

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
November 1, 2022**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, November 1, 2022, in the Commission Chambers at City Hall.

ROLL CALL

Present: W. Premeau, S. Mittlefehldt, Chair J. Cardillo, Vice-Chair M. Larson, and N. Williams

Absent: D. Fetter and A. Andres (both excused)

AGENDA

It was moved by M. Larson, seconded by S. Mittlefehldt, and carried 5-0 to approve the agenda as presented.

CONFLICT OF INTEREST

No conflicts were stated.

PUBLIC HEARINGS

A. 05-SUP-11-22 – 808 & 900 S. Lakeshore Blvd. (PIN: 0510588 & 0510589)

A. Landers stated that staff has reviewed the special land use permit for hotel use that will be in addition to an existing hotel to be located at 808 and 900 South Lakeshore Boulevard. Attached to the agenda was the staff report and analysis which indicates a hotel/motel use is a special land use in that zoning district. Visuals of the agenda packet were shown. In the agenda we received one piece of correspondence and then we have not received any further correspondence.

Chair Cardillo asked the applicant to speak.

Mr. Mitch Irwin, of Ann Arbor, MI, stated:

I represent the applicant, address is 716 Braeside Place, Ann Arbor, Michigan. And I'm joined with some folks that are a part of our team that includes the architect, Barry Polzin. Also, we have the construction project manager, Brian Meyer from the R.W. Mercer Company. We also have two executives from the management company, North Mich Hospitality, Lisa Cook, and Lynn Stoki. You will hear from Lisa very briefly as well. And we wanted to be here tonight, first of all, to say thank you. You've been a good community. We've been here for a while at the Fairfield. It's been operating successfully. Any questions you have about it we'd be certainly happy to answer them. I think we have proven to the city, and thank the city for your professionalism, and all of your staff, in building that facility and operating it without trouble and successfully we thank you for the opportunity. So we think we're pretty good at what we do. Our group of investors owns several properties throughout the state, mostly the Marriott and the Hilton brand, and we, like you, do what we say we're going to do. Tonight, it's our opportunity to explain just a little bit about the project, just as a quick overview. We're talking about an expansion, which you have received the plans for the additional 56 rooms, which are going to be a 9 million dollar, maybe a 10 million project before it's over with, the way things are going. We would like very much to have the special use permit approved obviously, that's why we're here and we thank you for your consideration. I'd like to ask Lisa to speak for just a moment and just let you know a bit about the company that manages it. When Lisa's finished, we would like Barry Polzin to provide details of the project, and then we'll be happy to answer questions. Brian Meyer, who is the project manager for this and was for that previous hotel, is also here, but won't be speaking to you, but is certainly able to answer any questions you may have. So, thank you so much for your time and we appreciate your consideration.

Ms. Lisa Cook, of North Mich Hospitality Management and representing 808 Lakeshore Blvd., stated:

Thank you. My name's Lisa Cook, I'm representing 808 and 900 South Lakeshore. I am with North

Mich Hospitality Management. I've been with them for ten years and have had several projects. I would also like to repeat Mr. Irwin's sentiment. Thank you. Marquette's been a really wonderful community and very embracing of our project. As being in operations there, the guests absolutely love, love the place, love Marquette. I would say the majority of our guests are first-time visitors to the Marquette area and the walkability to downtown and the local restaurants, and the pathway across the street has been outstanding. So, I just wanted to say thank you. We hired Lynn Stoki, she is a Yooper and our new general manager there. So, I'm very excited to have her, welcome her back to the Upper Peninsula, and welcome her home. If anybody has any questions for us, we'd be happy to answer them. Thank you.

