

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
January 18, 2021**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, January 18, 2021, in the Commission Chambers at City Hall.

ROLL CALL

Present: W. Premeau, Vice-Chair M. Larson, N. Williams, M. Dunn, S. Mittlefehldt, Chair J. Cardillo,
Absent: A. Andres, E. Brooks (excused).

AGENDA

It was moved by M. Larson, seconded by S. Mittlefehldt and carried 6-0 to approve the agenda as presented.

MINUTES

The minutes of December 21st, 2021 were approved by consensus.

CONFLICT OF INTEREST and EX-PARTE CONTACT

None was stated.

NEW BUSINESS

A. 01-SPR-01-2022 Site Plan Review for 200 S. Fifth Street

Zoning Official A. Landers stated staff has reviewed the proposed site plan for commercial interior renovations and one-story and two-story additions to the existing structure, with a roof-top patio that will have interior stair and elevator access, solar panels on the roof, a new parking lot, a dumpster enclosure, landscaping, and site improvements for 200 S. Fifth Street. She stated that comments regarding the plan have been provided, and to please note, that while the application and site plan indicate a duplex structure, please see the applicant's letter dated January 12, 2022, indicating a change for their proposal by the elimination of the duplex structure shown on the site plans. She presented visually on room monitors the staff report, the application, the staff comments and the applicant's responses, the area and block maps with the parcel outlined in blue, photos of the site, and the site plan set that was submitted. She also stated that there was no correspondence submitted.

J. Cardillo asked if there was any questions for Andrea. There were none. She asked if the applicant or someone on behalf of the applicant wanted to come up to speak to the project.

David Meikle of Petoskey, the applicant, stated that this is his third Backlot, and it follows Backlot Petoskey and Backlot Charlevoix and thank you for entertaining this.

Barry Polzin, consulting architect for the applicant, stated that this is a fun project to tackle and that given that we wanted to add a lot of space we decided to put it on the street, and though it does sort of block the view of the historic depot we've created an experience that as you use the place it really uses the depot and its feel. He stated that they were going to gut the insides and leave the existing framing and original boards, the whole interior of the frame, and the building has been gutted and that will become a big bar space, and we are adding a few elements because the roof is just 2 x 6 we are adding a truss over the top and through that process add some depot-like overhangs and functional overhangs. He said they started playing with the forms and we have the luxury of being next to one of Marquette's tallest buildings – Snowberry Heights – so we were able to get some height. He stated that there used to be a concrete plant on the site and it had some tall elements and there will be a gesture towards that, although nobody may remember it. He stated that the concept of the backlot is just a big open interior space that serves beer and that brings in food vendors and food trucks and then there is outdoor space for eating and drinking outdoors, and the bike path is a perfect complement to this whole function too, especially if you live downtown and its all downhill home.

Mr. Polzin also stated that the site has a weird shape because it is an old railroad property, and with that we thought it would be a good place to have a little duplex, which is allowed in the CBD, it turns out that the Fire Dept. determined that the distance is too great and there isn't enough room to turn a fire truck around, and we could have made it work if we moved the duplex next to the food trucks and the outdoor area, but we didn't want to put it there, so that is why we pulled it from the proposal.

J. Cardillo asked if they were planning to add additional parking spots or leave it as green space. Mr. Polzin stated that they are going to leave it as green space.

J. Cardillo asked if anyone else had questions for the applicant.

S. Mittlefehldt asked about the layout of the indoor kitchens and how those would be operating.

Mr. Polzin stated that the concept is that the outdoor space is for the food trucks and for the winter months those little kitchens can be leased by someone with a food truck or other vendors. Mr. Meikle stated that the issue with food trucks is that the weather is too chilly during the winter, so the indoor kitchens can go year round and the food trucks can operate outside for six months.

W. Premeau stated that he was confused about the lot lines shown on the site plan and asked why part of it is out farther than the rest.

Mr. Polzin stated that the depot was partially encroaching on City property and the previous owner bought that chunk [around the building] from the City.

J. Cardillo asked if that property was rezoned. A. Landers stated that yes it was rezoned.

W. Premeau asked that the duplex was eliminated because of the Fire Dept. rules. Mr. Polzin stated yes.

W. Premeau stated that he didn't understand why they can't back in and out of that area instead of having to be able to turn around, and that semis would be backing up in that area, and that we talk about more density and it seems like this isn't a good reason to throw it out. Mr. Polzin stated that the Ramada Inn parking lot connects to that space and it has functioned like an alley for some time, but it isn't an alley and we couldn't rely on using another private property. He also stated that this was a minor part of the project, but we were trying to create some residential in there. He stated that he found it curious that in the Land Development Code the only residential allowed by right in the downtown are duplexes, and that it used to be that multi-family was allowed on upper floors, and maybe someday you can talk about that.

