up that view and that atmosphere.

Now, what Matt and Beth propose at this location offers us an opportunity to enjoy living on the lake in a facility with quality similar to our home plus the added benefit of not having to do the maintenance that I enjoyed doing when I was younger. Judging from the large response Matt and Beth have received, I know there are many other Escanaba citizens hoping to see this project proceed. We hope this project receives a favorable response as it passes through the various city agencies.

We've needed condos in Escanaba for many years and now we have a chance to have them at a choice location being built by a developer who has earned a reputation for quality.

Thank you for your time.

Mike Quinn 906-280-1904

Sent from my iPad

**North shore Flats**

Lynn George <housegal906@gmail.com>

Sat 1/27/2024 1:56 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Please approve the plans for the Northshore Flats development. Escanaba needs desirable condos.

Many times we have had people ask for them.

Thank you

Lynn H George

Sent from my iPhone



**North shore Flats**

maureen mccarville <upmacker@hotmail.com>

Wed 1/31/2024 8:46 AM

To: Tyler Anthony <tanthony@escanaba.org>

I, Maureen Mccarville; am in full support of the development of Northshore Flats by Beth and Matt Sviland. There is a horrible lack of housing in Escanaba; especially for the up and coming baby boomers. I have looked over their proposal and have spoken to Matt many times about it. I am fully in support and feel it would also be a great tax base that the city is in desperate need of.

Sent from my iPhone

**Northshore flats**

Courier, Fr. Rick <frcourier@stanthonystthomas.org>

Wed 1/31/2024 11:25 AM

To: Tyler Anthony <tanthony@escanaba.org>

Dear Mr. Anthony,

I would like to express my support for The Northshore Flats development planned for the old Delta County Chamber of Commerce property at Ludington Park. I live in Escanaba and walk downtown and through Ludington Park almost every day. It has been my experience that the areas of our community that have an increased residential population, lights on with increased activity, are the safest areas in our city. The abandoned Chamber building is an overgrown eyesore and does not provide a safe, warm entrance into our beautiful city park. The opportunity for the new development will offer new lakeside housing, an increased population in a currently blighted area, and a safe, beautiful entrance to Ludington Park.

Fr. Rick Courier

Darcy Winkowski <darcywinkowski@yahoo.com>

Thu 2/1/2024 11:33 AM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Dear Mr. Anthony,

After becoming widowed I found maintaining a home too difficult and moved into the Lofts on Ludington. It is a state of the art building and in my opinion Escanaba does not have another apartment building that provides this higher-than-average level of living.

Additionally, after six years as a tenant, I can speak to the wonderful reliability and healthy communications I have witnessed in Lofts management.

It is so exciting knowing that Matt and Beth Sviland have a vision for Escanaba's growth and the development of the Northshore Flats would provide one more desperately needed state of the art housing in our beautiful city of Escanaba. I whole heartedly support this development.

Sincerely,

Darcy Winkowski

[Sent from Yahoo Mail for iPhone](#)

**Approval of building site - Northshore Flats**

Donna McCash <katisoo88@gmail.com>

Sat 2/3/2024 5:51 PM

To: Tyler Anthony <tanthony@escanaba.org>

Board of Commissioner's- planning Commission

I would hope this plan has the approval of commissioners at this meeting February 8th.

The City of Escanaba needs new structures and beautification of unsightly area.

The Northshore Flats would be a great improvement to area and much welcome housing which is sorely needed in the City

Improvement and growth has to happen and this is a very desirable improvement to the area

Please approve this for overall good to City of Escanaba

Thank you

Donna McCash

Sent from my iPad

**Support for Northshore Flats Condominiums project**

Michael Dailey <md@mybmcs.org>

Sun 2/4/2024 10:22 AM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>; Beth Dailey <bd@mybmcs.org>

To: Mr. Tyler Anthony - Escanaba Planning and Zoning Administrator

Mr. Anthony,

My wife, Beth Dailey and I would like to express our support for the Northshore Flats project that Matt and Beth Sviland have planned for Escanaba.