Mr. Barry Polzin, 101 Lakeshore Blvd., stated:

Good evening. Barry Polzin, 101 Lakeshore Boulevard, architect. So, just a few comments and I'll go over the design a little bit. Again, this is a special land use review that we are going through, plus the site plan review. And I just was kind of thinking through this and reading the intents of the mixed-use zoning district, and what struck me was the first line, the one we kind of bypass. It says it's intended to facilitate and encourage redevelopment. That is exactly what Founders Landing has been all about and this is the first piece that most people see. So really this is that fulfillment of the vision by the City of Marquette, by the people of Marquette, by the consultants that put together the layout of Founders Landing is that we're building on the last remaining piece. So this is what it's intended to do. I also went to the Master Plan to see the elements in the Master Plan that are completely addressed with this project - use and design. And the Master Plan's vision statement includes talk of tourism, that Marquette is a unique tourist destination and we need to foster tourism in Marquette. At the last hearing, we had, we had many people in the downtown community talking about tourism in Marquette, and that discussion, was like tourism belongs downtown. Well, this is downtown, this is a walkable distance, and this is the tourism support that is needed to bring people and let them enjoy Marquette. So, it's called for in the Master Plan. Reuse the former industrial sites is called for in the Master Plan, and in the redevelopments of the lower harbor south rail yard specifically. That's exactly what this was, with mixed-use, with private development on the inland side, public on the waterside, and of course, that's the pattern we've completely followed and will continue to do so. We're also throwing in a few elements like the form-based code which we used for the first hotel, we're still using that for this addition - building it to the street and creating a comfortable space. If we want to go to, the next sheet here, and start with the landscape plan. So, when this whole story of bringing a Towneplace Suite by Marriott to Marquette started with actually an attempt to purchase the property across Lakeshore Boulevard kind of behind the bakery, the doughnut shop, and the auto places. There's a piece of City of Marquette land there and we talked about actually building a complete standalone Towneplace Suite and it would be run you know with the Fairfield, but the City of Marquette City Commission decided not to sell it with the idea that that would become housing at some point. So we said okay, that's fine. So, we looked at this corner lot and when originally the parcel two was split into three pieces, the townhouses, the Fairfield, and then this corner lot was going to be for a potential commercial coffee shop or something like that. Well, it occurred to me that we should just build on to the existing hotel. A lot of the brands have gone to a dual brand hotel, so Towneplace and Fairfield is a combination that Marriott encourages and supports. So, we went through the process with Marriott, they love it and they love the location, and they love the idea of combining these. It will require some renovations inside the existing hotel just to make a little more room, but they go together really well. These are extended-stay suites, so they are intended for people staying here for longer periods. The property will include a small meeting room, there is a rooftop balcony, there's an outdoor patio with a grilling area for the people that stay there longer. All of that activity is on the Lakeshore Boulevard side, the sound won't be traveling across the busy highway. And so, we've purposely put that activity away from the residential that could be impacted, but very little. The other thing I wanted to just point out here, you're looking at the site. There are several easements on the site that sort of shades that corner at the intersection between Lakeshore Boulevard and Front Street, so we wanted to pull that back for several reasons. So, we created a nice little rain garden to handle some stormwater, but we thought it'd be a nice little really attractive little corner out of that. As you're coming into town from the south, a lot of people are coming to Marquette for the first time in that direction. Allowing a really kind of naturalized corner, possibly a Welcome to Marquette sign, if somebody wants it. And then, a fairly good dense landscape to screen that parking and to create sort of a foreground as you're looking at the hotel itself. So just kind of separating off the intersection from the hotel parking and the activities, so just to kind of give that corner to the public realm. Let's go to a couple of sheets, all of the site plan review elements and requirements

we meet, including parking. One thing we did was have some discussion with MDOT and the city engineer about changing that intersection. The idea is that right now there are three lanes at the intersection, so we are going to expand and bring that third lane further down so that when people are turning off of Front Street onto Lakeshore Boulevard they can continue. That left turn lane that is in the middle currently will get extended as well, so there's an actual spot to wait to turn left to enter the hotel just so that traffic doesn't get bogged down or stopped from coming off of Front Street. So, everyone agreed that this works. Yeah, the other thing I just wanted to touch on was the design. Now one of the things that you know, we are always challenged as architects to fight the brands, I mean basically, the brands come up with a look they want so that every one of their hotels looks the same. If you have seen other Fairfields out there, on the interstate, or in other communities, Marquette's is different. Marquette, we broke it into forms, and we used the form-based code at the time to create the images in the forms. So, with this, we're following that, but Marriott is pushing back, saying well it still has to have that Towneplace identity. But you know, we're saying well we have special needs here in Marquette. So I'm inviting the Planning Commission to make any comments you would like about that appearance. So, if there are certain elements or materials that you would like to make this conditioned on, we are open to that. But at the sort of front-end view, I mean that is a prototypical look with kind of a layered assortment of materials and the way they like to do their signage, so we can see how we are kind of softening that corner with the little naturalized area. That's all I really have to say and certainly answer questions if you have any.