S. Mittlefehldt stated that she agrees with Mr. Premeau and she was sad to see the duplex going because it is a great place to add housing, but that's out of our purview of decision-making. She said another question she has is about bicycle parking, and the site plan shows about twenty slots but she imagines with the prime location on the bike path that in the peak of summer you might have more demand for bike parking and that seems like a simple element to add to. Mr. Polzin stated that they have more room to add bike racks and they certainly want to encourage less driving and more bikes.

S. Mittlefehldt stated that she is excited to see the solar and asked if the other Backlots have done well with solar. Mr. Meikle stated that they haven't yet, but that is the future plan. He also stated that they are 100 percent compostable facilities, and require the food trucks to be 100 percent compostable and our county has been on the forefront of that and we won Composter of the Year in Emmet County. S. Mittlefehldt stated that the 906 Recycling, the rebranded County Solid Waste Authority, is trying to expand their commercial composting. Mr. Meikle stated they also collect all their rainwater and use it to water plants.

J. Cardillo asked if this is successful will the overflow parking beyond the 23 spaces be on-street. Mr. Polzin stated that a lot of people are responsible and will bike and walk and Northern has a bus system, and they don't see it as a super high demand. He also stated that he's been to the Petoskey backlot and it was crowded with families at 4:00 p.m. and there is a peak but as the night goes on the parking isn't as needed. Mr. Meikle stated that they are not a late night place, that they close between 9 and 10 on weeknights and 11 on weekends.

D. Stensaas asked the Chair if he could ask a couple of questions. J. Cardillo stated okay. D. Stensaas stated that the Firehouse is leasing parking spaces on that property and is wondering what the plan is for that and the other issue is just being sure that there weren't any assumptions made about this complying with the Food Truck Ordinance and that there are no concerns there.

Mr. Polzin stated yes, this will comply with the Food Truck Ordinance. There was brief discussion of the ordinance provisions when trucks are on public property and that those don't apply to this case. Mr. Meikle stated that the previous owner did the lease for the [Firehouse] parking and that will terminate in August.

M. Dunn asked if the Food Trucks have any zoning review or if it is just a license. A. Landers stated that Dave reviews business licenses for Food Trucks.

J. Cardillo asked if anyone wished to make a public comment. Nobody commented.

J. Cardillo asked if anyone wanted to make a motion or suspend the rules for discussion.

It was moved by M. Dunn, seconded by M. Larson, and carried 6-0 to suspend the rules for discussion.

M. Dunn stated he agrees that it's a shame to lose the residential component of this and is not sure how to go about it, but it seems like there should be a solution to this and it would be nice to get a couple of more units downtown in this location.

M. Larson stated that he believes it meets the Land Development Code and is supported by the Community Master Plan, and it is a great use of property that has been underutilized, and he looks forward to it moving forward.

W. Premeau asked staff is there any way the Fire Dept. can be questioned on their decision. A. Landers stated that the Code requires a turnaround beyond 150 feet and they have to follow it.

N. Williams asked if anyone knows how the Quonset hut in that area is accessed. Mr. Polzin stated that it appears there is an entry and gate on the west side.

J. Cardillo stated that if there is a way to appeal the issue to the Fire Chief then that would be the thing to do to see if there is a solution.

S. Mittlefehldt asked if the applicant would still want to build the duplex if there was a way. Mr. Meikle stated that part of the plan was to have the general manager to stay in one of the units, so he is interested but does not want to get stuck in a long battle over it. S. Mittlefehldt stated that there seems to be unanimous support for the residential unit [among the members].

It was moved by M. Larson, seconded by S. Mittlefehldt, and carried 6-0 that after review of the site plan and the supplemental documentation dated 12-7-21, and the STAFF REPORT/ANALYSIS for 01-SPR-01-22, the Planning Commission finds substantial compliance with the City of Marquette Land Development Code and hereby approves the site plan with the following conditions that an amended plan is submitted to meet staff comments.

WORK SESSION

A. Draft Land Development Code (LDC) Amendments

D. Stensaas stated that as he gets set up he wants to say that he has determined that some items that need to be considered for LDC amendments are going to need more time than we have for most of the amendments that have been part of the update work started last summer, so some issues like whether or not duplexes should be a permitted use in single-family districts and standards for EV charging stations are

going to need public input through surveying and other methods, and will need work sessions with the City Commission. He stated that they are working on the fourth set of LDC amendments and he has placed these more complex issues into a document for the fifth set of amendments to hopefully begin working on for decisions in about a year, if we can keep doing what has become an annual update to the LDC.

