

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
May 17, 2022**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, May 17, 2022, in the Commission Chambers at City Hall.

ROLL CALL

Present: W. Premeau, A. Andres, Vice-Chair M. Larson, and N. Frischkorn

Absent: S. Mittlefehldt, Chair J. Cardillo, and N. Williams (all excused)

AGENDA

It was moved by A. Andres, seconded by N. Frischkorn and carried 4-0 to approve the agenda as presented.

MINUTES

The minutes of April 19, 2022 were approved by consensus.

CONFLICT OF INTEREST and EX-PARTE CONTACT

None was stated.

PUBLIC HEARINGS

A. 01-PUD-05-22 – 480 River Park Circle (PIN: 1000120): Request for Concept PUD approval

Zoning Official A. Landers stated this a request from Hoponassu Oz LLC and Dave Ollila, and they are seeking Concept Plan approval of a proposed Planned Unit Development (PUD) for the following uses within 8 buildings and on the parcel: 14 live/work dwellings, hospitality/service use/indoor restaurant, light industrial, professional office/remote work, outdoor food & beverage service, child or day care center, outdoor entertainment and community events, tourism/outdoor recreation for van & RV parking/camping, tent camping, and trails to be located at 480 River Park Circle. She stated this public hearing is to determine if the criteria in Section 54.323(F) of the Land Development Code are met. She also stated that all notices have been sent in accordance with the Land Development Code and state law, and that no correspondence has been received. She referenced the staff report and visuals from the agenda packet were shown.

David Ollila, the applicant, stated that you can see some work has been done on this property. He stated it is his understanding that we're here to propose the conceptual plan for PUD called Shophouse Park at 480 River Park complex, Lot 12. He stated that this is about 10 years in the making and back in 2009 he purchased this piece of property from the City of Marquette. He stated he worked with Dennis Stachewicz on that, with the idea of creating a community innovation space and incubator, and that it's taken quite a bit of time to figure out what the right fit is and how to do that and he spent quite a bit of time creating accelerators, working as an innovator both in the Upper Peninsula and also more recently down in Flint where I was part of the Ferris View and KIDS project. He stated in 2009 when he purchased this property, the idea was there was an opportunity to attract businesses and create wealth creating opportunities in Marquette, and they feel that this property could be used in a higher, better use as a mixed use property that combines all of those uses that you saw in the application, which essentially is industrial, but also offers the opportunity for live/work units. He said the concept of the park is a planned unit development that serves the community from the innovator to the end user, so there's a community aspect to that - to serve community residents on the north side of town as it's connected to the bike path and the property has the North Country Trail that goes through it, the Ore to Shore bike race and the Noquemenon ski marathon, so it's heavily used already as a recreational corridor and it's a natural buffer between the manufacturing area and outdoor recreation. He stated in light of COVID, the digital age, the growth in outdoor recreation, we think that this is a really good opportunity to put the UP on the map and to work in conjunction with the mobility sector downstate. He said the idea is essentially matching up weed (?) work and corporate offsite innovation. He stated he was going to read a couple letters that might explain a little bit about the property and then wants to open it up to any questions. He said he has quite a few of these, so he's not going to

read them all, but is going to pick a few from key partners on the project. He read a letter from David Kronberg, the Director of Entrepreneurial Outreach and Services at the Innovate Marquette SmartZone. He read another letter from Glenn Stevens, Executive Director and Vice President of Automotive and Mobility Initiatives at MICHauto, and first said that MICHauto is part of the Detroit Chamber of Commerce, which is part of the Michigan automobile industry and their role is to attract automobile manufacturing to Michigan, and also Glenn Stevens is a former Marquette resident. He also read a letter from CUPPAD, signed by Ryan Soucy, Senior Economic Development and Community Planner at Central UP Planning and Development (CUPPAD). He stated that he was not going to read the others, but will point out that he has a letter of support that Sara Cambensy helped them put together that has all six UP legislators signed off on and he certainly can provide these letters to the members, and said the letter is signed by Senator Ed McBroom, Gregory Markkanen, Beau LaFave, Wayne Schmidt, Sarah Cambensy and John Damoose. He also stated that he has a letter which he will not read because it's three pages long that is signed by Invest UP, MICHauto, Innovate Marquette, Innovate Marquette SmartZone, the Lake Superior Community Partnership, CUPPAD, Travel Marquette, City of Marquette and Northern Michigan University, and that this was a letter addressed to the MEDC. He stated he's been collaborating with the MEDC for about a year and a half on this project. He also showed what he said was a letter of intent from the SmartZone to take up residence in Shophouse Park. He said he has plenty of letters in support for this project and it has been a project filled with passion. He said he is a Marquette native and has lived here for the majority of my life and honestly there are no jobs in Marquette forming. He stated this is an opportunity to engage with the rest of the state of Michigan in the mobility sector, which is one of our key strengths, leveraging the assets that are in the UP with a higher, better use than is tourism, and attract corporations and economic development and wealth creating jobs to Marquette. He stated that it also addresses a number of the shortfalls that we have here in the community, such as housing, startup facility support, corporate attraction, and leverages our recreational facilities in a way that is consistent with the [Community] Master Plan, with the economic plan, and also with the recreation plan. He stated with that, he would like to thank you for your consideration for Shophouse Park and I'm glad to answer any questions.

Vice Chair Larson opened the public hearing.

Steve Pelto, 2545 Schneider Mill Ct., stated that he owns property on the corner on 2525 Schneider Mill Court. He said Mr. Ollila spoke about having mixed-use in Industrial zoning. I'm in Industrial zoning myself, right now around the corner, as I said, I have storage units. I do not have a problem with the concept that he has, with the buildings, he has 8 buildings, I believe. He said. Where my issue lies is with the housing, the temporary housing. He stated that we have apartments, we have other people that are AirB&B people, and we do not something, as far as the City of Marquette, 250 AirB&Bs right now, that's it and nobody else is allowed. He said this will allow more AirB&Bs in the town and I'm not sure if he's going to call it AirB&B, temporary housing or whatever. Same thing with an RV park, or I don't know if it's a park having room for RVs being on the lot. He stated that he's going to be coming in front of you more than likely in the next month and I'm going to be asking to put storage units in, so if you're going to be allowing housing units on top of his business, are you going to be able to allow me to put apartments on top of my storage units, too? He said are we opening up a can of worms? He stated that he is not against this concept, he likes the concept of the business, of the innovation that he has, but he has a problem with the housing and the RV parking, thank you.