S. Mittlefehldt stated:

Just can you clarify a little bit about this, so Marriott is like the parent company that owns the Towneplace and the Fairfield, so it would be sort of the same company, but they have two different kinds of audiences that they're catering to or one is extended stay. I'm just trying to think of the two different functions of these things.

Mr. Irwin stated:

Yeah, the Fairfield Inn, the Court, and you are well aware of are more or less overnight, transient, people will stay longer. But the extended stay nomenclature really means five nights or more. That's really the difference and your question also suggests that Marriott franchises these properties as do the other companies to individual groups and that's what our group is, is a franchisee. The Fairfield was the first Marriott in the Upper Peninsula, and they are happy when the business is good, as are we. So does that answer your question?

Mr. Polzin stated:

Yeah, and the franchise requirements for Marriott are probably the strictest and the most developed of the hotel brands. They may have like 20 or 25 different brands within the Marriott family, so it is a really wide spectrum. But they are very, very strict and very organized about how you operate these hotels. So, they have operational rules for dual brands just like this. They have already defined how this works.

J. Cardillo stated:

I have a couple of quick questions. Can you show me where is the extent of that landscape wall? I'm just curious about where it begins and where it ends.

Mr. Polzin stated:

Yeah, I can show you. Can see where the white portion, the existing Fairfield, there's a stairway that exits out to the sidewalk level, so it's down, so that wall will start at that point.

J. Cardillo asked so, it's here?

Mr. Polzin stated:

Yes, exactly. And that's it right there. Lakeshore Boulevard, it comes up in elevation as it comes to Front Street so that the differential between the floor on Lakeshore Boulevard, it lessens as you go west.

J. Cardillo stated:

So, the road is coming a little bit closer to the bike path. Would you know what that distance is between the new sort of distance between the bike path and the road?

Mr. Polzin stated:

It is going to be probably 8 to 10 feet at the wider points and then it might be 5 to 6 feet at the narrowest point.

J. Cardillo stated that it is just the bike path, a little bit of grass, and then the curb.

Mr. Polzin stated:

There will be a new curb, you can see the extent of that, it wraps quite a way past the entire addition where that additional lane is created. So there's more room. The other thing that we were very careful about when we designed the Fairfield driveway because it's on that curve and it's a fairly tight street, so there's not a whole lot of room to move you know, sideways if you're driving. Just moving this driveway actually puts it in a much better position and then given that extra street width, there's really room to sort of move if you had to.

Chair J. Cardillo opens the public hearing. Nobody came forward with testimony, and the hearing was closed.

It was moved by S. Mittlefehldt, seconded by N. Williams, and carried 5-0 to suspend the rules for discussion.

S. Mittlefehldt led the discussion of the Standards of Special Land Use Review stated in section 54.1403(C). There was much discussion about the first standard - the compatibility with the intent of the zoning district. It was found that the proposal was compatible with the intent of the zoning district.

S. Mittlefehldt continued the discussion of Special Land Use Standards and asked about the building's aesthetics and the possibility of upgrading the exterior materials, in particular, if mass timber could be an option since we live in a forested area.

Mr. Irwin stated that is difficult to get exterior changes approved by Marriott, and that interior changes are easier to make, such as in the lobby.

J. Cardillo continued the review of the Special Land Use Standards. There was a uniform agreement that all of the standards were met.

D. Stensaas stated that one incompatible issue shown on the site plan is that it shows the new access driveway apron instead of the sidewalk in that space, but that the City does not allow that and the sidewalk will need to continue through that driveway access.

Mr. Irwin said that it will be done.

S. Mittlefehldt asked if the change in the width of Lakeshore Boulevard would present a hazard to pedestrians or cyclists using the multi-use path. M. Larson stated there are other areas where the path is already closer to a road, and the vehicle speed in this area is not typically as fast as in many other areas.

