City of Marquette, MI

Meeting Agenda
City Commission

Monday, October 27, 2025
6:00 PM
Commission Chambers

300 West Baraga Ave
Marquette, Michigan 49855

Call to Order, Pledge of Allegiance and Roll Call

Approval of the Agenda

Announcements

Boards and Committees

1. Appointment(s)

Johanna Worley to the Arts and Culture Advisory Committee for an unexpired term ending 06-01-28
Jacob Guter to the Planning Commission for an unexpired term ending 2-15-26 and the subsequent term ending 2-15-29

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

Presentation(s)

2. Citizen's Academy Graduation

3. Local Officers Compensation Commission, by Stephen Swentik

Public Hearing(s)

4. CDBG Closeout - Roll Call Vote

5. Ordinance #25-13: Conditional Rezoning for 1700 Division Street - Roll Call Vote

6. **Consent Agenda - Roll Call Vote**

6.a. Approve the minutes of the October 14, 2025 regular Commission meeting

6.b. Approve the total bills payable in the amount of $4,797,165.72

6.c. Adoption of Amended Marketing Plan

6.d. Adoption of Amended Public Participation Plan

6.e. Application for License to Use City Property adjacent to 852 W. Bluff Street

6.f. Application for License to Use City Property adjacent to 401 W. Washington Street

6.g. Community Foundation of Marquette County - Grant Award

6.h. Fee Schedule Amendment - Roll Call Vote

6.i. Fire Labor Agreement

6.j. Hemlock Park - Sanitary Sewer Easement Acceptance

6.k. Marquette Senior High School Club Softball Non-Profit Status - Roll Call Vote

6.l. Master Agreement to Purchase Services (In-Home Services)

6.m. Retiree Medicare Advantage Health Insurance

6.n. Winter Parking Ban Resolution - Roll Call Vote

6.o. Zamboni Purchase

New Business

7. Plow Truck Purchase

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

Comments from the Commission

Comments from the City Manager

Adjournment

Kyle Whitney, City Clerk

If you require assistance to participate in any meeting, program or activity offered by the City of Marquette, please provide advanced notice to City of Marquette ADA Coordinator Eric Stemen at 906-225-8978 or via email at estemen@marquettemi.gov.

Agenda Date: 10/27/2025

Public Hearing(s)
CDBG Closeout - Roll Call Vote

BACKGROUND:

The City of Marquette was the recipient of Community Development Block Grant (CDBG) funds to assist with the demolition of a portion of the former Marquette General Hospital. These funds were distributed to the Northern Michigan University Foundation (NMUF), the property owner and project manager, to provide for the removal of portions of the former hospital campus that were affected by blight and disuse. The specific demolition funded by these funds are the buildings that were bounded by College Avenue, Magnetic Street, Hebard Court, and Seventh Street, with the addition of the "bridge" building.

This public hearing was scheduled at the October 14, 2025 City Commission meeting and the notice was published according to the required guidelines.

FISCAL EFFECT:

None by this action.

RECOMMENDATION:

Approve the resolution acknowledging the closeout of the CDBG project, and authorize the Mayor to sign.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Resolution

Resolution

COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT CLOSEOUT

WHEREAS, the City of Marquette received a Community Development Block Grant (CDBG) from the Michigan Economic Development Corporation (MEDC) for the Former MGH Hospital Demolition Project; and

WHEREAS, the total CDBG project cost was $9,415,966, of which $8,013,951 was funded through the CDBG program and $1,401,015 was provided from private funds; and

WHEREAS, the project has been completed in accordance with the grant agreement and all applicable state and federal requirements;

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Marquette hereby closes out the CDBG grant for the Former MGH Hospital Demolition Project and acknowledges the successful completion of the project and expenditure of all funds.

Adopted this 27th day of October, 2025.

_____

Jessica Hanley, Mayor

Agenda Date: 10/27/2025

Public Hearing(s)

Ordinance #25-13: Conditional Rezoning for 1700 Division Street - Roll Call Vote

BACKGROUND:

The City recently received a request to conditionally rezone the property at 1700 Division Street from Mixed-Use (M-U) to General Commercial with Conditional Rezoning (GC CR). Pursuant to the Michigan Zoning Enabling Act, MCL 125.3405, “An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map”.

On September 16, 2025, the Planning Commission conducted a public hearing and discussed the proposed rezoning, in accordance with procedures established in the Land Development Code for evaluating rezoning requests. The following motion was made to recommend approval of the request:

> *It was moved by S. Lawry, seconded by D. Fetter, and carried 5-0 that after conducting a public hearing and review of the application and STAFF REPORT/ANALYSIS for 01-REZ-09-25, the Planning Commission finds that the proposed rezoning with conditions is consistent with the Community Master Plan and meets the requirements of the Land Development Code Section 54.1405, and hereby recommends that the City Commission approve 01-REZ-09-25 as presented.*

The Conditional Rezoning application, staff file review/analysis, and minutes of the September 16, 2025 meeting are attached. A Conditional Rezoning Agreement will need to be drafted and approved.

FISCAL EFFECT:

None.

RECOMMENDATION:

Following the Public Hearing, adopt Ordinance #25-13 rezoning 1700 Division Street from Mixed-Use (M-U), to General Commercial with Conditional Rezoning (GC CR) as recommended by the Planning Commission, direct the City Attorney to draft a Conditional Rezoning Agreement, and authorize the Mayor and City Clerk to sign the Ordinance.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Planning Commission meeting minutes of 9-16-25
- Staff Report Packet_01-REZ-09-25 1700 Division St
- Ordinance 25-13

OFFICIAL PROCEEDINGS
MARQUETTE CITY PLANNING COMMISSION
September 16, 2025

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, September 16, 2025, in the Commission Chambers at City Hall. This meeting is also available to view on video online at the City's website.

ROLL CALL

Planning Commission (PC) members present (5): K. Hunter, J. Fitkin, Chair Kevin Clegg, D. Fetter, S. Lawry
PC Members absent (2): M. Rayner, Vice-Chair A. Wilkinson
Staff present: City Planner and Zoning Administrator D. Stensaas.

AGENDA

It was moved by S. Lawry, seconded by K. Hunter, and carried 5-0 to approve the agenda as presented.

MINUTES

It was moved by S. Lawry, seconded by J. Fitkin, and carried 5-0 to approve the minutes of the August 19, 2025, meeting with changes to a name and a motion, as noted by S. Lawry and J. Fitkin.

PUBLIC HEARING

A. 01-REZ-09-25 – 1700 Division St. - Request to Rezone w/ Conditions from MU to GC-CR

Chair K. Clegg introduced the item and asked City Staff to present their information for this case.

City Planner and Zoning Administrator D. Stensaas stated:
Tonight the Planning Commission is being asked to make a recommendation to the City Commission regarding a request to rezone the property. This is not a development approval or a development request; it's a rezoning request for the property located at 1700 Division Street. It's currently zoned Mixed-Use, requested to be zoned General Commercial with Conditional Rezoning The materials the Planning Commission is being provided with include a sample motion for this, basic information about the parcel, where it lays, what the adjacent parcels next to it are zoned, the provision of utilities, the current zoning district standards, the intent of the Mixed-Use district, the permitted and Special Land Uses that are currently provided for the Mixed-Use district, the dimensional regulations for the Mixed-Use zoning district, and footnotes that go along with those dimensional regulations. There are a lot of footnotes. Then we have landscaping design standards for that zoning district.

Now, we get to the proposed zoning with conditions. This page is what the applicant provided to the Planning Commission, and per the State Law that regulates zoning, the Zoning Enabling Act, an applicant can propose to rezone the property with conditions that the Planning Commission or City Commission cannot counter. This is not a negotiation. The Planning Commission will either vote up or down. The City Commission will get the recommendation from the Planning Commission and make their own decision. What this sheet shows you, from the applicant, is the uses that are being exempted out of the possibility of use if this rezoning is approved. The Planning Commission has done their homework, but I will say

this, that our staff has verified that the uses shown here that are left, the ones that are not crossed out and highlighted, are exactly the same as what is now allowed in the Mixed-Use district for both permitted and Special uses - with the exception of these four items for Storage Facilities, Self-Storage and Indoor Storage as principal or accessory uses. These are the only options as a Special Land Use. These are the only things different than what is currently allowed in the Mixed-Use district.

As a Special Land Use, that requires, if this property is rezoned and the applicant chooses to pursue a development proposal for this, they go through a Special Land Use application with site plans submitted for the use, with the specific design and use of that property that they're seeking, and that comes before a hearing of the Planning Commission. This is not the development. There is no development proposal on the table tonight, but there could be in the future with a Special Land Use request.

The rest of this section covers the dimensional requirements for that general commercial district. The main difference is that the lot sizes are a little different, but there is a larger side yard setback requirement. As we get into landscape buffer requirements, that district does have landscape buffer requirements for specific uses, including item (f) Any 24-hour non-residential use of the property, so there are landscape buffer requirements. The rest of the staff file report is the zoning ordinance amendment procedures, which we are going through tonight, and standards for a review of the amendments. We have provided comments to the Planning Commission on our analysis of how this proposal lines up with the requirements, the standards of review, for the Community Master Plan recommendations, which this is the first rezoning under our new land use typology that's recommended in the Community Master Plan, since the Master Plan was adopted last October. Its a completely different type of land use map for the City, which places an emphasis on the general area and not specific parcels in the area. The Master Plan states "the future land use plans not necessarily concern specific uses of each parcel, instead considers the collective uses for each area that establishes a place within Marquette. This Plan prioritizes the function and atmosphere of specific areas or places over discrete land use classification. The future land use map divides Marquette into eleven distinct place types. The boundaries of these places are not drawn at a parcel boundary but instead follow general land use patterns and trends. It leaves the specificity of future land use decisions to the Planning Commission and planning staff while providing overall guidance."

So, the Planning Commission has access to all of the Master Plan recommendations for each place type, as does the community, it's in the Community Master Plan. Then we get into the intent and purpose of the zoning ordinance, the street system, utilities and services, changed conditions since the zoning ordinance was adopted, Land Development Code, exclusionary zoning, environment features, potential land use and impacts, relationship to surrounding zoning districts and compliance with the proposed district, alternative districts, rezoning as preferable to a text amendment to the zoning ordinance, and isolated incompatible zones are prohibited. Then it just gets into the other procedural stuff, notifications that are required, and it does discuss the conditional rezoning agreement, which in this case is much different than the typical rezoning. The applicant provides an agreement which outlines what they are proposing and there are several specific items here that are required to be answered in that rezoning agreement. That can be provided after this hearing but before the City Commission, so the City Commission has that rezoning agreement but it's pretty straightforward, and then some other procedural stuff, expiration of approval. That's the staff report.

Then we have the application itself, and the applicant specified which uses they were excluding from the General Commercial district. As I said, they are everything except those storage uses and uses that are already allowed in Mixed-Use [districts]. The only uses that aren't already allowed in Mixed-Use that the applicant submitted for, which are the Special Land Uses, are for Storage Facility, Self-Storage and Indoor Storage, which are only allowed in the General Commercial districts or Regional Commercial districts or Industrial districts.

He showed the following items on the monitors in the room and described them – the dimensional requirements in the application, the location map with the parcel outlined in blue, the parcel map, showing the location on Division St., the block map with the parcel outlined in blue, showing utilities, the zoning map showing relation to other parcels, the zoning of other parcels in the area, photos of the site, our public notice for this meeting, and the Future Land Use Map. He said that the dark blue section is the South Marquette place type, and showed the rezoning considerations for the Planning Commissions and said that they must consider these for every rezoning that comes before them. He said there were three pieces of correspondence that were provided before the application was published to the City's website and provided to the Planning Commission and in addition to that he received one piece of correspondence and that is the last thing in this packet for this case. He read that piece of correspondence, received on Sunday the 14th:
"Dear Sir/Madam,
We will not be able to attend the rezoning meeting regarding this issue. We are against rezoning this property. Self-storage facility does not fit in our neighborhood. Unlike the small businesses on Division St., a self-storage facility is unstaffed, open to more traffic, more noise and more trouble in our relatively quiet area. In addition, they are ugly. Having lived near a self-storage complex previously, I can attest there are other unpleasantries that go on occasionally at these facilities. Thank you for your consideration. Our response is a big fat NO. Donald and Marty Lacomb, 215 Sandstone Dr."

He said that's all I have.

K. Clegg invited the applicant to speak.

Mr. Logan Stauber, the applicant, stated:
I am requesting a conditional rezoning tonight from Mixed-Use. This property has sat undeveloped for a long period of time, and I strongly feel it fits the character and nature of the area. I am politely requesting rezoning with conditions. As Dave said and is highlighted, I took the Mixed-Use district and simply transferred everything that is currently allowed in Mixed-Use to this, with the exception for mixed storage. I really appreciate your consideration. And one other note, while tonight's hearing isn't specifically for it, for those of you who sat through the meeting, I'd really like to build a storage facility. If we get through this, the rezoning process, then I will be applying at a later date for that. Thank you for your consideration.

K. Clegg opened the public hearing.

Mr. Robert Jensen, 237 Rockwood Dr., my wife and I reside at 237 Rockwood Dr., directly across the street from the subject parcel. We object to the rezoning and installation of a self-storage facility on this site.

1. It does not fit in with the neighboring properties usage. There are several established commercial businesses along Division Street, however they are primarily standalone buildings with one or two tenants. These businesses conduct their business during the daytime hours and do not draw traffic outside these daytime hours.
2. Most buildings in the area are homes.
3. No information has been provided to us or our neighbors about the size, scope or hours of operation. We do not feel that 24 hour self-storage, with associated car and truck traffic and noise is conducive to our neighborhood. We wonder what kind of security will be afforded such a business to prevent nighttime theft, etc.

To summarize, we object to the rezoning to allow for a self-storage facility.

Mr. Daniel Meaney, of 400 Stone Quarry Dr., stated:
Me and my wife Tanya Jennings are right across from the creek. My front window will look right into this complex. Currently, there are full blown trees there. And this protected Orianna Creek, I'm concerned about. But my front yard will look directly into this complex. My neighbor's back yards are going to be fifty feet from this complex. They have decks there and their children play there. I don't know who gave the approval of putting up the monstrosity power poles. So, you are now going to add this into our neighborhood. So, we have the power poles and now we're going to have black asphalt, buildings of what height has not been determined. Another thing that hasn't been determined is how much hesitation you are going to take out at the crossing of the two creeks there. This will significantly affect our standard of living, our resale value and our taxable value by having this type of complex there. I understand it's a quiet business but that doesn't negate the fact of what we would have to look at 24/7, a piece of property like this. From now we see beautiful birch trees, pine trees, and the streams going through there. I don't know what access you are talking about, two entrances? One entrance on a corner? You would think there might be a safety issue. I totally oppose this development in our neighborhood and I'm wondering whether all of you have walked that property. And literally walk and looked at that property and across the stream and all of my neighbor's back yards. I would like you to vote no. Thank you.

Mr. Mark Miller, of 474 Stone Quarry Dr., stated:
I live with my wife Laura, and we own our house. I'm sure she will want to talk. First, I want to thank the Planning Commission members for volunteering for what can be a thankless job at times. I am opposed to the conditional rezoning. I am somewhat familiar with conditional rezoning. The conditions have to be proposed by the owner/developer. From where I stand, there is no certainty what the development could like. There are no plans submitted with it. And I feel that the self-storage proposal per the application is not really compatible with the neighborhood. Some of the uses which are permitted in the existing zoning district, like drive-throughs, I don't feel are appropriate for that neighborhood. We are against the proposal. Thank you.

Mr. Richard Hartwig, of 217 Sandstone Dr., stated:
We are with the opening of our fence directly across. My concern is 1. Lighting. I have never owned storage facilities in the past. We could be really flooded with light at night and that's a big concern of ours. Also, this would be an ideal spot for Mar-Z-Dotes to store materials, this kind of thing. If it's just on the street, we would have signs out there all night long. A 40' building, the lighting is what really concerns us. So, I just wanted to mention that that's what our opposition is. We have no idea other than

this proposal for this and until we hear more about it, we're going to stand in opposition to it. Thank you for your time.

Mr. Thomas Solka, of 221 Sandstone Dr., stated:
I live with my wife Elizabeth off of Division St. Gratefully appreciate the Planning Commission's service and the decisions you have to make are never easy. Simply said, I stand in support of the other property owners in this area, residential uses. I second everything that was said. And I also stand in support of condo association board of directors that you received written communication. I understand there will be another opportunity to have input on the development plan when and if it comes, but I do join the other speakers here and question the appropriateness of this use on the rezoning request. Thank you for your fair consideration of all that you have heard. Thank you.

Ms. Laura Miller, of 474 Stone Quarry Dr., stated:
I don't know anything about this, but I just moved here. I didn't really want to move to South Marquette. There's not a lot of stuff to do in that area. I would like to see maybe something more friendly to the community. I don't even know how they are going to fit these in that little section, that little piece of land. It's just a narrow, narrow strip. That's an eyesore, it's so unfriendly to the community and I would really like to see that space opened up to people that live there. Whether it's maybe a double family house even or something that brings the community in or opens that space up more to the use of the people that live in that area. Seems rather neglected compared to the rest of Marquette. Marquette is a beautiful city, I would just like to see that come this way a little bit. And I don't think those are beautiful.

Mr. Brian Zinser, of 217 Crestview Drive, stated:
I am a member of the Board of Directors of the Shiras Point Condominium Association which represents thirty-three residential units directly across the street. Many of our residents have already spoken tonight. I just want to reiterate what our Board submitted in writing. We are totally against this. Unanimously against this proposed rezoning. I don't know if you have been in South Marquette, but we've got utility poles and I don't even know how that got approved, why they didn't go underground. I know that's not up to you here but between these industrial utility poles and work related lighting which somebody mentioned, will most likely be flooding the area. The other question that I would have is does that mean that the billboard that's on that side would also remain on site if it was rezoned.

Ms. Paula McCormick, of 468 Stone Quarry Dr., stated:
Thank you for serving on the Commission. I'm just coming up to support what all of these people have just said. I don't even have to say anything because they have already said it for me for various reasons. I'm in favor of that for that for most of the reasons that they gave. Thank you.

Seeing no other commenters, K. Clegg closed the public hearing.

> *It was moved by J. Fitkin, seconded by D. Fetter, and carried 5-0 to suspend the rules for discussion.*

J. Fitkin stated :
I recognize we are looking at a rezoning request and not a site plan proposal. I hear all the public comments. I notice that I think that this particular parcel is kind of on like a boundary. I think it would be

clearly a compatible use if it was one block over. It's definitely on the fence whether it's a compatible use in the area. The Master Plan talks about the South Marquette neighborhood and specifically notes Division Street will have the look and feel of a village main street with buildings close to the walks and parking hidden behind the buildings or permitted on street with sandstone buildings and what not. It's hard not knowing exactly what the project is that would go there. Seeing the crossing of the two streams does present concerns. I don't think a self-storage unit would have significant run off into those streams and I think that our Overlay District would likely protect those areas from encroaching on a stream too closely.

Mr. Stauber said that to protect the rivers it's twenty five feet.

K. Clegg stated I have a question regarding the Riparian Overlay. So, it's twenty five feet for both side yard and back yard?

D. Stensaas stated the Riparian Overlay requires a minimum of twenty-five feet plus a slope factor that might add a little bit of extra distance from the edge of the stream bank to any buildings that could be built. So that would apply to both Orianna Brook and Billy Butcher Creek.

K. Clegg asked if we have any idea how much square footage remains on that parcel after the twenty-five feet and the front yard setback?

D. Stensaas stated that's probably a better question for Mr. Stauber because I know he's had an engineer looking at the parcel and that kind of thing.

Mr. Stauber stated it's roughly an acre, maybe towards an acre and a half, but a full acre.

S. Lawry said if we rezone this, obviously the billboard that is there now is grandfathered into the existing zoning, but if we rezone it, does it maintain that grandfathered status or does it have a specific deadline to be removed?

D. Stensaas said that it does retain its status as a legal non-conforming sign and it will continue to be a legal non-conforming sign until it basically falls apart and can't be structurally maintained anymore, or until the property owner chooses to get rid of it.

S. Lawry said to address a couple of the concerns that we heard from the public, the current zoning ordinance and the riparian buffer strips that were mentioned here, will pretty much require that all of the trees that presently border the streams remain during whatever development occurs there, no matter what type of development it is, so those screens will stay in place from the opposite sides of the streams and you're not going to see much of whatever type of development occurs there. He also said that as far as lighting, the zoning ordinance requires whatever type of development occurs, no lighting can leave the property. Any lights on the property have to shine down, the cone of light has to stay within the property boundaries. So, it's not going to be a glare across the street or something of that nature, and that would be the case no matter what zoning or type of development should occur.
He also stated:

I did want to bring up the fact that the Planning Commission did discuss this issue a year or so ago. Mr. Stauber had at least explored the idea of a text amendment to zoning ordinance. I think they would have allowed for self-storage in the Mixed-Use district zoning, and we have Mixed-Use district zoning throughout the entire community, scattered along most of the major streets. The Planning Commission discussed that. I don't know if it was a formal application, I think it was discussed informally. It was discussed at an open meeting and it was determined that while there may be a few Mixed-Use sites in the City where it would not be a problem, that most of those sites in the City would not support self-storage units, so we were indicating that perhaps this one was isolated enough that it might support something. That's no commitment from a Planning Commission, but there was an indication to him that it might be something that would evolve to that, but that we weren't interested in changing the zoning ordinance to allow them in other Mixed-Use areas. There are some in the City right now in Industrial areas, I think there's two in Industrial zoned areas, and one in a Mixed-Use area.

Mr. Stauber stated there are two currently in Mixed-Use districts. There's Lock and Leave Storage off of Presque Isle, and right by Wright St., across from Tourist Park is also Mixed-Use.

S. Lawry stated:
The project has at least been under consideration for a while and does have other options. There's a lot of development that could take place within the Mixed-Use district, and you saw earlier the list of options that property owners have. I believe the last actual productive use of this property was by Mr. Daryl Hawker who had a mobile home sales business on the property, and typically had about three mobile homes for people to inspect there, as well as an office trailer. That probably closed about fifty years ago. So, it sat there pretty much vacant for the last fifty years. I do know that the large power poles that the public has mentioned certainly seem like they would probably devalue this property or at least make it far less attractive for residential development than it was previously, and it wasn't attracting residential development during that fifty years either. So, I think it's likely to see some type of non-residential development, whether it's this proposal or something else. I think we need to consider it from that standpoint. There are a number of non-residential uses that could take place under our current zoning ordinance on the property, but this one that is being proposed if it's rezoned. The other point I have is that the General Commercial zoning district abuts Shiras Point Condominium property on the north, directly abuts it and the street separating (inaudible) barrier, and there's warehousing in place there, so I think that's also something else to consider. Thank you.

K. Clegg stated that we do need to consider all the potential uses of the zoning district, but the parcel at 1604 Division is currently zoned Mixed-Use, and if we rezone this with conditions, is that not affording this parcel at 1700 rights and privileges that are not afforded to that at 1604?

D. Stensaas stated well yes, but that's why there is the conditional rezoning option. It is an exception to the normal rezoning process. So, a lot of things that would apply in the spot zoning consideration don't apply here because it is a different process.

K. Clegg stated but then this becomes an isolated zone according to our Land Development Code.

D. Stensaas stated that that's a matter of interpretation. That's completely an interpretation if it's isolated zone or not. What's isolation? As a Mixed-Use district, is it isolated now from other Mixed-Use districts?

Maybe a little bit. It would be isolated from most of the General Commercial district so that's something you've got to consider, whether that's enough of a factor to rule that it's incompatible. I would remind everyone that prior to the rezoning of many of these parcels in 2019, most of Division St. was General Commercial, or a lot of these properties were General Commercial. The Planning Commission rezoned much of the Division St. area and Hampton St. to Mixed-Use to promote more mixing of residential and commercial instead of just solidly commercial uses that were only allowed in those General Commercial districts.

K. Clegg stated correct me if I'm wrong but our intention with the Mixed-Use zoning district was to promote that neighborhood feel, which we have seen evidence of in our Master Plan.

D. Stensaas stated I wouldn't necessarily say that is true. As Mr. Lawry talked about before, the Planning Commission decided they didn't want to change the Mixed-Use district standards or land uses to allow for storage because they wanted to promote the residential aspect of Mixed-Use more than the commercial aspect in most of the areas of the city that have been rezoned to Mixed-Use. Which didn't exist, Mixed-Use districts did not exist before 2019. This is a brand new zoning district as of 2019. So Mixed-Use, like N. Third St, and downtown is the Central Business district but it's a Mixed-Use district. The Downtown Waterfront district where you have working waterfront uses like Thill's and the Dock Association, that's a Mixed-Use district. It is to promote the mixing of uses, but as Steve said, with storage uses, the Planning Commission decided those are more suitable for General Commercial.

K. Clegg stated regarding the conditional rezoning of a property, my understanding is it will run with the land if Mr. Stauber decides to sell it, and would a parcel owner simply be able to strike all unapplicable uses of the land in order to achieve a different conditional zoning? If he wants to do a storage unit but if somebody else is applying for something else elsewhere, it's not super applicable, I'm just trying to understand conditional rezoning as a process.

D. Stensaas stated this is by the book. We wouldn't be having this hearing if he didn't do it right. We accepted his application because he provided what was required, which is to take everything out of the proposal that you aren't intending to pursue as a development option. So, it takes completely off the table, if it gets approved, all of those things that were struck through. I'm not sure if I missed something in your question. Somebody else could propose a different set or different use that would be in a different zoning district potentially than this one. The mobile home park could propose to expand into that property for instance.

Mr. Stauber stated I just want to say thank you for the comments. In my exploration of self-storage and zoning in general, I found a lot of municipalities classify specifically, these type of uses in their Recreational districts, which I know Marquette doesn't have one that is specific to that, but some that are in that Mixed-Use district because they're low for example, most facilities are low-impact. Currently in Mixed-Uses there is Light Duty Manufacturing, Drive Throughs, and I believe Gas Stations currently zoned in Mixed-Use district, so just concerns of what could be there. And this parcel, I just wanted to say, driving through the area, what led me to that was the look and the feel of the area is very much General Commercial, whether it be grandfathered nature or just what's taking place, for example Mare-Z-Doats having large shipping containers and storage than just on the other side that Mr. Stensaas has said, that there's basically a snow plowing business that has storing of vehicles, etc. that very much fits the area.

One thing I would say, if I do go for something like that, it's a very low-impact use. It would not impact the rivers or streams. In terms of lighting, all lighting would be facing downwards, and it would be a fortress build where you can't see the facility. I understand there's a healthy amount of concern, and nobody wants to see the character of their neighborhood, and I can assure this Planning Commission and the general public everything I've done in my entrepreneurial career I've done to the highest level and professional standard, and I would do the exact same with this project. Thank you.

K. Clegg said that if there was no more discussion, the Commission will turn to the standards of review (and he began reading the standards for discussion).

(D) Standards of Review for Amendments. Because Conditional Rezoning is an alternative to standard rezoning, the required analyses for "compatibility with the Community Master Plan" and "spot zoning" for a standard rezoning request are not applicable. The Planning Commission must review all supporting information, this report in particular, and the attachment titled *Rezoning Considerations for Planning Commissions,* and hold a public hearing for community input prior to making a determination of whether to recommend approval or the request as presented or not.

(1) Master Plan

(2) Intent and Purpose of the Zoning Ordinance. Consistency with the basic intent and purpose of this Zoning Ordinance. Please see above - "Zoning District and Standards".

(3) Street System. The capability of the street system to safely and efficiently to accommodate the expected traffic generated by uses permitted in the requested zoning district. "Division Street is classified as an "Minor Arterial" per the Community Master Plan; therefore, vehicular traffic volumes are moderate.

(4) Utilities and Services. The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City. "There are no problems anticipated."

(5) Changed Conditions Since the Zoning Ordinance Was Adopted or Errors to the Zoning Ordinance. That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment. "No conditions have changed nor was there an error in the Zoning Ordinance."

(6) No Exclusionary Zoning**.** That the amendment will not be expected to result in exclusionary zoning. "The proposal will not result in any substantial changes that would make exclusionary zoning more likely."

(7) Environmental Features. If a rezoning is requested, compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district. "The proposed zoning is generally compatible with site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district. A Riparian Overlay district is applicable to this parcel, as Orianna Creek and Billy Butcher
Creek are on the property."

K. Hunter asked with the riparian zone and having that space to have landscaping done, is it 25 feet?, and including the riparian zone, would there be enough footage for the development? She also stated: I'm trying to figure out, I know that you said an acre, but an acre mapped out in a square is one thing different than something at an angle, so I have some concern of the riparian zone as well as the landscaping that's going to be necessary so I'm just trying to wrap my head around that and make sure on that.

D. Stensaas stated that the riparian buffer area would accomplish what it's intended to protect those streams from immediate encroachment of buildings, so no structures could be built within the 25 feet. I would imagine there's no reason to remove existing vegetation within that 25 feet, otherwise there is a buffer requirement for a vegetative strip to be built in that area if there wasn't existing vegetation, but being that there is, it just makes sense that the existing vegetation would be left in place. The remainder of the property, I don't know what the square footage of that buffer area is going to be around the property, but it's considerable being that it's at least 25' wide and adjacent to the rivers. Mr. Stauber has had some modeling done on different design options for the property and access in and out of it, and I don't think he'd be here if he didn't think it was still a reasonable option to build on it.

(8) Potential Land Uses and Impacts. If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values. The proposed conditional rezoning would allow all of the possible land uses for a General Commercial zoning district that the applicant did not strike through in the permitted principal uses and Special Land Uses list provided in the application. The uses remaining as permitted principal uses in the applicant's proposed list are all uses that are currently allowed in the Mixed-Use (MU) district. Special Land Uses may only be approved if found to be in harmony with several special use and specific use standards and are subject to a Planning Commission public hearing before a decision is rendered to approve or deny the request.
S. Lawry stated he just wanted to clarify something from earlier. It was my understanding with riparian buffer strips that basically those become a no-touch area, and that's why I indicated to the public that whatever trees were there would stay as a screen. Am I incorrect with that? They can't put a building there, but that does count as part of the side yard setback, and they could relandscape that area or perhaps put a drive area over part of it?

D. Stensaas stated:
Let's look at the code (he navigated online to the Land Development Code portal and opened section 54.320, showing it on the monitors and reading from it). So, these are classified as waterways. The buffer applies where a portion of parcel is within the district, any portion of it. A waterway, including the top of the bank, and 25 feet perpendicular away from the bank, plus any additional buffer width as specified. The additional buffer is what would be added depending on the slope of that waterway to the top of the bank, where the flow of water can be detected. That is *Section (E)*. For the vegetative strip, if it is required, a buffer for the areas delineated in *Section (E)* consists of a vegetated strip of land extending along both sides of the waterway and its adjacent wetlands or steep slopes. It shall contain undisturbed native vegetation. Permitted species must comply with *Section (H)(5)*. If it's existing vegetation, it's accepted as is. You're not going to have to necessarily cut down the trees because there

was an ornamental tree or something planted in there that's not our list, but there are some exceptions to what's allowed within the riparian buffer area. There are exceptions for roads, bridges, and paths, utility right of ways, flood control access, stream restoration, water quality monitoring. My interpretation of undisturbed native vegetation is that of existing trees, shrubs, and ground cover is acceptable as the vegetation for that buffer. Unless it was all occupied by invasive species, this is probably perfectly acceptable.

K. Clegg said they need to finish item number 8, which says "The Planning Commission must determine the compatibility of the proposed rezoning in this location." He said this is the crux of the matter.

D. Fetter stated I find it to be consistent. The zone is Mixed-Use. These are just additions, slight changes that are approved with this zoning change.

J. Fitkin asked if it was said that Mixed-Use has only been a zoning district since 2019, so what was it zoned prior to that?

D. Stensaas stated:
I believe it was commercial zoning. Whether it was Community Business or General Commercial, I'm not entirely sure.

(9) Relationship to Surrounding Zoning Districts and Compliance with the Proposed District. If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relation to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district. The parcel to the west forms the majority of the border with the subject parcel, and it is a Mobile Home Park (MHP) district, while the other bordering parcels are in Medium Density Residential (MDR) zoning. There is a residential Planned Unit Development to the east, directly across Division St. General Commercial zoning is in place
along Furnace Street to the northeast of this property.

D. Fetter stated this is where it kind of goes against what I just said for it, in number eight (8), because all the surrounding zoning is mostly residential, this would be commercial. It's not changing too much from (inaudible) Mixed-Use; it's not necessarily in compliance with all those surrounding zoning districts.

J. Fitkin stated I feel that it's not consistent with the directly adjacent zoning uses. But not necessarily inconsistent with the general surrounding area.

K. Clegg said that with the South Marquette typology, if we had not adopted the Mixed-Use zoning district in 2019, this use would currently be allowed.

(10) Alternative Zoning Districts**.** If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district. He asked if there is anyone that would find that a different zoning district would apply more to this (inaudible).

J. Fitkin stated:
I also respond with a "kind of", because it is surrounded directly, adjacently by residential, and I've seen

the public say it would be a good residential use, but then with the slope and size, would it actually turn into a residential use? It hasn't in the last 50 years despite the other surrounding properties converting to residential. So, kind of.

(11) Rezoning Preferable to Text Amendment, Where Appropriate**.** If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or Special Land Uses in the current zoning district to allow the use. A text amendment to add the proposed uses permitted in the M-U zoning district would affect all M-U districts. TBD.

K. Clegg said that this was pursued about a year ago. The Planning Commission found that a text amendment to allow this in the Mixed-Use districts city-wide was not appropriate.

(12) Isolated or Incompatible Zone Prohibited**.** If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood. The Planning Commission must determine if the proposed zoning would create an isolated or incompatible zone. The land use of this site has been *vacant* and undeveloped, except for a billboard sign that has been in place for more than 20 years. An incompatible zone cannot be approved, while isolation of a land use is unacceptable to the degree that it may create incompatibility or an otherwise undesirable outcome following development.

S. Lawry stated:
I don't feel it would be isolated, in that it currently, as Mixed-Use, it's an individual parcel and it was done that way as part of the entire Division St. corridor, and applying to parcels that were not already in residential use. The Master Plan speaks of that being the entry corridor to South Marquette and that should have a mix of businesses use of residences. If you take the corridor to mean Division St. and Furnace St., you already have General Commercial on Furnace St., as well as Hampton and Genesee. So, (inaudible) it's extending that corridor, rather than creating an isolated parcel.

D. Fetter stated:
I have a question for the City on this one. When you say the word isolated, are you talking about zoning itself, or isolated as though it's not truly compatible (inaudible) to the local neighborhood.