David Manson, 122 W. Hewitt St. He stated this is a real exciting time for Marquette, that there's a lot of changes going on, there's a lot of development being sought out and trying to get happening and a lot of them are from out of town, and we are lucky to have a local who understands the zeitgeist of Marquette. He stated that we have to look at this as not just a mixed use in an industrial zone, but rather taking the industrial zone concept and taking something that somebody who wants to work on a project that is pertinent to the outdoor industry, whether it be bikes or ski development manufacturing, they will have a location in Marquette where they can actually go ahead and try and make this happen and that's going to be nice cyclone of money, jobs, people coming through town. He stated that ultimately what this does is it helps create a cyclone of money for Marquette. He said he could give you a quick story, that this is a perfect situation where we had people from Bike Magazine come to town and they wanted to have a place where they could work on their bikes and they were staying at a hotel and they didn't have room there and they reached out to us to use our warehouse to be able to tune their bikes, stage their rides, and leave their bikes there, because they had no place and they used our brewery's warehouse. He said this is a perfect

example of where they would be able to come back on a frequent occurrence, work on their bikes, test their bikes, get their pictures, do their writeup and experience Marquette in all its glory. He stated that he thinks this is a great project and hope you can see it, support it, and give him the thumbs up, thank you

Patti Clancy, 1611 Longyear Ave. stated that she would just like to remind the Planning Commission that the City Commission committed to moving towards zero CO2 emissions above 2050 and she doesn't know if there's been any consideration in that with this project, and said she thinks that should be a consideration in order to comply with that goal of 2050.

Michael Morgan, 1518 Birch Ave. stated he is a longtime resident and he's known Dave Ollila for some time and works in banking and finance. He said he believes that the Shophouse Project does something for this community that we've needed for a long time, and that's development of opportunities for more living wage jobs. He said it creates an innovative space for entrepreneurs, which I something I think this community needs to attract more of to develop their businesses, spend their dollars here, live here, become part of the community in an environment that is friendly to the natural resources that we have. He stated that typically, the development of these mixed-use developments incorporate maintaining the integrity of the property and enhancing the beauty of the area, and he hopes that the commission considers this positively in their decision, thank you.

No one else wished to comment. Vice Chair Larson closed the public hearing.

It was moved by N. Frischkorn, seconded by A. Andres and carried 4-0 to suspend the rules for discussion.

A. Andres asked Mr. Ollila in regards to the emissions issue, is that something you're considering or is that something you're trying to combat, or? I'll let you explain.

David Ollila stated that is a good question and I want to thank you for that question as well. There's kind of two components when it comes to the climate and this particular project, one is we're receiving quotes right now and are in our initial engineering and design work, which is actually to utilize mass timber for the construction materials and if you're not familiar with mass timber, essentially it's using some new technologies in wood building developments and mass timber is a carbon-neutral building product, whereas the carbon has been sequestered in the trees, and then by building with that wood, you're holding that carbon in perpetuity as long as the building is standing. He said that would be in comparison to using concrete and steel, which is much less of a green building material and I think what's interesting about this product is several factors when it relates to zero emissions and mass timber, and one of those is we're working very closely with the Mass Timber Institute at Michigan State University, and even applied for a couple of joint grants. He said more importantly, we're working on a workforce development program with the Millwrights and Carpenters Union because mass timber is an emerging material that's ready to pick up steam in the southeast and northwest part of the country, and it's mostly using soft woods, and the UP is a producer of hard woods. He said this may be an effort to actually qualify hard woods as a mass timber building project. He stated there's also a new mass timber press that was just installed or being installed at Michigan Tech University, and so we're working and collaborating with all of those factors of mass timber to try to build these buildings out of something that is both naturally beautiful, fits within the property and is also carbon neutral.

He stated that the other aspect to emissions is we see a lot in the news about the electrification of the automobile and when you look at what's happening with the state and the investment that the state is making in Detroit in the greater automobile sector, there are hundreds of millions of dollars getting pushed into the mobility sector to build out the electrification of cars and autos as we know them today, and one aspect that not many people are paying attention to is the mass process underway right now to electrify the bicycle, the UTV, the ATV and the snowmobile. He said that Polaris, Bombardier, Kawasaki - each of those companies have committed over three hundred million dollars to create an electric vehicle in each one of their segments by 2025, so the ramp up for the electrification of the outdoor industry is actually going to ramp up faster and provide more accessibility to electric vehicles, to a wider swath of the population because they're going to be less expensive and the innovation cycles are going to happen faster. He said what none of those companies have is any region in the country right now specializing in innovation of

outdoor electrified products. No other state in the union has what Michigan has when you combine Detroit's muscle in engineering and design in manufacturing of mobility products, and the natural resources - the 10 million acres of forest land and trails that are in the UP. He said part of the Shophouse Park Project is not only to position Marquette, but the entire UP, as a regional testing, development and consumer interaction space for this industry that is about to grow in a way that we have not seen any of these segments grow in probably the last 400 years. He stated that both of those aspects lead to a low carbon footprint, smart development and leading an industry where Michigan has its greatest strength.

N. Frischkorn stated he thinks it's an interesting idea and the point about a lack of jobs is a point that we've discussed here before and it's something that's well taken. He stated that looking at the factors in the LDC, he thought it was interesting that some of these were marked as N/A where they do seem likely to be applicable, and asked if they can invite the applicant to talk about some of those.

M. Larson stated we certainly can and I think one of the, one of the things for the commission to think about is taking a look at these and we have to make sure that we're meeting at least three of these. And so, one of the questions may be, is that, and this would be for the applicant, whether or not those were the items they felt most strongly fit, and whether or not we as a Planning Commission want to identify additional items that likely fit. He said I don't know if that's what you're kind of getting at.

N. Frischkorn stated yeah, that's kind of what I'm getting at.

M. Larson stated, alright, well I guess we'll invite Mr. Ollila back up. He said in considering the PUD criteria, there's a number of items that you listed as N/A, and Commissioner Frischkorn is suggesting that why would you say N/A, you know, that they were not applicable, when maybe they kind of fit.

Mr. Ollila stated, certainly, and I definitely answered those with the ideas that I would have to meet three and I went with the strongest ones. I think if you go through that list, you can come up with supporting arguments from most every one of those qualifying criteria. I don't know them by heart yet, but I'm probably getting pretty close to understanding them. But certainly, that was the case. We felt those were the strongest components to meet the criteria for a PUD.

W. Premeau stated we should warn all the applicants that are here that there's only four of us here and if one of us don't like something...

M. Larson stated we are short; however, the way the bylaws read it is a majority. Because there's seven on the commission, there's four of us here. W. Premeau stated it takes four of us all voting yes.

M. Larson stated to move forward with the PUD? I'll ask staff to review that while we continue our discussions, and we will look at each of those individual items and determine whether or not they qualify.

A. Landers stated that the Bylaws says a simple majority shall be one more than half the members present, so if we had a motion of three-to-one, that motion would pass.

