

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
February 07, 2023**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, February 07, 2023, in the Commission Chambers at City Hall.

ROLL CALL

Present: A. Andres, W. Premeau, M. Rayner, K. Clegg, Chair J. Cardillo, D. Fetter, N. Williams, S. Mittlefehldt
Absent: none

AGENDA

It was moved by M. Rayner, seconded by A. Andres, and carried 8-0 to approve the agenda as presented.

MINUTES

The minutes of 01-17-23 were approved by consensus.

CITIZENS ADDRESSING THE COMMISSION ON AGENDA ITEMS

Ms. Geraldine Nault, of 1851 N. McClellan Ave., stated that she had a comment about the Land Development Code, about the discussion of parking at the last meeting. She said:

It was regarding considering changing the parking standards to allow parking in the front yard areas to count as some of the spaces, which would be achieved on the driveway or would allow for widening the driveway, in the Article 9 standards. I'm concerned about the decreasing lot sizes and the increase in driveways. I like Marquette and one of the things that I find inviting and that people that visit and want to live here probably find inviting is the neighborhoods that we have, and I fear with more front yard parking we could have many houses in a row that have cars parked in the front. Some of the grass would be ruined and it ruins the look of the neighborhood. There are a couple of neighborhoods in Ishpeming Township that were really nice neighborhoods and now every house has three or four cars parked in front of them and it really changes the look of the neighborhood.

She also thanked the Planning Commission for all of the work on your agendas, the meetings and the educational portions are really interesting.

NEW BUSINESS

02-SUP-05-21: Second extension request for 1103 & 1107 N. Fourth St. (PIN: 0320320 & 0320330)

Zoning Official Andrea Landers stated:

Attached to the agenda is correspondence from John Myefski. He is requesting a second extension to the previously approved new duplex dwelling located at 1103 & 1107 N. Fourth St. This project will currently expire on 5-4-23. Please see attached excerpts of the May 4, 2021, and March 1, 2022, Planning Commission minutes. On the memo, also I included the Planning Commission motion for the first extension request. And, Mr. Josh Dawson is here if you have any questions for the applicant, otherwise if you would, please review the other items in the packet. The recommended action would be to approve or deny the extension request for May 4, 2024.

J. Cardillo asked A. Landers if the Code allows two extensions. A. Landers stated yes and that this would be the last one available.

J. Cardillo asked Mr. Dawson if he wanted to say anything regarding the project.

Mr. Josh Dawson, representing Myefski Architects, stated:

We are just asking for another year to hopefully give cost and labor a chance to settle down, just trying to get ahold of the market and provide some housing at a reasonable cost.

J. Cardillo asked if anyone wanted to discuss this or make a motion.

It was moved by S. Mittlefehldt, seconded by K. Clegg, and carried 8-0 to suspend the rules for discussion.

S. Mittlefehldt stated:

It was in the packet, but I just wanted to reiterate so that everyone is aware, if we approve this extension through 2024, then he would have to reapply to get another extension – is that right, Andrea?

A. Landers stated:

If there is no approval of an extension then they would have to come back as an original request for a Special Land Use Permit.

S. Mittlefehldt said that she didn't have any other questions and is ready to make a motion.

W. Premeau asked if, for the duplex, the stated 2,000 square feet of living space, or is that including the basement, and is it 2,000 square feet on each side.

Mr. Dawson stated that would be the living space on the first and second floor.

It was moved by S. Mittlefehldt, seconded by K. Clegg, and carried 8-0 that after review of 02-SUP-05-21 the Planning Commission approves the extension request with the expiration date to be May 4, 2024.

TRAINING

Article – Reviving Housing Patterns to Help Michigan Thrive (Melissa Milton-Pung, the review – Michigan Municipal League, Nov/Dec 2022)

The Planning Commission and staff discussed the article about copyright-free home construction plans that the Michigan Municipal League has made available to the public for free to help lower the cost of home development.

WORK SESSION

A. Land Development Code Draft Amendments

D. Stensaas handed out two documents, one being a spreadsheet showing the Site Plan Review cases that were processed over the past three years and the other an article titled "What's the Planning Commission's Job if Site Plans are Administratively Approved?" published in the May/June 2022 edition of the Michigan Planner. He stated that instead of picking up where they left off last time he wanted to focus on the Site Plan Review process tonight, since staff is still working on some of the draft amendments. The discussion focused on increasing the threshold for Planning Commission review of site plans that were for Special Land Use Permit (SLUP) requests or Planned Unit Developments (PUD), which must be reviewed by the Planning Commission per state law. D. Stensaas said that the article, by

the American Planning Association's Michigan chapter, recommends that Planning Commissions who have done the work of drafting and adopting appropriate ordinances for site plan review should not spend their time doing site plan review when staff members already do the bulk of site plan review using the adopted ordinance standards.

The Planning Commission and staff discussed the staff proposal that all projects that have a building floor-plate/footprint of at least 16,000 square feet and/or a gross floor area of at least 40,000 square feet would be reviewed by the Planning Commission, in addition to SLUP and PUD requests, and for any multi-family development proposals that would have more than 20 dwelling units. He also said that the Planning Commission (PC) had reviewed an initial version of a proposed revision to the site plan review standards to narrow the scope of site plans for which the PC renders an administrative decision, and had requested that staff provide examples or a list of site plan review cases so that the PC members had an idea of what type of proposals may be eliminated from their review if this sort of amendment were approved.