D. Stensaas said I would say the latter. It talks about an incompatible zone in the neighborhood.

D. Fetter said so my question here is, I don't know that it's been brought up yet, is the benefit given to the neighborhood?

D. Stensaas said that yes, that's how I read it, incompatible zone in the neighborhood. If you looked at the spot zoning criteria and said is this creating a spot zone, you might say yes because it is not directly adjacent to another General Commercial zone. But is it incompatible in the neighborhood? That's a different question. How far do you extend the neighborhood to be, in your mind?

K. Hunter stated:
I think that what that's that last sentence [of item #12] is referring to, in that "an incompatible zone cannot be approved, while isolation of a land use is unacceptable to the degree that it may create incompatibility or an otherwise undesirable outcome following development" (inaudible).

D. Fetter stated:
I'm curious, this one being physically, zoning-wise somewhat (inaudible) and how it relates to the rest of the (inaudible) neighborhood, and if it's isolated by itself, and if it's actually giving back to that local community.

D. Stensaas stated it's not clear.

Someone in the public seating speaking to the point they think that it is clear.

D. Stensaas stated:
I think judges make decisions all the time on grey areas that one might think is clear and another might not.

K. Clegg stated if we do approve this, it goes to the City Commission, and then the applicant would have to go through a Special Land Use permit. There are many steps in order for this to be complete. He asked if anyone had any findings of fact on this. He also said that for the standards of review, we found yes, for number one, because it is a conditional rezoning; two – Intent and Purpose, is a yes; three – Street System – yes; number four – Utilities and Services, yes; five – yes, that is no conditions, number six – No Exclusionary Zoning, yes; Seven - Environmental Features, is it generally compatible, yes; number eight – Potential Land Uses and Impacts, that one was a maybe; number nine – Relationship to Surrounding Zoning Districts and Compliance with the Proposed District , that one was a maybe; number ten – no alternative zoning districts are appropriate, that is a yes; number eleven – Text Amendment is not appropriate to this parcel, that is a yes; and number twelve – we need to determine if its an incompatible zone, and I think we need more discussion on this one unless someone is ready.

J. Fitkin stated:
I'm looking at permitted and Special Land Uses in the Mixed-Use district, and Light Manufacturing is a permitted use which means that it has to be totally enclosed and looks like a retail business from the front. In Mixed-Use, medium impact Light Manufacturing, which can have outdoor visibility, glare, etc., is a Special Land Use in the Mixed-Use, so that is just a consideration. It is currently permitted by Special Land Use permit in the current zoning district.

S. Lawry stated:
I've already addressed whether it was isolated by its zoning, but if you look at isolated because of the neighborhood uses, I agree it could be more isolation and therefore not compatible with the neighborhood uses. If we look strictly at the area across the street, it probably is compatible with the trailer park, as most people there probably have the need for additional storage. And there are other businesses extending to the north. I can't recall if self-storage was allowed under Light Industrial previously, but it seems to me it was. But as Dave mentioned, this probably wasn't zoned for light industrial or Mixed-Use at the time, but the building that is now occupied by the landscaping company was a manufacturing/fabricating shop, and the next building has been an accounting and tax office for a long time, but it was formerly a welding shop. It was an industrial area. It's evolved into something different

or is in the process of evolving. If we're going to follow that as a natural course, then we probably don't want to see it go back in the opposite direction of the way most of the area is developing at this point. So I would say there is some compatibility with the other uses.

K. Clegg said that sounds like a fact to me. He asked if anyone wanted to make a motion on this.

> *It was moved by S. Lawry, seconded by D. Fetter, and carried 5-0 that after conducting a public hearing and review of the application and STAFF REPORT/ANALYSIS for 01-REZ-09-25, the Planning Commission finds that the proposed rezoning with conditions is consistent with the Community Master Plan and meets the requirements of the Land Development Code Section 54.1405, and hereby recommends that the City Commission approve 01-REZ-09-25 as presented.*

D. Stensaas related the process for how a public hearing would be scheduled for this item by the City Commission for a hearing that would take place no sooner than October 27th due to public noticing requirements, and that development of the parcel could only be approved if the City Commission approves the request and the applicant then applies for a Special Land Use Permit (SLUP) and receives approval for the SLUP after a public hearing for that request.

B. 02-REZ-09-25 – 480 River Park Circle - Expired PUD rezoning

K. Clegg introduced the item and asked City Staff to present their information for this case.

City Planner and Zoning Administrator D. Stensaas stated:

Unfortunately, the Shophouse Park project did not receive the backing the applicant was seeking and so the plans are not going forward, and the PUD has expired, per City Code. The applicant did not get final site plan approval, so as it is shown here, highlighted in yellow (referring to the agenda packet materials being shown on the monitors in the room) – "if such plans are not submitted within a two-year period, the right to develop shall be terminated, and if the right to develop under the approved plan is terminated by the City, the City shall commence to rezone the property to its previous zoning classification or a different zoning classification supported by the Master Plan, in accordance with Section 54.1405. We have prepared a staff report that explains the existing zoning, and it is a PUD because the preliminary plan was approved, but it's an expired PUD, and so it's sort of in limbo. We're proposing that it be returned to Industrial-Manufacturing zoning, which is what the other [adjacent] parcels are. That is an industrial park in which it is located, so we're simply proposing that it goes back to that classification. And my understanding from the applicant, who has been in touch with us regularly, is that he…intends to submit an application for a development once the rezoning goes through. I don't have a lot to add. This is pretty straightforward, compared to the last rezoning in particular, and there's not a lot of question marks about this rezoning.

K. Clegg asked if there was any correspondence for the item.

D. Stensaas said there was no correspondence and then showed and described all of the items in the packet that staff assembled for the Planning Commission.

K. Clegg acknowledged that there were no members of the public present to provide testimony. He then asked if there was any discussion.

D. Fetter asked if they could leave it as a PUD instead of changing the zoning.

D. Stensaas said that it can't remain a PUD, per the LDC, which says that it must be rezoned if the PUD expires.

D. Fetter asked if it must be rezoned, why are we voting?

D. Stensaas said this is the procedure that is required, we have to have a hearing.

S. Lawry said that the City developed this industrial park, with a lot of federal and local funds, platted it, put the utilities in, because they wanted it zoned industrial. He also said that now we have a chance to try to prepare it for another business that needs the Industrial classification, and there are very few opportunities for those businesses to locate and I think we should open this one back up.

K. Clegg asked if anyone wants to make a motion.

> *It was moved by D. Fetter, seconded by J. Fitkin, and carried 5-0, that after conducting a public hearing and review of the application and Staff Report for 02-REZ-09-25, the Planning Commission finds that the proposed rezoning is consistent with the Community Master Plan and meets the requirements of the Land Development Code Section 54.1405 and hereby recommends that the City Commission approve 02-REZ-09-25 as presented.*

CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS

Nobody wished to comment.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

Nobody wished to comment.

COMMISSION and STAFF COMMENTS

J. Fitkin said that she was thankful for the public that came out and they raised valid concerns. She also said that she was looking forward to seeing the Special Land Use application if the City Commission approves the request, and to seeing what can be done to retain the neighborhood feel there within that application process.

K. Hunter said that she was grateful to the public for their comments, and it's interesting that after you move into an area and nothing has happened for fifty years, you just want it to stay the same. She said it will be interesting to see what comes of that, and making sure the creeks are taken care of.

D. Fetter said that happy to see the turnout tonight and the feedback from the residents, and also happy there is a potential new business coming to South Marquette and to see where it goes, and hoping it will fit well.

S. Lawry said that he thinks it is always difficult to accept change in your neighborhood, especially if its something you don't already know the details of, and that's where we have an opportunity to make it fit later when we have that Special Land Use Permit request in front of us. He also said it is a parcel that, especially with the new power poles that are on it, that I can't see being developed for any type of residential uses as the neighbors are asking for. So, I think the task ahead of us, if this is approved, is to try to make it fit. He said that we've heard most of their concerns and didn't think they would be impossible to overcome or that it's an incompatible business there, and that hopefully they will see that we have enough restrictions on development in this community already that we shouldn't rule things out before we even get a chance to try make them fit.

D. Stensaas said that he wanted to say that the City didn't have anything to do with the placement of the new power poles in S. Marquette, and that the Board of Light and Power is empowered by statute to place utility poles in public right-of-way areas, and they are putting up the new poles where they like. He also stated that there will not be a meeting on 10/07, as there was nothing submitted for that meeting, but a meeting is scheduled for 10/21.

K. Clegg said that he was glad to see the public turn out, and glad to see people are passionate about the places that they live – that is an asset of our community. He also said he is looking forward to see what happens in the process, and thinks the proposal could also be an asset to the community. He also thanked the members for doing the hard work and that it was not an easy meeting.

ADJOURNMENT

Chair K. Clegg adjourned the meeting at 7:38 pm

Prepared by A. Cook, Administrative Assistant, and D. Stensaas, Planning Commission Staff Liaison.

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MEMORANDUM

TO: Planning Commission
FROM: Andrea Landers, Zoning Official
DATE: September 3, 2025
SUBJECT: **01-REZ-09-25 – 1700 Division St. (PIN: 0515150)**

The Planning Commission is being asked to make a recommendation to the City Commission regarding a request to rezone the property located at 1700 Division Street that is zoned Mixed-Use (M-U) to be zoned General Commercial with Conditional Rezoning (GC CR).

Pursuant to the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended) Section 125.3405, “An owner of land may voluntarily offer in writing, and the local unit of government may approve, certain use and development of the land as a condition to a rezoning of the land or an amendment to a zoning map”.

Please see the attached STAFF REPORT/ANALYSIS for more specific information regarding the application.

RECOMMENDED ACTION:

The Planning Commission should review the application and support information provided in this packet, conduct a public hearing, and determine whether or not the proposed rezoning with conditions of the above property is appropriate and meets Section 54.1405 Zoning Ordinance Amendment Procedures, and make a recommendation to the City Commission.

It is also highly recommended that any motion approving the amended plan include the following or similar language:

After conducting a public hearing and review of the application and STAFF REPORT/ANALYSIS for 01-REZ-09-25, the Planning Commission finds that the proposed rezoning with conditions is (consistent / not consistent) with the Community Master Plan and (meets / does not meet) the requirements of the Land Development Code Section 54.1405 and hereby recommends that the City Commission (approve / deny) 01-REZ-09-25 (as presented / for the following reasons / with the following conditions).

STAFF FILE REVIEW/ANALYSIS
Completed by Andrea Landers – Zoning Official
and David Stensaas – City Planner and Zoning Administrator

Case #: 01-REZ-09-25

Date: September 3, 2025

Project/Application: Rezoning request from Mixed-Use (M-U) to be General Commercial with Conditional Rezoning (GC CR).

Location: 1700 Division St.

Parcel ID: 0515150

Available Utilities: Natural Gas, Electricity, City Water, City Sewer, and Garbage Collection.

Current Zoning: M-U – Mixed-Use

Surrounding Zoning:
North: MDR – Medium Density Residential
South: LDR – Low Density Residential & PUD – Planned Unit Development
East: PUD – Planned Unit Development
West: MHP – Mobile Home Park

Zoning Districts and Standards:

Current Zoning

Section 54.311 M-U, Mixed-Use District

(A) Intent
The M-U district is intended to encourage and facilitate redevelopment by implementing the following mixed- use policies of the **Master Plan**: 1. **Locations.** The M-U district will be located in many areas of the City, with each area unique based on the character of the area and the objectives of the Master Plan. Therefore, the M-U district may be located along strategic corridors or in a major or minor node, such as crucial neighborhood intersections (for example, corner stores in a residential neighborhood). The M-U district is the recommended zoning district in the following Future Land Uses of the 2015 Master Plan Future Land Use Map: Mixed Use and Neighborhood Commercial. 2. **Mix Compatible Land Uses.** The M-U district will include areas of the city that are appropriate for many types of residential uses and compatible non-residential uses, including a mix of compatible uses in the same building. Examples of mixed-use buildings include non-residential uses on the lower floors and residential uses on the upper floors. 3. **Local Services.** The non-residential uses in the M-U district are intended to satisfy the need for basic services of the surrounding residential areas, thus reducing the number of car trips required to these areas. 4. **Design.** Development must be human-scale through appropriate building location near the street to help create a pedestrian-oriented environment that does not conflict with motorized traffic.

(B) Permitted Principal Uses	(C) Special Land Uses
• Accessory Building or Structure • Accessory Use, Non-Single Family Residential Lots • Accessory Use, Single-Family Residential Lots • Adult Foster Care, Family Home • Adult Foster Care, Small Group Home • Child Care Center or Day Care Center • Child or Day Care, Family Home • Child or Day Care, Group Home • Drive-Through Uses • Dwelling, Accessory Unit • Dwelling, Live/Work • Dwelling, Multiple-Family 5+ dwelling units • Dwelling, Quadplex • Dwelling, Single-Family Attached • Dwelling, Single-Family Detached • Dwelling, Triplex • Dwelling, Two-Family (Duplex) • Emergency Services • Farmers' Markets • Food Production, Minor • Foster Family Home • Health Services • Home Occupation • Home Office • Homestays and Vacation Home • Hospice • Indoor Recreation • Manufacturing, Light – Low Impact • Medical Hospital Related Accessory Uses • Medical Hospital Related Office or Uses • Office, Medical • Office, Professional • Outdoor Entertainment and Community Events (Temporary) • Outdoor Food and Non-Alcoholic Beverage Service • Outdoor Recreation • Public or Governmental Building • Religious Institution • Restaurant, Indoor Service • Restaurant with Outdoor Food & Non-Alcoholic Beverage Service • Retail Business, Indoor • Retail Sales and Service Areas, Outdoor Temporary • Service Establishment • Small Wind Energy Systems, Roof-Mounted • Solar Energy Systems, <20kw- Accessory Use • Wholesale Trade Establishment • Veterinary Clinic (Domestic Animals Only)	• Bar • Bed and Breakfast • Bed and Breakfast Inn • Domestic Violence Abuse Shelter • Dwelling, Intentional Community • Foster Family Group Home • Fraternity or Sorority House • Fuel Dispensing Uses, including Service Stations • Halfway House • Homeless Shelter • Hospital • Hospital Hospitality House • Hostel • Hotel or Motel • Manufacturing, Light– Medium Impact • Marihuana Safety Compliance Facility • Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility • Off-street Parking Lot • Outdoor Entertainment and Community Events (Principal or Accessory Use) • Outdoor Alcoholic Beverage Service • Recreational Use, Public • Restaurant with Outdoor Alcoholic Beverage Service • Rooming House • School, Primary or Secondary • School, University • Solar Energy Systems, ≥20kw to 2 MW - Accessory Use • Solar Energy Systems, ≥20kw to 2 MW - Principal Use (Non-residential) • Supportive Housing Facility, Transitional and/or Permanent • Vehicle Repair and Service

Where there is a discrepancy between *Section 54.306* and this table, *Section 54.306* shall prevail.

(D) Dimensional Regulations			
Lot, Coverage, and Building Height Standards		***Minimum Setbacks***	
Min. Lot Area (sq. ft.)	4,800 (C), (E)	*Front Yard (ft.)*	0 (E), (F), (G)
Min. Lot Width (ft.)	40 (D), (E)	*Side Yard (one) (ft.)*	5 (I), (L), (N)
Max. Impervious Surface Coverage (%)	(S)	*Side Yard (total of 2) (ft.)*	13 (I), (L), (N)
Max. Building Height of Primary Building (ft.) (Q)	48 (N)	*Rear Yard (ft.)*	20 (J), (L), (N), (U)
Max. Building Height of Accessory Building	(L)	*Required Buffer & Greenbelt*	(T)
Max. Building Height (stories)	-		
Where there is a discrepancy between Article 4 and this table, Article 4 shall prevail.			

Section 54.403 Footnotes to Schedule of Regulations

(C) Minimum Lot Area for Two-Family Dwellings (Duplexes) in the MDR, M-U, TSC, and MFR Districts. In the MDR, M-U, TSC, and MFR District, the minimum lot area for a two-family dwelling (duplexes) is 6,000 sq. feet.

(D) Minimum Lot Width for Two-Family Dwellings (Duplexes) in the MDR, M-U, TSC, and MFR Districts. In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a two-family dwelling (duplex) is 50 feet.

(E) Minimum Lot Area and Width for Three Family and Four Family Dwellings in the M-U, TSC, and MFR Districts.

(1) In the MDR, M-U, TSC, and the MFR District, the minimum lot area for a three-family and four family dwellings is 9,000 sq. feet.

(2) In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a three-family and four family dwellings is 75 feet.

(F) Minimum Front Yard Setback in the M-U and GC Districts. In the M-U and GC districts, the minimum front yard setback is 0 ft. if there is at least a 10-foot distance between the front lot line and the curb/edge of the street. If there is not at least a 10-foot distance between the front lot line and the curb/edge of the street in these districts, the minimum front yard setback shall be increased accordingly so that the minimum separation distance between a structure and the curb/edge of the street is at least ten (10) feet.

(G) Maximum Front Yard Parking in the M-U and GC Districts. Although there are no maximum front yard setbacks in the M-U and GC districts, refer to *Article 9* for the maximum allowable parking in the front yard of the M-U (*Section 54.902(E)(3)*) and GC (*Section 54.902(E)(4)*) districts.

(I) Reduced Side Yard Setbacks in the M-U, CBD, and GC Districts. In the M-U, CBD, and GC districts the side yards may be eliminated under the following conditions:

(1) The side walls are of fireproof construction and are wholly without opening.

(2) The zoning of the adjacent property is M-U, CBD, GC, Marquette Downtown Waterfront District, or Third Street Corridor District.

(J) Modified Rear Yard Setbacks in the M-U and CBD Districts. In the M-U and CBD

districts the required rear yard may be measured from the center of an alley abutting the rear lot line, provided the structure is not located in the alley.

(L) Accessory Buildings and Structures. For accessory buildings and structures, additional requirements for side yard setbacks, rear yard setbacks, and height are in *Section 54.705*.

(N) Height Exceptions and Increased Setbacks for Principal Buildings in the MFR and M-U Districts. If the subject lot is adjacent to a lot zoned LDR, MDR, C, or CR, any portion of the building higher than 36.5 feet must be setback at least 8 feet from a minimum front yard setback line and at least 10 feet from any other minimum yard setback line. The maximum height allowed is 48 feet.

(Q) Height Exemptions. There shall be no height restriction on chimneys, flagpoles, public monuments, and wireless telecommunications facilities except when they are part of a special land use. Items attached to a building such as chimneys, weather vanes, lightning arrestors, etc. may be exempt as well.

(S) Storm Water Management.

(1) For Single-family and Two-family dwelling units:

(a) Maximum Impervious Surface Coverage of a Lot in the LDR and MDR Districts, and single-family and two-family dwelling units in other zoning districts: The maximum impervious surface coverage of a lot in the LDR and MDR Districts, and single-family and two-family uses in all other zoning districts shall be based on the lot areas as follows:

Figure 31. Maximum Impervious Surface Coverage for one and two-family dwelling units

Maximum Impervious Surface Coverage Based on Lot Area
60% of the lot area up to 8,712 sq. ft. (1/5 acre or less);
50% of the area of the lot between 8,713 sq. ft. and 21,780 sq. ft. (1/2 acre);
40% of the area of the lot between 21,781 sq. ft. and 43,560 sq. ft. (1 acre);
30% of the area of the lot over 1 acre

(2) For all uses except Single-family and Two-family dwelling units, please refer to *Section 54.803* Storm Water Management.

(3) Rain gutters and downspouts may be required on new/reconstructed buildings to prevent stormwater runoff to adjoining private properties. They shall be installed where the finished grade will slope down from the closest wall of the new/reconstructed building to the adjoining property, with flow from the downspout directed to into the same property (e.g. into a rain barrel, a French drain, or to a transverse conduit leading to a location where stormwater will percolate into the original property).

(T) Landscape Buffer and Greenbelt Requirements. The minimum setbacks vary in accordance with the landscape buffer and greenbelt standards of *Section 54.1003(D)*.

(U) Corner Lots. Corner lots will have a reduced rear yard setback, to match that of the largest required side yard setback dimension for the zoning district that is necessary to

meet the total of two sides requirement for that zoning district. For example, if the total (2-side) side yard setback requirement is 13 feet per *Sec. 54.402*, and the smallest side yard setback must be at least 5 ft. (as in MDR districts), then the *rear yard dimension for a corner lot* will be the difference between 13 ft. and the calculated dimension for the actual smallest side yard setback – which would be 8 ft. if the smallest side yard setback from the main structure is calculated to be 5 feet (Note: It is important to note that should the existing structure's side yard setback be less than 5 feet, that side yard will still be designated as the minimum setback at 5 feet.)

(V) Height Exceptions and Increased Setbacks for Principal Buildings. For principal buildings, the height may be increased above 31.5 feet to a maximum of 44 feet provided that 0.25 foot for lot widths under 75 feet and 0.50 foot for lot widths 75 feet or greater shall be added to all of the minimum yard setbacks for each 1 foot that the building exceeds 31.5 feet in height.

Section 54.1003 Landscaping Design Requirements

(D) Buffer and Greenbelt Requirements.

(1) Intent. It is the intent of this section to provide landscaped buffer yards, or greenbelts, for the purpose of buffering negative impacts of, and conflicts between, different land uses.

(2) Greenbelt Location Requirements. All greenbelts will be created in the existing side and/or rear yards of the property where development has been proposed and approved for zoning compliance. When located adjacent to a residential use, park or public multi-use path, the following land uses (per *section 54.306*) must provide a landscaped buffer on their property:

(a) *Multiple-Family Residential dwellings with >5 units, Mobile Home Park, Nursing Home* and *Convalescent Home uses, Extended Care* and *Assisted Living Facilities.*

(b) *Industrial Uses* (except *Light Manufacturing – Low Impact* uses).

(c) *Lodging, Commercial, and Retail uses (*except the following uses *Indoor Retail Business, Child/Day Care Center, and Service Establishments).*

(d) *Public and Quasi-Public Uses* and *Medical Uses.*

(e) *Other Uses* with the exception of *Accessory Buildings or Structures, Accessory Use, Non-Single Family Residential Lots, Minor Food Production uses, Small Wind Energy Systems-Roof Mounted, Solar Energy Systems <20Kw-Accessory Use.*

(f) Any twenty-four (24) hour non-residential use of property.

Proposed Zoning with Conditions

* ***Property Owner proposed exempted uses are struck-through and highlighted***

Section 54.313 GC, General Commercial District

(A) Intent

The GC district is intended to provide suitable areas for businesses that cater to both the local and regional market. Uses include offices, retail and wholesale businesses, services, light manufacturing, comparison shopping and land intensive establishments, which may be located so as to utilize a common parking area, or may provide their own parking separately. The GC district also serves as a transition between the urban development character of the CBD and the suburban character of the RC district.

(B) Permitted Principal Uses

- Accessory Building or Structure
- Accessory Use, Non-Single Family Residential Lots
- ~~Bar~~
- Child Care Center or Day Care Center
- Drive-Through Uses
- Emergency Services
- Farmers' Markets
- Food Production, Minor
- ~~Fuel Dispensing Uses, including Service Stations~~
- Health Services
- ~~Heavy Vehicle/Equipment Sales, Rental, and Display~~
- Hospice
- ~~Hotel or Motel~~
- Indoor Recreation
- ~~Light Vehicle/Equipment Sales and Display~~
- Manufacturing, Light – Low Impact
- Medical Hospital Related Accessory Uses
- Medical Hospital Related Office or Uses
- Office, Medical
- Office, Professional
- ~~Outdoor Alcoholic Beverage Service~~
- Outdoor Entertainment and Community Events (Temporary Use)
- Outdoor Food and Non-Alcoholic Beverage Service
- Outdoor Recreation
- Public or Governmental Building
- Religious Institution
- Restaurant, Indoor Service
- Restaurant with Outdoor Food & Non-Alcoholic Beverage Service
- ~~Restaurant with Outdoor Alcoholic Beverage Service~~
- Retail Business, Indoor
- Retail Sales and Service Areas, Outdoor Temporary
- Service Establishment
- ~~Shooting Range, Indoor~~
- Small Wind Energy Systems, Roof-Mounted
- Solar Energy Systems, <20kw- Accessory Use
- ~~Storage, Open/Outdoor~~
- ~~Vehicle Repair and Service~~
- Veterinary Clinic (Domestic Animals Only)
- Wholesale Trade Establishment

(C) Special Land Uses

- Hospital
- Hostel
- Manufacturing, Light– Medium Impact
- ~~Marihuana Designated Consumption Establishment~~
- ~~Marihuana Educational Research~~
- ~~Marihuana Grower – Class A~~
- ~~Marihuana Grower – Class B~~
- ~~Marihuana Grower – Class C~~
- ~~Marihuana Grower – Excess~~
- ~~Marihuana Microbusiness Class A and Light Manufacturing~~
- ~~Marihuana Processor – Light Manufacturing~~
- ~~Marihuana Retailer~~
- Marihuana Safety Compliance Facility
- ~~Marihuana Secure Transporters~~
- Off-street Parking Lot
- Outdoor Entertainment and Community Events (Principal & Accessory Use)
- ~~Pet Boarding Facility~~
- Recreational Use, Public
- ~~Retail Business, Outdoor Permanent~~
- Rooming House
- ~~Small Wind Energy Systems, Tower Mounted~~
- Solar Energy Systems, ≥20kw to 2 MW - Accessory Use
- Solar Energy Systems, ≥20kw to 2 MW - Principal Use (Non-residential)
- Storage Facility, Self
- Storage Facility, Self- Accessory Use
- Storage, Indoor
- Storage, Indoor – Accessory Use
- ~~Warehousing~~
- ~~Wireless Telecommunications Facilities~~

(D) Dimensional Regulations			
Lot, Coverage, and Building Height Standards		***Minimum Setbacks***	
Min. Lot Area (sq. ft.)	None	*Front Yard (ft.)*	0 *(F), (G)*
Min. Lot Width (ft.)	24	*Side Yard (one) (ft.)*	15 *(I)*
Max. Impervious Surface Coverage (%)	*(S)*	*Side Yard (total of 2) (ft.)*	30 *(I)*
Max. Building Height of Primary Building (ft.) (Q)	40	*Rear Yard (ft.)*	20 *(U)*
Max. Building Height of Accessory Building (L)	24	*Required Buffer & Greenbelt*	*(T)*
Max. Building Height (stories)	-		
Where there is a discrepancy between *Article 4* and this table, *Article 4* shall prevail.			

54.403 Footnotes to Schedule of Regulations

(F) Minimum Front Yard Setback in the M-U and GC Districts. In the M-U and GC districts, the minimum front yard setback is 0 ft. if there is at least a 10-foot distance between the front lot line and the curb/edge of the street. If there is not at least a 10-foot distance between the front lot line and the curb/edge of the street in these districts, the minimum front yard setback shall be increased accordingly so that the minimum separation distance between a structure and the curb/edge of the street is at least ten (10) feet.

(G) Maximum Front Yard Parking in the M-U and GC Districts. Although there are no maximum front yard setbacks in the M-U and GC districts, refer to *Article 9* for the maximum allowable parking in the front yard of the M-U (*Section 54.902(E)(3)*) and GC (*Section 54.902(E)(4)*) districts.

(I) Reduced Side Yard Setbacks in the M-U, CBD, and GC Districts. In the M-U, CBD, and GC districts the side yards may be eliminated under the following conditions:

(1) The side walls are of fireproof construction and are wholly without opening.

(2) The zoning of the adjacent property is M-U, CBD, GC, Marquette Downtown Waterfront District, or Third Street Corridor District.

(L) Accessory Buildings and Structures. For accessory buildings and structures, additional requirements for side yard setbacks, rear yard setbacks, and height are in *Section 54.705*.

(Q) Height Exemptions. There shall be no height restriction on chimneys, flagpoles, public monuments, and wireless telecommunications facilities except when they are part of a special land use. Items attached to a building such as chimneys, weather vanes, lightning arrestors, etc. may be exempt as well.

(S) Storm Water Management.

(2) For Single-family and Two-family dwelling units:

(a) Maximum Impervious Surface Coverage of a Lot in the LDR and MDR Districts, and single-family and two-family dwelling units in other zoning districts: The maximum impervious surface coverage of a lot in the LDR and MDR Districts, and single-family and two-family uses in all other zoning districts shall be based on the lot areas as follows:

Figure 31. Maximum Impervious Surface Coverage for one and two-family dwelling units

Maximum Impervious Surface Coverage Based on Lot Area
60% of the lot area up to 8,712 sq. ft. (1/5 acre or less);
50% of the area of the lot between 8,713 sq. ft. and 21,780 sq. ft. (1/2 acre);
40% of the area of the lot between 21,781 sq. ft. and 43,560 sq. ft. (1 acre);
30% of the area of the lot over 1 acre

(4) For all uses except Single-family and Two-family dwelling units, please refer to *Section 54.803* Storm Water Management.

(5) Rain gutters and downspouts may be required on new/reconstructed buildings to prevent stormwater runoff to adjoining private properties. They shall be installed where the finished grade will slope down from the closest wall of the new/reconstructed building to the adjoining property, with flow from the downspout directed to into the same property (e.g. into a rain barrel, a French drain, or to a transverse conduit leading to a location where stormwater will percolate into the original property).

(T) Landscape Buffer and Greenbelt Requirements. The minimum setbacks vary in accordance with the landscape buffer and greenbelt standards of *Section 54.1003(D)*.

(U) Corner Lots. Corner lots will have a reduced rear yard setback, to match that of the largest required side yard setback dimension for the zoning district that is necessary to meet the total of two sides requirement for that zoning district. For example, if the total (2-side) side yard setback requirement is 13 feet per *Sec. 54.402*, and the smallest side yard setback must be at least 5 ft. (as in MDR districts), then the *rear yard dimension for a corner lot* will be the difference between 13 ft. and the calculated dimension for the actual smallest side yard setback – which would be 8 ft. if the smallest side yard setback from the main structure is calculated to be 5 feet (Note: It is important to note that should the existing structure's side yard setback be less than 5 feet, that side yard will still be designated as the minimum setback at 5 feet.)

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Section 54.1003 Landscaping Design Requirements

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(b) *Industrial Uses* (except *Light Manufacturing – Low Impact* uses).

(c) *Lodging, Commercial, and Retail uses (*except the following uses *Indoor Retail Business, Child/Day Care Center, and Service Establishments).*

(d) *Public and Quasi-Public Uses* and *Medical Uses.*

(e) *Other Uses* with the exception of *Accessory Buildings or Structures, Accessory Use, Non-Single Family Residential Lots, Minor Food Production uses, Small Wind Energy Systems-Roof Mounted, Solar Energy Systems <20Kw-Accessory Use.*

(f) Any twenty-four (24) hour non-residential use of property.

Relationship to Applicable Land Development Code Standards (staff comments in bold text):

Section 54.1405 Zoning Ordinance Amendment Procedures

(A) Initiation of Amendments. The City Commission, the Planning Commission, or the property owner (including a designated agent of the property owner) may at any time originate a petition to amend or change the zoning district boundaries pursuant to the authority and procedure established by Act 110 of Public Acts of 2006 as amended. Changes in the text of this Ordinance may be proposed by the City Commission, Planning Commission, or any interested person or organization.

(B) Application for Amendment. Each petition by one (1) or more persons for an amendment shall be submitted to the Zoning Administrator. Documents to support the application may be filed with the Zoning Administrator. A fee, as established by the City Commission shall accompany each petition, except those originated by the Planning Commission or City Commission.

Application accepted.

(C) Amendment Review Procedures.

(1) Public Hearing. The staff liaison to the Planning Commission shall set a time and date for a public hearing, and the public hearing shall be noticed in accordance with *Section 54.1406*. The Planning Commission may refuse to schedule a hearing on a petition for rezoning which includes any portion of a site considered for rezoning in the previous six (6) months.

The public hearing before the Planning Commission is scheduled for 6:00 p.m. on Tuesday, September 16, 2025.

(2) Planning Commission Consideration of the Proposed Amendment. The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the

appropriate criteria listed in this Section. Following the public hearing, the Planning Commission shall make a recommendation to the City Commission to either approve or deny the petition and report its findings to the City Commission.

The Planning Commission is being asked to make a recommendation at their meeting on September 16, 2025.

(3) City Commission Consideration of the Proposed Amendment. The City Commission, upon recommendation from the Planning Commission, shall either schedule a public hearing or deny the petition. This hearing shall be advertised in accordance with *Section 54.1406*. If determined to be necessary, the City Commission may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the Official Zoning Map, the City Commission shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.

TBD.

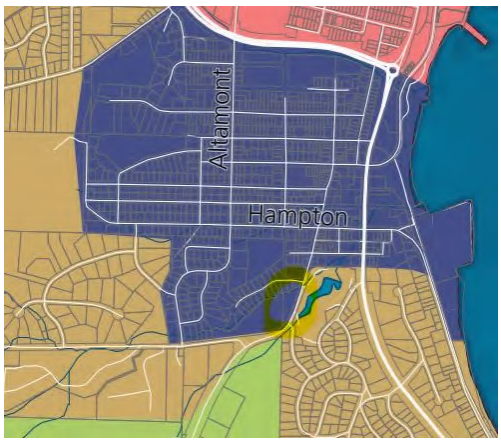
(D) Standards of Review for Amendments. In considering any petition for an amendment to the text of this Ordinance or to the Official Zoning Map, the Planning Commission and City Commission shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Commission may also take into account other factors or considerations that are applicable to the application but are not listed below.

(1) Master Plan**.** Consistency with the recommendations, goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

The development of the option for Conditional Rezoning was a recommendation of the Community Master Plan (CMP) that was adopted in 2015. The option was codified with the adoption of the Land Development Code (LDC) in February of 2019. Conditional Rezoning was adopted by the City as an alternative to both standard rezoning and text amendments to the LDC, to address unique and rare circumstances in which a property owner is seeking to use the property in a way that may not be incompatible with the surrounding land uses and/or historical use of the land, but would be precluded from approval by virtue of a finding of incompatibility with the CMP and/or spot zoning via a review as a standard rezoning case, and for which a text amendment would not be appropriate due to a text change necessarily affecting all properties in the existing zoning district classification.

In contrast to a typical rezoning case, the applicant is proposing *conditions* to be placed on the zoning district that is requested, by means of a *Conditional Zoning Agreement* that requires the specification of certain requirements related to the conditions

proposed, while there is no obligation by the municipality to either approve the request based on meeting the standards of the LDC or to forfeit any zoning powers currently held.



This property is within the *South Marquette* typology on the *Place Types/Land Use Typologies* map of the Community Master Plan (CMP, adopted in 2024). The General Commercial (GC) zoning classification is one of the "applicable zoning districts" listed for the *South Marquette* typology.