M. Larson stated, alright and now I'd like to take a look at 54.323, section F, to determine whether or not the proposal is eligible for a PUD, and again, this is just the first stage in this process. M. Larson read through items in section 54.323.F to confirm with the other members that these criteria were met. He stated that for item 5.A, let's take a look at the ones that they've met and it needs to meet a minimum of three of these: A, "to permanently preserve open space or natural features because of the exceptional characteristics or because they can provide a permanent transition or buffer between land uses." He said that according to the narrative, the project's going to permanently preserve open space and embrace the nature topography of the parcel - do we have any comments on this item?

N. Frischkorn stated, yes, if you looked at the map, in the agenda, this is industrial manufacturing and this lot is just woods and then on the other side there's soccer fields and a sports complex. He stated the proposed use would provide this kind of permanent transition or buffer between manufacturing, industrial manufacturing, and the recreational facilities next door. He stated as industrial manufacturing, this couldn't

be developed as an industrial manufacturing site, other than the PUD. And there would be no transition or buffer.

M. Larson stated any other comments on whether or not it meets item [5]A?, Commissioner Andres or Commissioner Premeau? He stated item B, "to permanently establish land use patterns that are compatible or that will protect existing or planned uses", and according to the applicant's narrative, the development will continue to provide a natural buffer, multi-module transition from industrial to recreational assets. He said do we have any comments on this? and I think this is in line with A myself, it does continue to provide that natural buffer, and that transition from industrial to those recreational assets, and I think that this continues to make that happen. He stated for item [5]C, the applicant listed as N/A, D also N/A, and then let's go down to E and F. He stated for E, "to guarantee the provision of a public improvement that could not otherwise be required that would further the public health, safety or welfare, protect existing or future uses from the impact of proposed uses, or alleviate an existing or potential problem relating to the public facilities" and according to the narrative the property presents a public improvement of the highest and best use, not only for the land, but for the community at large. He stated that it will alleviate the current public parking challenges, it will enhance recreational assets, and it will provide housing, hospitality, retail services, in an underserved area of the city - do we have any comments on whether or not it meets E?

N. Frischkorn stated my comment would be that the proposed addition of the parking lot to the sports complex, that's a public improvement that could not be required of the development of this parcel, outside of the PUD, and I think it also does alleviate an existing problem as there's a serious shortage of parking in that sports complex. So, I think it meets two of the prongs of E.

A. Andres stated I would agree.

M. Larson stated that he thinks this is an underserved area of the city. He stated item F, "to promote the goals and objectives of the market community master plan" - according to the narrative, the project promotes the goals and objectives of the master plan and goes beyond to generate wealth building, opportunities in response to post-COVID-19 enhanced digital world - do we have any comments on F?

A. Andres stated he would totally agree with this statement.

W. Premeau stated that the only question he's got is, we're talking about parking, which is talking about Board of Light and Power land.

M. Larson stated they did provide some interaction with the Board of Light Power, a letter between the two and if we want to invite the applicant up to talk about, you know, the parking aspects, we can certainly do that, and asked Mr. Ollila if he would you like to come up and talk about that improvement to that area as far as parking goes?

Mr. Ollila stated that one of the important aspects here is, someone made the statement that this is the first stage of the project, and he would object to that. He said that for him this has been a solid two year effort of building collaborative partnerships, working with city staff, working with the BLP, working with various entities downstate to try to bring the most collaborative project possible to Marquette and I think one of the critical components is actually connecting to the lower peninsula's economy. He said that is important for our future existence. He said this is a steady two years and quite a bit of money to go through the process and get the site work done and the survey, and it's certainly not the first step from the applicant's perspective. He stated as far as the parking goes, that's one of those collaborative conversations and the piece of property that we're talking about is a piece of land that's in-between the furthest northeast soccer field and the boundary to this property, and one of the features that this property shares is that there is a 32-foot easement that goes into the property from the BLP. He stated that he thinks that while some people might find it restrictive, we see that as something that's complimentary, and originally in the plans for the Riverpark complex, it was actually intended to connect Riverpark Circle to the complex, that would have been another ingress and egress to the park, and there was also an original plan for additional parking at the Kaufman Sports Complex. He said right now there is a lack of adequate parking on certain days for Kaufman Fields and the property is not being used right now in between the soccer field and my lot, lot 12.

He stated that in its current use there is a sawdust holding area that has been serving that purpose for the last 100 years or so, and in conversations with the BLP and city staff, this is one of those public/private opportunities of both enhancing the community while also activating something that has not been activated for a long period of time. He stated while the project does not require that parking lot to meet the needs as within the vision, we think that that is not only complimentary, but it actually alleviates some of the traffic issues and some of the parking issues within the Sports Complex, and you know, we're looking at a piece of property, lot 12, and that adjacent property. He stated that Commissioner Premeau may know better with his history within the city, but originally that plot was established to create a manufacturing facility. He said he thinks in some of the language that he read, possibly in the community master plan, that there was a realization that we have not done the best job in building out that manufacturing area. He said that now in light of COVID and the new digital workforce and some of the changes that we're seeing in society, we're seeing a higher, better, use for those properties and this is a good example of that. He stated that parking lot would represent a really partnership between the private development, and not only that, we're talking about an entire state getting behind this project and part of its strategic plan. He said he will note that the MEDC added outdoor recreation and industry to its strategic plan in the last update and that was a significant opportunity for the UP so that we can be part of the Michigan state economy as well, and he thinks the parking lot in association with an innovative live/work center is the epitome of what good public/private partnerships are all about in activating underutilized properties in the City of Marquette.

W. Premeau stated, one more thing, this is a long timeframe, like ten years? He said a lot of projects are going to go ten years are never finished. He said you ask about the industrial parks, that was a big thing, they were developing industrial parks, and the same as the one on Baraga, as soon as they did, everybody wanted to build just general business, and so the industrial park is down to three lots, the rest is general business. He said out north it's literally the same thing, as Steve said you got storage units and people have got places to play is what it comes down to.

M. Larson stated let's assess the timeframe as well, you know, since we're talking about it, and he said to Mr. Ollila that you have two timeframes listed, 1-10 [yrs.], 2-20 [yrs.], so you've got several.