My wife and I are graduates of Escanaba High School (class of 1973). I grew up in the area of the proposed project. We have recently returned to the Upper Peninsula in 2019. We are excited to see this potential opportunity to provide additional housing and to revitalize the targeted area in a tasteful and respectful manner. Bravo to Beth and Matt Sviland for their leadership and efforts to increase the real and perceived value of the City of Escanaba and the surrounding areas through the Northshore Flats Condominiums project.

Thank you for your time and consideration.

Sincerely,  
Mike Dailey

--

Michael Dailey  
Systems Administrator/E-rate Consultant Cesa 9  
[md@mybmcs.org](mailto:md@mybmcs.org)

*Planning Commission*  
**Northshore Flats letter of support**

*Official Minutes – February 8, 2024*  
*Appendix 2*  
*Exhibit R*

sally <samamoore@hotmail.com>

Tue 2/6/2024 9:07 AM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Dear Mr. Anthony,

I am writing a letter of support for the Northshore Flats to be built in Escanaba beginning in 2024. With the housing shortage in this area, this will help alleviate some of this problem. There is an extensive waiting list for these condos which proves that there is definitely an interest and a need. Not only will these condos provide permanent housing, but it will create new jobs for the community and add an economic boost to the community.

Thank you!

S. Moore



**Northshore Flats condominiums**

Michelle Connor <mdecamp@chartermi.net>

Tue 2/6/2024 9:36 AM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Dr Mr Anthony

We are writing this letter in full support of the exciting development that Matt and Beth Sviland have planned for Escanaba. We believe the Northshore Flats will help provide the growth in housing that has desperately been needed in our community.

We have several friends who have moved from the area because of the lack of this type of housing availability in our area. Escanaba very much needs this development to move forward to keep our residents here and be inviting for others to move to our area.

Please don't let a few citizens who think this project isn't needed be the voice of our community and overshadow the benefits it will provide

Sincerely

Mike and Mickey Connor

Sent from my iPhone

**Northshore Flats**

Patty Heslip <pattyheslip808@gmail.com>

Tue 2/6/2024 12:46 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

I understand the Northshore Flats Condominium project is on the agenda for the Planning Commission meeting being held on Thursday, February 8.

I am writing this to voice my support of this development project that Matt and Beth Sviland have planned for our community. I believe the Northshore Flats will help provide the growth and housing that is desperately needed in our community.

One group to benefit from this development would be the generation of our population that is aging out of their homes and looking for options to continue living independently. Moving to a development such as the Northshore Flats would provide that. Additionally, as these people move from their current homes, their houses would be available for families to acquire, another win-win for our community.

Personally, as an aging widow, I look forward to the day when I can sell my home and downsize to something smaller. At this time, my options here in Escanaba are very slim. I'm sure many others are faced with this same problem.

I sincerely hope the Planning Commission will support the Northshore Flats Condominium project.

Thank you,  
Patty Heslip  
808 So. 13<sup>th</sup> Street  
Escanaba, MI  
906-420-1301

Sent from [Mail](#) for Windows

**Proposed condominiums**

Jill Spencer <jill@carpetanddrapery.com>

Tue 2/6/2024 2:52 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: Matthew Sviland <swaneeinc@gmail.com>

Good afternoon,

I am writing this email as I am unable to attend the meeting regarding the proposed building of the Northshore Flats across from the House of Ludington. As a longtime resident of the Escanaba community, I am excited to see progress and improvements being made in our downtown area. I have felt, for a long time, that Escanaba has missed on opportunities that our town, residing on the beautiful lakeshore, could capitalize on, more than it has. I look at Marquette and the tourism they have generated along with the multifamily housing following their waterfront area and think we have a similar situation and opportunity. The Northshore Flats definitely would be an asset to our community!!