Because Conditional Rezoning is an alternative to standard rezoning, the required analyses for "compatibility with the Community Master Plan" and "spot zoning" for a standard rezoning request are not applicable. The Planning Commission must review all supporting information, this report in particular, and the attachment titled *Rezoning Considerations for Planning Commissions,* and hold a public hearing for community input prior to making a determination of whether to recommend approval or the request as presented or not.

(2) Intent and Purpose of the Zoning Ordinance. Consistency with the basic intent and purpose of this Zoning Ordinance.

Please see above - "Zoning District and Standards".

(3) Street System. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

Division Street is classified as an "Minor Arterial" per the Community Master Plan (see p.74), therefore vehicular traffic volumes are moderate.

(4) Utilities and Services. The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

There are no problems anticipated.

(5) Changed Conditions Since the Zoning Ordinance Was Adopted or Errors to the Zoning Ordinance. That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

No conditions have changed nor was there an error in the Zoning Ordinance.

(6) No Exclusionary Zoning**.** That the amendment will not be expected to result in exclusionary zoning.

The proposal will not result in any substantial changes that would make exclusionary zoning more likely.

(7) Environmental Features. If a rezoning is requested, compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

The proposed zoning is generally compatible with site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district. A Riparian Overlay district is applicable to this parcel, as Orianna Creek and Billy Butcher Creek are on the property (shown on maps in this packet).

(8) Potential Land Uses and Impacts. If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.
The proposed conditional rezoning would allow all of the possible land uses for a General Commercial zoning district that the applicant did not strike through in the permitted principal uses and special land uses list provided in the application. The uses remaining as permitted principal uses in the applicant's proposed list are all uses that are currently allowed in the Mixed-Use (MU) district. Special Land Uses may only be approved if found to be in harmony with several special use and specific use standards, and are subject to a Planning Commission public hearing before a decision is rendered to approve or deny the request.

Please see the attachment and Page 6 above. The Planning Commission must determine the compatibility of the proposed rezoning in this location.

(9) Relationship to Surrounding Zoning Districts and Compliance with the Proposed District. If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

The parcel to the west forms the majority of the border with the subject parcel, and it is a Mobile Home Park (MHP) district, while the other bordering parcels are in Medium Density Residential (MDR) zoning. There is a residential Planned Unit Development to the east, directly across Division St. General Commercial zoning is in place along Furnace Street to the northeast of this property.

(10) Alternative Zoning Districts**.**
If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

The Planning Commission may believe another district is more appropriate, but it cannot negotiate the choice of the applicant to apply for the selected Conditional Rezoning and must decide on the current proposal.

(11) Rezoning Preferable to Text Amendment, Where Appropriate**.** If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

A text amendment to add the proposed uses permitted in the M-U zoning district would affect all M-U districts. TBD.

(12) Isolated or Incompatible Zone Prohibited**.** If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

The Planning Commission must determine if the proposed zoning would create an isolated or incompatible zone (see item #8 above) . The land use of this site has been *vacant* and undeveloped, except for a billboard sign that has been in place for more than 20 years. An incompatible zone cannot be approved, while isolation of a land use is unacceptable to the degree that it may create incompatibility or an otherwise undesirable outcome following development.

(E) Notice of Adoption of Amendment. Following adoption of an amendment by the City Commission, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Amendments shall take effect eight (8) days after publication. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk or his/her designee, which shall identify all map amendments. The required notice of adoption shall include all of the following information:

(1) In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Marquette."
(2) In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).
(3) The effective date of the ordinance or amendment.

If the proposed zoning amendment is adopted by the City Commission, the requirements of this section will be met.

(H) Rezoning (Zoning Map Amendment) with Conditions. Pursuant to MCL 125.3405, the City Commission, following a public hearing and recommendation by the Planning Commission, may approve a petition for a rezoning with conditions requested by a property owner. The standards of this section shall grant a property owner the option of proposing conditions for the

development and use of property in conjunction with an application for rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.

(1) Conditional Rezoning Agreement. The conditions attached to the rezoning shall be set forth by submitting a conditional rezoning agreement listing the proposed conditions. A conditional rezoning agreement shall contain the following information:

(a) A statement acknowledging that the rezoning with conditions was proposed by the applicant to induce the City to grant the rezoning, and that the City relied upon such proposal and would not have granted the rezoning but for the terms spelled out in the conditional rezoning agreement; and, further agreement and acknowledgment that the conditions and conditional rezoning agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered on a voluntary basis, and represents a permissible exercise of authority by the City.

The applicant has provided this.

(b) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the conditional rezoning agreement.

Per their attachment, "the property shall not be developed or used in a manner that is inconsistent with the zoning agreement".

(c) Agreement and understanding that the approval and conditional rezoning agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.

Per their attachment, "the agreement shall be binding upon and inure to the benefit of the property owner and the city, and their respective heirs, successors, assigns, and transferees".

(d) The date upon which the rezoning with conditions becomes void, as specified in *Section 54.1405(H)(3)*, below. If an extension of approval is granted by the City Commission, a new conditional rezoning agreement with the new expiration date shall be recorded.

Will need to be provided in the rezoning agreement.

(e) Agreement and understanding that, if a rezoning with conditions becomes void in the manner provided in *Section 54.1405(H)(3)*, below, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.

Per their attachment, "If the rezoning with conditions becomes void, no development shall take place".

(f) Agreement and understanding that each of the requirements and conditions in the conditional rezoning agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved rezoning with conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.

Per their attachment, "this application is made with the understanding that the zoning agreement and its terms and conditions are authorized by all applicable state and federal laws, and that this agreement is valid and has been entered into on a voluntary basis.

(g) A legal description of the property affected by the rezoning with conditions.

Please see the application.

(h) Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, lighting, landscaping etc.

Provided for uses that are exempt, no other development regulations changes are proposed.

(i) Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the agreement.

Will need to be provided in the rezoning agreement.

(j) A conditional rezoning agreement may contain a conditional rezoning plan as an attachment, with such detail and inclusions proposed by the applicant and approved by the City Commission in accordance with this Section, following recommendation by the Planning Commission. Inclusion of a conditional rezoning plan as an attachment to a conditional rezoning agreement shall not replace the requirement for Preliminary and Final Site Plan, Subdivision, Condominium, or Special Land Use review and approval, as the case may be.

A plan was not provided, so this is N/A.

(2) Amendment to Conditional Rezoning Agreement. A proposed amendment to a conditional rezoning agreement shall be reviewed and approved in the same manner as a new rezoning with conditions.

If an amendment is proposed in the future this will need to be followed.

(3) Period of Approval. Unless extended by the City Commission for good cause, the rezoning with conditions shall expire following a period of two (2) years from the effective date of the rezoning unless bona fide development of the property pursuant to approved building and other permits required by the City commences within the two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.

(a) Expiration or Extension. In the event bona fide development has not commenced within two (2) years from the effective date of the rezoning, the rezoning with conditions and the conditional rezoning agreement shall be void and of no effect. The landowner may apply for a one (1) year extension one (1) time. The request must be submitted to the Zoning Administrator before the two (2) year time limit expires. The landowner must provide to the City Commission good cause as to why the extension should be granted. If an extension of approval is granted by the City Commission, a new conditional rezoning agreement with the new expiration date shall be recorded.

(b) Effect of Expiration. If the rezoning with conditions becomes void in the manner provided in this section, either or both of the following actions may be taken:

(i) The property owner may seek a new rezoning of the property; and/or

(ii) Pursuant to MCL 125.3405, the land shall revert to its former zoning classification following the process for approval of a rezoning with conditions.

If approved this will be followed.

(4) Zoning Map. If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned accompanied by a reference to “CR Conditional Rezoning.” The Zoning Map shall specify the new zoning district plus a reference to CR. By way of example, the zoning classification of the property may be “CBD Central Business District with CR Conditional Rezoning,” with a Zoning Map designation of “CBD CR.”

If approved this will be completed.

(5) Review and Approval Process. An application for a rezoning with

conditions shall be reviewed following the same process and procedures applicable to a rezoning set forth in *Section 54.1405(C)*, with the exception that the conditional rezoning agreement shall be executed between the applicant and the City Commission at the time of City Commission approval of a rezoning with conditions.

An agreement detailing all of the required information in Section 54.1405(H)(1) will need to be provided for the City Commission review.

(6) Recordation of a Conditional Rezoning Agreement**.** A rezoning with conditions shall become effective following publication in the manner provided by law, and after the conditional rezoning agreement is recorded with the County Register of Deeds.

If the City Commission approves the Conditional Rezoning then this requirement must be completed. An agreement detailing all of the required information in Section 54.1405(H)(1) will need to be provided for the City Commission review.

Additional Comments:

The Planning Commission should consider the request, and the information provided in this analysis, and provide a recommendation to the City Commission.

Attachments:

1. Application with support material (Rezoning conditions, etc.)
2. Area Map
3. Block Map
4. Area Zoning Map
5. Photos
6. Publication Notice
7. Place type map
8. *Rezoning Information for Planning Commissions* document
9. Correspondence

Mail to:
Municipal Service Center
Community Development Office
1100 Wright St.
Marquette, MI 49855

PRINT

CITY OF MARQUETTE
REZONING APPLICATION

CITY STAFF USE

Parcel ID#: 0515150 File #: 01-REZ-09-25 Date: 8-13-25

Hearing Date: 9-16-25 Application Deadline (including all support material): 8-19-25

Receipt #: 401286 Check #: 664667 Received by and date: 8-12-25

FEE $1,335 (We can only accept Cash or Check (written to the City of Marquette))

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, THE REZONING REQUEST WILL NOT BE SCHEDULED FOR A HEARING UNTIL IT HAS BEEN VERIFIED THAT ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!

If you have any questions, please call 228-0425 or e-mail alandere@marquettemi.gov. Please refer to www.marquettemi.gov to find the following information:

- Planning Commission page for filing deadline and meeting schedule
- Section 54.1405 Zoning Ordinance Amendment Procedures from the Land Development Code

Please review the attached excerpt from the Land Development Code.

APPLICANT CONTACT INFORMATION

PROPERTY OWNER

Name: LMS Ventures, LLC

Address: [redacted]

City, State, Zip: Marquette, MI, 49855

Phone #: [redacted]

Email: [redacted]

****APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING****

APPLICANT/OWNERS REPRESENTATIVE

Name: Logan Stauber

Address: [redacted]

City, State, Zip: Marquette, MI, 49855

Phone #: [redacted]

Email: [redacted]

****APPLICANTS OR REPRESENTATIVES ARE STRONGLY ENCOURAGED TO BE PRESENT AT THE MEETING****

PRE-APPLICATION CONFERENCE

It is strongly encouraged that all applicants and their representatives meet with City of Marquette staff prior to submitting an application for a rezoning. A pre-application meeting with staff allows for a preliminary review of the application procedures, project timelines, compliance with the City Master Plan, and other project criteria, and prevents most situations that usually results in a project being postponed.

PHASING OF APPLICATION

Public hearings before the Planning Commission are held on the first meeting of the month only. Applications and support materials must be submitted twenty (20) business days prior to the public hearing date.

The Marquette City Commission is also required to hold a public hearing and take final action on a rezoning request. This usually takes two City Commission meetings, one to schedule the public hearing and one to hold the public hearing.

PROPERTY INFORMATION

Property Address: 1700 Division St. Property Identification Number: 0515150

Size of property (frontage / depth / sq. ft. or acres): 1.47 Acres

Surrounding Zoning Districts: North MDR East PUD South PUD/LDR West MHP

Legal Description: That Part of Government Lot Two (2) of Section 26, Township 48 North, Range 25 West, lying South of Western Brook also known as Billy Butcher's Creek, and West of Division Street in the City of Marquette, County of Marquette, and State of Michigan, EXCEPTING therefrom the following parcel. Commencing at the West quarter corner of said Section 26; thence North 89°37'42" East 1305 75 feet along the East-West line of said Section 26 to the West line of Government Lot Two (2), thence North 00°03'08" West 111 14 feet along said West line of Government Lot Two (2) to the Point of Beginning; thence Northeasterly from this Point of Beginning 36 5 feet along the Northwesterly on right of way of Division Street; thence Northwesterly on a line drawn 10 feet from the parallel to and the Northeast edge of a certain asphalt drive to the West line of said Government Lot Two (2); thence South 00°03'08" East along said West line to the Point of Beginning.

PROPOSAL

Current Zoning District: M-U Mixed Use

Proposed Zoning District: GC-CR General Commercial with Conditions

Please note: If proposing a Rezoning with Conditions, please attach a separate sheet(s) with your proposed Conditional Rezoning Agreement that meets the Land Development Code Section 54.1405(H)(1).

SIGNATURE

I hereby certify the following:

1. I am the legal owner of the property for which this application is being submitted, or I have submitted a written statement by the property owner that allows me to apply on their behalf.
2. I desire to apply for a rezoning of the property indicated in this application with the attachments and the information contained herein is true and accurate to the best of my knowledge.
3. The requested rezoning would not violate any deed restrictions attached the property involved in the request.
4. I have read the attached excerpt and recommended sections of the Land Development Code and understand the necessary requirements that must be completed.
5. I understand that the payment of the application fee is nonrefundable and is to cover the costs associated with processing this application, and that is does not assure approval of the plan.
6. I acknowledge that this application is not considered filed and complete until all of the required information has been submitted and all required fees have been paid in full. Once my application is deemed complete, I will be assigned a date for a public hearing before the Planning Commission that may not necessarily be the next scheduled meeting due to notification requirements and Planning Commission Bylaws.
7. I acknowledge that this form is not in itself a rezoning but only an application for a rezoning and is valid only with procurement of applicable approvals.
8. I authorize City Staff, and the Planning Commission and City Commission members to inspect the site.

Property Owner Signature: _____ Date: 8/12/25

Conditional Rezoning Statement Proposed by the Property Owner

To the City of Marquette Planning Commission

On behalf of LMS Ventures, LLC, I am submitting this statement in support of our application for rezoning the property at 1700 Division Street to a **General Commercial District with Conditions**. This request is conditional and includes specific exemptions to ensure the proposed uses align with the needs of the community and the character of the surrounding area.

The following uses are voluntarily excluded from the permitted uses of this property:

- Bar
- Fuel Dispensing Uses (including Service Stations)
- Heavy Vehicle/Equipment Sales, Rental, and Display
- Hotel or Motel
- Light Vehicle/Equipment Sales and Display
- Outdoor Alcoholic Beverage Service
- Restaurant with Outdoor Alcoholic Beverage Service
- Shooting Range, Indoor
- Storage, Open/Outdoor
- Vehicle Repair and Service
- All Marihuana-related establishments
- Pet Boarding Facility
- Retail Business, Outdoor Permanent
- Small Wind Energy Systems, Tower-Mounted
- Warehousing
- Wireless Telecommunications Facilities

This application is made with the understanding that the zoning agreement and its terms and conditions are authorized by all applicable state and federal laws, and that this agreement is valid and has been entered into on a voluntary basis.

The rezoning would be subject to the following binding conditions:

A. The property shall not be developed or used in a manner that is inconsistent with the zoning agreement. B. The agreement shall be binding upon and inure to the benefit of the property owner and the city, and their respective heirs, successors, assigns, receivers, or transferees. C. If the rezoning with conditions becomes void, no development shall take place.

LMS Ventures, LLC is requesting this conditional rezoning to afford the property the rights and privileges necessary for the development of a **Self-Storage Facility**. All other permitted uses under this conditional rezoning will be consistent with those allowed in a Mixed-Use District.

I believe this property is an appropriate location for this zone due to its proximity to other General Commercial properties and its characteristics, which do not lend themselves well to residential purposes. The parcel has not had a better purpose over the years and is well-suited to cater to the local and regional markets, which is a key intent of the General Commercial district. It is my understanding that this parcel was once zoned for industrial use, a fact consistent with the existing billboard on-site.

Thank you for your time and consideration,

Logan Stauber - LMS Ventures, LLC

Proposed Zoning with Conditions

Section 54.313 GC, General Commercial District

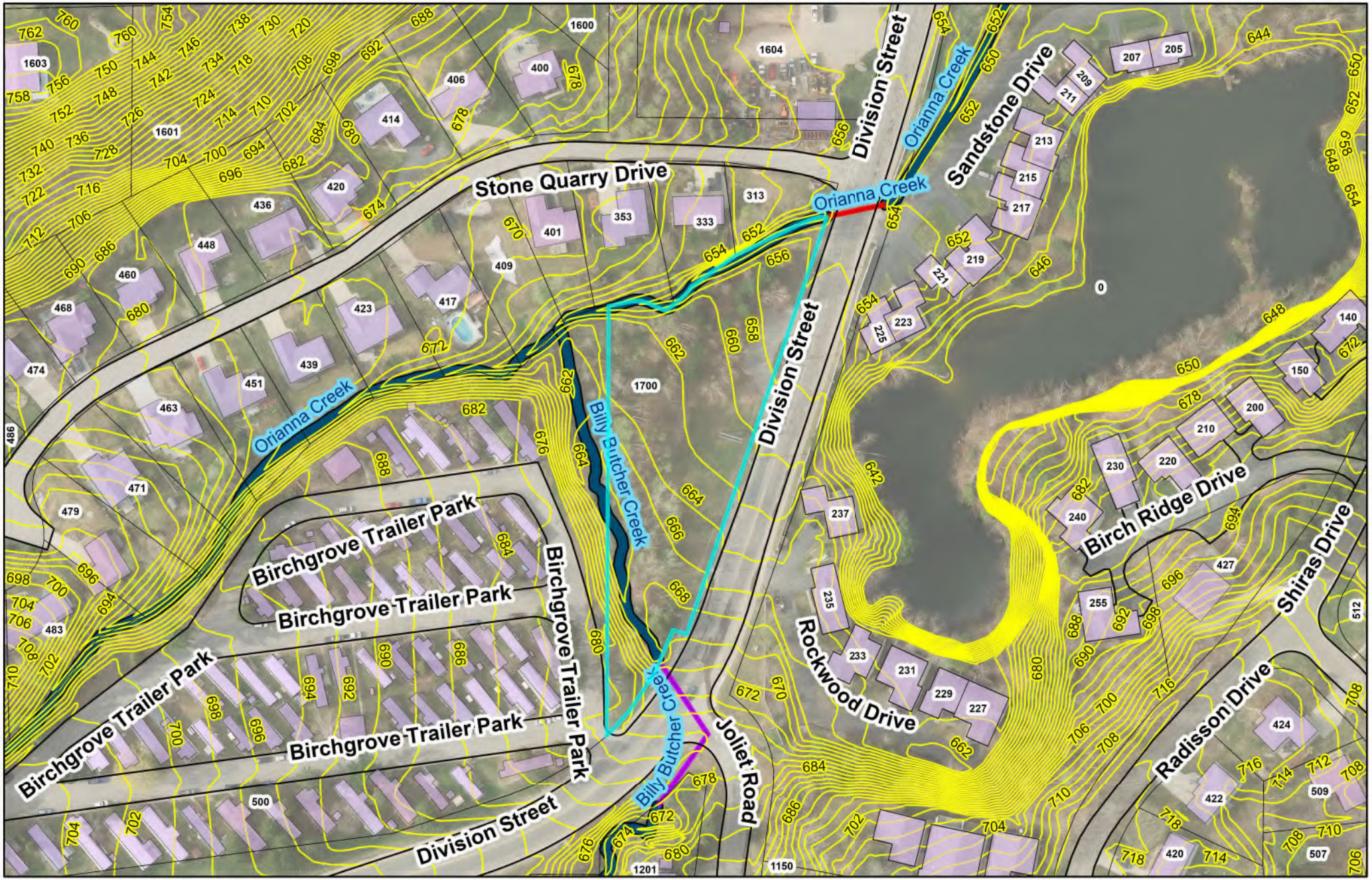
*** Property Owner proposed exempted uses are struck-through and highlighted**

(B) Permitted Principal Uses	(C) Special Land Uses
• Accessory Building or Structure • Accessory Use, Non-Single Family Residential Lots ~~• Bar~~ • Child Care Center or Day Care Center • Drive-Through Uses • Emergency Services • Farmers' Markets • Food Production, Minor ~~• Fuel Dispensing Uses, including Service Stations~~ • Health Services ~~• Heavy Vehicle/Equipment Sales, Rental, and Display.~~ • Hospice ~~• Hotel or Motel~~ • Indoor Recreation ~~• Light Vehicle/Equipment Sales and Display~~ • Manufacturing, Light – Low Impact • Medical Hospital Related Accessory Uses • Medical Hospital Related Office or Uses • Office, Medical • Office, Professional • ~~Outdoor Alcoholic Beverage Service~~ • Outdoor Entertainment and Community Events (Temporary Use) • Outdoor Food and Non-Alcoholic Beverage Service • Outdoor Recreation • Public or Governmental Building • Religious Institution • Restaurant, Indoor Service • Restaurant with Outdoor Food & Non-Alcoholic Beverage Service ~~• Restaurant with Outdoor Alcoholic Beverage Service~~ • Retail Business, Indoor • Retail Sales and Service Areas, Outdoor Temporary • Service Establishment ~~• Shooting Range, Indoor~~ • Small Wind Energy Systems, Roof-Mounted • Solar Energy Systems, <20kw- Accessory Use • ~~Storage, Open/Outdoor~~ ~~• Vehicle Repair and Service~~ • Veterinary Clinic (Domestic Animals Only) • Wholesale Trade Establishment	• Hospital • Hostel • Manufacturing, Light– Medium Impact ~~• Marihuana Designated Consumption Establishment~~ • ~~Marihuana Educational Research~~ ~~• Marihuana Grower – Class A~~ ~~• Marihuana Grower – Class B~~ ~~• Marihuana Grower – Class C~~ ~~• Marihuana Grower – Excess~~ ~~• Marihuana Microbusiness Class A and Light Manufacturing~~ ~~• Marihuana Processor – Light Manufacturing~~ • ~~Marihuana Retailer~~ • Marihuana Safety Compliance Facility ~~• Marihuana Secure Transporters~~ • Off-street Parking Lot • Outdoor Entertainment and Community Events (Principal & Accessory Use) ~~• Pet Boarding Facility~~ • Recreational Use, Public ~~• Retail Business, Outdoor Permanent~~ • Rooming House ~~• Small Wind Energy Systems, Tower-Mounted~~ • Solar Energy Systems, ≥20kw to 2 MW - Accessory Use • Solar Energy Systems, ≥20kw to 2 MW - Principal Use (Non-residential) • Storage Facility, Self • Storage Facility, Self – Accessory Use • Storage, Indoor • Storage, Indoor – Accessory Use • ~~Warehousing~~ ~~• Wireless Telecommunications Facilities~~

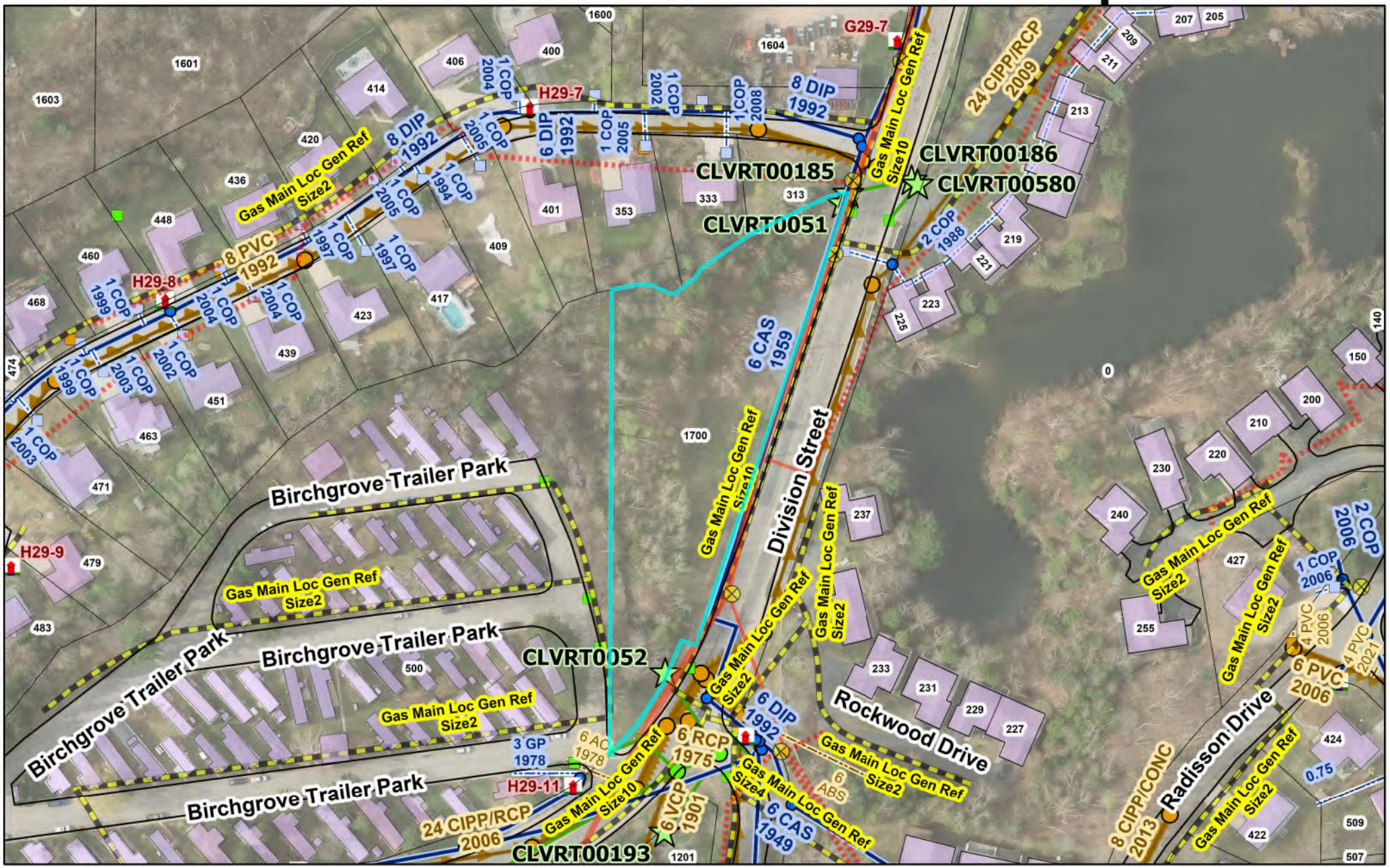
Where there is a discrepancy between *Section 54.306* and this table, *Section 54.306* shall prevail.

(D) Dimensional Regulations			
Lot, Coverage, and Building Height Standards		***Minimum Setbacks***	
Min. Lot Area (sq. ft.)	None	*Front Yard (ft.)*	0 *(F), (G)*
Min. Lot Width (ft.)	24	*Side Yard (one) (ft.)*	15 *(I)*
Max. Impervious Surface Coverage (%)	*(T)*	*Side Yard (total of 2) (ft.)*	30 *(I)*
Max. Building Height of Primary Building (ft.) (Q)	40	*Rear Yard (ft.)*	20 *(U)*
Max. Building Height of Accessory Building (L)	24	*Required Buffer & Greenbelt*	*(~~U~~ T)*
Max. Building Height (stories)	-		
Where there is a discrepancy between *Article 4* and this table, *Article 4* shall prevail.			

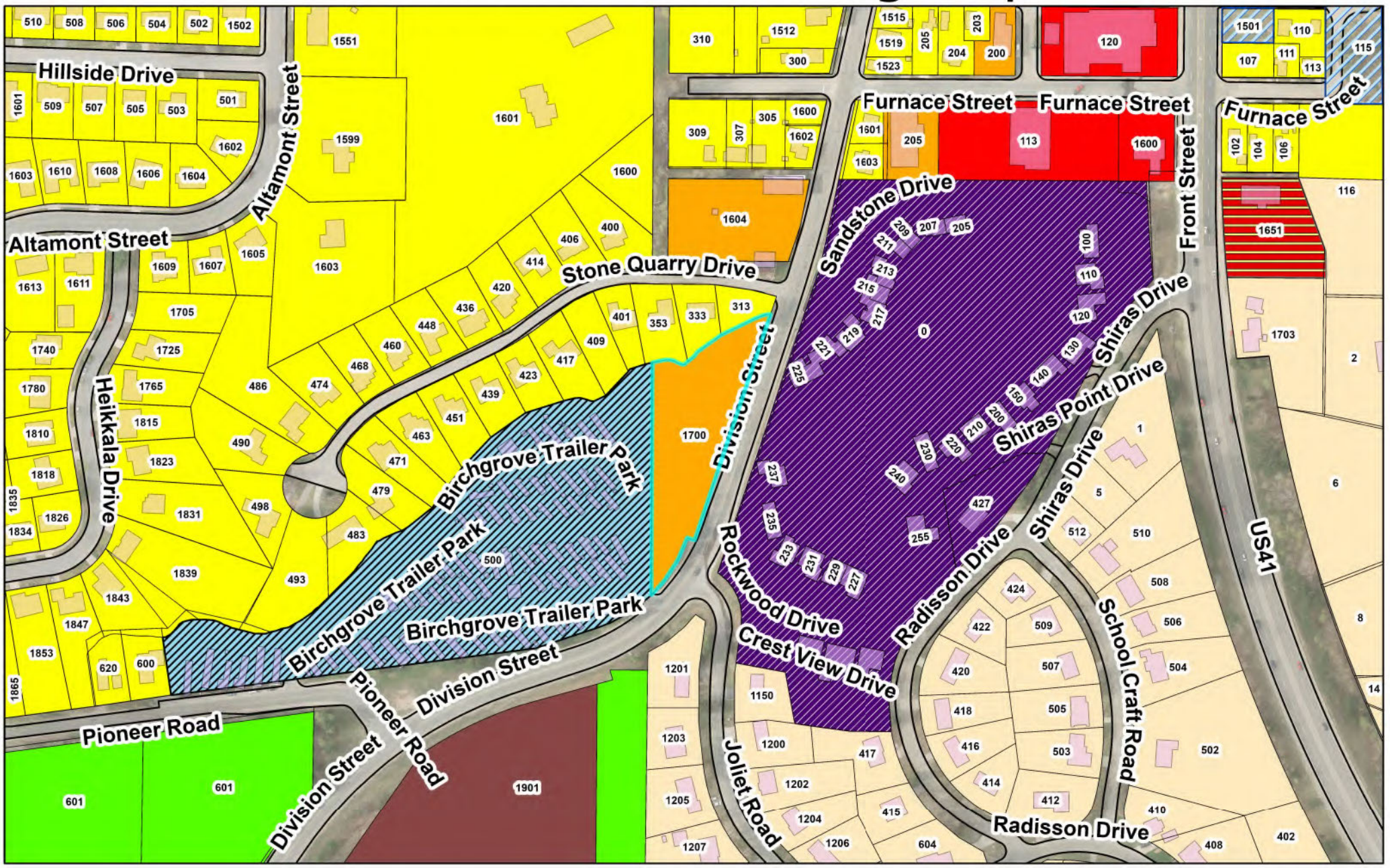
01-REZ-09-25 Area Map



01-REZ-09-25 Block Map



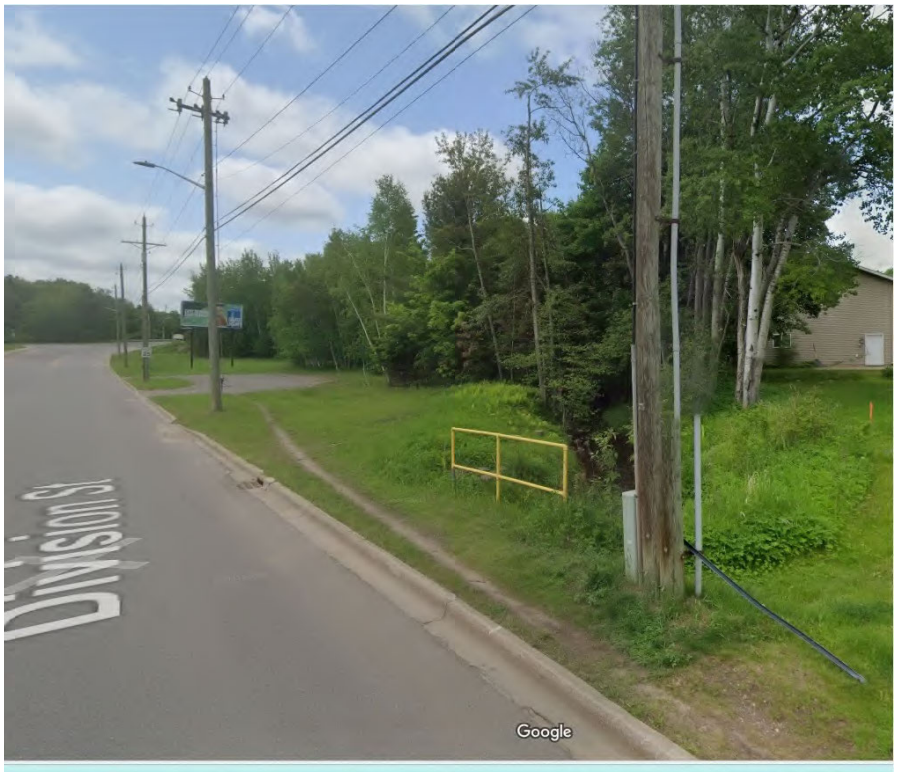
01-REZ-09-25 Zoning Map



The information contained on this map is believed to be accurate but accuracy is not guaranteed. Mapping information is a representation of various data sources and is not a substitute for information that would result from an accurate land survey. The information contained hereon does not replace information that may be obtained by consulting the official records of the City of Marquette. Users of this information assume all responsibility for the use thereof, and the City of Marquette hereby disclaims all liability for any loss resulting from any use of the information

1 inch equals 250 feet

Google


Division St
Google

h Google Maps
1942 Division St
Marquette, Michigan
Google Street View
Jun 2025 See more dates
Division St

Share

Gray, McRae, Jelly Roll, Doja Cat and Post Malone join a growing list of confirmed performers for this year's VMAs.

Rhymes and Martin will both perform, as well as a slew of other artists, including Alex Warren, J Balvin, Sabrina Carpenter and sombr.

Warren, who's nominated for best new artist, best pop and song of the year, will take the VMA stage for the first time, performing his breakout hit, "Ordinary." Newcomer sombr, a singer-songwriter and producer, will also be making his award show debut.

Balvin will perform "Zun Zun" with Latin singers Justin Quiles and Lenny Tavárez, and "Noventa" with producer DJ Snake.

Carpenter, who offered a debut performance at the VMAs last year, taking home song of the year, will return to perform "Manchild."