David Ollila stated, yes, I'll be very transparent, this is a very long game of chicken and egg. We're talking about an expensive project in the grand scheme of things, certainly from my perspective - right now we're looking at between eight and ten million dollars to build this facility. I could build a storage facility for about \$100,000, but I don't believe that is the best use of this property for Marquette. The reason behind the timing of the project is because it takes time to get the MEDC on board, it takes time to build relationships with collaborators and build a capital stack. And as I was looking at this project and working very diligently over the last two years to bring it to fruition, it became apparent that if you waited, you would never be able to submit the PUD and it's a pretty challenging chicken and egg problem. He said can you imagine going out and raising capital for a project like this that may get a commission of four people who decide that it doesn't make sense to move forward? And so, you have to have a level of confidence moving forward, which is why the phasing of the project would allow myself independently to start the development and build a momentum and build it over a long period of time and my best guess, is that this will probably get done in one or two phases that are much closer together, and it would be my wishes and my dreams that this is up and running completely within 2-4 years. But you have to build in a confidence, you have to build in the envelope, and you have to build in contingencies in projects like this so you can get started, you can build public consensuses, you can get the permitting, the engineering, and the process rolling, as you build your team of collaborators and the stack. In my own hubris, I'm confident that this will get done, it will get done in a timely fashion, it will not languish, and I also think that very quickly it will bring economic opportunity in the community that we're really not making a big effort for right now. He said this is a transformational project that ties us into the rest of the economy of the state, and I think it puts us on a much better financial footing moving into the future and quite honestly I want to build a place so that when my kids leave and go to college, that they at least have the opportunity to come back to Marquette for gainful employment and I believe this is one of the strategies to get us there.

N. Frischkorn addressed a question to the applicant. He stated that you had mentioned before that these various companies, ATV, snowmobiles, etc., were planning to create an electric vehicle by 2025, and you had also talked about this as kind of a testing site. Can you talk about the interplay between those company's timelines and your timeline?, because it seems like by the time this is up and ready, they'll have already developed those vehicles.

David Ollila stated, yes, there's kind of a parallel process for us. The number one selling electric vehicle right now is the bicycle, it's not the car. And not many people could afford the \$70,000 or \$100,000 electric vehicles that are coming down the pipeline. Worse yet, the UP doesn't have the charging structure in place, so those companies are responding to a market demand. He stated that people are asking for quieter outdoor recreation vehicles that bring less emissions with them and the industry is responding to that. Timing isn't perfect and I mentioned that I've been working on this for two years. Let me tell you, if this was built right now, I think we'd be in a much better position to capture these folks early. What I can tell you is that we're in several conversations with these companies and there's interest and this is just the beginning of this effort in electrifying these product lines. Really what I believe those companies are going to do is they're going to work very hard to get one or two flagship products out and then slowly over a period of years, they're going to relax their manufacturing of vice vehicles and they're going to increase the manufacturing of their electric vehicles, and this is a long play, this is a way, again, in speaking with the outdoor recreation manufacturing companies, there's a couple challenges - supply chains in China are getting much harder to fulfill their needs, their interested in building the supply chains with Michigan. Like David Manson had mentioned, many of these companies are coming to the UP, and we've seen the vehicles under wraps. I don't know if you saw the 12 electric Cadillacs that were in town couple months ago? And they're staying in our hotels and they don't have garages, and so what we see is that there's a market that's not being served in the local community right now. And again, with the assets of the natural areas, the trails that we have, the connections of our rural towns and communities, this is the way of the long-term strategy to attracting those. Under the current plan right now of the White House to electrify the United States with electric vehicle charging stations, they're offering billions of dollars to putting level three charging stations across every interstate in the country. That means the UP is slated to get two charging stations. We are seriously underutilizing our resources and while the mid-tier small cities are all getting support to electrify and smarten those communities, there's a serious lack of opportunity for rural communities and the UP is more hyper-connected with our small towns via trails than they are via highways, and so this is one of those aspects of flipping the script on the value proposition of what the UP has to offer and it's long play.

N. Frischkorn stated I believe we're on factor F, the community master plan?

M. Larson stated, yes, we were on Community master plan. And whether or not their application meets F. Commissioner Andres agreed.

N. Frischkorn stated, yes, I would also agree. I think it does meet the goals and objectives of the Community Master Plan.

M. Larson stated we are on to item G, to "foster the aesthetic appearance of the city through the quality building design and site development, the provision of trees and landscaping beyond minimum requirements, the preservation of unique and/or historic sites or structures, and the provision of open spaces or other desirable features, with sight beyond minimum requirements. According to that, the narrative, the project will foster aesthetic appearance of the city through building design and situation thereof amongst natural trees, rocks and trails." He stated I think in their design work, from my point of view, it does look that it meets G as well, any other comment on G?

N. Frischkorn stated I concur.

A. Andres stated that he concurs.

M. Larson stated we have certainly surpassed our three that are required, however, I do think it may be worth noting in J, "to facilitate appropriative development of environmentally sensitive areas" the applicant

did say N/A, but according to staff, the wetland vacation maps published by Eagle show are no wetlands, per se, on the property, only wetland soils, which does not meet the criteria for the establishment of a riparian buffer overlay district, and staff tends to agree that this is not an environmentally sensitive area as it has not been designated as such in any way. I will concur with staff and I will lean on staff with their decision there, but I just wanted to point out that that is one piece that the city staff asked us to take a little look at. Any other comment? Do we have other general discussion on any of these items? He stated that per my count, we have A, B, E, F, and G as all meeting, which is two additional than needs to be eligible for a PUD. He stated that after reviewing this, it seems that we are largely in agreement that it meets these items, and when we want to make a motion that we include A, B, E, F and G in that motion. He said if we have no additional comment, I would entertain a motion.

N. Frischkorn stated he will make a motion.

It was moved by N. Frischkorn, seconded by A. Andres, and carried 3-1 that after holding a public and a review of the concept PUD site plan dated 4/19/22, and the staff report analysis with attachments for 01-PUD-05-22, the Planning Commission finds that the request meets objectives A, B, E, F and G, and the criteria of section 54.323(F) of the Marquette City Land Development Code, and therefore the proposal is eligible for a PUD.

Yes: A. Andres, N. Frischkorn, M. Larson
No. W. Premeau

M. Larson stated that the motion carries three to one. Thank you for that and the staff will be in touch with next steps.

B. 01-SUP-05-22 – 1210 S. Front Street (PIN: 0030120): Special Land Use permit requests for Marihuana Retailer, Marihuana Designated Consumption Establishment, Marihuana Class B Grower, and Marihuana Processor – Light Manufacturing

A. Landers stated that staff has reviewed the Special Land Use permits for Marihuana Retailer, Marihuana Designated Consumption Establishment, Marihuana Class B Grower, and Marihuana Processor – Light Manufacturing to be located at 1210 S. Front Street. She referenced the staff report and visuals from the agenda packet were shown.

M. Larson stated alright, thank you, Andrea, and with that, I'd like to invite the applicant forward to discuss the project.