D. Stensaas stated that there will be adequate terrace space, at least four to five feet, between the curb and the edge of the path – and that would meet state and federal guidelines for a safe run-out area next to a path.

It was moved by M. Larson, seconded by W. Premeau, and carried 5-0 that after holding a public hearing and review of the site plan set dated October 4, 2022, with supplemental documentation and the Staff Report/Analysis for 05-SUP-11-22, the Planning Commission finds that the request meets the intent and requirements of the Land Development Code Special Land Use Standards in Section 54.1403 and the Site Plan Review Standards in Section 54.1402, and hereby approves 05-SUP-11-22 with the following condition - that an amended plan is submitted to meet staff comments.

B. 06-REZ-11-22 – 1000 Wright St. - 0.22 Acres (PIN: 0510885)

A. Landers stated:

The Planning Commission is being asked to make a recommendation to the City Commission regarding a request for property located at 1000 Wright Street which is zoned Municipal to be zoned Civic. The City of Marquette sold this property to Northern Michigan University, so it is no longer city-owned, and the zoning designation needs to change to reflect the new owner. There was no correspondence received. She also showed visuals of the agenda packet.

S. Mittlefehldt stated that I wish Mr. Thams from NMU was here and asked why this is occurring.

A. Landers stated that this parcel was part of the land swap for the Municipal Service Center project and that the City sold NMU this small parcel and they sold land to the City, and I found this discrepancy during the update of the Municipal Property Inventory.

J. Cardillo asked if this would have any impact on the bike path. A. Landers pointed out that it is a forested parcel that does not touch the bike path and is close to the south end of the public safety and facilities management building, and the same-size parcel that NMU swapped with the City for this parcel.

J. Cardillo stated that since the applicant is not here are there any other questions for staff.

D. Stensaas stated that Mr. Thams sent him a message and said that he could not attend the meeting, and that he considered waiting to rezone this with the rezoning that is likely to follow from the Community Master Plan update, but that there is no telling when that will be and NMU could want to use this property in the meantime so it is best to take care of it now. A. Landers said that this is being initiated by the City to clean up the zoning map and so they are acting as the applicant since this should have been rezoned previously.

Chair Cardillo opened the public hearing, but no one wished to comment, so she closed the public hearing.

S. Mittlefehldt stated that she was ready to make a motion.

J. Cardillo stated that it is very clear that this is not spot zoning because the adjacent property is all similar to what is being requested to change it to, and for the decision tree - the change of conditions with the property changing hands justifies why this is being proposed to be approved.

It was moved by S. Mittlefehldt, seconded by N. Williams, and carried 5-0 that after conducting a public hearing and review of the application and Staff Report for 06-REZ-11-22, the Planning Commission finds that the proposed rezoning is consistent with the Community Master Plan and meets the requirements of the Land Development Code Section 54.1405 and hereby recommends that the City Commission approve 06-REZ-11-22 as presented.

C. The possible partial revocation of a previously approved Special Land Use: 01-SUP-04-21 – 2090 US HWY S 41 (PIN: 0516410)

A. Landers stated:

On April 20th, 2021, the Planning Commission held a public hearing to consider an application for 2090 US Highway 41. Derek Parker was the owner of this parcel seeking a Special Land Use permit for a Hotel/Motel Use to bring the existing legal non-conforming Hotel/Motel, the Birchmont, into a conforming use and to also include the existing single-family residence to be a hotel/motel use, and a Special Land Use Permit for Outdoor Entertainment and Community Events as a Principal Use to be located at 2090 US HWY S 41. The Planning Commission approved it with the conditions and I will go over the motion there.

The applicant received full zoning approval on 5-28-21 when they met all of the Planning Commission conditions. On 11-18-21, they revised Sheet C2.0 for pavement/parking area and landscaping and received approval for this.