McRae is also up for four taken the VMAs stage various times since his first performance in 1997, will also perform during the ceremony.

Martin, whose long VMAs history began with his first performance in 1999, will also perform, and be honored for a "four-decade career that launched Latin music and culture into the mainstream," according to the announcement.

Who will host the VMAs?

LL Cool J has snagged wins, co-hosted and performed atop the MTV Video Music Awards stage. Now, the Grammy-winning rapper-actor-author is going solo to host the 2025 awards ceremony.

He's retaking the stage, this time without Nicki Minaj and Jack Harlow, with whom he co-hosted in 2022.

He's also up for the best hip-hop award for his single

Notice of Ely Township
Public Hearing

Please be notified that on Monday, September 8, 2025 at 6:30 p.m., The Ely Township Planning Commission will be conducting a Public Hearing for the purpose of: Conditional Use Permit
Dan Moore of Greenwood Investments request consideration for a Conditional Use to permit the current hotel to be used as a long-term rental apartments on a parcel zoned Town Development.

Parcel 52-03-211-002-00 is described as: SEC 11 T47N R28W THAT PART OF THE S ½ OF NE ¼ LYING S OF US-41 & E OF CO RD 478 EXC THE E 1080 THEREOF ALSO THE N 55' OF W 611.81' OF N ½ OF SE ¼ LYING E'LY OF CO RD 478.

Information may be reviewed at Ely Township Office from 11:00 a.m. - 4:00 p.m. Monday through Thursday at 1555 County Rd 496, Ishpeming, and written comments will be received until the date of the hearing. Anyone wishing to give testimony will be given the opportunity to be heard. This notice is posted in compliance with Public Act 110 of 2006, as amended, the Open Meeting Act MCLA 41.72A (2)(3) and the Americans with Disabilities Act.

PUBLIC HEARING NOTICE
MARQUETTE CITY PLANNING COMMISSION

Notice is hereby given that the Marquette City Planning Commission will hold a public hearing for the following:

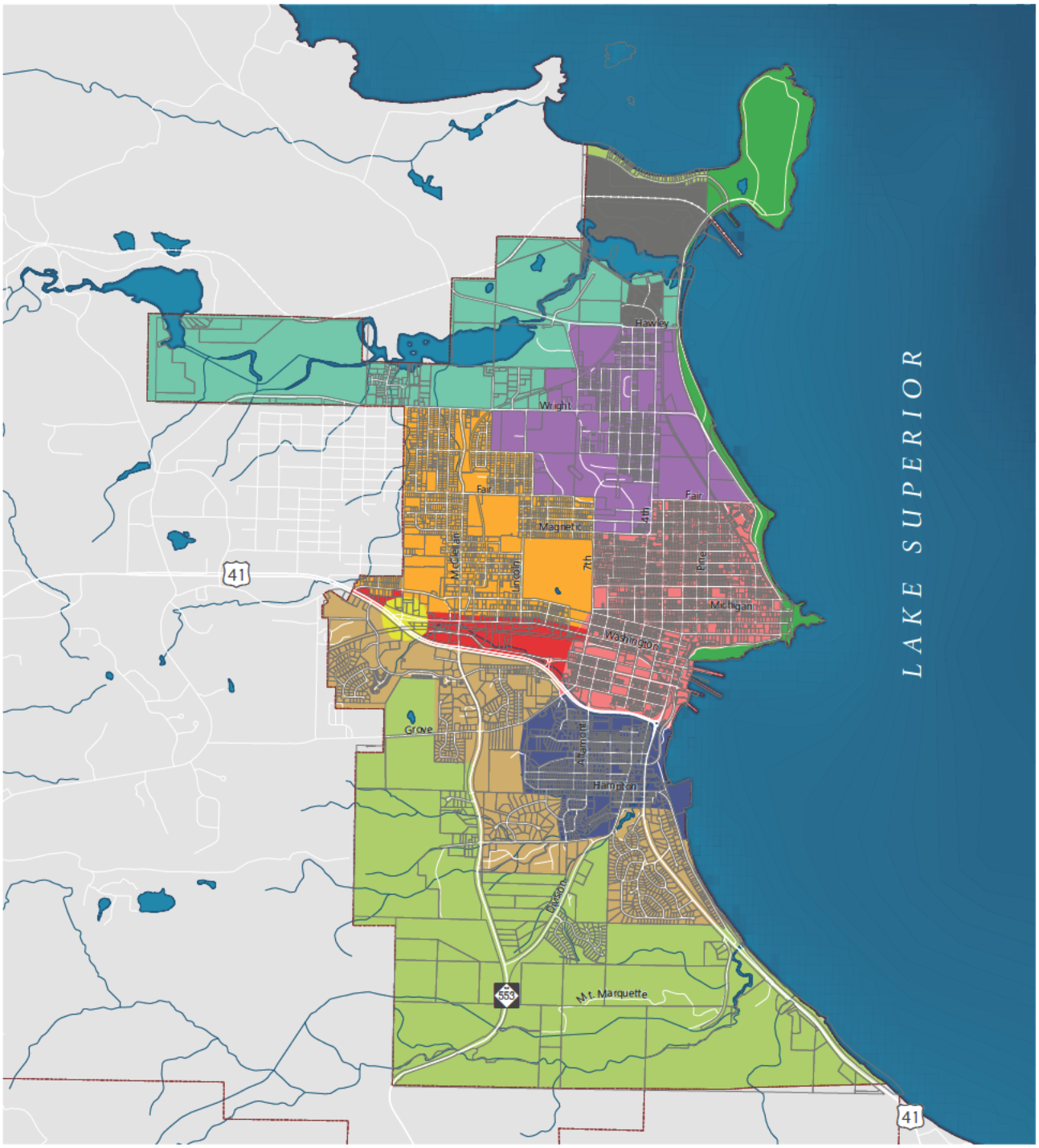
01-REZ-09-25 – 1700 Division St. (PIN: 0515150): LMS Ventures LLC is requesting to rezone the property located at 1700 Division Street that is zoned **Mixed-Use (M-U)** to be zoned **General Commercial with Conditional Rezoning (GC CR).**

02-REZ-09-25 – 480 River Park Cir. (PIN: 1000120): The City of Marquette is requesting to rezone the property located at 480 River Park Circle which is zoned **Planned Unit Development (PUD)** to be zoned **Industrial/Manufacturing (IM).** The right to develop this property per the site plans for the Shophouse Planned Unit Development (PUD) has been terminated due to noncompletion, per Article 54.323(i)(6) of the City's Land Development Code. The property is designated as Dead River Corridor on the Land Use/Place Type map in the City's *Community Master Plan.*

The public hearing for this request will be at 6:00 P.M. on Tuesday, September 16, 2025, in the Commission Chambers at City Hall, 300 W. Baraga Ave. If you wish to comment on this matter you may do so at that time. Written comments may also be submitted to the Community Development Department located at 1100 Wright Street, Marquette, Michigan 49855 or e-mail alanders@marquettemi.gov. Written submissions will be accepted until 12:00 p.m. on September 16, 2025.

Materials pertaining to the request is available for review at the Community Development Department's office at the Municipal Service Center during 7:30 a.m. to 4:30 p.m., Monday through Friday. Otherwise, you can request to have the materials e-mailed to you by e-mailing alanders@marquettemi.gov. You can also view the Land Development Code on our website at www.marquettemi.gov. If you have a disability and require assistance to participate, please provide advance notice.

Andrea Landers, Zoning Official, 225-8383



Place Types / Land Use Typologies

0.5 Miles

Beckett & Raeder, Inc.

Sources: Michigan Open Data Portal, City of Marquette

- Recreation Corridor
- Forested Suburban
- W. Marquette Neighborhood
- Suburban South Marquette
- Historic Core
- Dead River Corridor
- W. Washington St. - W. Baraga Ave Belt
- W. Washington St./Highway Node
- University - North Marquette
- Industry and Innovation
- South Marquette

Rezoning

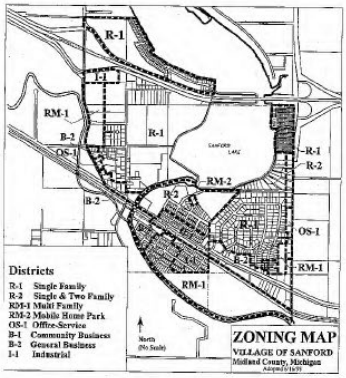
- The main question that must be answered when considering a rezoning is: *"Is that an appropriate location for that zone?"*
- The proposed use of land is not as important as is the fact that if the land is rezoned, any of the uses permitted in that zone may be established on that land.
- If a specific land use is proposed then an additional question must also be answered: *"Are the uses permitted in the existing zone reasonable?"*
- Failing to follow notice requirements may result in a Court invalidating the amendment.

20

Rezoning Factors to Consider

RE: Question One (previous page)

- Would rezoning be consistent with other zones and land uses in the area?
- Is the proposed rezoning consistent with the trend of development in that area?
- Are uses in the proposed zone equally or better suited to the area than the current uses?
- Is the proposed rezoning consistent with both the policies and uses proposed for that area in the master plan?



21

Rezoning Factors to Consider

RE: Question Two (previous page)

- Is the proposed use compatible with uses in the existing district? If so, would it be more appropriate to amend the text of the ordinance to add the proposed use to the existing district as a use permitted by right, or by special permit, or by planned unit development than to rezone?
- Is another district, different than the one requested, more appropriate in this location?

22

SPOT ZONING

Characteristics

- Typically a single parcel zoned for uses that are quite dissimilar from the zoning of lands around it.
- Typically small in area.
- Typically grants a right to use land that is not enjoyed by similarly situated adjacent parcels.
- Most important, it is typically inconsistent with the future land use plan and the policies of the master plan.

Result

- Typically ruled invalid if challenged in court.

23

Outlook

Rezoning proposal for Division St

From [redacted]
Date Sun 9/7/2025 6:52 PM
To Andrea Landers <alanders@marquettemi.gov>
Cc [redacted]

You don't often get email from [redacted]

Dear Ms Landers,

As a property owner in the Shiras Pointe Condominium Association, it is my strong wish that the proposal to construct a self-storage facility on Division St be rejected. I am at a loss to understand how such a project would enhance either the esthetic quality or value of our community.

Respectfully,

Richard Lewandowski
240 Birchridge
Marquette, MI 49855
[redacted]

Outlook

1700 Division St

From [redacted]
Date Sat 9/6/2025 3:10 PM
To Andrea Landers <alanders@marquettemi.gov>

1 attachment (860 KB)
Marquette City Planning Commission Zoning Notice - 1700 Division St.pdf;

You don't often get emai [redacted]

Dear Ms. Landers,

The Board of Directors of the Shiras Pointe Condominium Association, representing our 33 residential homes, would like to voice its opposition to the rezoning of the property at 1700 Division St. in Marquette. This is a residential area and that property is not only surrounded by our residential homes, but also 15+ residential homes on Stone Quarry Drive, and a mobile home community. A self-storage facility, that apparently could be 40' in height and is typically open 24 hours a day seems very inappropriate for our neighborhood.

We would hope the Planning Commission can understand that this seems like spot zoning a parcel in the middle of residential sites and does not seem appropriate. Thanks, you for your consideration on this matter.

Thanks,

Brian Pesola
Manager
Shiras Pointe Condominium Association
2600 US Highway 41 W
Marquette, MI 49855
[redacted]

Shiras Pointe
MARQUETTE'S SUPERIOR LIFESTYLE

Outlook

Rezoning property 1700 Division St

From [redacted]
Date Sat 9/6/2025 5:54 PM
To Andrea Landers <alanders@marquettemi.gov>
Cc [redacted]

You don't often get email fro[redacted]

Dear Ms Landers

As the property owner of 100 Shiras Pointe Dr. I would like to join with the Board of Directors of the Shiras Pointe Condominium Association and voice my opposition to the rezoning of the property at 1700 Division St. This is a residential area and should remain as is. A 24 hour storage facility is not appropriate for this site.

Thank you,
Kandace St.Aubin
Trustee, Collins Family Trust

Outlook

Response to your letter August 26, 2025

From [redacted]
Date Tue 9/9/2025 3:16 PM
To Andrea Landers <alanders@marquettemi.gov>

[redacted]

Re: Notice of PUPLIC HEARING before the Marquette City Planning Commission regarding: 01-REZ-09-25-1700 Division St. (PIN: 0515150)

Ms. Andrea Landers, Zoning Official September 9, 2025

We are OPPOSED to rezoning of the above described property at 1700 Division St. to "General Commercial with Conditional Rezoning (GC CR).

Specifically, LMS Ventures, LLC is proposing a self-storage facility for this parcel. That type of building should not be in a residential area. Residential properties are almost 100% of the buildings in this area, including The Meadows, the Stone Quarry condominiums and Shiraz Hills. Recently there have been three huge metal power line poles installed very close to this same area on division Street, one of which is exactly at the intersection of Division and Stone Quarry Dr. There is no way that is aesthetically pleasing, to say the least. A storage building would make it look worse.

If storage facilities are needed in the city, fine, but certainly not in residential areas. That could also result in decreased interest in homes in the area and market value.

Agreed there are two non residential buildings on Division in this area but they are very old and assuming they were "grandfather'd in" before present zoning regulations.

Thank you for your consideration.

Please acknowledge receipt of this email.

Tony and Susan Kroncich
423 Stone Quarry Dr.

Sent from my iPad

ORDINANCE #25-13
AN ORDINANCE TO AMEND MARQUETTE CITY CODE CHAPTER 54 – ZONING, BY CHANGING THE ZONING DESIGNATION OF THE PROPERTY AT 1700 DIVISION STREET

The City of Marquette Ordains:

SECTION 1. Zoning Designation
The zoning of the property located at 1700 Division Street is hereby changed from Mixed-Use (M-U) to General Commercial with Conditional Rezoning (GC CR).

SECTION 2. Map Revision.
This change shall be shown on the Marquette City Zoning Map.

SECTION 3. Effective Date.
This ordinance shall take effect upon the recording of the conditional rezoning agreement with the County Register of Deeds, but not before publication.

_____ _____
Jessica Hanley, Mayor Kyle Whitney, City Clerk

Date Adopted: _____ Date Effective: _____

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote

Approve the minutes of the October 14, 2025 regular Commission meeting

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Oct. 14 minutes

City of Marquette, MI

300 West Baraga Ave
Marquette, Michigan 49855

Meeting Minutes
City Commission

Tuesday, October 14, 2025
6:00 PM
Commission Chambers

Call to Order, Pledge of Allegiance and Roll Call

Present: Davis, Gottlieb, Larson, Ottaway, Schloegel
Absent: Hanley, Mayer

Commissioner Ottaway moved to excuse Mayor Hanley and Commissioner Mayer for personal reasons, seconded by Commissioner Gottlieb and Carried Unanimously.

Approval of the Agenda

Commissioner Sally Davis moved to Approve the agenda as presented, seconded by Commissioner Michael Larson and Carried Unanimously.

Announcements

Boards and Committees

1. Appointment(s)

Nicolaas Vermaat to the Planning Commission for an unexpired term ending 02-15-28

Commissioner Cary Gottlieb moved to Approve the appointment as listed, seconded by Commissioner Sally Davis and Carried Unanimously.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

There was no public comment.

Presentation(s)

2. Higashiomi Sister City Gift Presentation, by Associate Planner for Delegate Visit Bill Brazier

Bill Brazier, presenting on behalf of the Marquette Area Sister City Partnership, discussed recent activities, and presented the City with a gift from Higashiomi, Japan.

3. **Consent Agenda**

Commissioner Michael Larson moved to Approve the Consent Agenda as written, seconded by Commissioner Jermey Ottaway and Carried Unanimously.

3.a. Approve the minutes of the September 29, 2025 regular Commission meeting

3.b. Approve the total bills payable in the amount of $1,083,729.03 which excludes $2,620.07 in City Commission travel reimbursement, this reimbursement will be New Business items 4-8

3.c. Arbor Day Proclamation

3.d. Peg Hirvonen Bandshell - Professional Services Change Order

3.e. Biogas Conditioning Skid Media and Testing

3.f. Co-Generation Maintenance Services

3.g. Marquette Area Public Schools - Locker Room Lease

3.h. Marquette Junior Hockey Corporation - Concession Lease Agreement

3.i. Peg Hirvonen Bandshell - Construction Contract Change Order

3.j. Purchase of Belt Press Polymer

3.k. Sale of Surplus Equipment

3.l. Schedule Public Hearing: CDBG Closeout

3.m. Utilization of State Bid for Annual Salt Purchase

New Business

4. Mayor Hanley and Mayor Pro-tem Schloegel Travel Reimbursement

Commissioner Sally Davis moved to Approve travel reimbursement for Mayor Hanley in the amount of $144.00 and Mayor Pro-tem Schloegel in the amount of $98.00 for the Michigan Municipal League Convention, seconded by Commissioner Cary Gottlieb and Passed.

The motion carried 4-0, as Mayor Pro Tem Schloegel abstained from voting on the item.

5. Commissioner Gottlieb Travel Reimbursement

Commissioner Jermey Ottaway moved to Approve travel reimbursement for Commissioner Gottlieb in the amount of $698.80 for the Michigan Municipal League Convention, seconded by Commissioner Michael Larson and Passed.

The motion carried 4-0, as Commissioner Gottlieb abstained from voting on the item.

6. Commissioner Larson Travel Reimbursement

Commissioner Cary Gottlieb moved to Approve travel reimbursement for Commissioner Larson in the amount of $337.40 for the Michigan Municipal League Convention, seconded by Commissioner Jermey Ottaway and Passed.

The motion carried 4-0, as Commissioner Larson abstained from voting on the item.

7. Commissioner Mayer Travel Reimbursement

Commissioner Sally Davis moved to Approve travel reimbursement for Commissioner Mayer in the amount of $698.89 for the Michigan Municipal League Convention, seconded by Commissioner Cary Gottlieb and Carried Unanimously.

8. Commissioner Ottaway Travel Reimbursement

Commissioner Michael Larson moved to Approve travel reimbursement for Commissioner Ottaway in the amount of $642.98 for the Michigan Municipal League Convention, seconded by Commissioner Cary Gottlieb and Passed.

The motion carried 4-0, as Commissioner Ottaway abstained from voting on the item.

Public Comments - Comments may not exceed three minutes per person. Please state your name and physical address when making public comments.

There was no public comment.

Comments from the Commission

Commissioner Davis thanked those in attendance for being at tonight's meeting, and she said it's always good to see younger residents in attendance.
Mayor Pro Tem Schloegel said it was good to see so many audience members, many of whom he said were attending from an NMU class.
Commissioners Gottlieb, **Larson** and **Ottaway** had no comments.

Comments from the City Manager

Deputy City Manager Sean Hobbins noted the upcoming leaf and brush collections and provided an update on the Lakeshore Boulevard project.

Adjournment

Mayor Pro Tem Schloegel adjourned the meeting at 6:21 p.m.

_____ _____

Paul Schloegel, Mayor Pro Tem **Kyle Whitney, City Clerk**

If you require assistance to participate in any meeting, program or activity offered by the City of Marquette, please provide advanced notice to City of Marquette ADA Coordinator Eric Stemen at 906-225-8978 or via email at estemen@marquettemi.gov.

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Adoption of Amended Marketing Plan

BACKGROUND:

The City obtained Redevelopment Ready Certification (RRC) through the Michigan Economic Development Corporation in October of 2021.

Over the past four years the City has utilized the benefits of certification, including receiving $30,000 in grant funding for the development of the Community Master Plan.

It is now time for the City to seek recertification in the RRC program and one of the items that needs to be updated is the attached Marketing Plan. Staff has drafted the amended plan that updates (updates highlighted) the content.

FISCAL EFFECT:

None.

RECOMMENDATION:

Adopt the updated Marketing Plan as presented.

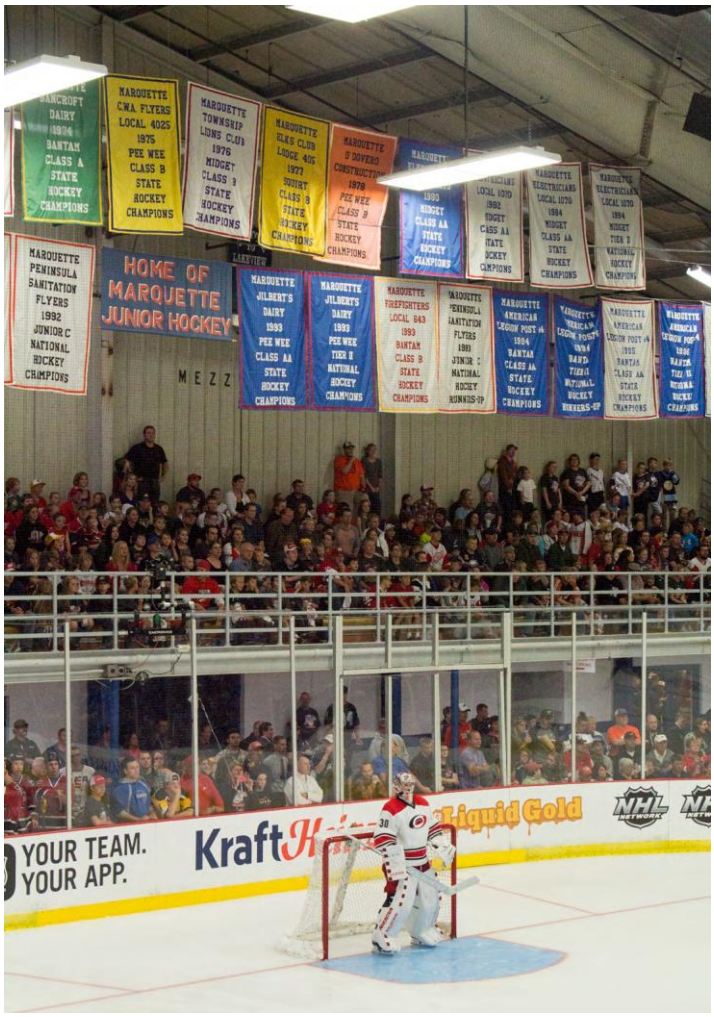
ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Updated Marketing Plan with Highlights
- Updated Marketing Plan - Clean Version



City of Marquette Marketing Plan

October 2025

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Introduction

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The purpose of this marketing plan is to guide the City's marketing efforts as a part of RRC Best Practice 5.3. The City of Marquette has many community partners that are working on marketing efforts for their organizations and benefits greatly from those existing efforts. This plan identifies a selection of those existing efforts, notes opportunities for future collaboration, and highlights the City's current marking related activities. The existing guidelines for the City's branding are also included.

Establishing a Baseline

This section of the plan provides an overview of the City's existing partners and assets. This information will help inform the overall strategy including what, if any, new marketing efforts should be undertaken in the coming years.

Physical Assets

These assets are fixed characteristics of Marquette that are not anticipated to change significantly in the coming years. Many or all of these assets are identified in other City planning documents and include:

Asset	Description/Notes
Downtown Marquette	Downtown Marquette contains the core downtown area along with the Third Street corridor. Downtown is almost exclusively locally owned businesses imbibing it with local Marquette character throughout the entire district.
Park System	Marquette has 20 parks, 12 athletic fields, 2 marinas and 1 full-service campground. The availability and quality of property dedicated to public recreation is a draw for existing and new residents as well as visitors.
Presque Isle Park	Often referred to as the "jewel" of Marquette, Presque Isle is a 323-acre forested peninsula that is encircled by Lake Superior. It is home to a rock formation known as Blackrocks, known across the country for providing the opportunity for cliff jumping right into Lake Superior.
Core Community	Marquette is one of two designated Core Communities in Marquette County. The Core Communities designation provides the Marquette with three economic development tools; brownfield redevelopment incentives, obsolete property rehabilitation exemptions, and neighborhood enterprise zones.

Lake Superior	The City of Marquette has nearly 11 miles of public shoreline and continues to look for opportunities to add to this inventory when possible.
Ore Docks	Marquette has two ore docks; a functional working dock on the north side of town and a decommissioned dock located in the lower harbor. The lower harbor ore dock is one of the most photographed structures in the City and is a static monument to Marquette's past. The upper harbor ore dock provides visitors with the opportunity to see massive ore freighters up close in addition to the economic activity generated by its use.
Community Festivals/Events	The City has an active community event schedule, most visibly in Mattson Lower Harbor Park and the downtown area. These events are almost all put on by local organizations and many are beloved traditions for residents and visitors.
Cost of Living	According to Salary.com, the cost of living in Marquette is 7.9% lower than the national average.
Heartwood Forest	The City purchased a 2,243-acre forest on the southern end of the City in 2005 for $5 million. 350 acres were identified for development and the rest has been largely dedicated for conservation or recreation. The publicly owned forest has a renowned trail system managed by the Noquemanon Trail Network.

Resources

The City of Marquette has several active local resources for marketing and relies on external partners for widespread marketing outside of the city. Current local resources include:

Resource	Notes
City Website	The City maintains an active website at https://www.marquettemi.gov/ to serve as a general City resource. The site was redesigned in 2017 and is updated on a regular basis.
Social Media	The City maintains eight Facebook pages including a general City page and specialized pages for Tourist Park, Presque Isle Park, Lakeview Arena, Cinder Pond and Presque Isle Marinas, the Senior Center, the Fire Department, and the Police Department. Collectively, all of the City pages have 30,789 followers.

Local Media	Local News: WLUC/TV 6, ABC 10, WJMN Local 3
	Newspaper: The Mining Journal Radio: Sunny 101.9
Utility Bills	The City distributes community information through monthly utility bills.

Partners

The City of Marquette has many important partners who engage in economic development and marketing efforts aimed at various audiences.

Resource	Audience	Current Activities
Downtown Development Authority	Businesses, Residents, Visitors	The Marquette Downtown Development Authority (DDA) advances the continued vitality and growth of the downtown district through ongoing economic analysis, long-range planning, and strategic public improvements. The DDA is administered by an Executive Director and an eight-member board appointed by the Marquette City Commission and City Manager. Current initiatives focus on business attraction and retention, infrastructure enhancements, and placemaking efforts that strengthen the downtown experience. The DDA is presently engaged in a comprehensive wayfinding project designed to improve navigation and reinforce the established downtown brand, with final design completion anticipated in early 2026 and installation scheduled for fall 2026. Additionally, the DDA leads marketing and promotional programs that position Downtown Marquette as a premier destination for residents, visitors, and businesses.

City of Marquette Arts and Culture Division	Residents, Visitors	The City of Marquette Arts and Culture Division serves to encourage, develop, and facilitate a rich environment of artistic, creative, and cultural activity in Marquette. This division of the Community Services Department implements the Arts and Culture Master Plan, provides community arts programming, and was instrumental in establishing a Cultural Trail along the lakeshore. The City Arts and Culture Division also assists with organizing various art events.
Travel Marquette	Visitors	Travel Marquette is billed as the "official destination marketing organization for Marquette County in Michigan's Upper Peninsula". They are funded through a local
		hotel/motel tax as the convention and visitor's bureau and are designed to market Marquette as a destination to the traveling public and provide area resources and advice to tourists, event and meeting planners and the media.
Northern Michigan University (NMU)	Students, Alumni	Northern Michigan University is a four-year public university located in Marquette. NMU has a student population of approximately 8,000 students and brings a consistent flow of visitors and new residents to the City.
Pure Michigan	Visitors	Marquette has a dedicated page at https://www.michigan.org/city/marquette to help potential visitors plan a trip.
Noquemanon Trail Network (NTN)	Residents, Visitors	NTN's mission is to secure, develop, maintain, and promote the use of a non-motorized trail network throughout the central Upper Peninsula of Michigan. Many of the trails in the NTN network are located in the City of Marquette and are on City property. Since its inception, the NTN has been a prominent amenity in the City and prime marketing opportunity for visitors and potential residents
Invest UP	Businesses	InvestUP is the lead regional economic organization for the Upper Peninsula. Their mission is to drive prosperity across the Upper Peninsula.

Lake Superior Community Partnership (LSCP)	Businesses, Industry	The Lake Superior Community Partnership is Marquette County's leading resource for economic development, providing a wide variety of affordable and effective development services.
Iron Ore Heritage Trail	Residents, Visitors	The Iron Ore Heritage Trail is a 47-mile, year-round, multi-use, interpretive trail that crosses the Marquette Iron Range in Michigan's Upper Peninsula. They offer amenities for visitors who like to bike, walk, run, hike, ORV, snowmobile, cross country ski, birdwatch, and/or wander.
Marquette Brownfield Redevelopment Authority (MBRA)	Developers, Businesses	The MBRA is an appointed City board that reviews brownfield and Act 381 plans for eligible expenses. Brownfield redevelopment has attracted a significant amount of business to the City of Marquette.

Branding

The City of Marquette has not undertaken a formal branding effort but has determined style guidelines in-house based on the City logo/seal.

Logo-

Flag-

Logo with URL-

Color Palette-

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PMS: 2755	PMS: 284	PMS: 107	PMS: 1375	PMS: 349	PMS: 8003
CMYK: 100-100-22-36	CMYK: 67-23-0-0	CMYK: 3-4-96-0	CMYK: 0-48-100-0	CMYK: 90-30-95-30	CMYK: 47-45-53-11
RGB: 30-28-88	RGB: 69-161-217	RGB: 254-230-10	RGB: 248-152-0	RGB: 5-104-57	RGB: 134-122-113
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Fonts-

External Font	Correspondence Font	Fonts for web and PowerPoint
Peekaboo	Times New Roman	To ensure the quickest download time and accurate representation on the Marquette City website and in PowerPoint presentations, use fonts that are available on most computers. Sans serif fonts are more legible on-screen than serif fonts due to their simple shapes. Verdana and Arial are standard sans serif fonts with good legibility that will appear accurately on most computers. Use Verdana or Arial for copy on your website and in PowerPoint presentations unless there is a specific need for a different font.
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Marketing Goals and Actions

In consideration of the strong current economic foundation of the City of Marquette, this plan recommends continuing the implementation of current methodology and supporting vital partners in the community in their marketing efforts. These strategies are broken down by key audiences to reflect the differences in messaging and delivery methods.

Businesses	
Main Goals	Support existing businesses and attract new businesses to the City.
Main Message	The City of Marquette has a thriving business community and is ready to support existing businesses while aiding new enterprises.
Partners	DDA, MEDC, LSCP, Invent@NMU, InvestUP
Actions	
2026	
Redevelopment Ready Community Recertification	When the City receives RRC recertification, publish public service announcements, engage in interviews with local media, and display certified material on the City website.
Ongoing	
Downtown Plan Implementation	Support the implementation of the DDA Downtown Plan in order to address the desires and needs of the residents, businesses, and property owners to preserve and enhance relevant qualities of the downtown community and natural aesthetics.
Tax Increment Financing	Explore TIF opportunities for projects needing expanded investment in public infrastructure.
Capital Improvement Plan	Create a new Asset Management Plan and integrate with the Capital Improvements Plan so the City can invest in the capital improvements that make Marquette a marketable place to develop property.

Residents	
Main Goals	Encourage community participation from current residents and demonstrate the value of Marquette to potential new residents.
Main Message	Continue to make Marquette a quality community to live and work within.
Partners	DDA, Local Service Organizations
Actions	
2026 - 2028	
Strategic Plan Implementation	Build upon the efforts of the recent Community Master Plan Project and implement the FY26-28 Strategic Plan. Highlights include a Climate Action Plan, Sustainable Tourism Plan, Financial and Capital Improvements Dashboard, Adoption of a Capital reserve Policy and fund, and updating the Economic Development Plan.
2026	
Lakeshore Boulevard Project	The Lakeshore Boulevard reconstruction project is a landmark achievement for the City that will increase public access to Lake Superior and provide development opportunities on the northern end of the City. The reconstruction will be useful in marketing materials for the City in general and the Cliffs-Dow site. The project will be completed in 2026.
Ongoing	
Community Festivals and Events	Continue to provide promotional fund relief to service organizations for the utilization of public space for community events. Ensure these events are being promoted on social media and other marketing resources identified in this plan.
Bimonthly Newsletter	Continue the publication of the Marquette Matters newsletter on a bimonthly basis.