D. Stensaas said that the spreadsheet that was handed out shows the Site Plan Review cases that came to the PC over the last three years, in different colors that indicate which cases would and would not be reviewed by the PC if the threshold were changed to the 16,000/40,000 sq. foot standard. There was a long discussion of the issue, including the threshold numbers, specific site plan cases shown in the spreadsheet, and D. Stensaas explained the reasons why making a change like this would benefit multiple parties:

- It would reduce the time for proposals to be reviewed and completed, which would save property owners and developers time and money in the application review process and reduce the need for many to travel to attend a meeting where an administrative decision is going to be made. And if there is less time in the process staff can reduce the fees involved.
- It would help reduce staff workload by reducing the number of cases that are prepared for PC review, which require staff reports and memos, agenda compilation, meeting preparation, etc.
- It would give project applicants more time to submit a completed site plan. When there is a PC submission deadline, applicants often cut corners to save time, placing more work than necessary on our staff – as staff is required to provide the applicant a list of discrepancies, and some consultants take advantage of this by turning in plans by a deadline date that they know are incomplete.
- It would give the Planning Commission and planning and zoning staff more time to focus on planning and improving development codes.

D. Stensaas also said that the PC has recommended ordinance standards for site plan review that get adopted by the legislative body, and for administrative site plan review they do not contain discretionary standards, so the PC has no more discretion than staff when approving site plans that are not for SLUPs or PUDs. He stated that the state enabling Act requires site plans that meet all standards to be approved, so the PC review often isn't a good use of their time, but he understands that the less that is reviewed by the PC, there will be less public insight into these site plan proposals. He said that we can fix that and do better than we are doing now by providing a regular update to the PC and public on all administrative site plan review cases through adding an item for that to the PC agenda.

A. Andres asked if anyone asks for information about site plans that staff is reviewing, do people ask staff if they are reviewing plans for various projects. A. Landers stated that people will come in and look at plans or ask questions all the time.

M. Rayner asked how much work it is to prepare a chart like this for site plan review, because this is very helpful. D. Stensaas said that was about a day's work for one person to collect and prepare the table.

J. Cardillo said that she is open to this and the idea that we would have a running chart to be aware of what's happening would assuage a lot of my issues, but two big concerns that I'm hearing discussed are – A) from the front end, the public having a chance to know what is coming and being able to voice their concerns whether it has an impact at all, and the value in that may not be that we're going to change anything in that particular case, but it goes to the feedback loop – we're the people writing regulations and having commentary to know how people are feeling about the Code helps us tweak it; and B) giving people the opportunity to talk to us and have that opportunity to say their piece.

D. Fetter said that if we could get people to voice their opinion based off cases that didn't have to come to the PC for review then it would help us build up our data for when we are reviewing the codes. She said there could be a lot of positive that could come out of it, with a little extra work, if it was something that could be included in the agenda – the things that didn't need to come to the Planning Commission and that passed, and allow people to comment on those or potentially ask questions, and maybe that would help us get a little more information.

S. Mittlefehdt said gave an example of a project that was built in her neighborhood that she said would have been good for her to know about, to give her a chance to talk to the project applicants to ask some questions. She said that Planning Commissions have historically been a voice of the public and a forum for citizens to have a check and balance on nuisances, and I don't worry about losing that function completely, but maybe there are other ways to do that outside this specific forum.

W. Premeau said he thought this was a simple question, if you want to change it all to 16,000 square feet, and said he didn't see what the big discussion is.

M. Rayner stated that she agreed with the 16,000 square feet and having the waterfront area the same.

K. Clegg said that it's fundamentally a question of our power as commissioners and it's a waste of our time to do these things if we don't have any discretion. He also stated, that as Commissioner Fetter said – it would be good for us to be able to hear from the public and have some back and forth to help us with developing our Code, and if we can take that off of our plate now we can get more public input going forward.

J. Cardillo stated its about getting information out, and is there an opportunity...could there be a pending cases piece of it?

D. Stensaas said that he suggests that staff include a new item on the agenda for administrative site plan review.

J. Cardillo stated that she is pretty comfortable that you could brief us, we could have a chart, and that could help with the feedback portion of it. She also said that she would love it if there was also a pending cases piece of it too, even if people have to go online to get all the information, just so that people have a chance to voice an opinion if they are really concerned before you approve it, to give some color to something you may not be aware of, and she asked for more thoughts.

A. Andres said he thinks it is a good idea overall.

S. Mittlefehldt said that she likes that idea, if people can find information online it will be a great resource.

D. Stensaas said that staff can work on some formats for review at the meeting and to add to the website, and bring some concepts back to the PC.

B. Community Master Plan Renewal Project

Staff and the Planning Commission discussed data presented by staff that updates the amount of land being used for various land-use activities. The data set included the amount of land, the percentage of land in the category out of the whole, and the number of parcels in the category. The discussion pointed out the need to further improve and filter the data for use in the next version of the Community Master Plan (CMP) and for the purposes of helping to determine what land use and zoning designations may be appropriate in the CMP, especially as it concerns a zoning overlay district or amendment to allow for duplexes or multi-family dwellings in the single-family zoning districts.

COMMISSION AND STAFF COMMENTS

S. Mittlefehldt thanked staff for the hard work they do behind the scenes to provide information to the PC.

J. Cardillo thanked staff for the chart, that was helpful. She also said it will be interesting to see what the Arts and Culture department does over Art Week, as they are taking on the Community Master Plan as their theme and it should be some really interesting pieces that come out as a collaboration between artists thinking about our Community Master Plan.

ADJOURNMENT

The meeting was adjourned by Chair J. Cardillo at 7:40 p.m.

Prepared by: David Stensaas

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