On January 3, 2022, a deed was recorded for splitting out the land from this parcel and adding it to another parcel. On July 19, 2022, an after-the-fact land division application was submitted for the

proposed exempt land division with the legal descriptions of the January 2022 deed for the new parcel that was sold. I reviewed the application and discussed it with the city attorney. The application was approved; however, with the condition, the Planning Commission holds a public hearing for the partial revocation of that single-family home being an expansion as a hotel/motel under Birchmont because that is no longer part of that parcel and then also for the outdoor entertainment because that also is no longer part of the hotel parcel. Please note the only portion of this special land use that is not in question to be revoked, so it would remain, is the special land use permit for hotel motel use to bring the existing legal nonconforming hotel motel into a conforming use. Visuals of the agenda packet were shown.

J. Cardillo stated:

So, I understand there's a piece that we're not revoking, and which is bringing the existing hotel into conforming. But for the outdoor food and beverage and what was the other piece of it?

A. Landers stated Single-family home which I'm about to explain.

J. Cardillo stated single, okay. Are you asking us, are we revoking that part or the whole permit?

A. Landers stated yeah, revoking that portion of the permit.

J. Cardillo asked so would he still have food and beverage for the part that he owns, or would he have no outdoor food and beverage?

A. Landers stated:

The special land use was not for food and beverage it was for outdoor community events which as you can see in the attachment shown on the screen, the outdoor community events portion on the original 2090 parcel is no longer on that parcel as he split it out and it is on the new parcel with the single-family home. This was the original site plan, so on here they were showing, this is that home and they're showing different areas that they proposed for the outdoor community events they wanted, and they added parking. So, all of that stuff was split out and it's on a different parcel now. So, when they originally applied for the special land use for this single-family home to be an extension of the hotel/motel it was all one parcel. Now it is no longer part of the hotel/motel and with a new parcel, so it automatically would revert to single-family use. Conditions have changed with the original submittal.

J. Cardillo asked so if I were to understand correctly, does Mr. Parker have any dispute with this?

A. Landers stated:

The new owner and Mr. Parker were told this by the surveyor that put together the deeds in December of 2021. Staff would have done this at the time of the land division, however, we as staff cannot do it per the Land Development Code, and we had to bring a revocation to the Planning Commission. So, that would revert back to a single-family use because it's no longer an expansion and then you cannot have the principal use of an outdoor community event which is a commercial use tied to a single-family use. So that's why we're proposing this to you for revoking that part of the permit because the conditions have changed. They performed an exempt split and sold the land. At the time, even though they didn't submit the land division application until seven months after they sold the property, both the new property owner and the existing property owner were aware of this process. In the agenda packet, we had the land division application with zoning comments, we also had the case file that the Planning Commission reviewed at their 4/20/21 meeting and we had an excerpt of the 4/20/21 PC meeting minutes.

S. Mittlefehldt stated:

Well, Andrea and I spoke about this because I was confused. Andrea, explained it to me in really basic terms about how if you were a person or a resident, can you maybe use those terms like that? Unless everybody else understood this clearly. I had a hard time in my head getting prepped on it.

A. Landers stated:

So, say at the time, if a single-family home had come to the Planning Commission and asked for a Special Land Use to have a principal use for outdoor community events, that is how you would have reviewed it. Instead, you reviewed everything as it was on the same parcel of the hotel/motel use. That's

not on this parcel anymore. So, you were reviewing the request to convert the single-family home to a hotel use as that was an expansion hotel/motel on that same parcel. You're reviewing it per the parcel size, you're reviewing it for adding the parking, you were reviewing it as the whole thing. Now because they split it off, if they had come to you as a single-family home and asked to change it to a hotel/motel, that's a different kind of review. You're looking at the special land use standards differently and the outdoor community events would be looked at it differently as well. So conditions have changed for what you had reviewed and approved, which is why it would need to be revoked.

J. Cardillo stated:

Can I just ask one more question? So, regarding the removal of this additional property, I understand there are three pieces of it, right, and we're revoking two. The one that we're not revoking, is a special land use permit for a hotel/motel use to bring existing legal nonconforming hotel motel into conforming use. With the applicant removing this additional property from his original parcel, this doesn't eliminate any parking or anything that would have made this meet the ordinance requirements.

A. Landers stated that the Birchmont motel portion of the permit, they meet parking on their new parcel size and meet the ordinance requirements. The split did not make this non-conforming.