Visitors	
Main Goals	Attract new and repeat visitors to the City.
Main Message	Marquette has a winning combination of local character, accessible recreational opportunities, and community businesses that provides a draw for new and repeat visitors.
Partners	DDA, Travel Marquette, NTN
Actions	
2026-2028	
Sustainable Tourism Plan	Partner with a Planning Consulting Firm to draft and adopt a plan to outline a process that will strengthen our identity while supporting a balanced and livable community.
Ongoing	
Downtown Plan	All successful downtowns have memorable spaces for public gatherings, special events, and recreation. Public spaces, in the form of parks and plazas, provide areas for residents and shoppers to gather and enjoy. They also provide visual relief to the urban environment, contributing to the variety and identity of the downtown. Downtown Marquette offers some of these elements; however, access to open space, particularly adjacent to Lake Superior, should be improved. The Downtown Plan offers a number of implementable strategies for making the area more conducive and attractive to visitors.
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Developers	
Main Goals	Attract new development to the City and encourage additional investment and redevelopment from existing businesses and residents.
Main Message	Marquette is ready to assist with responsible and sustainable development
Partners	MEDC, DDA, MBRA
Actions	
2026 - 2028	
Economic Development Plan	Update the Economic Development Plan to include specific targets as well as defining the City's fiscal role. This includes advocating on behalf of the City with all levels of government through administrative and legislative connections, as well as seeking third-party funding opportunities.
Redevelopment Ready Communities Recertification	When the City receives RRC recertification, publish public service announcements, engage in interviews with local media, and display certified material on the City website.
Ongoing	
Market Priority Sites	List priority redevelopment sites with the MEDC after the RRC certification.
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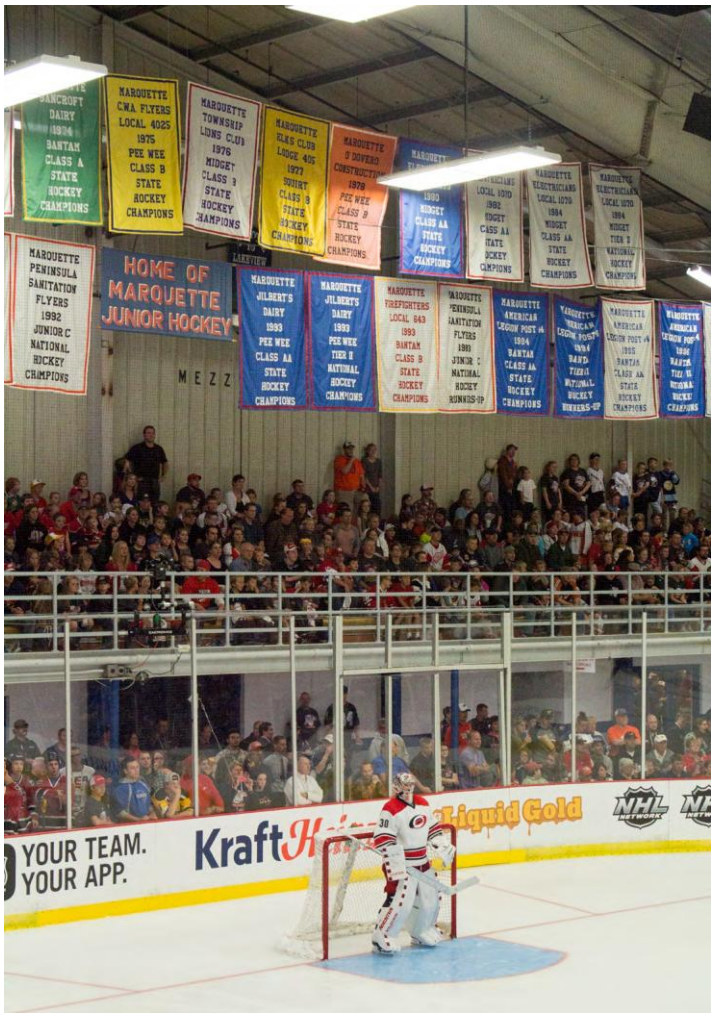

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Main Message	Continue to make Marquette a quality community to live and work within.
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Main Goals	Attract new development to the City and encourage additional investment and redevelopment from existing businesses and residents.
Main Message	Marquette is ready to assist with responsible and sustainable development
Partners	MEDC, DDA, MBRA
Actions	
2026 - 2028	
Economic Development Plan	Update the Economic Development Plan to include specific targets as well as defining the City's fiscal role. This includes advocating on behalf of the City with all levels of government through administrative and legislative connections, as well as seeking third-party funding opportunities.
Redevelopment Ready Communities Recertification	When the City receives RRC recertification, publish public service announcements, engage in interviews with local media, and display certified material on the City website.
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Market Priority Sites	List priority redevelopment sites with the MEDC after the RRC certification.
Land Development Code Review	The City of Marquette Land Development Code was adopted in February of 2019, introducing new zoning updates. The Land Development Code (a.k.a., Zoning Ordinance) is designed to implement and be consistent with the goals, objectives, policies, and strategies of the adopted Master Plan of the City of Marquette. The Planning Commission and Community Development staff review the LDC annually and have comprehensively updated it five times since 2019 to address community needs and interests, clarify regulations, streamline development, and refine what a practical and equitable development framework is for the community.

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Adoption of Amended Public Participation Plan

BACKGROUND:

The City obtained Redevelopment Ready Certification (RRC) through the Michigan Economic Development Corporation in October of 2021.

Over the past four years the City has utilized the benefits of certification, including receiving $30,000 in grant funding for the development of the Community Master Plan.

It is now time for the City to seek recertification in the RRC program and one of the items that needs to be updated is the attached Public Participation Plan. Staff has drafted the amended plan that updates (updates highlighted) the content to reflect 2025 and forward.

FISCAL EFFECT:

None.

RECOMMENDATION:

Adopted the Amended Public Participation Plan as presented.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Amended Public Participation Plan

City of Marquette

Public Participation Plan

Adopted by the Marquette City Commission on _____

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Introduction

The City of Marquette adopted its Community Master Plan (CMP) on October 15, 2024. The CMP is a primary guide for strategically managing change and opportunities within the broad realm of urban affairs. It is grounded in the data, observations and community preferences of the present time, but it also looks to the future. The CMP essentially identifies the gap between where we are as a community and where we want to go and provides recommendations on how to bridge the gap. Marquette's goals can be best expressed by the guiding principles found in the CMP:

A. Steward and cherish our natural assets
B. Encourage quality housing at multiple price points and in locations with access to nonmotorized and public transportation
C. Preserve our entire history
D. Encourage development and vibrancy in our commercial districts and corridors
E. Create safe and enjoyable transportation and recreations options year-round
F. Maintain and connect our neighborhoods

As part of the planning process of designing and developing our community, this Public Participation Plan is also being updated. This Plan is an essential tool for outlining how elected officials, appointed officials and boards and commissions engage the public throughout the planning and development process. The Plan also acts as a tool for accountability and transparency requiring a municipality to seek public input as well as report the results to the people.

When preparing and updating the Community Master Plan, it was important to work with citizens to identify the issues and challenges unique to the community. As part of the Public Participation Plan, we as a community must evaluate our current strengths and needs followed by a vision for the future. The City of Marquette's Public Participation Plan strategy is to encourage community members to take part in the City planning process in an effort to gain support for the collective community vision and produce a plan that best reflects the overall vison of the community.

Public Participation Guiding Goals and Objectives

The City of Marquette shall oversee all aspects of citizen/public participation in an open manner, by making the participation process accessible to anyone interested in taking part.

The City of Marquette shall continue to seek out public participation during the implementation of the 2023 Community Master Plan.

The City of Marquette shall strive to have a diverse group of stakeholders in planning, land use and development decisions.

The City of Marquette shall encourage the involvement of residents most affected by the proposed planning, land use or development projects.

The City of Marquette shall make all efforts to ensure involvement of citizens throughout all stages of the planning and review process.

The City of Marquette shall use all forms of communication possible for distributing information and receiving comments and feedback.

The City of Marquette shall support and encourage participation by making information available in a timely manner, allowing the citizens/public to take part in important decisions at various stages of the review and approval processes.

The City of Marquette shall seek broad identification and representative involvement of all residents of the community. The diverse characteristics and needs of residents require different communication and outreach techniques.

The City of Marquette shall support and encourage continuous improvement in the methods used to meet the public need for information and involvement. Public information and involvement methods are continually evolving. The municipality is committed to seek new and innovative ways to engage and keep the public involved throughout the process.

Public Participation History

The City of Marquette has an extensive history with ongoing public participation in community planning. The public has been involved in the development and implementation of the Community Master Plan, Arts and Culture Master Plan, Five Year Recreation Master Plan as well as other public planning processes. The City has demonstrated a commitment to public participation and the importance of these contributions to the planning process.

Public Feedback

In order to serve the citizens of the City of Marquette better, we require feedback/input regarding how the City's citizens would like us to communicate information.

The City of Marquette is committed to providing avenues for feedback to our citizens by using such tools as e-mails, telephone calls, exit surveys and such. To provide feedback on any City program or planning initiative, citizens are encouraged to contact the appropriate City office, the City Manager's Office or their elected Commissioners.

Proactive Public Education

Residents of the City of Marquette are passionate about the present and future state of their City. New projects and developments in the City occasionally evoke strong reactions and can require additional proactive outreach to educate residents before official Commission action is taken.

The City Manager and City staff are well attuned to the views of City residents and are able to recognize issues that will prompt heightened discussion. Through familiarity with the community, the City is able to recognize when further education and discussion will be warranted and are able to plan accordingly. This can come in the way of information dissemination through the City website, social media, printed publications, public meetings and other avenues of communication.

Additionally, when issues requiring more community outreach arise unexpectedly, the City has multiple avenues to receive feedback from residents (i.e. phone calls, emails, public meetings, elected official contacts, City Manager open office hours) and can formulate an appropriate response strategy.

When issues involving developers in the community arise, the City is able to be a facilitating resource by offering public meeting space, providing a medium for information and publicizing meetings.

Public Access to Information

As required by law, the City of Marquette will provide the public reasonable and timely access to information and records relating to the Community Master Plan, Public Participation Plan and amendments to any of the plans.

Transparency in governance is a top priority for the City of Marquette and City staff endeavor to provide residents with increased access to their government through the dissemination of relevant information through multiple mediums. Transparent governance ensures that the needs of citizens are met in a fair, responsible and open manner.

Interested stakeholders are encouraged to check the City's website at www.marquettemi.gov, or social media pages such as Facebook (https://www.facebook.com/mqtcty) in order to be kept informed of any meeting/hearing changes or cancellations. Marquette City Commission regular meetings are streamed live on the City YouTube channel. In addition, all regularly scheduled Marquette City Commission meetings are televised on Public Channel 191 on Spectrum cable. Meeting agendas and packets are available the Friday prior to a Commission meeting either digitally on the City's website or physically in City Hall or the Peter White Public Library. Meeting minutes are posted on the City's website following approval.

The Planning Commission and Board of Zoning Appeals agendas are also available on the City's website in advance of the meeting.

Accessibility

Public meetings in the City of Marquette, including City Commission, City boards and commissions, public forums and planning meetings, take place in publicized, barrier-free locations and all reasonable accommodations are made to ensure they are accessible. City Commission regular meetings are recorded, televised and live streamed to provide an alternative avenue for viewing and are also summarized by approved minutes. The City website also adheres to the Web Content Accessibility Guidelines 2.0 Level AA standards for website design as required by the Federal General Services Administration.

Key Stakeholders

City stakeholders are individuals, group, businesses and other organizations that are affected by development in the City of Marquette. These stakeholders have different inputs into the City's operations, policies and development and include, but are not limited to, the groups in the below table.

Regional Partners	Michigan Economic Development Corporation Central Upper Peninsula Planning And Development Regional Committee (CUPPAD) Michigan Department of Transportation Next Michigan Superior Trade Zone Superior Watershed Partnership Lake Superior Community Partnership

Non-Profits/Associations	Rotary Club of Marquette Marquette County Exchange Club Friends of Marquette Public Art Upper Peninsula Children's Museum Marquette Beautification Committee Northern Michigan Public Service Academy Upper Peninsula Arts and Culture Alliance Religious Groups Marquette Ambassadors
Education Providers	Marquette Area Public Schools Marquette Alger Regional Educational Service Agency Northern Michigan University
People	City Residents Tourists Senior Citizens Public Employees
Businesses/ Business Organizations	Invest U.P. U.P. Health Systems- Marquette Veridea Group RTI Surgical Commercial business owners Potential investors and developers Innovate Marquette Travel Marquette/Marquette County Conventions and Visitors Bureau Next Michigan Superior Trade Zone
Governmental	City Commission Downtown Development Authority Marquette County Chocolay Township Marquette Township State of Michigan State and Federal Elected Officials

Public Involvement Strategies

The following traditional public involvement strategies will be used by the City of Marquette as part of public outreach:

- City Commission meetings
- City Board/Committee meetings
- Public forums
- Person to person communications

- Public service announcements
    - Website postings
    - Newspaper postings
- Utility bill notices
- Channel 191 notices
- Surveys and public outreach

In addition to the traditional methods used by the City of Marquette to get citizens involved in the decision-making processes that will shape the future of the community, the following non-traditional methods will also be used to reach out to the citizens of the community:

Community Office Hours
Every second Wednesday of the month, the City Manager conducts open office hours at the Peter White Public Library from 10 a.m. to 12 p.m. The open office hours provide citizens with the opportunity to meet with the City Manager in an informal setting and discuss comments and concerns about City business.

Radio Shows
Prior to each regular City Commission meeting, the City Manager is a guest on a local radio station to discuss the pending City Commission agenda and City matters.

Quarterly Manager/Supervisor Meetings
Every quarter, the City Manager meets with manager and supervisors from surrounding cities in Marquette County and townships in a rotating location. The purpose of these meetings is to bring local municipal executives together to ensure an open dialogue about matters affection the area.

Social Media
The City Facebook page will be routinely used to update the citizens of the community as part of the public involvement strategy. The City Facebook page can be found at: https://www.facebook.com/mqtcty/.

Internet Access
The City of Marquette website (www.marquettemi.gov) will continue to be routinely updated. All documents distributed at meetings and community events will be included on the website, including such items as draft maps, the planning process, schedules and other related information.

Bimonthly Newsletter
The City of Marquette issues a bimonthly newsletter which contains information about upcoming community meetings and other public involvement/informational opportunities and schedules.

Charettes
The City of Marquette will continue to utilize charrettes as a tool to encourage community involvement. Charrettes are meetings in which stakeholders take part in a participatory planning process in an effort

to collaboratively design a solution to a problem. Charettes are especially useful in providing community input and feedback for designers and planners during the participatory process of planning.

Surveys
The City of Marquette utilizes surveys for gathering public opinion and data for projects, initiatives and key decisions. These surveys can be done community-wide through utility bill distribution and can also be distributed at the end of informational and community meetings.

Governing Local and State Regulations

The City of Marquette follows the Local and State regulations listed below. This includes a list for the public review process, public participation, and public meetings/hearings.

- Home Rule City Act
- Michigan Zoning Enabling Act
- Downtown Development Authority Act
- Michigan Open Meetings Act
- Freedom of Information Act
- Brownfield Redevelopment Financing Act
- New Personal Property Exception Act
- Corridor Improvement Act
- Michigan Planning Enabling Act
- City of Marquette City Charter
- City of Marquette Code of Ordinances
- Any other local and state legislations

Development Review Bodies / Public Meetings and Hearing

Marquette City Commission
The City Commission is comprised of seven elected at-large citizens to serve staggered three-year terms. Candidates for City Commission undergo an August primary (if required) and then are placed on the November general election ballot. Candidates must be U.S. citizens, registered voters and a resident of the City of Marquette for at least one year at the time of filing. They are nominated by petitions or a registration fee filed with the City Clerk. The Commission constitutes the legislative and governing body of the City, possessing all powers and authority to pass ordinances and adopt resolutions as they shall deem proper in order to exercise any or all powers held by the City.

Regular meetings of the Marquette City Commission will be held on the second and last Monday of each month with the business portion commencing at 6:00 p.m. in the Marquette City Commission Chambers at City Hall, unless otherwise rescheduled by action of the Commission. Commission meetings shall conclude no later than 10:00 p.m., subject to extension by the Commission. If a regularly scheduled meeting falls on a legal holiday, it shall be scheduled for the next day.

Marquette City Planning Commission

It has been the ongoing practice of the Planning Commission to hold public hearings for all land use and development applications (site plan, special use permit, rezoning, Community Master Plan updates, etc.) that come before them, as required by the Marquette Land Development Code and other applicable regulations. Another primary objective has been to develop and update a Community Master Plan for the physical development of the City. The Planning Commission recommends action to the City Commission on preliminary plat applications, reviews and makes recommendations concerning proposed rezoning or amendments to the Zoning Ordinance. Nine members are appointed for three-year terms.

The Planning Commission and City staff schedule and publish the notification of a public hearing before the Planning Commission in a newspaper of general distribution in the City not less than 15 days prior to the hearing on a site plan application as mandated by the Planning Commission's bylaws and the City of Marquette Land Development Code. Additionally, land use and development application notifications shall be sent by mail to the applicant, the owner of the subject property, and the owners of property within 300 feet of the subject property.

The Planning Commission meeting agenda and meeting packet shall be made available on the City's website (www.marquettemi.gov) in advance of the meeting, typically on Friday the week before the scheduled meeting.

Meetings are held the first and third Tuesday of each month at 6:00 p.m. in Commission Chambers; however, when August Primary Elections and the November General Elections are held, the group meets the second and third Tuesday of the month.

APPOINTED BOARDS AND COMMITTEES

The City encourages participation in local government planning and policy decisions. Therefore, all citizens are invited to apply for appointments to City boards and commissions. Through these opportunities, civic-minded citizens become involved in their local government. These groups provide recommendations to the City Commission on a variety of topics and issues. The members of boards and committees analyze options and influence important decisions on behalf of the community. As a result, the City benefits from the vast knowledge, experience and expertise of its citizens.

In general, depending on the nature and location of the project, many boards and committees may review proposed planning documents. These boards and committees function in two distinct capacities in the public policy process in the City of Marquette- advisory and administrative. Some will serve in both capacities.

Each advisory board or committee makes recommendations to the City Commission based on the scope of its particular service area. Typically, advisory boards and committee have a work agenda in place for a calendar year during which it undertakes projects and deliberates on issues. The City Commission is responsible for making the final decisions on most issues or topics, but it will look to these groups for recommendations, background information and analysis. As the elected body, the City Commission has discretion to accept recommendations in full, in part, or not at all. Certain boards and committees have an additional administrative role. This means that they are permitted or required by City Charter, statute or ordinance to conduct formal reviews and issue administrative decisions.

Board and committee member positions are all voluntary and are appointed by the Mayor, with the consensus of the City Commission. Preparation for some meetings may require additional time obligations. Once committed, attendance at all regularly scheduled meetings is critical.

How to Apply for Boards and Commissions

1. Review the list of vacant positions and determine your top choices. Every effort will be made to accommodate your first preference, but vacancies vary and demand for some boards may be higher than others.
2. Complete the required Boards and Committees Application Form located at www.marquettemi.gov/boardapplication. Paper copies are also available in the City Manager's Office at 300 W Baraga Ave.
3. As vacancies occur, applications are reviewed and a background check is conducted.
4. All members of boards and committees must be residents of the City of Marquette for at least one year and must be registered voters in the City of Marquette. Applicants cannot be in default to the City, be a City employee or be directly related to a City Commissioner. Members can't be reappointed to a board after six consecutive years of service and must wait two years after exiting to be eligible for appointment to that board again. All board members are expected to attend all regular and special meetings.
5. Applications will remain on file for six months if a vacancy is not available.

Arts and Culture Advisory Committee
The Arts and Culture Advisory Committee advises the City Commission in its effort to support, facilitate and grow an empowered and vital arts, cultural and creative community. Nine members are appointed for three-year terms.

Meetings are held on the first Thursday of each month (unless otherwise specified) at 5 p.m. in the Arts & Culture Center.

Board of Zoning Appeals (BZA)
The BZA has the power to hear and decide appeals on matters where the Land Development Code provides for review of an administrative interpretation, exception or special approval permit. The Board can also authorize a variance from the strict application of the Land Development Code. Six members are appointed for three-year terms and one Planning Commissioner serves a one-year term.

The BZA meets on the first Thursday of the month at 7 p.m. in Commission Chambers.

Board of Review
The Board of Review hears appeals from all property owners who feel their property has been inaccurately assessed and has the power to make appropriate corrections in the tax roll. The Board of Review consists of five members serving three-year terms.

The Board meets on three separate days in March in the City Commission Chambers to review the assessment roll and to hear complaints. A one-day session is held as needed each July and December to correct clerical errors.

Brownfield Redevelopment Authority
The Marquette Brownfield Redevelopment Authority facilitates the implementation of brownfield plans relating to the designation and treatment of brownfield redevelopment zones and to promote the revitalization of environmentally distressed areas in the community served by the City of Marquette pursuant to Michigan Public Act 381. Seven members are appointed for three-year terms.

The Authority meets the third Thursday of each month at 8 a.m. in the second floor conference room of the Municipal Service Center located at 1100 Wright St.

Downtown Development Authority (DDA)
The Marquette DDA was established by the City Commission on January 12, 1976 under Michigan's Downtown Development Authority Act (Public Act 197 of 1975, repealed). It is now governed by the Recodified Tax Increment Financing Act (Public Act 57 of 2018), which consolidates earlier Tax Increment Financing statutes and adds transparency and annual reporting requirements. The DDA is responsible for planning and implementing economic development and historic preservation activities and for preventing deterioration in the downtown business district.

State law sets the powers, duties, and procedures for the DDA. The City's chief executive officer, which for Marquette is the City Manager or their designee, serves as a member. Not less than a majority of the members must have an interest in property located in the downtown district. Because more than 100 people reside in the district, at least one member must be a resident of the downtown district. Appointed members serve four-year terms.

The DDA typically meets on the second Thursday of each month at 8:00 a.m. at the Marquette Commons, located at 112 S. Third Street.

Elections Board
This Board appoints the inspector of each election precinct and has charge of all activities and duties required of them by statute and City Charter relating to the conduct of elections in the City. There are four members serving four-year terms; the City Clerk chairs these meetings (based on the Charter), and by virtue of their position, serves for an indefinite term.

Meetings are held as needed.

Local Development Finance Authority
The City of Marquette's Local Development Finance Authority (LDFA) is a primary means of making tax increment financing procedures available to assist industrial development. Utilizing Tax Increment Financing (TIF), the Authority captures any increases in property valuations above a base level established before the redevelopment process begins. The LDFA is a public corporate body created primarily to plan and finance the development and redevelopment of designated facilities, agricultural processing facilities, and high technology activity. LDFAs are typically used to finance the infrastructure and public improvements necessary to attract these types of businesses to an area. The Authority consists of 11 members serving four-year terms. Seven of the members are appointed by the City, Northern Michigan University appoints one member, Marquette Area Public Schools appoints two members and Marquette County appoints one member.

Meetings are held at the Invent@NMU offices on the third Monday of the first month of each quarter at 4 p.m.

Local Officers Compensation Commission
The Compensation Commission determines the salaries of elected City officials (City Commission and Board of Light & Power). There are seven members serving seven-year terms.

The Board meets only in odd-numbered years at the call of the Chairperson.

Marquette Area Wastewater Advisory Board
The Board oversees the operation of the Wastewater Treatment Plant based on provisions an agreement between the City and the Townships of Marquette and Chocolay on Sept. 19, 1977. The Board consists of five members serving three-year terms. Three of the five members are appointed by the City; each Township appoints one member. The governing body of each local unit may also appoint up to two alternate board members for each board member it appoints. The term of office of each alternate will coincide with the terms of office of Board members. If a member resigns, their alternate would serve until the term expires or the municipality appoints another.

Meetings are held the third Thursday of each month at 10:00 a.m. at the Marquette Area Wastewater Treatment Facility (1930 U.S. 41 South Marquette).

Marquette Housing Commission
The Housing Commission is responsible for the operation of the City's subsidized public housing and also sets policy and programs for its staff. There are five members serving five-year terms.

Meetings are held the fourth Tuesday of each month at 12 p.m. in the Housing Commission offices at 316 Pine St.

Parks and Recreation Advisory Board
The Parks and Recreation Advisory Board advises the City Commission on the operation of the parks system, Lakeview Arena and recreation programs. Nine members are appointed for three-year terms.

Meetings are held the third Monday of each month at 6 p.m., except for February, which is held on the second Monday at 6 p.m. Meetings are held at Lakeview Arena in the Citizens Forum room.

Peter White Public Library Board of Trustees
The Peter White Public Library Board of Trustees is responsible for the operations and setting policy, programs and determining the budget for the Library. The Board may also levy up to 1.5 mills on the City's SEV for operating expenses. There are five members serving five-year terms.

Meetings are held the third Tuesday of each month at 5:00 p.m. in the Shiras Room at the Library.

Police-Fire Pension Board
This Board is responsible for the operation of the Police-Fire Pension System including investments and decisions on membership. There are five members including the City Treasurer, a member from both the Fire and Police Departments, and two members at large.

Meetings are held on the fourth Tuesday of each month at 8:30 a.m. in City Hall.

Public Art Commission
The Marquette City Commission adopted a Public Art Policy in 2017 that established the Public Art Commission. The City recognizes that the inclusion of art in appropriate capital improvement projects in the City will promote its cultural heritage and artistic development, enhance the City's character and identity, contribute to economic development and tourism, add warmth, dignity, beauty and accessibility to spaces accessible to the public, and expand the experience and participation of citizens with the arts.

The adopted policy also made funding available to support the inclusion of works of art in public spaces in the City. The seven-member volunteer oversight body is responsible for developing guidelines and administering the new Public Art Policy.

Traffic/Parking Advisory Committee
The Traffic/Parking Advisory Committee advises the City Commission on matters relating to parking, traffic flows, traffic patterns and complete streets. Complete streets are a system of streets planned, designed and constructed to provide appropriate access to all legal users in a manner that promotes safe and efficient movement of people and goods, whether by car, truck, transit, assistive device, foot or bicycle. Seven members are appointed for three-year terms.

Meetings are held on the third Tuesday of each month at 5 p.m. in the Police Department.

Pertinent State Regulations

Michigan Open Meetings Act
In accordance with the Michigan Open Meetings Act (PA 267 of 1976), the City Commission will hold meetings in the City Hall located 300 W. Baraga Ave., which is accessible to the general public. The public will be notified within 10 days of the first meeting of the Commission in each calendar or fiscal year; the body will publicly post a list stating the dates, times and places of all its regular meeting at its principle office. If there is a change in schedule, within three days of the meeting in which the change is made, the City Clerk will post a notice stating the new dates, times, and places of regular meetings. For special and irregular meetings, the City Clerk will post a notice indicating the date, time, and place at least 18 hours before the meeting. Note: A regular meeting of the Commission which is recessed for more than 36 hours, can only be convened if a notice is posted 18 hours in advance. The Commission will hold emergency sessions without a written notice or time constraints if the public health, safety, or welfare is severely threatened and if two-thirds of the body's members vote to hold the emergency meeting.

Michigan Planning Enabling Act
In Michigan, the Michigan Planning Enabling Act determines the rules and regulations local governments must follow when preparing the CMP. In accordance with the Michigan Planning Enabling Act (PA 33 of 2008) the following parties will be notified via first class mail, personal delivery, or electronic mail by the Planning Commission of the intent to plan and request the recipient's cooperation and comment:

- The county in which the municipality is located.
- The regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

- The county planning commission, or if there is no county planning commission, the county board of commissioners for the county in which that municipality is located.
- Each public utility company, railroad company, and public transportation agency owning and operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for the purpose with the planning commission.

Community Master Plan

The City of Marquette follows the provisions of Michigan Public Act 33 of 2008, as amended, for the adoption of, and amendments to, the Community Master Plan (CMP). The Marquette City Planning Commission and Community Development Department will continue to engage in a comprehensive planning process in implementing and updating the Community Master Plan to build and adapt Marquette, to ensure that the City can improve resident's lives and businesses over the next 20 years and to maintain the quality place Marquette residents want to live in today and in 2035.

Current planning efforts build upon the City's extensive history of public planning efforts. The CMP considers extensive data and policy information, public opinions gathered, accomplishments and shortcomings of the previous Plan and emerging issues.

Marquette is presently a small town in a rural area, but it may not remain so for much longer. In fact, Marquette could grow substantially depending upon how trends including large-scale economics and climate change develop, and/or based on its own successes and failures, as well as unforeseen events. Regardless, there will be many complex problems to solve over time, and the CMP is the key resource that City officials and the public can use to steadily advance the community towards its visionary future. The Community Master Plan is a living document that will be reviewed annually, amended periodically, and updated thoroughly at least every 10 years, to reflect changing circumstances.

Land Development Code (LDC)

Pursuant to the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), the Land Development Code (a.k.a., Zoning Ordinance) is designed to implement and be consistent with the goals, objectives, policies and strategies of the adopted Community Master Plan of the City of Marquette through complete, integrated, effective and concise land development regulations to:

- Protect the public health, safety, and general welfare of residents and visitors of the City;
- Regulate the use of land and buildings by dividing the City of Marquette into districts;
- Provide for the orderly development of the City to regulate the location, height, bulk, erection and construction of structures and buildings to be used for business, industry, residence, agriculture, energy production, social purposes and other specified purposes;
- Provide for adequate light, air, and convenience of access to secure safety from fire and other hazards;
- Avoid undue concentration of population by establishing minimum open spaces, yards, and other open spaces;
- Provide for traffic safety and adequacy of parking and loading vehicles;
- Facilitate the development of adequate systems of fire protection, education, recreation, and public utilities and services;

- Protect the quality of the shoreline and other environmentally sensitive areas; and
- Conserve natural resources and promote additional natural resources.

The City Commission, the Planning Commission, or the property owner (including a designated agent of the property owner) may at any time originate a petition to amend or change the zoning district boundaries pursuant to the authority and procedure established by Act 110 of Public Acts of 2006 as amended. Changes in the text of the LDC may be proposed by the City Commission, Planning Commission or any interested person or organization. The Planning Commission shall set a time and date for a public hearing, and the public hearing shall be noticed in accordance with Section 54.1406 of City Code. The staff liaison of the body charged with conducting a public hearing required by the LDC shall, upon receipt of a completed application, select a reasonable time and place for such hearing on behalf of the relevant body. Such hearings shall be subject to the procedures set forth in the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, and the provisions of the Ordinance. Notice of the request shall be published in a newspaper of general circulation not less than 15 days before the date the application will be considered for approval. Notice will be sent by mail or personal delivery to the owners of property for which approval is being considered. The notice will be sent to all persons to whom real property is assessed within 300 feet of the property, regardless of municipal jurisdiction. Notice will also be given to the occupants of all structures within 300 feet of the property regardless of municipal jurisdiction. All notice delivered by mail or personal delivery must be given not less than 15 days before the date of the public hearing. Notice shall be deemed given when personally delivered or when deposited during normal business hours for delivery with the U.S. Postal Service or other public or private delivery service. The City shall prepare a list of property owners and occupants to whom notice was mailed.

Copies of the proposed changes will be made available for viewing in City of Marquette offices and on the City's website (www.marquettemi.gov), at the time the public hearing notice is published. Any duplication costs will be incurred by the person requesting such duplication.

After the notice of this hearing has been published, written comments may be forwarded to the Community Development Department. Written comments will be accepted up to one week prior of the public hearing and will be address at the hearing.

The Planning Commission may refuse to schedule a hearing on a petition for rezoning which includes any portion of a site considered for rezoning in the previous six months. The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition. Following the public hearing, the Planning Commission shall make a recommendation to the City Commission to either approve or deny the petition and report its findings to the City Commission.

The City Commission, upon recommendation from the Planning Commission, shall either schedule a public hearing or deny the petition. This hearing shall be advertised in accordance with Section 54.1406 of City Code. If determined to be necessary, the City Commission may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the Official Zoning Map, the City Commission shall approve or deny the amendment, based upon its consideration of the criteria contained in the LDC.

Monitoring Outreach

The City will track and record public participation when possible. Business of the City Commission and Planning Commission is recorded, either through video and/or written mediums, and is made available to the public on the City website and in City offices. Public participation during these meetings can be measured by attendance at meetings, recorded public comments, contacts to City offices, viewership of online videos and online engagement metrics of planning-related webpages.

The City will monitor and record these statistics to measure the effectiveness of engagement strategies. Engagement with City Commission planning and development efforts can be recorded and reported in the City Annual Report published by December 1 of each year, as required by the City Charter. Participation in the Planning Commission and Master Plan planning processes can be reported during the annual publicly delivered report by the Planning Commission to the City Commission at their regular meeting.

Public Participation Plan Evaluation

The City of Marquette will review this plan periodically in order to monitor the effectiveness of the methods and procedures outlined above. City entities and departments will track public participation during outreach to provide statistics and feedback that can be reviewed in the context of this plan. Following the evaluation of participation strategies, the City may revise this plan to incorporate new best practices for public participation in the planning process.

Reporting

As a component of the Public Participation Plan evaluation, the City will report annually on the plans implementation and will provide the following information:

- Number of newly appointed and reappointed board/committee members.
- Number of public meetings held by the City Commission and City boards/committees, including work sessions and public forums.
- Number of outreach opportunities undertaken by the City Manager (i.e. radio interviews, community meetings, etc.).
- Summaries of community participation in planning meetings and charettes.

Conclusion

The City of Marquette strives to follow a transparent planning and development review process and will share relevant information with community members and any other stakeholders utilizing the following methods:

- Published meeting schedules, minutes, and agendas posted on the City's website.
- Public hearing notices sent to affected stakeholders.
- An actively updated website that includes a variety of topics and information pertaining to the development review process, including the City Charter, the City Code of Ordinances, resolutions, strategies and planning documents, applications and fee information, maps, and much more.
- Individual webpages created for significant projects; these webpages will include related information, meeting notices and documents about proposed projects.
- Proactive community outreach about significant development efforts.

In conclusion, the Public Participation Plan effort is intended to provide opportunities for the citizens of the City of Marquette to participate meaningfully in the implementation of the updated Community Master Plan as well as other community-driven initiatives.

Appendix A

Community Master Plan Adoption

The Planning Commission and City involved the public through many of the methods listed in the section of the Master Plan entitled 'Public Involvement Strategies' which include, but are not limited to, steering committees, open houses, community meetings, community walks and tours, website updates, social media and surveys. The City encouraged the involvement and participation of all stakeholders, including marginalized groups that may be typically less involved in the planning process. Stakeholder involvement was encouraged from the beginning and the results of public participation were made available to the community and participants and were incorporated as much as is reasonably possible in the CMP. The Planning Commission sent a notice to all stakeholders as listed in the State enabling legislation; the notice explained that the Planning Commission intended to prepare a plan and requested cooperation and comments. Comments received were recorded and included in the Appendix.

The Planning Commission, with the assistance of consultants Beckett and Raeder, utilized extensive community outreach and data, including information from Federal, State, County, and Municipalities to determine the best practices for moving the community forward.

The City also consulted with representatives of adjacent local units of government with respect to their planning so that conflicts in coordination are avoided.

The Planning Commission submitted the proposed plan to the City Commission for review and comments. The City Commission authorized the distribution of the draft plan for review and comment. All comments received were recorded and included in the Appendix.

Before approving the proposed CMP, and after the expiration of the deadline for comment, the Planning Commission held a public hearing on the proposed plan. The Planning Commission gave notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within Marquette. The Planning Commission also submitted a notice of the public hearing to the entities that received initial communication.

The proposed plan was recommended for approval by the Planning Commission on October 1, 2024 and forwarded to the City Commission. The City Commission passed a resolution approving and adopting the CMP by a vote of 6-0 with one Commissioner absent. The resolution was signed by the Mayor and City Clerk and has been included inside the CMP.

The CMP consists of a magazine-style "Vision for Marquette Guidebook" and a separate, yet extensive "Supplemental Report." The entire document is available to the public at City Buildings, on the City website, and has been catalogued at the Peter White Public Library and the Lydia Olsen Library at Northern Michigan University.

The Michigan Planning Enabling Act recommends that a CMP be reviewed every five years, however, the City Planning Commission is dedicated to reviewing the plan yearly. With the adoption of the CMP in 2024, the Planning Commission will review the plan before winter 2025.

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Application for License to Use City Property adjacent to 852 W. Bluff Street

BACKGROUND:

Laura M. Kennedy, the owner of 852 W. Bluff Street submitted an application for a Grant of License for the use of city property to allow for the placement of retaining walls in the right-of-way between the sidewalk and her house, as shown on Exhibit A of the attached License.

FISCAL EFFECT:

The application fee of $475 has been paid.