Matt Treado, UP Engineers & Architects stated good evening and there are also have members of the ownership group here as well to answer any questions or concerns of the Planning Commission. He said this project is intended to bring some much needed new life into the strip mall and provide some good paying jobs, looking to provide an all-inclusive experience, obviously, that provides a full breadth of all the different licenses that fall under the special land use permit for this site. This process is a long process, this is not the first, but we'll say the second step, which will also require us to go through the MRA process plan review with the state, market planning, building codes, and then back through the city once again for local review and approval before it's actually permitted. We believe this project meets the requirements associated with the zoning district and meets the intent for what we're trying to do. The site is actually well designed in that it keeps everything facing the corridor and as you'll see in the proposed site plan, all of the improvements and all the building operations are taking place towards the US 41 corridor. The back of the house and back of the building is going to stay exactly as is, and there's going to be no improvements back there, there's going to be no activity back there, everything is taking place towards the US 41 corridor. It's also getting a lot of additional greenspace and landscaping to provide some much-needed beautification for the site. With that, I can turn it over to you guys for questions or anything specific for the owner as well - they're available to answer any questions you may have about business operations.

M. Larson stated I'll ask you to sit down for right now and we'll invite any public testimony forward. I understand we didn't have any additional correspondence correct?

A. Landers stated no.

M. Larson stated thank you and do we have any public testimony on the item before us? Hearing none, we will close public testimony and we can move onto commissioner discussion. If we want to suspend the rules for open discussion, then we can also invite the applicant back up to question the applicant representative or the ownership team. He stated do we have a motion?

It was moved by N. Frischkorn, seconded by W. Premeau, and carried 4-0 to suspend the rules for discussion.

N. Frischkorn stated I have a kind of a preliminary question for staff. Is each one of these uses - retailer consumption, etc. - is each one a special permit, special land use, or is this all one?

A. Landers stated it's however you all determine that you want to do it, you can make a motion for each one, but it's all under this case number. If you're feeling like one of the special land use permits aren't going to meet it, you could approve one and then deny others. She said It depends on how you might concur.

N. Frischkorn stated, okay, thank you. I guess one thing I would want to ask the applicant or ownership team to clarify would be the hours of operation of the business, because that is one of the factors that was not included.

Matt Treado stated that we typically would want to look at an 11:00-7:00 or 11:00-8:00 window of time during the weekdays and in staying in accordance with everybody else in town as well is a factor, but the weekends would go maybe till 10:00...is something we've seen around, but we'll fall in line with kind of best practices around time.

A. Landers stated for clarification, when it comes to what they're submitting, they have to stick to the hours that they're proposing. So, if you're proposing 11:00-8:00, then you couldn't change those hours without coming back in.

W. Premeau stated question for Andrea, doesn't the state set that time...from like 9:00 in the morning to 8:00 at night or 9:00 at night? A. Landers stated she is not aware of that, but they have to tell us what their hours are going to be. They have to meet the state, the state wants to receive this.

W. Premeau stated so here's the end all, if they're saying their hours now, they have to stick to those hours. A. Landers stated just like we've done with other special land uses. W. Premeau stated so they'd probably be better off I'm going to open at 9:00 and close at 9:00? A. Landers stated if that's what they wish to do.

M. Larson stated to Mr. Treado would you mind approaching – well, let's formalize it - in regards to the hours, that was not on the application, the hours that you wish to propose that you'll end up being held to, as far as your official hours.

Mr. Treado stated prior to making a formal commitment he has a question on the weekends. I did think there was an extension on the weekends. Can I ask that question? So, if we say Monday through Friday, 9:00 to 9:00, weekends open an extra hour until 10:00 p.m., I think that's within the guidelines.

A. Landers stated it's whatever you're proposing.

Mr. Treado stated perfect. So, we propose we get approved from 9:00 to 9:00 Monday through Friday, 9:00 to 10:00 on Saturday and Sunday.

A. Landers stated just note for light manufacturing, when you get to that, that's where we have noise requirements. Mr. Treado stated, yes, I'm speaking specifically today to the retail and the consumption. Phase I aspect - Phase II will be more traditional manufacturing hours.

M. Larson stated thank you. Do we have other questions for the applicant, or discussion amongst commissioners? He said there weren't many staff comments, but they were for a proposed a 10' by 50' off street loading area, the screen from the street, and only to be used after business hours. And for Phase II, you were going to add a dumpster enclosure and an outdoor storage and unloading area. So, I guess one of the questions there is these retail hours constitute the business hours, and outside of that, as far as loading and unloading zones and so on.

A. Landers stated the hours of operation here, you said Phase I - retail and consumption - so, then the off street loading would actually be for retail too because they'll have to park there. But you're saying they'll park there after business hours...when do you expect to receive deliveries?

Mr. Treado stated most likely deliveries are not going to be those large-scale semi-trucks, that's not really the type of business operation that's taking place. But anything that would require a large delivery would take place in the early morning hours before opening, between the hours of 7:00 and 9:00. But we see that to be a very rare or unusual circumstance.

M. Larson stated other questions for the applicant or compliance with the Land Development Code? Any comments on compliance with the Development Code or otherwise?

N. Frischkorn stated that he have some comments specifically related to the onsite consumption facility. Given the location, I have serious concerns about an establishment where marijuana is consumed on the premises, not just because of the potential for a nuisance to the neighborhood, although I think that is relevant, but vehicular circulation is factor eight, and I have concerns about potential traffic impacts in that area as that's not an easy place to turn into traffic. Yes, you're not allowed to consume and then drive, but that is something that will happen, just like people drink and drive home from bars. He stated that he has concerns with an establishment where it's consumed on the premises in this location.

M. Larson stated I would welcome the applicant to come forward and have discussion about this aspect.

Mr. Treado stated that these types of facilities are highly regulated and highly observed and the State of Michigan makes you track every single square each of these facilities with security cameras and the state is able to then jump into your security system whenever they want to check on exactly who's there and what is taking place. Staff will be trained on overconsumption of use on how individuals are being served, just like you would in a bar. This is actually one of the safer sites along this corridor because we do have a separate entrance and separate exit, and there's definitely not a lot of businesses, I guess McCabe's would be an exception immediately to the north, but there's not a lot of businesses that have those different designated entrances and exits. They're also completely confined to the interior of this building, there is no exterior consumption whatsoever, all of this is completely inside a highly-regulated, highly-observed space. It couldn't possibly be any more secure and observed, and having the ability of the state to tap in and double check over our shoulder 24/7 whenever they would like provides that extra layer of security and regulation that, you know, this is not some freewheeling type of circumstance. This is extremely regulated, and there's a high level of security. So, there is going to be no exterior consumption of this product whatsoever, all of this has to take place inside the building. So, I think that given how it's set up, how the entrance and exit is set up, the security requirements, and how the site is ran, I think this is actually an excellent opportunity for us to implement this type of business, and having an owner group that realizes that staff training is of the upmost importance to make sure that individuals are trained on how to look for overconsumption elements, just like you would, say in a bar atmosphere, provides that extra layer of security.

N. Frischkorn stated I guess I understand that all of the consumption will occur inside of the building, but I guess my question is how are you going to prevent people from getting intoxicated in the building and then driving away. What steps are you going to take to prevent that?