--

Thank you,  
Jill Spencer  
Carpet and Drapery Shoppe  
6681 Hwy 2, 41 & M35  
Escanaba, MI 49829  
906-786-1177  
[www.carpetanddrapery.com](http://www.carpetanddrapery.com)



February 7<sup>th</sup>, 2024

City of Escanaba  
Planning Commission  
401 Ludington Street  
Escanaba, MI 49829

Dear Planning Commission,

On behalf of InvestUP, which is of course the State's Region One CDC lead, along with its Board of Directors, which represent eleven industry sectors across Michigan's Upper Peninsula (U.P.) and do business in each U.P. county, and across the state and nation, I would like to express our support for The Northshore Flat's development which will rehabilitate and develop vacant and underutilized property in Escanaba's historic downtown district. We ask that you look favorably upon their site plan for approval and the Special Land Use permit to build these phase I condominiums.

The City of Escanaba held a public selection process for this city owned site, and Matt and Beth Sviland were chosen as the desired developers because of their local ties, downtown development experience, and public space design sense. This exciting project will commence on the east end of the property, with the construction of two three-story condominium buildings. These condominiums will be built over integrated parking spaces to minimize congestion and increase the amount of surface level green space. The two buildings will be made up of 20 condominium units. Behind the condominiums will be a new driveway and shoreline beautification. At the front of the buildings will be newly landscaped green space, and place-based public space.

Additionally, a mixed-use apartment development with a ground floor market and café will be constructed on the west-end of the property in the future. The center spaces and upper floors will be much needed market-rate apartments.

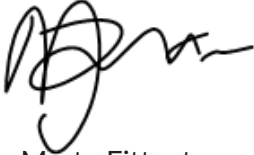
There is a high demand for rental and condominium units in the Escanaba community. Older residents love living in this beautiful city but seek housing options where the responsibilities of shoveling snow and yard work are assigned to someone else. Their movement into this development creates the potential to open houses for younger families to purchase. The housing market in the city is capped. People wishing to relocate to the area for employment, and those already employed and able to work from home, have very limited options to rent or purchase. The housing shortage has become an emergent situation and is preventing growth.

This project would be a tremendous win for Escanaba - adding much needed housing units will go a long way in helping to alleviate some of the workforce housing demands Escanaba has been facing.

Looking favorably on this project would allow Matt and Beth Sviland to further increase Escanaba's, and the U.P.'s, desirability as a place to live, work, and do business - and, through that, serve as a catalyst for the region's challenges with a declining and aging population and lack of available housing.

Of course, if you have any questions or concerns regarding InvestUP's outlook and its support of this application, please call on me any time at 906-280-7800.

Sincerely,

A handwritten signature in black ink, appearing to read 'Marty Fittante', written in a cursive style.

Marty Fittante,  
CEO, InvestUP

**Northshore Flats**

Rep. Dave Prestin (District 108) <DavePrestin@house.mi.gov>

Wed 2/7/2024 3:14 PM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: James McNeil <jmcneil@escanaba.org>

Hello Tyler,

I had the pleasure of meeting Matthew and Beth Sviland this past summer to discuss the Northshore Flats Escanaba condominium project. I'm hearing that tomorrow night the Planning Commission is considering the Site Plan and Special Land Use permit for Phase I of the project.

I'm writing this letter in full support of the Northshore Flats development.

Northshore Flats will help provide the growth in housing that is desperately needed in the Escanaba community. The Svilands have identified current residents who wish to purchase a condo, while making their houses available for new families. There are also those who have moved away from the area but would like to return as they retire. By attracting new people, the project would increase the tax base for the city.

The site is an older part of the city that would greatly benefit from this project. The vacant Chamber of Commerce building will be raised, and revitalized with a mixed-use, public space development. I believe this would complement the existing park and marina area.