RECOMMENDATION:

Approve the License, and authorize the Mayor and Clerk to execute the Grant of License.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Grant of License signed by Applicant_12-PRU-10-25
- Application Packet_12-PRU-10-25_Redacted

GRANT OF LICENSE

THE CITY OF MARQUETTE, a municipal corporation of 300 W. Baraga Ave., Marquette, MI 49855, ("City"), and LAURA M. KENNEDY, of 852 w. Bluff Street., Marquette, MI 49855, "Kennedy," enter into this agreement on _____, 2025, subject to the following conditions:

1. Background. The City owns the W. Bluff Street right-of-way, in the City of Marquette, and State of Michigan.
   Kennedy desires to construct a retaining wall ("Retaining Wall") within the right-of-way as to the specification of and as identified in Exhibit A attached hereto.
2. Grant of the license. In consideration of $475.00, the City grants to Kennedy the right to construct and maintain the Retaining Wall on the real estate and to the specifications set forth in Exhibit A.
3. Construction and Maintenance. Kennedy shall, at all times while this License is in effect, maintain the Retaining Wall in good repair. Kennedy shall be responsible for all fees and expenses related to the construction and maintenance of the Retaining Wall and real estate described in Exhibit A.
4. Use. The right to use the real estate described in Exhibit A is not exclusive, however as long as this License is in effect, the City shall not permit any use contrary to the Retaining Wall except as may be necessary to install, repair, remove or replace utilities. In the event the City repairs, removes or replaces utilities or performs street work, Kennedy shall be responsible for any removal of, repair to or replacement of the Retaining Wall in connection with such work. Kennedy shall not use the real estate for any purpose except as specifically allowed within this agreement, and shall not alter, injure or damage the City's real estate.
5. Reimbursement for damages. Kennedy shall reimburse the City for any physical damages to the City's real estate caused by Kennedy's use on the real estate. Kennedy shall indemnify, defend and hold harmless the City from and against any demand, claim, action or cause of action, assessment, loss, damage, liability cost and/or expense, including but not limited to, interest, penalties, consultants fees and expenses, and attorneys' fees and expenses, asserted against, imposed upon or incurred by the City due solely to Kennedy's use. Kennedy's obligations under this provision shall not extend to claims, losses, expenses or damages arising out of or in any way attributable to the negligence of the City or its agents, consultants, or employees. Kennedy reserves the right to control the defense and settlement of any claim for which Kennedy has an obligation to indemnify hereunder.
6. Revocation. This License may be revoked by either party at any time by providing at least 180 days' written notice of termination to the other party. On the termination date, all rights and obligations of the parties shall cease and on or before the termination date, Kennedy shall remove the Retaining Wall from the real estate, at its own expense. Kennedy shall not be entitled to a reimbursement for any portion of the fee previously paid to the City.
7. Personal Interest. The rights granted herein are personal to Kennedy, and terminate upon the transfer of ownership of Kennedy's premises.
8. Entire Agreement. This Grant of License constitutes the entire agreement between the parties.

The said parties have caused this document to be executed the day and year first written above.

CITY OF MARQUETTE

_____
By: Jessica Hanley
Its: Mayor

_____
By: Kyle Whitney
Its: Clerk

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on _____, 2025, by Jessica Hanley, Mayor and Kyle Whitney, Clerk, of the City of Marquette, a Michigan municipal corporation.

_____
_____, Notary Public
State of Michigan, County of Marquette
My Commission Expires: _____
Acting in the County of Marquette

Laura M. Kennedy

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on October 17, 2025, by Laura M. Kennedy.

Kaitlin E Parvu
Kaitlin E Parvu, Notary Public
State of Michigan, County of Marquette
My Commission Expires: 02/20/2030
Acting in the County of Marquette

KAITLIN E. PARVU
Notary Public, Marquette County, Michigan
My commission expires February 20, 2030.

Parcels PIN Label

Building FootPrints

N

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City of Marquette, MI
1 inch equals 5 feet

Mail to:
Municipal Service Center
Community Development Office
1100 Wright St.
Marquette, MI 49855

CITY OF MARQUETTE
APPLICATION FOR LICENSE/EASEMENT OF CITY-OWNED PROPERTY

CITY STAFF USE

Date Submitted: 9-25-25 Parcel ID#: 0261150 File #: 12-PRU-10-25

Property Address/Location: 852 W. Bluff

Adequate Graphic Image or Legal Description Submitted: Y / N

Receipt #: 401335 Check #: 4233 Received by and date: 9-25-25 AC

FEE ~~$460~~ $1475 (We can only accept Cash or Check (written to the City of Marquette))

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!

If you have any questions, please call 228-0425 or e-mail dstensaas@marquettemi.gov.

ADDRESS INFORMATION

Please state the relevant street address of the property/location nearest, or associated, with the requested license/easement:

APPLICANT/REP CONTACT INFORMATION and LEGAL NAME OF PROPERTY OWNER

*** PROPERTY OWNER – PLEASE USE EXACT LEGAL NAME STATED ON TAX FORMS**

APPLICANT or REPRESENTATIVE

Name: Yard Builders LLC

Address: [redacted]

City: Marquette

State, Zip: MI 49855

Phone #: [redacted]

Email: [redacted]

*** NAME(S) ON PROPERTY DEED**

Name(s): Laura Kennedy

Address: [redacted]

City, State, Zip: Marquette MI 49855

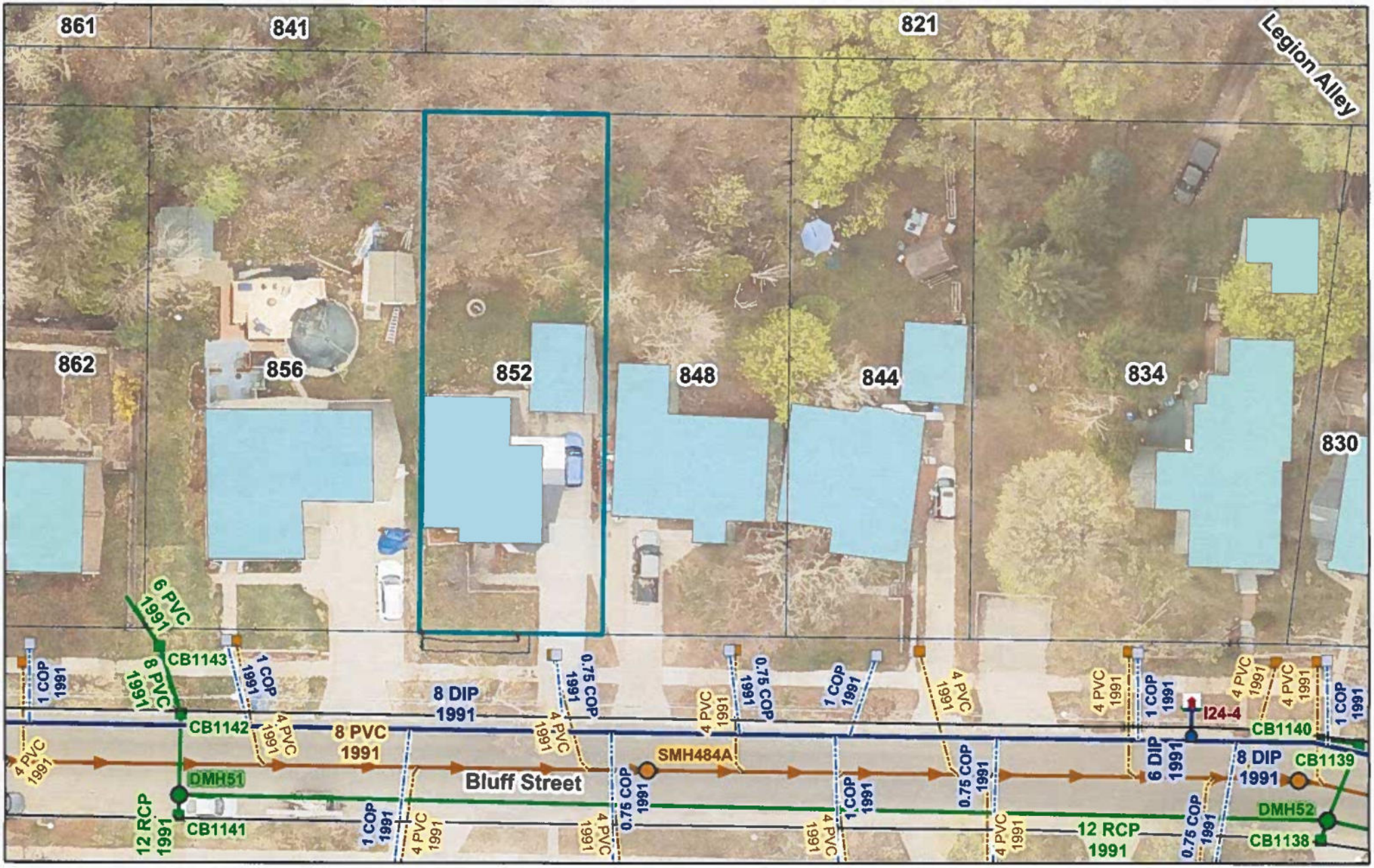
Phone #: [redacted]

Email: [redacted]

PROJECT DESCRIPTION

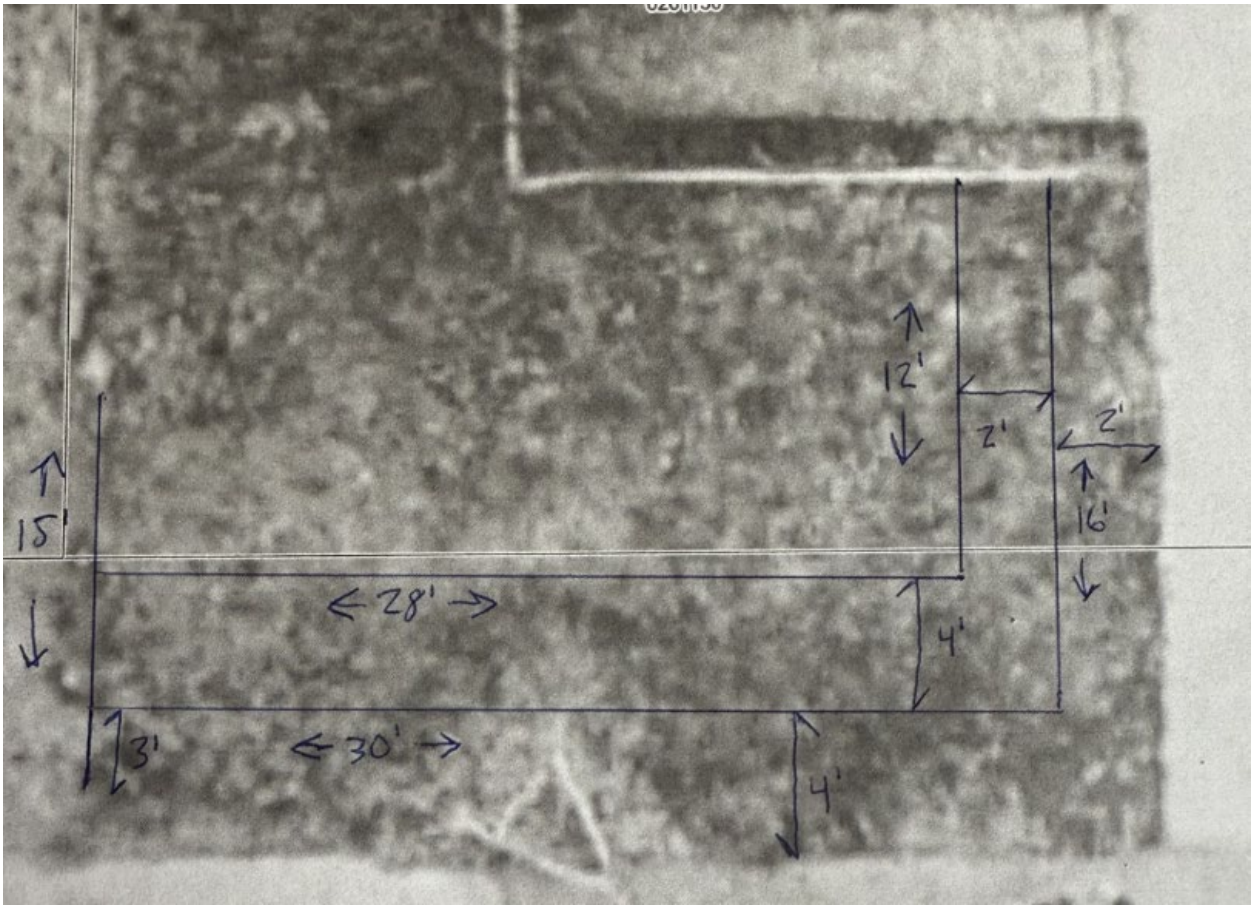
Briefly describe the reason or necessity for the requested license/easement for use of the City property:

retaining walls to support steep slope in front yard ROW takes up basically 3/4 of front yard.


861
841
821
Legion Alley
862
856
852
848
844
834
830
6 PVC 1991
CB1143
8 PVC 1991
1 COP 1991
CB1142
4 PVC 1991
8 PVC 1991
8 DIP 1991
0.75 COP 1991
SMH484A
I24-4
CB1140
6 DIP 1991
8 DIP 1991
CB1139
DMH51
Bluff Street
DMH52
12 RCP 1991
CB1141
CB1138
Parcels_Address Number Labels
Buildings_Master
Streets
Fire Hydrants
WaterShutOff
Water Valves & Gates
Water Lateral Lines
Watermains
Water Structures
Storm Manholes
Storm Catch Basins
swCulverts_Inlets_Outle
Storm Pipes
swTreatmentUnits
DAYLIGHT
IN ROAD/BRIDGE CULVERT
IN STORM SEWER
Sewer_Lift_Stations
SewerCleanOuts
Sewer System Valves
Sewer Manholes
Sewer Lateral Lines
Sewer Pressurized Mains
Sewer Gravity Mains
EAST
NORTH
SOUTH
WEST
1 inch equals 35 feet

0261150 852 W BLUFF ST 09/14/2022

Dimensions for retaining wall at 852 W. Bluff St. – provided by Yard Builders, LLC.



Parcels PIN Label

Building FootPrints

N

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Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Application for License to Use City Property adjacent to 401 W. Washington Street

BACKGROUND:

401 W. Washington Street LLC has submitted an application for a Grant of License for the use of the City's property for proposed facade renovations of the existing building, including architectural beams and roof overhang, to encroach into the right-of-way of Washington Street as shown on Exhibit A of the attached License.

FISCAL EFFECT:

The application fee of $460 has been paid.

RECOMMENDATION:

Approve the License, and authorize the Mayor and Clerk to execute the Grant of License.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Grant of License signed by applicant_05-PRU-05-25
- Application Packet_11-PRU-10-25_Redacted

GRANT OF LICENSE

THE CITY OF MARQUETTE, a municipal corporation of 300 W. Baraga Ave., Marquette, MI 49855, ("City"), and 401 W. WASHINGTON LLC, a Michigan limited liability company of 16 S. Elm Street, Zeeland, MI 49464, "401," enter into this agreement on _____, 2025, subject to the following conditions:

1. Background. The City owns the West Washington Street right-of-way, in the City of Marquette, and State of Michigan.
   401's building ("Building") encroaches on the right-of-way. 401 desires to maintain its Building, as it currently exists within the south side of the right-of-way as to the specification of and as identified in Exhibit A attached hereto.
2. Grant of the license. In consideration of $460.00, the City grants to 401 the right to maintain the Building on the real estate and to the specifications set forth in Exhibit A.
3. Construction and Maintenance. 401 shall, at all times while this License is in effect, maintain the Building in good repair. 401 shall be responsible for all fees and expenses related to the construction and maintenance of the Building and real estate described in Exhibit A.
4. Use. The right to use the real estate described in Exhibit A is not exclusive, however as long as this License is in effect, the City shall not permit any use contrary to the Building except as may be necessary to install, repair, remove or replace utilities. In the event the City repairs, removes or replaces utilities or performs street work, 401 shall be responsible for any removal of, repair to or replacement of the Building in connection with utility work. 401 shall not use the real estate for any purpose except as specifically allowed within this agreement, and shall not alter, injure or damage the City's real estate.
5. Reimbursement for damages. 401 shall reimburse the City for any physical damages to the City's real estate caused by 401's use on the real estate. 401 shall indemnify, defend and hold harmless the City from and against any demand, claim, action or cause of action, assessment, loss, damage, liability cost and/or expense, including but not limited to, interest, penalties, consultants fees and expenses, and attorneys' fees and expenses, asserted against, imposed upon or incurred by the City due solely to 401's use. 401's obligations under this provision shall not extend to claims, losses, expenses or damages arising out of or in any way attributable to the negligence of the City or its agents, consultants, or employees. 401 reserves the right to control the defense and settlement of any claim for which 401 has an obligation to indemnify hereunder.
6. Revocation. This License may be revoked by either party at any time by providing at least 180 days' written notice of termination to the other party. On the termination date, all rights and obligations of the parties shall cease and on or before the termination date, 401 shall remove the Building from the real estate, at its own expense. 401 shall not be entitled to a reimbursement for any portion of the fee previously paid to the City.
7. Personal Interest. The rights granted herein are personal to 401, and terminate upon the transfer of ownership of 401's premises.
8. Entire Agreement. This Grant of License constitutes the entire agreement between the parties.

The said parties have caused this document to be executed the day and year first written above.

CITY OF MARQUETTE

_____
By: Jessica Hanley
Its: Mayor

_____
By: Kyle Whitney
Its: Clerk

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on _____, 2025, by Jessica Hanley, Mayor and Kyle Whitney, Clerk, of the City of Marquette, a Michigan municipal corporation.

_____
_____, Notary Public
State of Michigan, County of Marquette
My Commission Expires: _____
Acting in the County of Marquette

401 W. Washington LLC

Stosh Wasik
By: Stosh Wasik
Its: Owner

STATE OF MICHIGAN)
)
COUNTY OF MARQUETTE)

Acknowledged before me in Marquette County, Michigan, on October 15, 2025, by Stosh Wasik, Owner of 401 W. Washington LLC.

Jacie Marie Duranso
Jacie Marie Duranso, Notary Public
State of Michigan, County of Marquette
My Commission Expires: May 18, 2027
Acting in the County of Marquette

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City of Marquette, MI
1 inch equals 8 feet

- Parcels PIN Label
- Natural_Gas_GPMS_Pipe (General Ref)
- Semco_Gas_Mains_2017 (General Ref)
- FiberLines
- Fire Hydrants
- WaterShutOff
- Water Valves & Gates
- Water Lateral Lines
- Watermains
- Water Structures
- Storm Manholes
- Storm Catch Basins
- swCulverts_Inlets_Outle
- Storm Pipes
- swTreatmentUnits
- DAYLIGHT
- IN ROAD/BRIDGE CULVERT
- IN STORM SEWER
- Sewer_Lift_Stations
- SewerCleanOuts
- Sewer System Valves
- Sewer Manholes
- Sewer Lateral Lines
- Sewer Pressurized Mains
- Sewer Gravity Mains
- EAST
- NORTH
- SOUTH
- WEST
- Building FootPrints

PRINT

Mail to:
Municipal Service Center
Community Development Office
1100 Wright St.
Marquette, MI 49855

CITY OF MARQUETTE
APPLICATION FOR LICENSE/EASEMENT OF CITY-OWNED PROPERTY

CITY STAFF USE

Date Submitted: 9/18/25 Parcel ID#: 0220130 File #: 11-PRU-10-25

Property Address/Location: adjacent to 401 W. Washington St., on Washington St.

Adequate Graphic Image or Legal Description Submitted: Y / N

Receipt #: 401327 Check #: 00300771 Received by and date: 9/18/25 Dave

FEE $460 (We can only accept Cash or Check (written to the City of Marquette))

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED, ALL OF THE INFORMATION REQUIRED IS PRESENT AT THE TIME OF THE APPLICATION - NO EXCEPTIONS!
If you have any questions, please call 228-0425 or e-mail dstensaas@marquettemi.gov.

ADDRESS INFORMATION

Please state the relevant street address of the property/location nearest, or associated, with the requested license/easement:
401 W Washington St. Marqutte, MI 49855

APPLICANT/REP CONTACT INFORMATION and LEGAL NAME OF PROPERTY OWNER

*** PROPERTY OWNER – PLEASE USE EXACT LEGAL NAME STATED ON TAX FORMS**

APPLICANT or REPRESENTATIVE	* NAME(S) ON PROPERTY DEED
Name: Brian VanBeveren	Name(s): 401 W Washington LLC
Addres [redacted]	Brian VanBeveren
City: Zeeland	Address: [redacted]
State, Zip: MI, 49464	City, State, Zip: Zeeland MI, 49464
Phone # [redacted]	Phone [redacted]
Ema [redacted]	Email [redacted]

PROJECT DESCRIPTION

Briefly describe the reason or necessity for the requested license/easement for use of the City property:
Please refer to the plans. Building renovation w/ new facade.

LEGAL or GRAPHIC LOCATION DESCRIPTION

A graphic image of the approximate requested license area and/or a surveyed legal description from survey documents is required. Please submit an attachment that clearly shows where the Licensed item is intended to be located, in addition to a legal description if that is available. City staff can provide an aerial photo of the subject property/area to assist with creating a graphic location description/exhibit for the application. Please state what is being submitted:

Please see project Survey - attachment

ATTACHMENTS

You may attach sketches, maps, photos, or other items that may help to illustrate/visualize your request. Community Development staff will attach a photo/map of the area. Please list attachments, aside from the legal/graphic description:

Please refer to plans and attached graphics.

SIGNATURE

of <u>Property Owner</u> or <u>corporation/organization President, CEO, CFO, other officer</u>

I, the undersigned Property Owner or Corporation/organization President or CEO, understand that this application itself is not considered an approval and only the Marquette City Commission has the authority to grant an approval for a license/easement for use of property owned by the City of Marquette.

Signature: BVR Date: 09/18/2025

Printed Name: Brian VanBeveren

Outlook

Re: 401 W Washington survey for license

From Andrea Landers <alanders@marquettemi.gov>
Date Tue 9/30/2025 11:37 AM
To David Stensaas <dstensaas@marquettemi.gov>

Description of project from SPR application

DESCRIPTION OF PROJECT

Proposed use(s): MIXED-USE : COMMERCIAL & RESIDENTIAL

Proposed structures (including stairs) and dimensions, building style, and materials:
(1) THREE-STORY BUILDING W/ LOWER LEVEL PARKING GARAGE

Proposed site improvements:
NEW THREE STORY CONSTRUCTION W/ NEWLY PAVED PARKING LOT

Proposed phases and timelines for work:
1-PHASE (FULL COMPLETION) 14-16 MONTHS

Ultimate ownership: 401 W WASHINGTON LLC

SIGNATURE

Andrea Landers
Zoning Official
City of Marquette

alanders@marquettemi.gov
906-225-8383
www.marquettemi.gov
Link to Zoning Page: Zoning - City of Marquette (marquettemi.gov)

From: Andrea Landers
Sent: Tuesday, September 30, 2025 11:35 AM
To: David Stensaas <dstensaas@marquettemi.gov>
Subject: 401 W Washington survey for license

Andrea Landers
Zoning Official
City of Marquette

alanders@marquettemi.gov
906-225-8383
www.marquettemi.gov
Link to Zoning Page: Zoning - City of Marquette (marquettemi.gov)

2 NORTH (FRONT) ELEVATION

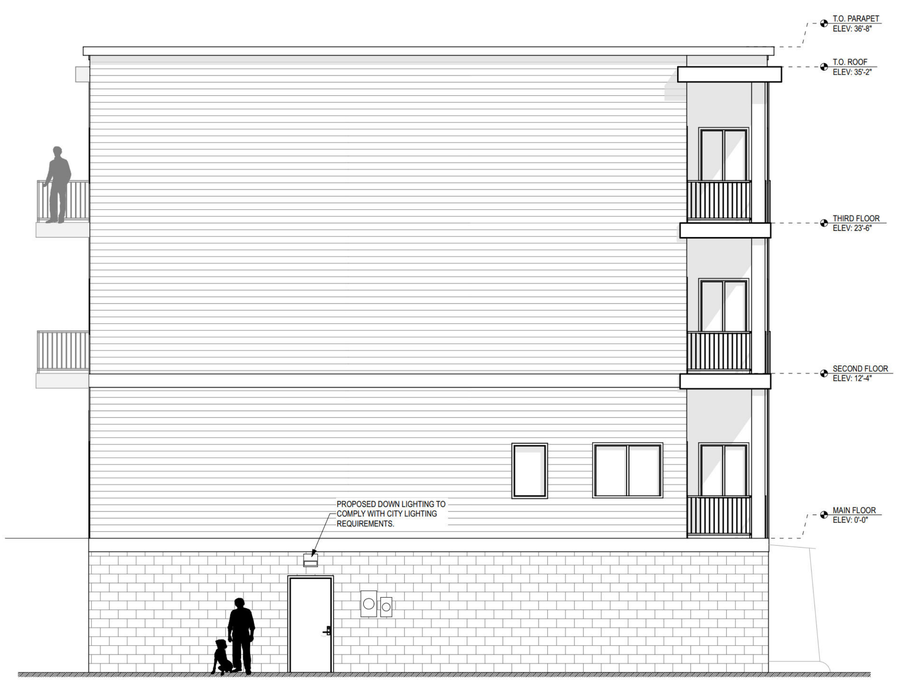
SCALE: 3/16" = 1'-0"

5 WEST ELEVATION

SCALE: 3/16" = 1'-0"

1 EAST ELEVATION

SCALE: 3/16" = 1'-0"



4 SOUTH (REAR) ELEVATION

SCALE: 3/16" = 1'-0"

RG Design Company
829 Croix Street
Negaunee, MI 49866
P: 906.273.1041
www.RG-Design.co

401 W. WASHINGTON -MIDWEST CONDOS
#RGD 24-016

MIDWEST CONSTRUCTION GROUP, INC.
401 W. WASHINGTON STREET
MARQUETTE, MICHIGAN 49855

ARCHITECTURE
INTERIOR DESIGN
PROJECT MANAGEMENT
KITCHENS + BATHROOMS + CLOSETS

1" ACTUAL

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

BY	PHASE	DATE
RGD	DDA SET	7.28.25
RGD	CITY ZONING SET	8.5.25
RGD	ZONING REVISED	9.5.25

DATE:	9/10/25
SCALE:	AS NOTED
DRAWN:	JLG
JOB #:	24-016
SHEET	

A4.0

PLOTTED ON: 9/10/25

EXTERIOR ELEVATIONS

\Volumes\RGStorage-1\RGRGD Projects\2024\24-016 401 W. WASHINGTON APARTMENTS\BIM\401 DEVELOPMENT PROJECT_CR.pln Wednesday, September 10, 2025 9:49 AM

LEVEL 1 / BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY BASE MAP
401 WEST WASHINGTON STREET, MARQUETTE, MICHIGAN

PROPERTY OWNED BY 401 W WASHINGTON LLC
LEGAL DESCRIPTION RECORDED AT MARQUETTE COUNTY DOCUMENT NUMBER 2024R-08562

LOTS NINE (9) AND TEN (10) HARLOW'S ADDITION NO. 3, TO THE CITY OF MARQUETTE, COUNTY OF MARQUETTE, STATE OF MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF,

PROPERTY CONTAINS 8,174 SQUARE FEET (0.188 ACRES)

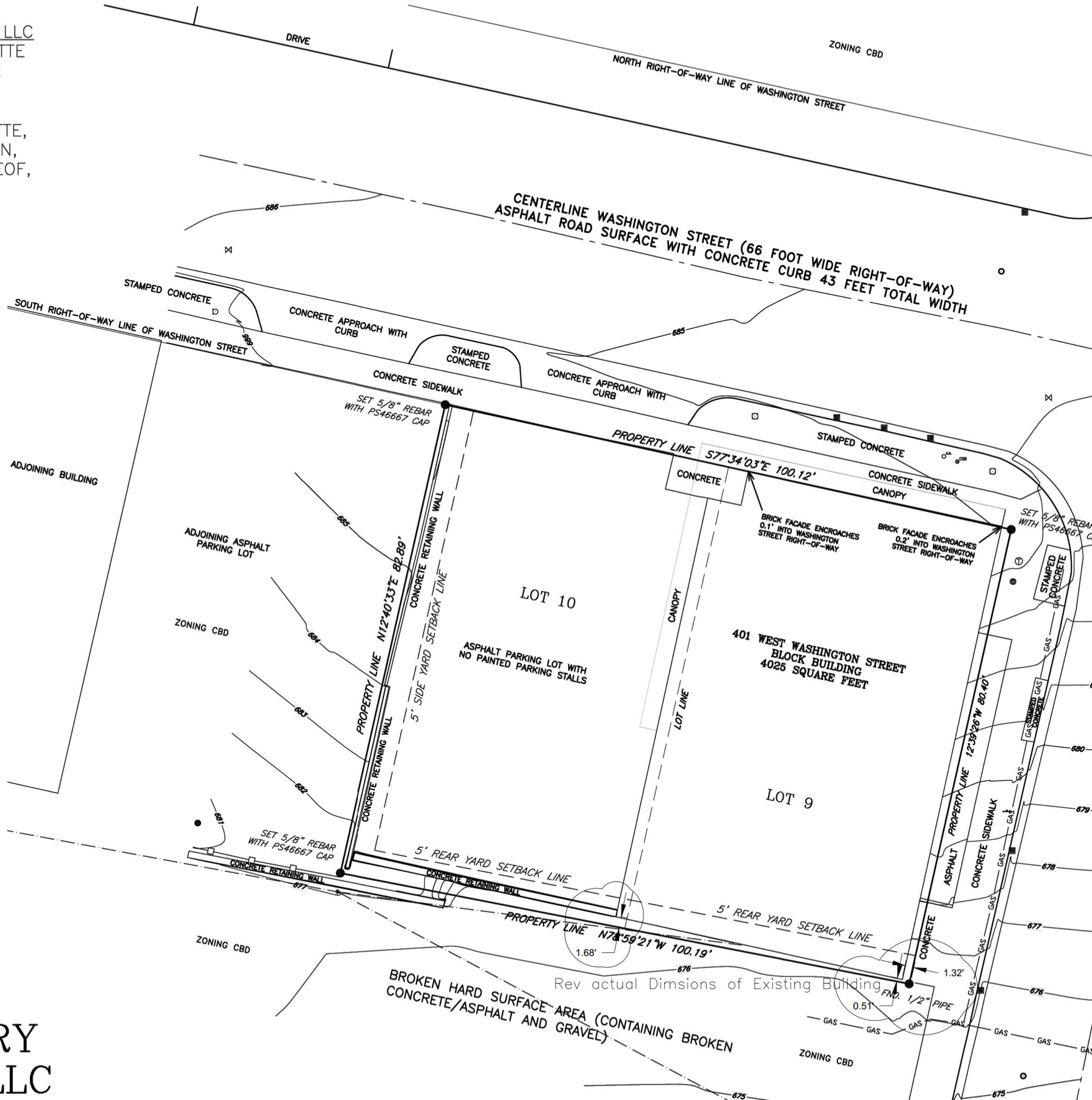
ZONING: CBD, CENTRAL BUSINESS DISTRICT

MINIMUM YARD SETBACKS – CORNER LOT
FRONT YARD 0 FEET
FRONT YARD 0 FEET
SIDE YARD 5 FEET
REAR YARD 5 FEET

UTILITIES ARE SHOWN FROM PHYSICAL EVIDENCE ONLY. FOR UNDERGROUND UTILITIES A MISSDIG LOCATE WOULD BE REQUIRED.

PREPARED FOR:
401 W WASHINGTON LLC
16 SOUTH ELM STREET
ZEELAND, MI 49864

STATE OF MICHIGAN
THADDEUS ALMOND GOODWIN
License No. 4001046667
LICENSED PROFESSIONAL SURVEYOR



NORTH COUNTRY SURVEYING, PLLC

100.12'

CONCRETE SIDEWALK

CANOPY

BRICK FACADE ENCROACHES
0.1' INTO WASHINGTON
STREET RIGHT-OF-WAY

BRICK FACADE ENCROACHES
0.2' INTO WASHINGTON
STREET RIGHT-OF-WAY

SET 5/8" RE
WITH PS4666

STAMPED
CONCRETE

GAS

GAS

80.40'

401 WEST WASHINGTON STREET
BLOCK BUILDING
4025 SQUARE FEET

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City of Marquette, MI
1 inch equals 8 feet

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- Sewer Pressurized Mains
- Sewer Gravity Mains
- EAST
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- SOUTH
- WEST
- Building FootPrints

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Community Foundation of Marquette County - Grant Award

BACKGROUND:

The City of Marquette was awarded a grant from the Community Foundation of Marquette County in the amount of $178,650 to support infrastructure and improvement projects related to the Cultural Trail project. The term of the grant will be from September 2025 - August 2026.

The grant will fund amenities such as furniture, a sound system, projector infrastructure, a gas fireplace, ADA door openers, and additional lighting for the gallery space.

Iris Katers worked directly with staff and the foundation to provide the grant funds. A plaque will be installed within the building recognizing Ron and Iris Katers' generous support toward the project, per the conditions of the grant.

FISCAL EFFECT:

A budget amendment to the construction fund will be required.

RECOMMENDATION:

Accept the grant from the Community Foundation of Marquette County for the support of infrastructure and improvement projects related to the Cultural Trail project and authorize the City Manager or designee to sign the grant acceptance.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Grant Acceptance Letter

Community Foundation
OF MARQUETTE COUNTY

October 1, 2025

BOARD OF TRUSTEES

Thomas Blake
Chair

Judy Vonck
Vice-Chair

Andy Herro
Treasurer

Maura Davenport
Secretary

Kyle Aho

Mark Canale

Shannon Edmark

Marcia Gonstead

Lisa Jahnke

Alexander Kofsky

Emily Leach

Jack Lenten

Victoria Leonhardt

Gail Anthony
Honorary

Don Mourand
Honorary

Zosia Eppensteiner
Chief Executive Officer

Karen Kovacs
City Manager
City of Marquette
300 West Baraga
Marquette, MI 49855

Dear Karen,
On behalf of the Board of Trustees of the Community Foundation of Marquette County (CFMC), it is my pleasure to inform you that a grant to the City of Marquette (Grantee) in the amount of $178,650 has been recommended as described below.

Purpose:
Support of infrastructure and improvement projects related to the Cultural Trail Project.

Budget:

Art Ceiling:	$30,000
Auto Operators for Doors:	$30,000
Projector Infrastructure:	$15,000
Lighting in Nest and Art Gallery:	$45,000
Projector Wall Level 5 Finish:	$3,650
Gas Fireplace:	$20,000
Nest Furniture:	$15,000
Multispace Furniture:	$10,000
Sound System:	$10,000
Total Grant Amount:	$178,650

Term:
September, 2025 – August, 2026

Conditions:

1. Funds must be used only for the designated purposes described above and not for any other purpose without CFMC's prior written approval.
2. Any request for redirection of granted funds must be submitted in writing and is subject to CFMC's sole discretion.
3. Notify CFMC immediately of any changes in legal or tax status, key staff, or ability to expend the grant for the intended purpose.
4. Maintain adequate books and records to demonstrate proper use of grant funds and retain these records for at least four years after project completion.
5. Allow CFMC reasonable access to files and records for audits and investigations.