Mr. Treado stated, so we're not going to be giving sobriety tests to individuals and then handing them some sort of ticket or valet or something like that, to be like, okay we have your keys and now you have to get your keys from us? The responsibility of the person operating that vehicle would be the same as it would be

at a bar. If someone is driving to the site and going to the lounge, then they need to be getting a rideshare. That's something that we're seeing a lot more of - there's a lot more Ubers, Lyfts, and a lot more taxi services, and the expectation is that by utilizing those alternative sources of transportation, that individuals can come to this location and then not drive home. And having staff training on that, making sure that they're looking for stuff like that, that gives us that extra layer of security. But that is an element of any business that has any intoxicating element. The driving thing is always a factor, without a doubt. So, I would say no matter where this type of business is located in the City of Marquette, that is a great question. If you have an answer, I would love to hear it, on what could be a potential solution for that specific element.

N. Frischkorn stated, right and he understands that and his concern is because of the location, because that's a very busy stretch of road. People are going from a 50 mile per hour zone to a 35 mile per hour zone coming down that hill. And I guess the combination of those two things is what really gives me pause.

Mr. Treado stated I would say that we wouldn't want people driving intoxicated, regardless of where the business is located. The fact that we're on this corridor, we do have a stoplight that's close by that also slows people down. We do have a separate entrance and exit. We'd be more than happy to reach out to MDOT if there's any additional elements that we can implement to try to make this a more safe location, but having those separate entrances and exits really provides a very safe on and off onto the site. Those are always one of the things that MDOT is really looking for is the ability to safely have people enter the property and safely exit the property and, you know, the fact that it's immediately next to a stoplight is also an additional positive, right? Eventually you're going to get your turn to turn onto the corridor because the stoplight's going to stop people and allow you to do that.

M. Larson stated any other commission discussion?

A. Andes stated I would just like to say that it's not really on the applicant to safely police. Once they go out of the establishment I don't think it's fair for us to put that onto the applicant, in my opinion.

N. Frischkorn stated I understand that, but it's also our responsibility as the commission to make sure that the standards are met for approval. A. Andes stated yes.

N. Frischkorn stated I guess that's, that's where I'm coming from is how that considerably links to these standards. And I do think there's a difference between a retail establishment and a consumption establishment. And I think there are concerns that are present with one, may not be present with the other.

M. Larson stated in my opinion I think you're going to have those situations, whether or not it was a bar or otherwise, you could make similar arguments for having alcohol consumption along the same street. I do think that it is in the district that it's allowed, granted this would be the first, as far as consumption, if it were to pass, it would be the first consumption facility in the city. He also stated that the City Commission has set up the provision saying it is an allowable use and so I think that I would be for it. One of the other things is that if there is on this particular issue, we could separate this out if we want to, a growing facility, a retail facility, you know, those do currently exist and may have lower impacts. We could peel that out for separate vote if that is what the rest of the commissioners agree on, so it's not essentially an all or nothing vote on all permits, but I don't know what the rest of the commission feels about that.

N. Frischkorn stated, right and that's why I asked that preliminary question. Yeah, I think there are different concerns with the different uses.

A. Andes stated So, do you not want there to be a consumption use?

N. Frischkorn stated I just have a hard time with that location with consumption. I'm happy to be persuaded otherwise, but as of right now, I still have those concerns.

M. Larson stated which items in particular don't meet, or are you thinking are not being met for that [use]?

N. Frischkorn stated this is specifically to the consumption, it would be factor number five - operations of use, the nature and intensity of operations is appropriate for the site and not in conflict with surrounding

properties and uses. Number eight - vehicle and pedestrian circulation - focus on vehicular, those would be my concerns, specifically to consumption. I don't know that we've had enough of the discussion on the other uses.

M. Larson stated, sure, we can certainly discuss those other uses and whether or not they meet. Where would you like to start? Marijuana growers or retail?

N. Frischkorn stated I do have one specific question for the applicant related to the manufacturer side of operations. This is related to factor 11, environmental factors, is there a plan for once the growing operation is in full swing, is there a plan for waste disposal of various chemicals used in growing as well as the plant matter itself? He stated some of that might be constrained by state regulations as well.

Mr. Treado stated that's a perfect segue, there's a highly regulated element to that, they require you to dispose of all your materials in a way that MRA completely approves of. Usually that's destroying or ripping up your root balls and then putting that into a specific dumpster that's locked, so no one can rummage through your dumpster. So, all that's highly regulated through the state and as far as any waste disposal, I believe on our last project, Northcoast Cultivators, they will do testing of sewage periodically after operations are up and running to test for additional chemicals just to ensure that your sewage characterization hasn't changed at all, that would result in either higher fees from the City of Marquette, or any sort of issues of what your disposing of.

N. Frischkorn stated, okay, that was the only question that I had relating to manufacturing.

M. Larson stated as far as retail goes, I think they meet the requirements for retail. I think we have a number of examples in that same corridor that they fall within. The marijuana growing facility is an all interior operation subject to a lot of regulation from the state, air filtration and otherwise, that I believe has minimal impact on the surrounding community. I believe they also meet those issues. Let me take a quick step back to your number eight. There was a comment about access is limited, so that's something that would have to be watched. If volumes become greater, maybe there needs to be some sort of improvements to that driveway, but I don't know that that is a reason to deny the application from my point of view for a retailer, or retailer growing facilities, as far as that goes.

N. Frischkorn stated I would concur with that.

M. Larson stated then, so the one issue that we have, is entertaining individual motions, if we wanted to kind of go down that line and make motions on individual aspects of this. We would just have to be clear on what land use is being allowed. So, we are looking for a marijuana retailer, designated consumption, grower, or processor - which is like manufacturing. We could group them in retailer, grower, Class B grower and processor, if we want, or we can go individually.

W. Premeau stated we should keep it all on one.

It was moved by W. Premeau, seconded by A. Andres, and carried 3-1 that after holding a public hearing and review of the site plan set dated April 18, 2022, with supplemental documentation and the Staff Report/Analysis for 01-SUP-05-22, the Planning Commission finds that the request meets the intent and requirements of the Land Development Code Sections 54.1403, 54.1402, and 54.628, and hereby approves 01-SUP-05-22 with the following condition that an amended plan is submitted to meet staff comments.

Yes: A. Andres, Vice-Chair M. Larson, and W. Premeau

No: N. Frischkorn

M. Larson stated that the motion carries and staff will be in contact with next steps.

Matt Treado stated sounds good and thanks to everybody.

C. 02-SUP-05-22 – 1651 S. Front Street (PIN: 0020251): Special Land Use permit request for Marihuana Retailer to be located at 1651 S. Front Street.