He presented the draft document of amendments that he stated represents about 95 percent of the updates that are in his LDC amendment note book. The Commission and staff began with the addition of Transitional Housing to the draft text for the Definitions and Standards Applicable to Specific Uses sections. D. Stensaas stated that this is a need because there are at least three such facilities, including the Janzen House and the home at 616 Fisher St., that are operating as transitional homes but they are being classified as other uses that don't quite fit what they really are, and that there could be others and will likely be more coming or more discovered that are operating in the shadows. Discussion of potential standards relevant licensing and affiliation with 501-C charitable organizations was one focus, neither of which are legal requirements. D. Stensaas stated that this type of use does not fit into any of the categories of homes that the state licenses and that are already in the LDC.

J. Cardillo stated that we are trying to strike the balance between making the space for it and what we need to know to make sure that it is safe and not abusive. She asked if a private individual decided to do this would an affiliation requirement exclude them.

D. Stensaas stated that something to consider is that we know there are a few of these and there could be more, there could be individuals that are supporting people in this way, and in fact Andrea visited a home last summer in which the owner had several homeless people living in the house with him. He also stated that if people are going to do this and there are organizations like Superior Housing Solutions that are willing to do the funding and all the coordination and find managers, do you want to put more barriers up like being a registered 501-C3 and that is the question with that standard.

J. Cardillo stated that for facilities with certain standards like daycares, the Planning Commission is not the ones that make sure they are operating safely under their license criteria, and ours is more generic, such as does this fit into the neighborhood and the question is how much granularity we want to get into. She stated that this should be a baseline for safety and responsibility and if they are working with other governmental organizations there would be a lot of hoops to jump through.

D. Stensaas stated that they didn't include specific staffing requirements, but we need to think about that.

J. Cardillo stated a site plan and property maintenance requirements certainly seem within our jurisdiction, but that she could go either way on item G.

M. Larson stated the requirement for affiliation with a charitable organization is relatively broad and wording like this is there to assure there is an organization running things and to provide some confidence to the surrounding community. He stated that the standards for management on site and occupancy limits and the like are where we need to focus.

J. Cardillo stated that that's a good point and being related to some kind of organization should ensure that this isn't something done by a person that decides to do this in their home.

D. Stensaas stated that he will speak with some other people that may have insights into some of the standards and report back.

The Commission discussed several other portions of the draft amendments, working through the document that staff provided and discussing the various issues around the topics for approximately an hour and a half, covering about half of the prepared material.

D. Stensaas stated that there is a possible opportunity for doing some community outreach and involvement on some of the issues that need more community input that those in the current raft of draft LDC amendments during the Art Week festivities this year, which will have a water focus and several events are going to take place along the waterfront and that presents an opportunity for doing some public

involvement such as opinion surveying that we can use when the Master Plan update process gets underway with a consultant, in a year or so.

The Commission and staff discussed numerous draft LDC amendments, including the possibility of changing the standard that requires multi-family residential units to be a special land use in the Central Business District.

COMMISSION AND STAFF COMMENTS

W. Premeau stated that there a lot of bigger things than the ones we are worried about. He also stated that that some things take care of themselves and they probably didn't have a code that said if you have a car you can't have a horse when that transition happened, and we might be jumping the gun with charging stations. He stated he is wondering about what happens in California if everyone plugs their cars in at the same time and there are a lot of things that people should think about before we go to Utopia.

S. Mittlefehldt stated that she is wondering about our meetings, but the positivity rate at her doctor's office was 55 percent today, and so she is wondering if we can go virtual or if we have to wait for the City Commission to take action. A. Landers stated that the Governor's order that allowed us to go virtual has expired and they would have to re-approve that for it to be possible. D. Stensaas said the technology to host virtual meetings by Zoom and YouTube would have to be approved to be re-deployed as well.

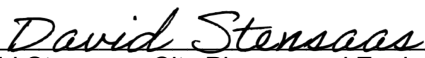
M. Dunn stated that for what it's worth he hasn't noticed much of a change with their electric bill after they got their electric vehicle and they charge their car all the time.

D. Stensaas stated that the BLP is conducting a community survey and there are questions about interest in green energy production. He also mentioned a couple of training opportunities that are coming up, and he stated that the Planning and Zoning Essentials course is especially good for someone new to the Planning Commission like Mr. Williams, or as a refresher. He stated that he will send out the information with the next agenda. He also welcomed Mr. Williams to the Planning Commission and said the next meeting would just be a work session if we hold it, and that they could probably get through the rest of the LDC updates at that meeting.

ADJOURNMENT

The meeting was adjourned by Chair J. Cardillo at 8:10 p.m.

Prepared by:


David Stensaas, City Planner and Zoning Administrator
Planning Commission Staff Liaison