228 W. Washington St. Suite 6, Marquette, MI 49855
Phone (906) 226-7666 Fax (906) 226-2104 www.cfofmc.org info@cfofmc.org

Community Foundation
OF MARQUETTE COUNTY

BOARD OF TRUSTEES

Thomas Blake
Chair

Judy Vonck
Vice-Chair

Andy Herro
Treasurer

Maura Davenport
Secretary

Kyle Aho

Mark Canale

Shannon Edmark

Marcia Gonstead

Lisa Jahnke

Alexander Kofsky

Emily Leach

Jack Lenten

Victoria Leonhardt

Gail Anthony
Honorary

Don Mourand
Honorary

Zosia Eppensteiner
Chief Executive Officer

6. Return any unexpended or misused funds to CFMC.
7. Recognize Ron and Iris Katers' support of the Cultural Trail Project with the grant with appropriate grant recognition including a plaque.
8. CFMC must review and approve any publicity related to the grant and must be recognized in all related materials.
9. CFMC may include information about this grant in public reports, newsletters, social media, and its website.
10. Submit a digital final report summarizing the project and a detailed accounting of expenditure promptly after the grant period ends.
11. CFMC reserves the right to modify, withhold, or request a refund of grant funds if terms are not met or to comply with applicable laws.

Please acknowledge your agreement with the terms of this letter by signing and returning a copy of this letter as soon as possible. Thank you for your good work!

Sincerely,
Zosia Eppensteiner, CEO

ACCEPTED BY: _____ _____

Date:

COMMUNITY FOUNDATION ACCREDITED
Excellence. Accountability. Impact.™

228 W. Washington St. Suite 6, Marquette, MI 49855
Phone (906) 226-7666 Fax (906) 226-2104 www.cfofmc.org info@cfofmc.org

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Fee Schedule Amendment - Roll Call Vote

BACKGROUND:

In September, the City Commission adopted a resolution implementing parking restrictions associated with curbside residential solid waste collection services.

A City Fee Schedule amendment is necessary to include fines for parking violations during curbside residential solid waste collection. Staff is recommending a $25 fine which is in line with other similar parking fines.

FISCAL EFFECT:

None by this action, though additional revenue may be realized from this addition.

RECOMMENDATION:

Adopt the attached resolution amending the City Fee Schedule to include a fine for parking in violation of the parking restrictions related to curbside solid waste collection.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Resolution: Fee Schedule Amendment

Resolution to Amend the City of Marquette Fee Schedule to Include Fines Associated with Recently Implemented Parking Restrictions

WHEREAS, section 46-46 of the Marquette City Code allows for the City Commission to, by resolution, restrict parking on public streets in connection with scheduled garbage, rubbish, and recycling collections in the City; and

WHEREAS, the City Commission on September 29, 2025 adopted a resolution restricting parking in connection with the weekly curbside solid waste collection conducted in the City by Waste Management; and

WHEREAS, the fines associated with parking citations in the City are all detailed in the City of Marquette Fee Schedule;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette City Commission hereby amends the Parking Fines section of the City of Marquette Fee Schedule to include the following:

Parking in violation of restrictions established under City Code Sec. 46-46 … $25

Duly adopted by the Marquette City Commission on October 27, 2025.

_____

Jessica Hanley, Mayor

Certified to be a true copy on October 27, 2025.

_____

Kyle Whitney, City Clerk

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Fire Labor Agreement

BACKGROUND:

The City of Marquette has reached a new Agreement with the Marquette Firefighters Association Local #643. The bargaining unit has ratified the Agreement. The main issues during negotiations were rates of pay and various language clarifications. The parties have agreed to a three-year contract with a 9% wage increase for year one and a 4% wage increase for years two and three.

The City's bargaining team would like to thank the Marquette Firefighters Association for their willingness to work with us to negotiate an Agreement that is fair to the employees and the City.

FISCAL EFFECT:

The total cost for the first year 9% increase to wages is estimated at $160,943.31. This will require a budget amendment.

RECOMMENDATION:

Approve the Marquette Firefighters Association Labor Agreement effective October 1, 2025 through September 30, 2028, and authorize the Mayor and City Clerk to sign the Agreement.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

No Attachments Available

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Hemlock Park - Sanitary Sewer Easement Acceptance

BACKGROUND:

The construction of public utilities that service the Hemlock Park housing development were recently completed. A portion of the sanitary sewer infrastructure had been planned for and placed outside of road rights-of-ways. In order for the City to take ownership of these utilities, executed easements are required.

FISCAL EFFECT:

None.

RECOMMENDATION:

Approve the two attached easements and authorize the Mayor and Clerk to sign them.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Hemlocks I LLC Easement
- Hemlocks II LLC Easement

PUBLIC UTILITY EASEMENT AGREEMENT
(SANITARY SEWER)
THE HEMLOCKS I, LLC

THIS PUBLIC UTILITY EASEMENT AGREEMENT ("Agreement") is made this ___ day of _____, 2025, by and between **THE HEMLOCKS I, LLC** (servient estate), a Michigan limited liability company, whose address is 857 W. Washington Street, Suite 301, Marquette, MI 49855 ("Owner"), and **CITY OF MARQUETTE** (dominant estate), a Michigan municipal corporation, whose address is 300 West Baraga Avenue, Marquette, MI 49855 ("City").

RECITALS

A. Owner is the sole owner of the following real property located in City of Marquette, County of Marquette, State of Michigan:

> A parcel of land being part of the North Half (N 1/2) of the Northeast Quarter (NE 1/4), Section 34, T48N-R25W, City of Marquette, Marquette County, Michigan described as:
>
> Commencing at the North 1/4 corner of Section 34; thence S89°05'01"E, 370.95 feet along the North line of Section 34 to the East right of way line of McClellan Avenue and Highway M-553; thence S18°38'25"E, 769.51 feet along the East right of way line of McClellan Avenue and Highway M-533 to the Point of Beginning "B"; thence N65°03'26"E, 39.33 feet to a curve; thence 161.42 feet on a curve to the Right having a Radius of 905.11 feet, a Delta angle of 10°13'06", and a Chord bearing N70°09'59"E, 161.21 feet to a curve; thence 24.63 feet on a curve to the Right having a Radius of 661.89 feet, a Delta angle of 02°07'55", and a Chord bearing N76°09'01"E, 24.63 feet; thence S12°43'49"E, 20.99 feet; thence S32°19'39"E, 511.64 feet to a curve on the West right of way line of Division Street; thence 348.13 feet along the West right of way line on a curve to the Right having a Radius of 1449.43 feet, a Delta angle of 13°45'42", and a Chord bearing S63°08'04"W, 347.29 feet along the West right of way line to a curve on the East right of way of Highway M-553; thence 5.60 feet along the East right of way line on a curve to the Right having a Radius of 2470.85 feet, a Delta angle of 00°07'48", and a Chord bearing N18°34'31"W, 5.60 feet; thence N18°38'25"W, 556.46 feet along the East right of way line to the Point of Beginning "B", containing 3.598 acres and subject to restrictions, reservations, rights of way and easements of record
>
> Commonly known as: vacant land
> Parcel ID: 52-52-005-159-59

("Property").

B. Owner has the right to grant the easement(s) and dedicate the improvement(s) as set forth in this Agreement.

C. Owner has constructed certain sanitary sewer mains and appurtenances for public services to be provided by the City to the Property in accordance with plans and specifications approved by the City.

D. Owner wishes to grant to the City easements for construction, maintenance, inspection, repair and replacement of the sanitary sewer mains and appurtenances over, across,

under and within those portions of the Property described on the legal description attached as Exhibit A ("Easement Parcel") and shown on the sketch attached as Exhibit B (the Property is referred to as Parcel "B" on Exhibit A and Exhibit B) and to dedicate to the City for public purposes the sanitary sewer mains and appurtenances located within the Easement Parcel.

NOW, THEREFORE, the parties agree as follows:

1. **GRANT OF EASEMENT:** In consideration of Ten ($10.00) Dollars and the mutual promises contained herein, Owner grants to the City and its successors and assigns a perpetual easement over, across, under and within the Easement Parcel for purposes of construction, maintenance, inspection, repair and replacement of the sanitary sewer mains and appurtenances located within the Easement Parcel together with the right of access, ingress and egress over and across the Property and within the Easement Parcel for purposes of such construction, maintenance, inspection, repair and replacement of such sanitary sewer mains and appurtenances ("Easements").

2. **DEDICATION:** Owner hereby dedicates to the City for public purposes the sanitary sewer mains and appurtenances located within the Easement Parcel, and the City accepts the dedication of such sanitary sewer mains and appurtenances as public utilities to be maintained, inspected, repaired and replaced by the City. The City agrees to repair any damage to the surface of the Easement Parcel resulting from its inspection, maintenance, repair or replacement of the sanitary sewer mains and appurtenances within the Easement Parcel, and to restore the Easement Parcel to the condition existing prior to such work by the City, to the extent reasonably possible. Provided, however, Owner shall be solely liable and responsible for any and all costs, expenses, repair or replacement arising out of or related to the defect in or faulty construction of the sanitary sewer mains and appurtenances, including construction not in accordance with the approved plans and specifications or arising from improper use of the sanitary sewer mains and appurtenances or the Easement Parcel by Owner or its agents, contractors, employees, guests, invitees, successors or assigns.

3. **MAINTENANCE OF THE EASEMENT PARCEL:** Neither Owner nor its successors, transferees or assigns shall construct any buildings or improvements nor place any trees on the Easement Parcel nor make any change to the grade or surface of the Easement Parcel without prior written consent by the City. Owner may continue use of the Easement Parcel for purposes that do not interfere with City's rights and uses under this Easement, and shall be entitled to re-surface, repair, restore, and replace areas to keep them in their current condition. Any expansion or change in use by the Owner upon the Easement Parcel shall require the City's prior written approval.

4. **FURTHER EASEMENTS:** Owner shall not grant any further easements within the Easement Parcel nor alter, repair or modify the mains or appurtenances within the Easement Parcel without prior written consent by the City.

5. **INDEMNIFICATION:** Owner shall indemnify and hold City harmless from and against any and all claims, liabilities or damages arising out of or related to construction of the sanitary sewer mains or appurtenances by Owner or its agents, contractors, consultants, engineers and employees. Provided, however, the Owner shall not be obligated to indemnify and hold the City harmless from any claims, liabilities or damages that arise solely out of the City's failure to properly maintain, inspect, repair, and replace the water mains and appurtenances.

6. **ADDITIONAL DOCUMENTS:** All parties agree to execute, acknowledge and deliver such other instruments, documents or agreements (in customary form, reasonably acceptable to the executing party) as shall be reasonably necessary in order to fully bring into effect the intent and purpose of this Agreement.

7. **BINDING EFFECT:** The easement and dedication granted pursuant to this Agreement shall run with the land and the benefits and burdens of this Agreement shall inure to the benefit of and be binding upon the parties and their respective successors, transferees and assigns.

8. **NOTICES:** All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given or sent upon the date of such

service if: (a) served personally upon the party for whom intended; (b) mailed by registered or certified mail, postage prepaid, return receipt requested; (c) sent by FedEx or other nationally recognized over-night carrier; or (d) by e-mail (with receipt confirmation) or upon confirmation of receipt by the receiving party (such as a return email stating "received" or the like), to the following:

If to Owner:	The Hemlocks I, LLC Attn: Robert E Mahaney 857 W. Washington Street, Suite 301 Marquette, MI 49855 Email: rmahaney@verideagroup.com
With copy to:	Leonard K. Berman, Esq. Hainer & Berman, P.C. 24255 W. 13 Mile Road, Suite 270 Bingham Farms, MI 48025 Email: lberman@hainerberman.com
If to City:	City of Marquette Attn: City Manager 300 West Baraga Avenue Marquette, MI 49855 Email: cityofmarquette@marquettemi.gov

or to any other addresses designated in writing by the receiving party to the other parties in accordance with the provisions of this Agreement.

Any notice duly given or sent as provided above shall be deemed received: (a) on the date such notice was duly given if served personally upon the party for whom intended; (b) three (3) days after the date such notice was receipted for, if mailed by registered or certified mail, as provided herein; (c) the next business day if sent by FedEx or other nationally recognized overnight carrier; or (d) for any notice that was sent by e-mail, on the date of the electronic confirmation receipt or upon receipt of a confirmation email from the receiving party (such as a return email stating "received" or the like).

9. COUNTERPARTS AND FACSIMILE/ELECTRONIC COPIES: The parties agree that this Agreement may be executed in counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument. The parties further agree that electronic signatures, and facsimiles and/or emailed/electronic copies of signatures (such as .pdf) shall serve as originals.

10. TRANSFER TAX: This EASEMENT is *exempt* from real estate transfer taxation under the provisions of *MCL 207.505(a) and MCL 207.526(a)*.

[signatures on the following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective on the date first written above.

OWNER:

THE HEMLOCKS I, LLC,
a Michigan limited liability company

By: Robert E. Mahaney
Its: Manager and Authorized Agent

ACKNOWLEDGMENT:

STATE OF MICHIGAN)
) SS.
COUNTY OF MARQUETTE)

Personally, came before me this 10th day of October, 2025, Robert E. Mahaney, Manager and Authorized Agent of The Hemlocks I, LLC, a Michigan limited liability company, to me known to be the person who executed and acknowledged the foregoing instrument on behalf of said entity.

Peggy J. Dewitt, Notary Public
Marquette Cty., acting in Marquette Cty., MI
My Commission Expires: 2/24/2027

[signatures continued on the following page]

CITY:

CITY OF MARQUETTE,
a Michigan municipal corporation

_____
By: Jessica Hanley
Its: Mayor

_____
By: Kyle Whitney
Its: City Clerk

ACKNOWLEDGMENT:

STATE OF MICHIGAN)
) SS.
COUNTY OF MARQUETTE)

Personally, came before me this _____ day of _____, 2025, Jessica Hanley, as Mayor, and Kyle Whitney, as City Clerk, of the City of Marquette, a Michigan municipal corporation, to me known to be the persons who executed the foregoing instrument and acknowledged the same on behalf of said municipal corporation.

_____
_____, Notary Public
_____ Cty., acting in Marquette Cty., MI
My Commission Expires: _____

APPROVED AS TO CONTENT:

Marquette City Manager

_____
Karen M. Kovacs

APPROVED AS TO FORM:

Marquette City Attorney

_____
Suzanne C. Larsen

THIS INSTRUMENT WAS DRAFTED BY
AND WHEN RECORDED RETURN TO:
Leonard K. Berman, Esq.
Hainer & Berman, P.C.
24255 W. 13 Mile Road, Suite 270
Bingham Farms, MI 48025

L:\21-947\Easement (Sanitary Sewer)\Public Utility Easement (Sanitary Sewer) - The Hemlocks I

PIN: 0515959

EASEMENT EXHIBIT "A"

PART OF THE NW 1/4 OF NE 1/4, SECTION 34, T48N-R25W, CITY OF MARQUETTE, MARQUETTE COUNTY, MICHIGAN

LEGAL DESCRIPTION

A variable width sanitary sewer easement which crosses a part of the grantor's premises across part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), Section 34, T48N-R25W, City of Marquette, Marquette County, Michigan described as: Commencing at the North 1/4 corner, Section 34; thence **S89°05'01"E, 838.49 feet** along the North line of Section 34; thence **S00°54'59"W, 644.57 feet** to the South right-of-way line of Hemlock Drive, the Northeast corner of Parcel "B", and the **Point of Beginning**; thence **S12°43'49"E, 20.99 feet** along the East line of Parcel "B"; thence **S32°19'39"E, 20.03 feet** along the East line of Parcel "B"; thence **S13°57'09"E, 300.95 feet**; thence **S17°57'32"W, 259.50 feet**; thence **S26°19'10"E, 17.16 feet** to a curve on the North right-of-way line of Division Street and the South line of Parcel "B"; thence **20.07 feet** along the North right-of-way line of Division Street and the South line of Parcel "B" on a curve to the **Right**, having a **Radius** of **1449.43 feet**, a **Delta angle** of **00°47'36"**, and a **Chord** bearing **S68°25'07"W, 20.07 feet**; thence **N26°19'10"W, 23.64 feet**; thence **N17°57'32"E, 261.92 feet**; thence **N13°57'09"W, 335.36 feet** to a curve on South right-of-way line of Hemlock Drive and the North line of Parcel "B"; thence **14.14 feet** along the South right-of-way line of Hemlock Street and the North line of Parcel "B" on a curve to the **Right**, having a **Radius** of **661.89 feet**, a **Delta angle** of **01°13'26"**, and a **Chord** bearing **N76°36'16"E, 14.14 feet** to the **Point of Beginning**, containing **0.280 acres** and subject to restrictions, reservations, rights of way and easements of record.

P:\2024\2024-0860 Veridea Group, LLC - Certificate of Survey\Drawings\Sanitary Easement\(2024-0860 Hemlock Sanitary Easement.dwg

TRIMEDIA ENVIRONMENTAL & ENGINEERING

830 WEST WASHINGTON STREET
MARQUETTE, MICHIGAN 49855
(906)228-5125

ESCANABA, MICHIGAN PHOENIX, ARIZONA KALAMAZOO, MICHIGAN SUPERIOR, WISCONSIN

NORTH

BEARING BASIS: NAD 83 (2011) MICHIGAN STATE PLANE NORTH (2111)

SEC. TWP. RANGE
34 48N 25W

MUNICIPALITY:
CITY OF MARQUETTE

ENCROACHMENTS:
NONE

SHEET 2 OF 2

SURVEYORS CERTIFICATE: I hereby certify that I have surveyed and mapped the hereon described parcel of land and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying.

SCALE: NA	CLIENT: VERIDEA GROUP
APPROVED BY: SJB	JOB NO.: 2024-0860
DRAWN BY: JBS	DATE: 07/30/2025

TRIMEDIA ENVIRONMENTAL AND ENGINEERING, LLC

BY: _____
Stacey J. Bluse, P.S. No. 4001050429

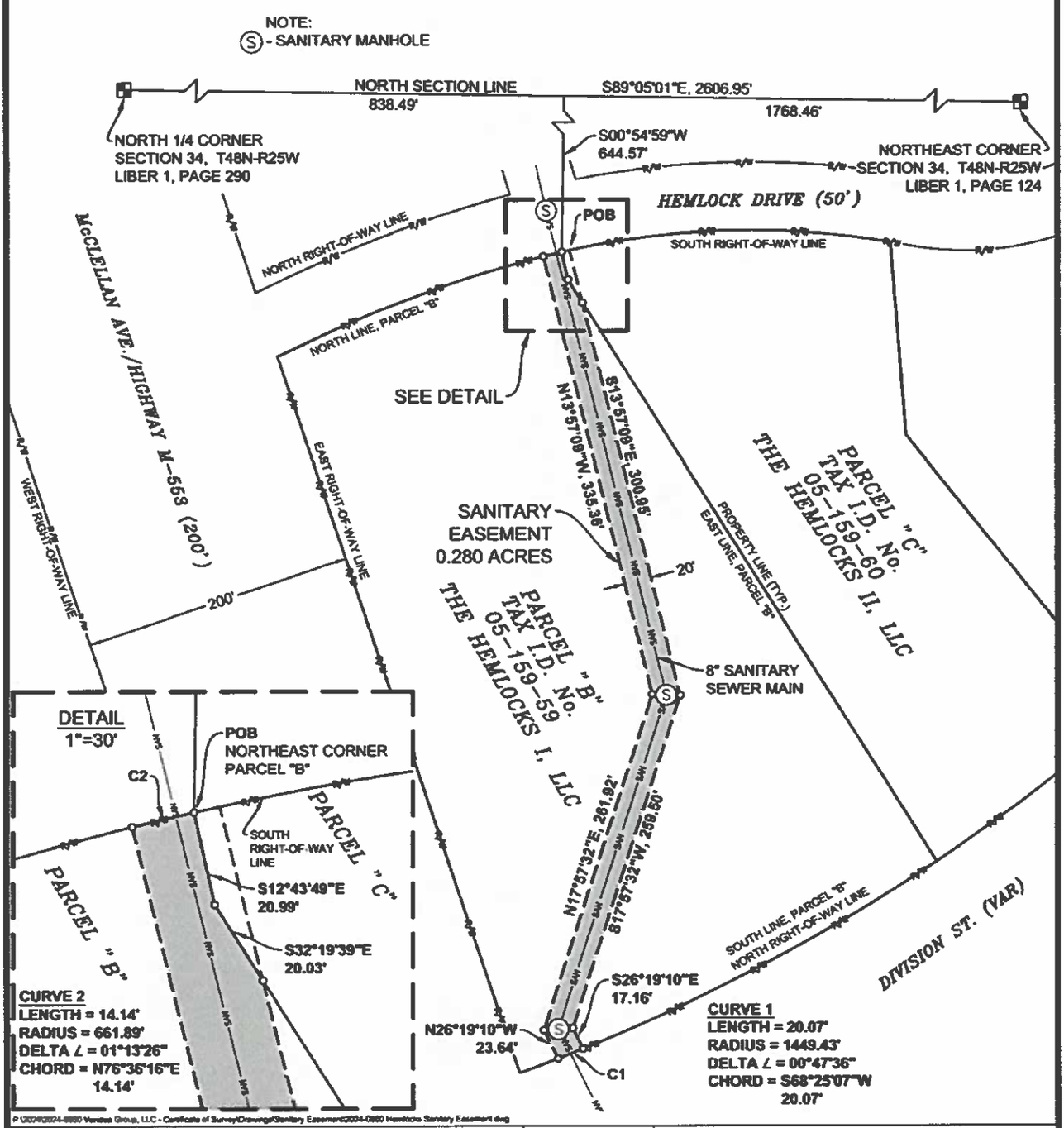
DATE: 07/30/2025

STATE OF MICHIGAN
STACEY JAMES BLUSE
License No. 4001050429
LICENSED PROFESSIONAL SURVEYOR

PIN: 0515959

EASEMENT EXHIBIT "B"

PART OF THE NW 1/4 OF NE 1/4, SECTION 34, T48N-R25W,
CITY OF MARQUETTE, MARQUETTE COUNTY, MICHIGAN



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TRIMEDIA
ENVIRONMENTAL & ENGINEERING

830 WEST WASHINGTON STREET
MARQUETTE, MICHIGAN 49855
(906)228-5125

ESCANABA, MICHIGAN PHOENIX, ARIZONA KALAMAZOO, MICHIGAN SUPERIOR, WISCONSIN

NORTH

BEARING BASIS:
NAD 83 (2011)
MICHIGAN STATE
PLANE NORTH (2111)

SEC. TWP. RANGE
34 48N 25W

MUNICIPALITY:
CITY OF
MARQUETTE

ENCROACHMENTS:
NONE

SHEET 1 OF 2

TRIMEDIA ENVIRONMENTAL AND ENGINEERING, LLC

BY: _____
Stacey J. Bluse, P.S. No. 4001050429

DATE: 07/30/2025

SURVEYORS CERTIFICATE: I hereby certify that I have surveyed and mapped the hereon described parcel of land and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying.

SCALE: 1"= 100'	CLIENT: VERIDEA GROUP
APPROVED BY: SJB	JOB NO.: 2024-0860
DRAWN BY: JBS	DATE: 07/30/2025

STATE OF MICHIGAN
STACEY
JAMES
BLUSE
License No.
4001050429
LICENSED PROFESSIONAL SURVEYOR

PIN: 0515959

PUBLIC UTILITY EASEMENT AGREEMENT
(SANITARY SEWER)
THE HEMLOCKS II, LLC

THIS PUBLIC UTILITY EASEMENT AGREEMENT ("Agreement") is made this ___ day of _____, 2025, by and between **THE HEMLOCKS II, LLC** (servient estate), a Michigan limited liability company, whose address is 857 W. Washington Street, Suite 301, Marquette, MI 49855 ("Owner"), and **CITY OF MARQUETTE** (dominant estate), a Michigan municipal corporation, whose address is 300 West Baraga Avenue, Marquette, MI 49855 ("City").

RECITALS

A. Owner is the sole owner of the following real property located in City of Marquette, County of Marquette, State of Michigan:

A parcel of land being part of the North Half (N 1/2) of the Northeast Quarter (NE 1/4), Section 34, T48N-R25W, City of Marquette, Marquette County, Michigan described as :

Commencing at the North 1/4 corner of Section 34; thence S89°05'01"E, 370.95 feet along the North line of Section 34 to the East right of way line of McClellan Avenue and Highway M-553; thence S18°38'25"E, 769.51 feet along the East right of way line; thence N65°03'26"E, 39.33 feet to a curve; thence 161.42 feet on a curve to the Right having a Radius of 905.11 feet, a Delta angle of 10°13'06", and a Chord bearing N70°09'59"E, 161.21 feet to a curve; thence 24.63 feet on a curve to the Right having a Radius of 661.89 feet, a Delta angle of 02°07'55", and a Chord bearing N76°09'01"E, 24.63 feet to a curve and the Point of Beginning "C"; thence 25.51 feet on a curve to the Right having a Radius of 661.89 feet, a Delta angle of 02°12'28" and a Chord bearing N78°19'13"E, 25.50 feet to a curve; thence 220.23 feet on a curve to the Right having a Radius of 625.08 feet, a Delta angle of 20°11'11" and a Chord bearing N89°35'54"E, 219.09 feet; thence SO4°34'07"E, 143.55 feet; thence S38°50'15"E, 266.45 feet to the West right of way line of Division Street; thence S51°09'45"W, 52.11 feet along the West right of way line to a curve; thence 128.79 feet along the West right of way line on a curve to the Right having a Radius of 1449.43 feet, a Delta angle of 05°05'27", and a Chord bearing S53°42'29"W, 128.74 feet; thence N32°19'39"W, 511.64 feet; thence N12°43'49"W, 20.99 feet to the Point of Beginning "C", containing 1.940 acres and subject to restrictions, reservations, rights of way and easements of record.

Commonly known as: vacant land
Parcel ID: 52-52-005-159-60

("Property").

B. Owner has the right to grant the easement(s) and dedicate the improvement(s) as set forth in this Agreement.

C. Owner has constructed certain sanitary sewer mains and appurtenances for public services to be provided by the City to the Property in accordance with plans and specifications approved by the City.

D. Owner wishes to grant to the City easements for construction, maintenance, inspection, repair and replacement of the sanitary sewer mains and appurtenances over, across, under and within those portions of the Property described on the legal description attached as Exhibit A ("Easement Parcel") and shown on the sketch attached as Exhibit B (the Property is referred to as Parcel "C" on Exhibit A and Exhibit B) and to dedicate to the City for public purposes the sanitary sewer mains and appurtenances located within the Easement Parcel.

NOW, THEREFORE, the parties agree as follows:

1. **GRANT OF EASEMENT:** In consideration of Ten ($10.00) Dollars and the mutual promises contained herein, Owner grants to the City and its successors and assigns a perpetual easement over, across, under and within the Easement Parcel for purposes of construction, maintenance, inspection, repair and replacement of the sanitary sewer mains and appurtenances located within the Easement Parcel together with the right of access, ingress and egress over and across the Property and within the Easement Parcel for purposes of such construction, maintenance, inspection, repair and replacement of such sanitary sewer mains and appurtenances ("Easements").

2. **DEDICATION:** Owner hereby dedicates to the City for public purposes the sanitary sewer mains and appurtenances located within the Easement Parcel, and the City accepts the dedication of such sanitary sewer mains and appurtenances as public utilities to be maintained, inspected, repaired and replaced by the City. The City agrees to repair any damage to the surface of the Easement Parcel resulting from its inspection, maintenance, repair or replacement of the sanitary sewer mains and appurtenances within the Easement Parcel, and to restore the Easement Parcel to the condition existing prior to such work by the City, to the extent reasonably possible. Provided, however, Owner shall be solely liable and responsible for any and all costs, expenses, repair or replacement arising out of or related to the defect in or faulty construction of the sanitary sewer mains and appurtenances, including construction not in accordance with the approved plans and specifications or arising from improper use of the sanitary sewer mains and appurtenances or the Easement Parcel by Owner or its agents, contractors, employees, guests, invitees, successors or assigns.

3. **MAINTENANCE OF THE EASEMENT PARCEL:** Neither Owner nor its successors, transferees or assigns shall construct any buildings or improvements nor place any trees on the Easement Parcel nor make any change to the grade or surface of the Easement Parcel without prior written consent by the City. Owner may continue use of the Easement Parcel for purposes that do not interfere with City's rights and uses under this Easement, and shall be entitled to re-surface, repair, restore, and replace areas to keep them in their current condition. Any expansion or change in use by the Owner upon the Easement Parcel shall require the City's prior written approval.

4. **FURTHER EASEMENTS:** Owner shall not grant any further easements within the Easement Parcel nor alter, repair or modify the mains or appurtenances within the Easement Parcel without prior written consent by the City.

5. **INDEMNIFICATION:** Owner shall indemnify and hold City harmless from and against any and all claims, liabilities or damages arising out of or related to construction of the sanitary sewer mains or appurtenances by Owner or its agents, contractors, consultants, engineers and employees. Provided, however, the Owner shall not be obligated to indemnify and hold the City harmless from any claims, liabilities or damages that arise solely out of the City's failure to properly maintain, inspect, repair, and replace the water mains and appurtenances.

6. **ADDITIONAL DOCUMENTS:** All parties agree to execute, acknowledge and deliver such other instruments, documents or agreements (in customary form, reasonably acceptable to the executing party) as shall be reasonably necessary in order to fully bring into effect the intent and purpose of this Agreement.

7. **BINDING EFFECT:** The easement and dedication granted pursuant to this Agreement shall run with the land and the benefits and burdens of this Agreement shall inure to the benefit of and be binding upon the parties and their respective successors, transferees and assigns.

8. NOTICES: All notices, requests, demands and other communications hereunder shall be in writing and shall be deemed to have been duly given or sent upon the date of such service if: (a) served personally upon the party for whom intended; (b) mailed by registered or certified mail, postage prepaid, return receipt requested; (c) sent by FedEx or other nationally recognized over-night carrier; or (d) by e-mail (with receipt confirmation) or upon confirmation of receipt by the receiving party (such as a return email stating "received" or the like), to the following:

If to Owner:	The Hemlocks II, LLC Attn: Robert E Mahaney 857 W. Washington Street, Suite 301 Marquette, MI 49855 Email: rmahaney@verideagroup.com
With copy to:	Leonard K. Berman, Esq. Hainer & Berman, P.C. 24255 W. 13 Mile Road, Suite 270 Bingham Farms, MI 48025 Email: lberman@hainerberman.com
If to City:	City of Marquette Attn: City Manager 300 West Baraga Avenue Marquette, MI 49855 Email: cityofmarquette@marquettemi.gov

or to any other addresses designated in writing by the receiving party to the other parties in accordance with the provisions of this Agreement.

Any notice duly given or sent as provided above shall be deemed received: (a) on the date such notice was duly given if served personally upon the party for whom intended; (b) three (3) days after the date such notice was receipted for, if mailed by registered or certified mail, as provided herein; (c) the next business day if sent by FedEx or other nationally recognized overnight carrier; or (d) for any notice that was sent by e-mail, on the date of the electronic confirmation receipt or upon receipt of a confirmation email from the receiving party (such as a return email stating "received" or the like).

9. COUNTERPARTS AND FACSIMILE/ELECTRONIC COPIES: The parties agree that this Agreement may be executed in counterparts, each of which when so executed and delivered shall be deemed an original, and such counterparts together shall constitute one and the same instrument. The parties further agree that electronic signatures, and facsimiles and/or emailed/electronic copies of signatures (such as .pdf) shall serve as originals.

10. TRANSFER TAX: This EASEMENT is *exempt* from real estate transfer taxation under the provisions of *MCL 207.505(a) and MCL 207.526(a)*.

[signatures on the following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective on the date first written above.

OWNER:

THE HEMLOCKS II, LLC,
a Michigan limited liability company

By: Robert E. Mahaney
Its: Manager and Authorized Agent

ACKNOWLEDGMENT:

STATE OF MICHIGAN)
) SS.
COUNTY OF MARQUETTE)

Personally, came before me this 10th day of October, 2025, Robert E. Mahaney, Manager and Authorized Agent of The Hemlocks II, LLC, a Michigan limited liability company, to me known to be the person who executed and acknowledged the foregoing instrument on behalf of said entity.

Peggy J. Dewitt, Notary Public
Marquette Cty., acting in Marquette Cty., MI
My Commission Expires: 2/24/2027

[signatures continued on the following page]

CITY:

CITY OF MARQUETTE,
a Michigan municipal corporation

_____
By: Jessica Hanley
Its: Mayor

_____
By: Kyle Whitney
Its: City Clerk

ACKNOWLEDGMENT:

STATE OF MICHIGAN)
) SS.
COUNTY OF MARQUETTE)

Personally, came before me this _____ day of _____, 2025, Jessica Hanley, as Mayor, and Kyle Whitney, as City Clerk, of the City of Marquette, a Michigan municipal corporation, to me known to be the persons who executed the foregoing instrument and acknowledged the same on behalf of said municipal corporation.

_____
_____, Notary Public
_____ Cty., acting in Marquette Cty., MI
My Commission Expires: _____

APPROVED AS TO CONTENT:

Marquette City Manager

_____
Karen M. Kovacs

APPROVED AS TO FORM:

Marquette City Attorney

_____
Suzanne C. Larsen

THIS INSTRUMENT WAS DRAFTED BY AND WHEN RECORDED RETURN TO:
Leonard K. Berman, Esq.
Hainer & Berman, P.C.
24255 W. 13 Mile Road, Suite 270
Bingham Farms, MI 48025

L:\21-947\Easement (Sanitary Sewer)\Public Utility Easement (Sanitary Sewer) - The Hemlocks II

EASEMENT EXHIBIT "A"

PART OF THE NW 1/4 OF NE 1/4, SECTION 34, T48N-R25W, CITY OF MARQUETTE, MARQUETTE COUNTY, MICHIGAN

LEGAL DESCRIPTION

A variable width sanitary sewer easement which crosses a part of the grantor's premises across part of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4), Section 34, T48N-R25W, City of Marquette, Marquette County, Michigan described as: Commencing at the North 1/4 corner, Section 34; thence S89°05'01"E, 838.49 feet along the North line of Section 34; thence S00°54'59"W, 644.57 feet to a curve on the South right-of-way line of Hemlock Drive, the Northwest corner of Parcel "C", and the **Point of Beginning**; thence **5.87 feet** along the South right-of-way line of Hemlock Street and the North line of Parcel "C" on a curve to the **Right**, having a **Radius** of **661.89 feet**, a **Delta angle** of **00°30'29"**, and a **Chord bearing N77°28'13"E, 5.87 feet**; thence **S13°57'09"E, 39.85 feet** to the West line of Parcel "C"; thence **N32°19'39"W, 20.03 feet** along the West line of Parcel "C"; thence **N12°43'49"W, 20.99 feet** along the West line of Parcel "C" to the **Point of Beginning**, containing **0.004 acres** and subject to restrictions, reservations, rights of way and easements of record.