A. Landers stated staff has reviewed the Special Land Use permit for a Marihuana Retailer located at 1651 S. Front Street. She referenced the staff report and visuals from the agenda packet were shown.

M. Larson stated, alright, thank you. Will the applicant come forward? And just please state your name and address.

Ryan Thierry of 1651 Front Street stated Ryan Thierry, 1651 Front Street. Thank you for the consideration for the application. A little bit about us and myself - been in the marijuana space for over four years since the beginning. We are an experienced company. We hold over seven different licenses, community involvement. D-2 hockey coach for Northern Michigan and I've taken a lot of these guys and take some chemistry classes, plant classes, and as you know - marijuana classes and, you know, we help them in their internships at our different locations throughout the UP and downstate as well. So, you know, my part here is we want to be compliant, work with the city, be the best citizens that we can be, the best neighbors that we can be, and comply and do whatever is needed to adhere to this planning commission.

M. Larson stated, thank you. And we'll ask you to sit down and we'll open up for public testimony and then from there, we will, when we get into commissioner discussion, we can ask you additional questions as needed. Do we have any additional correspondence? Having none, we'll open public testimony if we have anybody that would like to come forth and discuss. Please state your name and address.

Carrie Roy of 104 E. Furnace Street stated that her property, our property where I reside, the backyard borders this piece of property and I'm really not in favor of a marijuana place in my backyard and have concerns about consumption. And I know it's not in your plan right now for consumption, but if you pass that special land use permit, would consumption eventually be able to be had on that property? Even though it's not the plan now, if you grant that permit, I do have a concern about consumption. We want to enjoy our backyard and Terry knows, we're close. My grandkids play in our backyard, we sit in our backyard, my one neighbor has asthma and there was breathing issues before which Terry addressed when the new road was going. We would get smoke, so I have concerns about consumption. I know when you had the previous applicant up here you talked about a stoplight, you know, where they would be exiting in and out of their business. The other two pot places in South Marquette do have a stoplight. There is no stoplight by Shiras Hill, so you know, traffic is an issue. And I guess I just wonder about consumption, that was my main question for coming. I mean, retail shops are coming up all over in Marquette, so I wasn't that objected, even though it's not what I really like to have in my backyard, I'm less opposed to a retail shop, but I'm very concerned about consumption. We don't want that in our neighborhood. So, I guess that's my question for you.

A. Landers stated that the zoning district doesn't allow for consumption. It's that conditional rezoning that went through - they have to get it rezoned to allow for consumption and then have to apply for special land use, for which you would get notified.

Carrie Roy stated It would never turn into consumption unless he –

A. Landers stated unless a rezoning happened and was approved.

Carrie Roy stated okay.

Carrie Roy asked and what about, I guess, the odor. I know you, that was one of my main things.

Ryan Thierry stated that retail really doesn't have any odor, but we're going to be stringent with any guidelines. More importantly, I want to be a good neighbor.

Carrie Roy stated we want to be good neighbors, too. We're good people.

Mr. Thierry stated whatever we have to do to create a nice buffer in your backyard, hide it, put up some trees. Higher fence, whatever you want, we'll definitely do it because, you know, I appreciate that, I've raised kids myself, so there's no problem at all. As far as traffic, I can tell you, retail marijuana really isn't as busy as a restaurant or anything else. We might have 25-30 cars throughout the day.

A. Landers stated that regarding the odor question, they have to put in an activated carbon filtration system, it's a requirement. She said odor can't leave the premises with a retailer and we haven't had any issues with the other ones who have done this.

Carrie Roy responded okay.

M. Larson stated thank you. Do we have any others for public comment? Seeing none, I will close public comment and I will move onto commissioner discussion. If we have any discussion, I would certainly entertain a motion to suspend the rules to discuss.

It was moved by N. Frischkorn, seconded by A. Andres, and carried 4-0 to suspend the rules for discussion.

M. Larson stated asked...Commissioner Frischkorn?

N. Frischkorn stated I have a preliminary question related to the parking. I noticed in a couple spots it said site plan indicates 44 [spaces], and the maximum allowed is 23, which is 11 spaces difference. I'm wondering if maximum is 33, or if the existing total is 34? It looks like there was a typo somewhere in the map, so I just wanted to clarify that.

A. Landers stated maximum allowed is 23 parking spaces. They may have 44. So, they are 11 spaces over.

N. Frischkorn stated but that would be 21 over.

A. Landers stated you're right, there is a typo.

M. Larson asked, so, they have 44 on the site? A. Landers responded - correct.

M. Larson asked but they can only have 23?

A. Landers responded correct, per the Code, but then we ask for justification of the reason why and you guys will have to review the Code to decide if you'll grant them the 21 spaces over.

N. Frischkorn stated now that that's clarified, I would like to ask the applicant to address the discrepancy between the maximum allowable parking and why it would be necessary to have that much over the maximum allowable.

Mr. Thierry stated this is, as everybody knows, an existing structure and parking lot that we're taking over and we can't control the space of the parking lot, but we can utilize it to the best of its abilities. One thing is we know that Marquette is a big tourist town, there's a lot of people that come in with RVs, there's a lot of people that come in with trailers, so I'm sure we can designate an area for RV parking that at 40 feet would probably take care of ten of those spots and just have extra room and utilize it to the best that we can. He said if you guys have issues or other ideas, again, I'm here to comply and work with the city in any way that I can.

N. Frischkorn stated I'm just trying to figure, just looking at the Code and what's required, I guess looking at other marijuana retail establishments, they all have far less parking than this. So, I guess that's what I'm trying to see if there would be a reason that this would be needed, or if maybe some of it could be repurposed to landscaping or something like that.

M. Larson stated previously, you know, it had served as a restaurant and having additional parking, while it's not the Code, it's existing. It currently exists and whether or not we should put additional requirements to add additional landscaping or otherwise. As a restaurant, when it was at its busiest peak, you may need

those facilities, where some of the other newer retailers are certainly smaller and were not in the restaurant business previously.

N. Frischkorn stated right, it does make sense why it was there.

W. Premeau asked don't all businesses have employees also?

M. Larson stated and to Commissioner Premeau's point, I you could certainly make that argument, and also the unique nature of the location on that hill, you know, kind of moving up, that on-street parking isn't really a likely scenario, you're not to be parking on the, on the highway portion, nor necessarily around, you know, around that corner. So, I personally find the parking issue less of a concern just due to the existing nature of it.

N. Frischkorn stated it also sounds like there could be an argument made that the additional spaces which do already exist are needed based on the nature of the use and peak times thereof given that there is no on street parking, and especially considering winter snow removal.

A. Andres stated I just want to clarify. You're being a little fictitious when you said you were going allow RVs to park in the parking lot, yeah?