J. Cardillo stated so then we're only revoking the existing single-family residence to be a hotel/motel use and the permit for outdoor entertainment and community events. I get it now.

S. Mittlefehldt stated to clarify, so the new owners are aware that this will be partially revoked.

A. Landers stated that is correct, they were aware of this before they purchased it in December. They and Mr. Parker also received 300-ft notice letters for the public hearing tonight.

S. Mittlefehldt stated ok, so they may be submitting something new in the future.

A. Landers stated:

When I spoke to the surveyor in December there are many different things that they were looking at, and when I made him aware of all this, he made the new owner and the existing owner, Derek Parker, aware of this. However, they knew that the City could not take any action until we got the land division application and then we did wait for the new budget time because this did cost money for us to process.

Chair Cardillo opened the Public Hearing.

Mr. Barry Polzin, 101 Lakeshore Blvd., stated that he is the representative for the applicant, and that:

We are looking at several options for the new property. We don't have anything set yet. One is a hotel, I mean it's certainly a beautiful hotel site right along the highway between two hotels. If you didn't approve the previous one, we might have been talking to you about a hotel there. I guess the question I have, and I probably should just ask this of staff, but there's a time limit when a site plan is denied, before you can come back and ask for it again.

A. Landers stated that this does not apply here.

Mr. Polzin stated yeah, just making sure this isn't putting a black mark on this property, no hotel ever.

A. Landers stated:

No, because conditions have changed, they would be applying for a different Special Land Use hotel request. So, anything that they wish to do, they will be starting fresh, and this will not be affected by the Special Land Use timeline requirement for requesting the same exact request within 6 months or something like that.

Mr. Polzin stated yeah, so it's just a clean slate for the piece of property then.

A. Landers stated yes.

Mr. Polzin stated:

Yeah, okay, that's all. Yeah, we do have plans in the works, but we're not zeroed in on the use yet. And one thing I didn't really understand before, there is a shooting range with the prison property, which is very audible on this property, so that's quite shocking.

A. Landers stated yes, you can even hear it where I live.

Mr. Polzin stated yeah, it was surprising. That's all the comments I had.

No one else wished to comment, the public hearing was closed.

It was moved by S. Mittlefehldt, seconded by M. Larson, and carried 5-0 that after review of the Staff Report for the partial revocation of 01-SUP-04-21-INT & 02-SPR-04-21, and after conducting a Public Hearing for this case, the Planning Commission finds that conditions of approval of the Special Land Use Permit for the existing single-family residence to be a hotel/motel use to Derek Parker have not been met due to the conditions changing from what was submitted for Planning Commission review and approval as the new lot lines that now has the structure on a new parcel, and with a new owner, so it is no longer an expansion of the hotel/motel use on 2090 US HWY 41 parcel, and hereby revokes this portion of said permit effective immediately.

It was moved by M. Larson, seconded by S. Mittlefehldt, and carried 5-0 that after review of the Staff Report for the partial revocation of 01-SUP-04-21-INT & 02-SPR-04-21, and after conducting a Public Hearing for this case, the Planning Commission finds that conditions of approval of the Special Land Use Permit granted for Special Land Use Permit for Outdoor Entertainment and Community Events as a Principal Use to Derek Parker have not been met due to the conditions changing from what was submitted for Planning Commission review and approval as the Outdoor Entertainment and Community Events as a Principal Use was reviewed by the Planning Commission as part of a hotel/motel use, not being connected with a single-family use which the structure automatically reverts to due to the land division and sale to another party, and hereby revokes this portion of said permit effective immediately.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS

No comments.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

No comments.

TRAINING

A. Article – Zoning's Future (Planning, Fall 2022)

The article was mistakenly not attached to the agenda. D. Stensaas stated that it would be in the next agenda.

COMMISSION AND STAFF COMMENTS

D. Stensaas stated that with N. Frischkorn needing to resign from the Planning Commission due to moving outside of the city, they would need to vote for a replacement for his position as the Board of Zoning Appeals representative, and that will be on the agenda at the next meeting.

ADJOURNMENT

The meeting was adjourned by Chair J. Cardillo at 7:30 p.m.

Prepared by:

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

Transcribed by iMedat/Edited by D. Stensaas