I'm hoping the Commission will find that The Northshore Flats Site Plan meets the requirements to issue a Special Land Use permit and approve the Site Plan.

Rep. Dave Prestin  
House District #108



**Zoning Public hearing comments for 2/8/24**

Eric Henderson <ebhenders@yahoo.com>

Thu 2/8/2024 9:16 AM

To: Tyler Anthony <tanthony@escanaba.org>

Cc: wndsfrfr@chartermi.net <wndsfrfr@chartermi.net>

Mr. Anthony,

I'm writing to express my concerns and objections to the Special Land Use Application for 200 Ludington Street described in the January 19th letter addressed to land owners within 300 feet of the proposed application.

My objection concerns the designation of the site's Future Land Use as defined by the City's Master Plan, the Current Zoning defined by the Current Zoning Map, and the changing nature of the proposal from what it was originally sold to the City and the public as a multi-use condominium and retail site.

I am the property owner of the residential site at 101 South Second street Escanaba, however I am unable to attend tonight's hearing in person. I am copying my neighbor Eric Rose on this letter as he may be able to attend and relay my concerns.

First, according to the Master Plan, the site is designated as "Recreation and Open Space" which does not support the construction of large residential condominiums. Even the city's Recreation Master Plan shows a future designated bike route through the property. Will the proposed development still allow for this plan to be implemented?

Second, the Current Zoning Map designates the site as Zone E-3, Central Commercial. This designation occurred in the recent past to accommodate the proposed development in question here, and is not listed in the 2015 Master Plan. When the original proposal was approved, it included a mix of commercial and residential in a single building. The current plan appears to be two structures and is exclusively residential. That appears inconsistent with the E-3 designation, although I could not find the definition of E-3 in the city's 2015 Master Plan. Furthermore, it would appear that the appropriate designation for the site would be C-2 under the current proposal which explicitly lists "condos" and town houses.

I'm not opposed to development and expanded use of the downtown area. However, the current proposal significantly deviates from the original plan (submitted when the award was switched from the out of town developer to the 3 local developers), and it appears inconsistent with the City's published plans and zoning designations. Therefore I am opposed to the plan as currently described. These issues must be resolved before the plan can move forward.

Eric Henderson  
101 South 2nd Street, Escanaba

CC: Eric Rose

November 18, 2023

Dear Escanaba Planning Commission

Our property at 1021 Lake Shore Drive in the city of Escanaba is within a Zone A area of the city but is classified as commercial property by the city and is taxed accordingly.

The building was a former gas station and obviously was built for commercial use only. In 1995 it was purchased by Dr Donald and Theresa Alimenti and converted into the Delta Animal Clinic. The Alimentis went to considerable lengths to have the property cleaned of toxic chemicals by White Water Associates, Inc. at that time. They also submitted their plans to the City of Escanaba in regards to zoning at or around that same time.

It remained an animal clinic until we purchased the property in 2008. At that time it was converted into a chiropractic clinic.

At the present time we are in the process of selling the property as commercial property as classified by the city. However, because the property is within a Residential zone, it is prohibitively affecting the sale of the property as commercial. As it stands the building and property are not conducive to residential use but zoning makes it nearly impossible to sell as commercial property. Realtors are perplexed as to how to list it. They have been listing it as commercial simply because it appears that it has always been commercial property.

We ask that the property- Lot 8 of block 6, and Lot 9 of block 6, of Lake Shore Drive Addition #1, having a mailing address of 2715 South Lincoln Road, Escanaba, Michigan 49829 be designated as commercial in accordance with its continued history of usage as commercial property in the city of Escanaba. Or at the least consider the property in accordance with the Local Business District "D" ordinance.

Our request is not establishing a new precedence over any past practice, but confirming that our property is and has been, as far back as most people can remember, commercial property. Thank you for your time and consideration in this matter.

Sincerely,  
Kenneth and Donna Linder  
W5991 34 Road  
Carney Mi. 49812