Ryan Thierry stated well, as customers they would pull in. The parking lot is so large that, you know, some people come up here to snowmobile. So, they have a large trailer behind them and a large parking lot actually gives, you know, an opportunity for them to come in and pull out, you know, as safely as they can.

A. Andres responded, okay, I just wanted you to clarify that point.

N. Frischkorn stated I just wanted to address the parking because that was one of the things that was listed to be addressed and I am satisfied that it does meet the requirements.

M Larson stated thank you. Other commissioner discussion? Hearing none, I would certainly entertain a motion if somebody wishes to make a motion. We can certainly have further discussion if need be.

It was moved by N. Frischkorn, seconded by A. Andres, and carried 4-0 that after holding a public hearing and review of the site plan set dated April 19, 2022, with supplemental documentation and the Staff Report/Analysis for 02-SUP-05-22, the Planning Commission finds that the request meets the intent and requirements of the Land Development Code Sections 54.1403, 54.1402, and 54.628, and hereby approves 02-SUP-05-22 with the following condition - that an amended plan is submitted to meet staff comments.

M. Larson stated, thank you, and that closes the public hearings for this evening. We do have some other items on our agenda. Moving to item number two, are there any citizens that were wishing to address the commission on agenda items? Seeing none, there is no old business, so moving on to new business.

NEW BUSINESS

A. Review of the Draft Municipal Property Inventory and Map

M. Larson stated we have a review of the draft municipal property inventory and map. This, we had this last week and we put it on hold for this week. There's four us. I don't know if Andrea would like to chat with us very briefly about this one more time. I think there was a couple of city staff comments that we want, they wanted us to review.

A. Landers stated the Planning Commission is being asked review the Draft City Municipal Property Inventory Book and Map. She stated the last property inventory book and map was approved in 2015. She also stated staff has made many changes from the previous book and map, which includes removing property that is not owned by the City anymore, adding new property owned by the City, and changing the map code numbers to accommodate those changes. She stated we have also made the document more interactive with the spreadsheets hyperlinked to bring you to the map location when you select the map code number. Visuals of the agenda packet were shown. She stated that the only items to revisit from the

staff comments are the DPW comment that the [former] Cliffs-Dow site is no longer an active use, and so you would discuss changing this to inactive use.

M. Larson stated one of my questions on that is there's still active monitoring of that site and whether or not that constitutes an active property, even though the City is not using it there's still restrictions on the site with Eagle and otherwise, that need to be cleared. The question is active versus inactive.

A. Landers responded inactive means we're not using it, so even though we may be monitoring it, that's just something that's being done. So, if in the future they're ever in a place where they could sell it and monitor it as well, they could. Right now, they can't because we're requiring that it's in the active list. She said but you're right, we could tag on there that there's monitoring in our spreadsheet. And this is only for the A13(a) part of that parcel.

M. Larson stated moving it makes sense to me. It's currently not active, it's certainly large parts of land and I think it makes sense to move it towards that inactive category which the city could consider other uses for it if that means selling or otherwise.

A. Landers stated yes it could also include 13(b), so we could put both of those as (a), into the inactive.

M. Larson stated I think personally it makes for me to move it to inactive with a note that there's still active monitoring, or course, on that site.

A. Andres stated I concur.

N. Frischkorn stated I would also concur.

A. Landers stated, okay, so the other thing where I was talking about the land north of the Vistanna Drive, they had the note it contains the greenbelt buffer and retention pond. I still haven't been able to find it in my research, but I'm probably going to have to do some deed searches and whatnot, I think we just keep that entire parcel active.

A. Andres stated I would agree with that.

M. Larson stated, yeah, I think if there's some clarity that still needs to be had on it, that it's best not to take action moving that to inactive.

A. Landers stated the other comments about moving the Fit Strip parking lot to inactive. It has an active use as A73 - we have in the map it is used as the Fit Strip parking lot and snowplow turnaround, so I think keep it active. A. Andres agreed.

A. Landers stated the other thing, about the odd shape parcel at Sugarloaf Ave. and Hawley St. is not usable in current form, it is inactive anyway, and he's talking to NMU about a trade. So, that's it.

M. Larson asked do we need a motion?

A. Landers stated yes, and with the changing the A13(a) and A13(b) from active to inactive with the comments about the active monitoring.

M. Larson stated s, with that, we'd be looking for a motion with the following, with that following language about changing A13(a) and A13(b) to inactive but noting that there's active monitoring by the city and Eagle on the site.

W. Premeau said can I ask a question? M. Larson replied yes.

W. Premeau asked on this list, they don't list any of the streets that are not being used, right?

A. Landers asked you mean any right of ways that aren't being used?

W. Premeau responded right.

A. Landers stated, correct. This is just parcels of land.

W. Premeau stated because if you're looking for land for housing that could be reasonably priced, when I drive home I drive by three, one is 50 ft. wide, the others would be 60 feet wide. That could be used.

A. Landers stated they would have to be a street vacation project. Right now, this is only for parcels of land. It isn't for right of way. So, we don't have a parcel number to a street right of way. They have to be vacated to become parcels. W. Premeau responded, yes, but normally when they're vacated they go to each owner, half on each side. A. Landers responded correct. W. Premeau stated so that would do you no good for future housing.

M. Larson stated that's an interesting idea.

W. Premeau responded well, there's got to be more than that in time.

A. Landers stated but, like he said, it would only go to the adjacent landowners within that plat. It wouldn't be something that the city could sell off.

W. Premeau stated the city couldn't sell the road?

A. Landers stated not as a separate parcel. If you go through the street vacation, the land goes to the adjacent property owner within that plat.

W. Premeau stated, yeah, and then theoretically, they'd have to pay tax on it. A. Landers said that is correct. W. Premeau stated which is the way it is now. A. Landers confirmed correct. W. Premeau stated, okay, just a thought.

M. Larson stated alright, fair enough.

It was moved by N. Frischkorn, seconded by W. Premeau, and carried 4-0 that after reviewing the proposed amendments to the City Municipal Property Inventory Book and Map, the Planning Commission approves the amendments with the following changes of A13a (17.17 ac. of 0510990) and A13b (2.06 ac. of 05150990), to move from Active to Inactive and become B22a and B22b, with adding the note in comments that there is still active environmental monitoring on those sites, and renaming A13c, A13d, and A13e to be A13a, A13b, and A13c.

TRAINING

A. Article: Map Amendments

The Planning Commission had no comments on the article.

COMMISSION AND STAFF COMMENTS

M. Larson asked each member and staff if they had comments. There were no comments.

ADJOURNMENT

The meeting was adjourned by Vice Chair M. Larson at 8:00 p.m.

Prepared by:


David Stensaas, City Planner and Zoning Administrator
Planning Commission Staff Liaison
Transcribed by iMedat/Edited by D. Stensaas