P:\2024\2024-0860 Veridea Group, LLC - Certificate of Survey\Drawings\Sanitary Easement\2024-0860 Hemlock Sanitary Easement.dwg

TRIMEDIA ENVIRONMENTAL & ENGINEERING

830 WEST WASHINGTON STREET
MARQUETTE, MICHIGAN 49855
(906)228-5125

ESCANABA, MICHIGAN PHOENIX, ARIZONA KALAMAZOO, MICHIGAN SUPERIOR, WISCONSIN

SURVEYORS CERTIFICATE: I hereby certify that I have surveyed and mapped the hereon described parcel of land and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying.

SCALE: NA	CLIENT: VERIDEA GROUP
APPROVED BY: SJB	JOB NO.: 2024-0860
DRAWN BY: JBS	DATE: 07/30/2025

NORTH

BEARING BASIS: NAD 83 (2011) MICHIGAN STATE PLANE NORTH (2111)

SEC. 34 TWP. 48N RANGE 25W

MUNICIPALITY: CITY OF MARQUETTE

ENCROACHMENTS: NONE

SHEET 2 OF 2

TRIMEDIA ENVIRONMENTAL AND ENGINEERING, LLC

BY: _____
Stacey J. Bluse, P.S. No. 4001050429

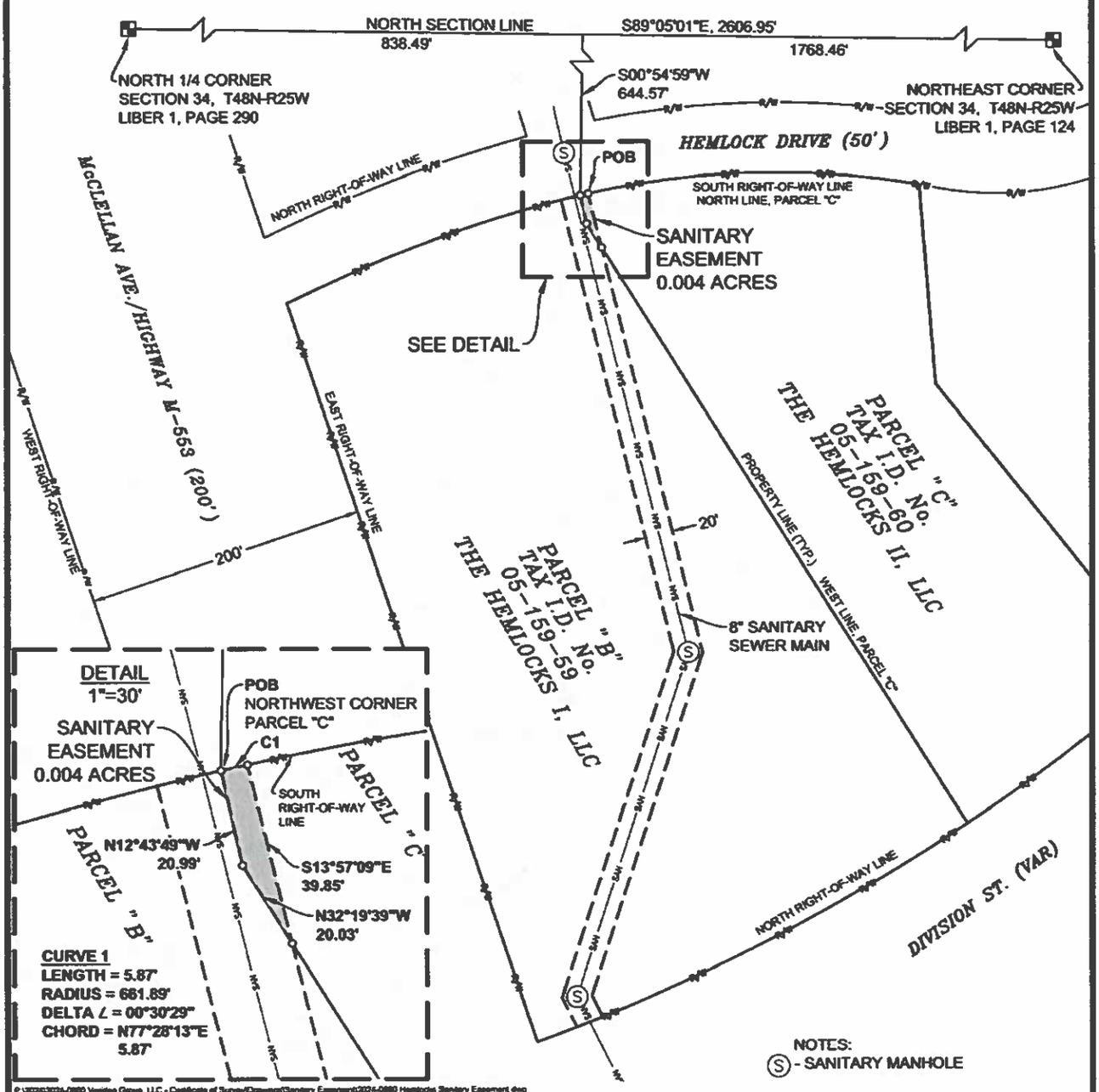
DATE: 07/30/2025

STATE OF MICHIGAN
STACEY JAMES BLUSE
License No. 4001050429
LICENSED PROFESSIONAL SURVEYOR

PIN: 0515960

EASEMENT EXHIBIT "B"

PART OF THE NW 1/4 OF NE 1/4, SECTION 34, T48N-R25W,
CITY OF MARQUETTE, MARQUETTE COUNTY, MICHIGAN



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TRIMEDIA
ENVIRONMENTAL & ENGINEERING

830 WEST WASHINGTON STREET
MARQUETTE, MICHIGAN 49855
(906)228-5125

ESCANABA, MICHIGAN PHOENIX, ARIZONA KALAMAZOO, MICHIGAN SUPERIOR, WISCONSIN

NORTH

BEARING BASIS: NAD 83 (2011) MICHIGAN STATE PLANE NORTH (2111)

SEC. TWP. RANGE
34 48N 25W

MUNICIPALITY:
CITY OF MARQUETTE

ENCROACHMENTS:
NONE

SURVEYORS CERTIFICATE: I hereby certify that I have surveyed and mapped the hereon described parcel of land and that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying.

TRIMEDIA ENVIRONMENTAL AND ENGINEERING, LLC

BY: _____
Stacey J. Bluse, P.S. No. 4001050429

DATE: 07/30/2025

STATE OF MICHIGAN
STACEY JAMES BLUSE
License No. 4001050429
LICENSED PROFESSIONAL SURVEYOR

SCALE: 1"= 100'	CLIENT: VERIDEA GROUP
APPROVED BY: SJB	JOB NO.: 2024-0860
DRAWN BY: JBS	DATE: 07/30/2025

SHEET 1 OF 2

PIN: 0515960

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Marquette Senior High School Club Softball Non-Profit Status - Roll Call Vote

BACKGROUND:

A representative of the Marquette Senior High School Club Softball recently contacted the City and requested the adoption of a resolution recognizing them as a local non-profit organization. They plan to conduct their fundraising raffle on February 7, 2026.

The Bureau of State Lottery requires the local governing body to first recognize their designation as a non-profit agency. The group has provided the City with a copy of the proposed resolution, a roster of their board of directors, the date of the raffle, confirmation of their IRS 501(c)(3) designation, bylaws and articles of incorporation. Organizations supply this information when asking the Commission for this recognition, in accordance with City Commission Policy 2011-01.

FISCAL EFFECT:

None to the City.

RECOMMENDATION:

Adopt the resolution recognizing the Marquette Senior High School Club Softball as a non-profit organization operating in the community for the purpose of obtaining a charitable gaming license, and authorize the Clerk to sign the resolution.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- MSHS Club Softball Letter of Request
- Resolution

Marquette Senior High School

Club Softball
1203 West Fair Ave.
Marquette, MI 49855

October 21, 2025

City of Marquette
300 W. Baraga
Marquette, MI 49855

Re: Local Governing Body Resolution for Charitable Gaming License

Dear City Commission of Marquette,

The MSHS Club Softball team is requesting a license to conduct a basket raffle at our pancake breakfast fundraiser on February 7, 2026.

Enclosed you will find the Local Governing Body Resolution for Charitable Gaming Licenses, which is required by the Charitable Gaming Division.

Thank you for your time and consideration.

Sincerely,

Teri Haynes
MSHS Club Softball Board Treasurer

MICHIGAN LOTTERY
Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL.432.103a(i)(*ii*))

At a _____ meeting of the _____
REGULAR OR SPECIAL — TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by _____ on _____
DATE

at _____ a.m./p.m. the following resolution was offered:
TIME

Moved by _____ and supported by _____

that the request from Marquette Senior High School Club Softball of Marquette,
NAME OF ORGANIZATION — CITY

county of Marquette, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for _____.
APPROVAL/DISAPPROVAL

APPROVAL		DISAPPROVAL	
Yeas:	_____	Yeas:	_____
Nays:	_____	Nays:	_____
Absent:	_____	Absent:	_____

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the _____ at a _____
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD — REGULAR OR SPECIAL

meeting held on _____.
DATE

SIGNED: _____
TOWNSHIP, CITY, OR VILLAGE CLERK

_____
PRINTED NAME AND TITLE

_____
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.

BSL-CG-1153(R4/24)

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Master Agreement to Purchase Services (In-Home Services)

BACKGROUND:

Approximately one-half of the Marquette Senior Center budget is constituted of revenues derived through service agreements such as the Master Agreement to Purchase Services (In-Home Services) under consideration. These contracts have been implemented as service reimbursement agreements consistent with the same approach that has been used for more than 30 years.

This agreement funds $72,397.66 or an estimated 2,737 units of homemaking services at a unit reimbursement rate of $26.45, $4,076.16 or an estimated 154 units of general respite at a unit reimbursement rate of $26.45, and $4,194.98 or an estimated 158 units of NFC respite at a unit reimbursement rate of $26.45. There is a ten (10%) percent local in-kind match requirement outlined in the agreement that has been budgeted under salaries and wages.

The City received the agreement from the County the third week of October; the effective date is October 1, 2025.

FISCAL EFFECT:

This agreement is consistent with the revenues budgeted for in-home services in Fiscal Year 2026.

RECOMMENDATION:

Approve the Master Agreement to Purchase Services (In-Home Services) for Fiscal Year 2026, and authorize the Mayor and Clerk to sign the Agreement.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- UPCAP Contact

MASTER AGREEMENT TO PURCHASE SERVICES
FISCAL YEAR 2026

This Agreement, effective the first day of October, 2025, and ending the 30th day of September, 2026, is by and between the County of Marquette ("County"), 234 W. Baraga Avenue, Marquette, Michigan 49855 and the **City of Marquette,** 300 W. Baraga Avenue, Marquette, Michigan 49855 ("Contractor").

WHEREAS, the County has contracted with the Region XI Area Agency on Aging (UPAAA) through **IN-HOME SERVICES** funds for the delivery of In-home services to older residents of Marquette County; and

WHEREAS, the County desires to purchase these services from the Contractor for elders residing within the City of Marquette, and the Townships of Chocolay, Marquette, and Powell;

NOW, THEREFORE, the parties hereto agree:

1. The Contractor will deliver the following:

HOMEMAKER SERVICE	
Estimated Units of Service:	**2,737**
Estimated Number of Unduplicated Clients:	**154**
Estimated Number of Low-Income Clients:	**40**
Estimated Number of Minority Clients:	**1**
GENERAL RESPITE SERVICE	
Estimated Units of Service	**154**
NFC RESPITE SERVICE	
Estimated Units of Service	**158**

2. The Contractor shall provide units evenly over the course of the contract period and adhere to the service definition, record keeping requirements and client eligibility guidelines as established by Marquette County's Aging Service policies, Marquette County contractual obligations with UPAAA, and OSA Operating Standards for In-Home Service Programs. Service reports will be provided to the Aging Services office for reimbursement and contract monitoring of receipts, expenditures, clients served, and units provided on forms issued by the Aging Services office. Reports shall be due to the Aging Services office on the 7th day of the month for the previous month's activity. Technical assistance is available from the Aging Services office for all aspects of service provision, reporting, budgeting, etc.

3. In delivering homemaker services, Contractor agrees to comply with all requirements set forth in the FY2023-2026 Aging Services Master Contract **(Attachment A)**.

4. The Contractor shall receive from Marquette County's Aging Services office upon receipt of monthly In-Home Service reports, and signed Agreement by both parties,

funds up to $72,397.66 at a homemaker unit rate of $26.45, up to $4076.16 at the General Respite unit rate of $26.45, and up to $4194.98 at the NFC Respite unit rate of $26.45. In-Home Services are reimbursed using the UPAAA Wellsky system. Reimbursement on significant over production of units will be withheld and findings of non-compliance will be written during Contractor assessment.

5. A local match at a minimum of 10% of the total cost of providing a unit is required by the Contractor. Confidential donations (program income) are to be encouraged, and the funds received used to expand homemaker service.

6. In the event that funds to Marquette County from the UPAAA are reduced, withdrawn or terminated, Marquette County may equally reduce, withdraw or terminate payments upon seven days written notice to the Contractor. In the event that additional funds are received under any grant covered by this Agreement, funds will be allocated depending on the ability of the Contractor to provide additional homemaker service.

7. Any amendments to this Agreement must be reduced to writing and be signed by both parties with 30 days' notice. Marquette County can terminate this Agreement for any or no reason upon seven days' written notice to the Contractor.

8. Insurance and Indemnification: The Contractor will supply proof of and adhere to the provisions contained in the insurance addendum **(Attachment B)** which is incorporated in, and made part of, this Agreement as though fully set forth herein.

9. Relationship of Parties: The parties agree that Contractor will at all times be an independent contractor in performance of the services hereunder, and that nothing in this Agreement will be construed as or have the effect of constituting any relationship of employer/employee, partnership, or joint venture between the County and the Contractor. Likewise Direct Care Workers employed or contracted by the Contractor will not be deemed employees of the County for any purpose.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed.

COUNTY OF MARQUETTE

By:_____
Joseph DeRocha, Chairperson

Date: 10/8/25

CITY OF MARQUETTE

By:_____
Jessica Hanley, Mayor

By:_____
Kyle Whitney, Clerk

Date:_____

Attachments: Addendum to Master Agreement, Insurance Addendum

Attachment VII

ADDENDUM TO AGING SERVICES MASTER CONTRACT

This Addendum extends the existing FY 2023–2025 Multi-Year Master Contract between the Upper Peninsula Area Agency on Aging (UPAAA) and MARQUETTE COUNTY AGING SERVICES for an additional year, through September 30, 2026, in accordance with guidance issued in Transmittal Letter #2024-511 by the Michigan Department of Health and Human Services, Bureau of Aging, Community Living, and Supports (ACLS Bureau).

A. BACKGROUND:

On December 15, 2023, the Michigan Commission on Services to the Aging approved the extension of the Fiscal Year 2023–2025 Multi-Year Plan (MYP) through Fiscal Year 2026. This adjustment aligns the MYP with the State Plan on Aging's three-year cycle, promoting more effective statewide planning and coordination between the ACLS Bureau and Area Agencies on Aging (AAAs).

In accordance with Transmittal Letter #2024-511, the UPAAA may extend all current multi-year contracts with service providers for an additional year to coincide with the revised MYP duration.

B. TERMS OF EXTENSION:

1. The expiration date of the Master Contract is hereby extended from September 30, 2025 to September 30, 2026.

2. All terms and conditions of the original Master Contract, as well as any subsequent attachments, amendments, and Notices of Award, remain in full force and effect unless specifically modified in writing.

3 Funding levels and scopes of work for FY 2026 will be incorporated through a separate Annual Notice of Award and may include additional stipulations or requirements as determined by the UPAAA.

IN WITNESS THEREOF, the parties hereto have executed this Addendum on the day and year last specified below

SIGNATORIES

UPAAA/UPCAP	**Provider:** MARQUETTE COUNTY AGING SERVICES
Signature: Jonathan Mead	Signature:
Print Name: Jonathan Mead, Executive Director	Print Name:
Date: September 19, 2025	Date: 8-11-2025

ATTACHMENT A: INSURANCE ADDENDUM

LIABILITY INSURANCE

The Contractor shall procure and maintain for the duration of the contract, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Contractor, its agents, representatives, employees, volunteers, or subcontractors.

INSURANCE REQUIREMENTS

The insurance coverage required shall be at least as broad as:

1. Commercial General Liability ("occurrence" form).
2. Automobile Liability, "any auto".
3. Workers' Compensation insurance as required by the laws of the state of Michigan and Employer's Liability insurance.

LIMITS OF INSURANCE

The Contractor shall maintain limits on said policy of no less than:

1. General Liability: $1,000,000 combined single limit per accident for bodily injury, personal injury, and property damage.
2. Automobile Liability: $500,000 combined single limit per accident for bodily injury and property damage.
3. Worker's Compensation and Employer's Liability: Shall be those limits as required by the Worker's Disability Compensation Act for the state of Michigan and Employer's Liability limits of $500,000 per occurrence.

DEDUCTIBLES

Any deductibles or self-insured retentions must be declared to and approved by Marquette County.

OTHER INSURANCE PROVISIONS

The policies are to contain, or be endorsed to contain, the following provisions:

1. General Liability and Automobile Liability Coverage:
   Marquette County, its officers, agents, employees, elected and appointed officials, and volunteers shall be covered as additional insureds as respects: liability arising out of activities performed by or on behalf of the Contractor; products and completed operations of the Contractor; premises owned, occupied or used by the Contractor; or automobiles owned, leased, hired or borrowed by the Contractor. The coverage shall contain no special limitations on the scope of protection afforded to Marquette County, its officers, agents, employees, elected and appointed officials, and volunteers.

   The Contractor's insurance coverage shall be primary insurance as respects Marquette County, its officers, agents, employees, elected and appointed officials, and volunteers. Any insurance or self-insurance maintained by Marquette County, its officers, agents, employees, elected and appointed officials, and volunteers shall be excess of the Contractor's insurance and shall not contribute to it.

   Any failure to comply with reporting provisions of the policies shall not affect coverage provided to Marquette County, its offers, agents, employees, elected and appointed officials, and volunteers.

   The Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverages:
   Contractor hereby releases Marquette County from any claim for recovery for any loss or damage, which is insured under valid and collectible insurance policies to the extent of any recovery collectible under such insurance. It is further agreed that this waiver shall apply only when permitted by the applicable policy of insurance.

   Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, cancelled by either party, reduced in coverage or in limits except after 30 days prior written notice by certified mail, return receipt requested, has been given to Marquette County.

ACCEPTABILITY OF INSURERS

Unless otherwise approved by Marquette County, the Michigan Insurance Bureau must identify insurers as authorized and eligible. In addition, insurance is to be placed with insurers with a Best's rating of A or better.

CERTIFICATES/ENDORSEMENTS OF INSURANCE

Contractor shall furnish Marquette County with certificates of insurance and with any and all original endorsements affecting coverage required by the contract. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by Marquette County before work commences. Marquette County reserves the right to require complete, certified copies of all required insurance policies, at any time.

Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

A copy of said certificates and endorsements should be forwarded with a signed copy of the Master Agreement to the Marquette County Aging Services office.

ACCEPTANCE OF CERTIFICATE

Acceptance of any certificate(s) and/or endorsement(s) of insurance by Marquette County do not waive the insurance requirements provided in the foregoing paragraphs. Should Marquette County sustain any loss or be required to pay any claim as a result of the Contractor's failure to obtain or maintain insurance as is required by this contract, the Contractor shall indemnify Marquette County for any such loss. This indemnification shall occur regardless of whether or not Marquette County has accepted any certificate(s) and/or endorsement(s) of insurance provided by the Contractor or its carrier.

INDEMNIFICATION

To the fullest extent permitted by law, the Contractor shall indemnify, defend, and hold harmless Marquette County, its officers, agents, employees, elected and appointed officials, and volunteers from and against any and all claims, losses or liability, including attorney's fees, arising from injury or death to persons or damage to property occasioned by any act, omission or failure of the Contractor, its subcontractors, and any officers, agents, employees, and volunteers in performing the work required by this contract. The Contractor's obligation under this provision shall not be limited in any way by any terms of this contract, or the insurance limits.

ADDITIONAL INSURED ENDORSEMENT

It is understood and agreed that Marquette County shall be Additional Insureds, which shall include all elected and appointed officials, all employees, agents and volunteers, all boards, commissions, and/or authorities and their board members, employees, and volunteers. This coverage shall be primary to the Additional Insureds, and not contributing with any other insurance or similar protection available to the Additional Insureds, whether said other available coverage be primary, contributing or excess.

09/30/2019

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Retiree Medicare Advantage Health Insurance

BACKGROUND:

The City's health insurance package for eligible retirees is renewed annually for a plan year beginning January 1. Renewal rates are obtained from our third-party administrator, the Western Michigan Health Insurance Pool (WMHIP) through Gallagher Benefits Services, Inc. This year, we received rates from BCBS and the Pool's Humana plan which specializes in retirees on Medicare Advantage. Similar to the Western Michigan Health Insurance Pool, this retiree pool is a group of school districts, community colleges and municipalities working together to provide high quality and cost-effective health care for retirees. In addition to rates savings offered by this Humana plan, the City would also see reduced administrative labor, and OPEB liability. Retirees utilizing this plan would see minimal change in coverage with the benefit of simplified billing and customer service access.

Accordingly, Human Resources is recommending making a switch to the Humana Medicare Advantage plan administered by the WMHIP

FISCAL EFFECT:

The City estimates it will save $16,495 for FY 26 through this change.

RECOMMENDATION:

Approve the change in Medicare Advantage provider to the Western Michigan Healthcare Insurance Pool Humana Plan, and authorize the City Manager or her designee to sign the agreement.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

No Attachments Available

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Winter Parking Ban Resolution - Roll Call Vote

BACKGROUND:

It has been established practice in the City of Marquette to restrict overnight parking on all public streets from November to April, in order to facilitate snow removal across the city.

The Marquette City Code allows for the establishment of temporary parking restrictions on any public street for a duration of more than two weeks but less than six months.

The attached resolution officially implements parking restrictions for the winter parking ban.

FISCAL EFFECT:

None by this action.

RECOMMENDATION:

Approve the resolution to implement parking restrictions for the winter parking ban.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Winter Parking Ban Resolution

Resolution to Implement Parking Restrictions For the Winter Parking Ban

WHEREAS, the long-standing and established practice in the City of Marquette has been to restrict overnight parking on all public streets from November to April in order to facilitate snow removal in the city; and

WHEREAS, section 46-47 of the Marquette City Code allows, upon joint recommendation of the Chief of Police and the City Manager, for the establishment of parking restrictions on any public street for a duration of more than two weeks but less than six months; and

WHEREAS, upon implementation of said parking restrictions, the city shall publish on its website the location, duration, and reason for said restrictions; and

NOW, THEREFORE, BE IT RESOLVED, by the Marquette City Commission, that, in accordance with Section 46-47 of the Marquette City Code, parking on public streets in the City shall be restricted as follows:

- Beginning on November 1, 2025 and ending on April 1, 2026, no parking shall be permitted on any public streets or alleys in the City of Marquette between the hours of 1:00 a.m. and 6:00 a.m.
- This Winter Parking Ban is implemented to allow for the effective, efficient and safe removal of snow on all city streets and alleys.
- The fine for violating the Winter Parking Ban is $75.00.

Duly adopted by the Marquette City Commission on October 27, 2025.

_____

Jessica Hanley, Mayor

Certified to be a true copy on October 27, 2025.

_____

Kyle Whitney, City Clerk

Agenda Date: 10/27/2025

Consent Agenda - Roll Call Vote
Zamboni Purchase

BACKGROUND:

Marquette Junior Hockey has committed to raising $180,000 toward the purchase of a new electric Zamboni for Lakeview Arena. To date the group has raised $120,720 in funds and pledges toward the initiative.

A letter of commitment from Marquette Junior Hockey is attached. The purchase price of the Zamboni with Lithium Ion battery and auto breaker bar is $169,409.73. Additional funds raised will cover the cost of wrapping the unit with sponsors and installing the charging infrastructure in the arena.

A $25,000 deposit is required with the order and the lead time on shipment of the new unit can be up to 400 days.

City purchasing policy requires that any purchase over $25,000 be competitively bid unless specific exceptions apply. In this case, Zamboni is the only U.S. manufacturer of ice resurfacing machines, and no other brand is compatible with the City's existing Zamboni garage setup, snow pit, blades, or parts inventory. Additionally, Zamboni equipment for Michigan municipalities can only be purchased through Mid America, the authorized regional distributor. For these reasons, staff recommend that the City Commission waive the competitive bidding requirement for this purchase.

FISCAL EFFECT:

This will be a budget neutral purchase with Marquette Junior Hockey committed to raising all funds, however a budget amendment will be necessary to account for the additional expense and revenue.

RECOMMENDATION:

Waive the competitive bidding requirement and approve the purchase of a new electric Zamboni for Lakeview Arena in the amount of $169,409.73 and amend the budget to reflect the additional expense and revenue.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description

- Zamboni Quote
- MJH Letter of Commitment

ZAMBONI COMPANY USA, INC.

15714 Colorado Ave Paramount, CA 90723 USA +1 562 633 0751 +1 562 633 9365 zamboni.com

August 21, 2025

Andrew Maciver
City of Marquette
401 East Fair Avenue
Marquette MI 49855
amaciver@marquettemi.gov

PROPOSAL

"The principal product you have to sell is the ice itself."

– Frank J. Zamboni

Maintaining an ice surface presents a multitude of challenges. Having efficient and reliable resurfacing equipment should not be one of them. Driven by our founder's commitment to innovation, we put our product to the test in the harsh environment it will call home. Every feature is deliberately designed to make resurfacing easier and to ensure that the end result is an exceptional sheet of ice. Built by hand. One at a time. The result is an ice resurfacing machine legendary for its quality, durability and superior performance.

MODEL 552AC:
Clean ice. Clean air. Clear choice. Building upon the solid reputation of its predecessor, the Model 552AC features worry-free AC motors and controls, introducing new efficiencies and virtually eliminating associated maintenance. The battery package is easy to access and maintain. Proven and dependable controls built for tough industrial applications. Microprocessor controlled smart chargers deliver long battery life. The Model 552AC provides a low maintenance option for your high maintenance surface.

MODEL 552AC LITHIUM-ION (OPTIONAL):
Zero battery maintenance and lithium-ion power combine for the ultimate upgrade to the world's most popular electric ice resurfacer. Lithium-ion batteries charge quickly between resurfacings, eliminating overnight charging. Sealed zero maintenance batteries are truly emission-free. Charging is controlled by battery management system to optimize charging and balancing. Strong conveyor performance at any speed. Our unrivaled down pressure system ensures that all you leave behind is perfect.

INNOVATION:
Our commitment to constant innovation is an investment in the end product. We apply decades of experience working with facility owners and operators into every decision we make. Automated processes provide a consistent end result and reduce the chance for operator error. Opportunities to retrieve and display data from the machine provide a new tool in rink management. The incremental and continued introduction of new and better technologies to our ice resurfacing machines facilitates savings of time and valuable resources.

ZAMBONI®

Zamboni 552AC	$	153,124.00
STANDARD EQUIPMENT INCLUDES: 510 AH Lead Acid Battery with Charger, Aluminum Wheels, Guide Wheel, Black Powder Coated Conditioner, Parking Brake, Conditioner Poly Side Plate, Spare Tire & Wheel Assembly, (2) 77" Blades, Wash Water System w/ Poly Tank, Board Brush		
ADDITIONAL EQUIPMENT:		
Lithium Ion Battery and Charger (In Lieu of Lead Acid)	$	14,231.25
Back Up Alarm	$	817.65
Power Brush Fill	$	434.70
Water Gun for Batteries (LA Battery Only)	$	470.93
Electronic Water Level Sight Gauge	$	584.78
Snow Tank Light	$	491.63
Advanced Water System	$	6,054.75
Tire Wash System	$	1,640.48
Auto Snow Breaker	$	2,054.48
Stainless Steel Water Distribution Pipe	$	470.93
Viscous Coupling Drive Shaft	$	1,992.38
Single Point Watering System for Batteries (LA Battery Only)	$	1,863.00
Integrated Auger Wash Out System	$	1,443.83
Zamboni Connect (Includes 2-year subscription)	$	2,582.33
Conti Blade Changer	$	3,001.50
Level Ice (installation & training additional)	$	22,252.50
Fast Ice	$	19,659.83

F.O.B:
Paramount, California USA

TERMS:
$25,000.00 deposit with order, balance Net 30 days from date of shipment.
Shipment 400 days or sooner from receipt of order. Pricing firm for 30 days.
Pricing does not include any applicable sales tax.

THANK YOU:

Brandon Radeke

August 21, 2025

Brandon Radeke,
Regional Sales Manager

Date

Zamboni Company USA, Inc.
15714 Colorado Ave. Paramount, California 90723 USA
Phone: +1 562 633 0751 Fax: +1 562 633 9365

QUALITY:
Zamboni sets the standard of quality to which the industry is held. The Zamboni Company holds itself to an even higher standard with ongoing assessment and meticulous quality control, resulting in products which consistently produce the finest sheet of ice even after many years of use. Our rugged four-wheel drive chassis is hand-built using strong all-welded steel tubing. Premium materials and components are used throughout. We continually collaborate with our customers to ensure the products that will ultimately end up in their facility exceed the high expectations of quality associated with our brand.

VALUE:
Zamboni has a well-deserved reputation as the Industry Leader. One which we don't take for granted. Our products have the lowest cost of operation and maintain the highest residual value. A network of Zamboni Authorized Distributors and our own Customer Service teams provide local service and support for our products. In the world of ice, time is money and unreliable equipment can be a show-stopper. Yet another reason that worldwide, more facility operators choose Zamboni for their ice resurfacing needs. Nothing else is even close.

MACHINE SPECIFICATIONS:
Machine specifications are also available online. Please copy the web links below into your browser.
https://zamboni.com/wp-content/uploads/specs/552AC_specs.pdf
https://zamboni.com/wp-content/uploads/specs/552AC_Lithium-ion_specs.pdf

MANUFACTURER'S STATEMENT:
This machine is proudly designed and manufactured in Paramount, California by Zamboni Company USA, Inc., a United States company.

WARRANTY:
Twenty-Four (24) months or 2,000 hours, whichever comes first, parts replacement only.

SAFETY STANDARDS:
This machine is engineered to meet or exceed OSHA and ANSI safety labeling requirements.
In addition to digital safety information, operating instructions and service manuals being provided with the delivery of the machine, all owners/operators have access to all of these materials online at **www.zamboni.com** to view and download at any time.

FOR ADDITIONAL INFORMATION:

zamboni.com/machines/model-552ac

zamboni.com/machines/model-552ac-lithium-ion

zamboni.com/options

MARQUETTE JUNIOR HOCKEY CORP
FRIENDS OF LAKEVIEW

mjhdirector@mqthockey.org
www.mqtjrhockey.org
906.228.9193

October 21, 2025

Marquette City Commission
300 W. Baraga Avenue
Marquette, MI 49855

Dear Mayor Hanley and Commissioners,

Marquette Junior Hockey recognizes the status of our city's two current Zambonis and offers our strong commitment to raising funds for the purchase of a new Zamboni for Lakeview Arena.

Hockey and figure skating have long been recognized as more than just a sport. They are a proud part of the Upper Peninsula culture. These sports not only promote physical fitness but also teach important values that can shape the future of our youth.

The importance of our local ice rink goes beyond the youth who participate in hockey and figure skating. It impacts on the entire community through tournaments that fill the beds of local hotels and the seats of our restaurants. It offers a range of recreational opportunities, including open skating, senior skating, curling, adult drop-in hockey, SAIL adaptive hockey, and veteran hockey.

At our October 21st, 2025, meeting, the MJH board unanimously passed a motion to commit to fundraising for the purchase of a new Zamboni.

The quote from the Zamboni Company USA suggests we need to raise $180,000. To date, the donations and pledges received amount to $120,720. A deposit of $25,000 to the Zamboni Company will begin the ordering process, which may take up to 13 months for delivery. We are anxious and ready to provide the city with the deposit money to start this process.

Thank you for your continued support of local youth sports. We look forward to collaborating with the City of Marquette to make the project a reality.

With gratitude and commitment,

Kim Pond, President
Marquette Junior Hockey

Doug Garrow, Treasurer
Marquette Junior Hockey

C: Karen Kovacs, City Manager,
Jon Swenson, Director of Community Services

Agenda Date: 10/27/2025

New Business
Plow Truck Purchase

BACKGROUND:

The Department of Public Works maintains eight snow removal routes and one sander route, each serviced by a dedicated plow. Two backup plows also support the fleet. Due to aging and excessive frame corrosion, two plows were retired last season. One was replaced with a used truck last spring; the second is slated for replacement in the current fiscal year.

After evaluating multiple vendors, staff determined that a Peterbilt plow truck offers the best performance-to-price ratio and is the only manufacturer that can meet the height, width and turning radius requirements that are necessary for Marquette's steep, narrow streets. Peterbilt trucks have historically performed well with minimal maintenance.

The City will leverage its membership in the Sourcewell Cooperative Purchasing Program—similar to Michigan's MI-DEAL program—to secure the truck through our regional Peterbilt dealer, JX Truck Center of De Pere, Wisconsin. Delivery will be made to the local Peterbilt service shop in Marquette. This method is expected to yield a 20% savings off MSRP, with delivery approximately seven months post-order.

FISCAL EFFECT:

The Motor Pool Fund capital outlay budget for Fiscal Year 2025-26 contains $265,000 for this purchase.

RECOMMENDATION:

Authorize staff to utilize the Sourcewell Cooperative Purchasing Program to purchase one Peterbilt plow truck from JX Truck Center of De Pere, Wisconsin at a cost not-to-exceed $265,000.

ALTERNATIVES:

As determined by the Commission.

ATTACHMENTS:

Description