

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
November 14th, 2023**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, November 14th, 2023, in the Commission Chambers at City Hall.

ROLL CALL

Planning Commission (PC) members present: W. Premeau, K. Clegg, Vice-Chair N. Williams, M. Rayner, D. Fetter, A. Andres, Chair S. Mittlefehldt.

PC members absent: C. Gottlieb, S. Lawry (all excused).

Staff present: Zoning Official A. Landers, City Planner & Zoning Administrator D. Stensaas

AGENDA

It was moved by K. Clegg, seconded by A. Andres, and carried 6-0 to approve the agenda as presented.

MINUTES

The minutes of 10-03-23 were approved as presented, by consensus.

CONFLICT of INTEREST

There were no conflicts of interest stated.

PUBLIC HEARINGS

A. 07-SUP-11-23 – 1015 W. Baraga Ave. (PIN: 0910010 - Special Land Use Permits for Vehicle Repair and Service and for an Outdoor Permanent Retail Business use.

Chair Mittlefehldt explained, for the benefit of people in attendance, how the process for the public hearing would progress, and then asked staff to proceed with providing the case information.

Zoning Official A. Landers stated:

Attached to the agenda is the staff report, which includes the memo, all the zoning district standards, and pointed out that these are Special Land Use Standards within the General Commercial zoning district, and all of the 54.627 Major Vehicle Repair and Maintenance Operation requirements, all the Special Land Use and Site Plan Review requirements. She also read the background, stating that on November 1, 2023, staff approved an administrative site plan for them to start building a building for retail use and Light Vehicle Display use. She stated that the applicant is aware that they are only approved for those uses, and application for a Special Land Use request for Vehicle Repair and Service use, and Outdoor Permanent Retail Business use, does not guarantee that it will be approved by the Planning Commission. So, they wanted to go ahead with the administrative review and then go through with this process.

She showed on wall monitors the Special Land Use application, Site Plan Review application along with their narrative response to section 54.626, their site plan review application, staff comments and the applicant's responses to those comments, area and block maps, photos of the site, the site plans, and she said that no correspondence was received. She also said that Brian Savolainen is here representing the applicant.

Mr. Brian Savolainen, representing the applicant as a consulting engineer, stated:

His understanding is that what they are talking about with vehicle maintenance and repair has nothing to do with engine work. There are no oils or gases, its strictly more like body work on their own Airstream RVs, but I understand they are licensed to do work on other RVs that are not Airstream. So, they would

like the ability to do that within the shop and that is what the Special Land Use request is for. If during questions I can help out I will try to answer any questions that you have.

S. Mittlefehldt opened the public hearing. Nobody provided comments. S. Mittlefehldt closed the public hearing.

It was moved by M. Rayner, seconded by K. Clegg, and carried 6-0 to suspend the rules for discussion.

M. Rayner stated: I think this is a nice use of that piece of land.

K. Clegg stated:

I have a question for City staff. On page 59, snow storage is listed as 1,200 square feet and it's shown on the side yard setback. I just wanted confirmation that that is a high enough number and that it is fine for them to be within the setback.

A. Landers stated:

Yes, they meet the ten percent [of parking lot area] required, and yes they are allowed to put it in the setback areas - and it is supposed to be in a landscaped area and they are showing that is a landscaped area.

K. Clegg stated: Alright, thanks.

S. Mittlefehldt asked if anyone else had comments or questions.

S. Mittlefehldt stated that she had a question for Mr. Savolainen, and stated:

I understand that there's not engine work, so Scott Cambensy's concerns about oil and grease may not be as relevant, but what about brake fluid and chemicals used to clean the bodies of vehicles. Can you tell us how those materials and chemicals are going to be managed onsite?

Mr. Savolainen stated:

It's my understanding that there are no chemicals that would require that, and going through the building permit that would have to be addressed also with the County.

A. Landers stated:

They did state that [reading from the applicant's comments in the Staff Report] "The extent of the repairs for the proposed dealership's vehicle repair and service will be limited to brakes, water - hot and cold lines, body work, and general 'towable' RV repairs. No oil changes, no mechanical dry-line work, no fluids that would require oil/water separator. Airstream will be 'RV Certified'."

S. Mittlefehldt stated: Okay. Well, brake fluid is toxic, there is glycol in it.

Mr. Savolainen stated:

That wouldn't be when you're changing the brakes, and any type of thing like that is going to be a spill on a hard surface and you clean it up, but that wouldn't be something that would require that. If it does the County will say you have to have that.

S. Mittlefehldt stated: So, the Building Code would come in on something like that?

D. Stensaas stated:

I'm sure they're going to have solvents and stuff like that, but I don't know that anyone oversees how those are disposed of. But they are hazardous wastes and are commonly known as hazardous, and I would think they would be following guidelines for disposing of it properly.

Mr. Savolainen stated:

Yeah, it would be like someone working on changing their brakes in their driveway or their garage.

S. Mittlefehldt stated: I was just wondering if there was a plan in place.

Mr. Savolainen stated:

Yeah, I know it was discussed, whether it would need to be there, because those questions were asked of the ownership and they don't do that in other facilities. They haven't had to do that. If that's a condition to verify that, I don't think there's any problem with that.

S. Mittlefehldt stated:

Does anyone else have any other questions? In Article 54.1402, in section 10 on nuisances, one of the things the Planning Commission should do is determine if there are any potential nuisances or public health and safety issues that this might raise for people?

D. Stensaas stated:

I will just mention that whenever we have a Special Land Use hearing, you should go through each of the fourteen items.

S. Mittlefehldt stated: Each single one? Because that was one that really stuck out.

D. Stensaas stated:

With some of the requests we get it's not as important as others, but just to have the practice, you do it for one, do it for all.

S. Mittlefehldt stated: For each of the Special Land Use standards? Okay.

D. Stensaas stated:

And there are two Special Land Use Permit requests here, one is for Vehicle Repair and Service and the other is for a Permanent Outdoor Retail Business, which is kind of unusual because most retail businesses don't have stuff displayed year-round outside, but this one is going to. And, so you can consider both of those as you go through the items 1 through 14, you don't have to do them separately. You'll get into the nuisance issues there and that's why I brought it up.

S. Mittlefehldt stated:

Yeah, that was the only one, everything else looked to me, judging the comments, had met pretty clearly and that was the only one I was going to bring up, but we can go through them.

D. Stensaas stated:

And one of the nuisance issue that I would think might come up with this kind of business, having things parked outside all year round near the highway, is glare from the vehicles. But we did provide the site plans to our local Michigan Dept. of Transportation service center and they actually reviewed it this morning in our Corridor Advisory Committee meeting and they didn't have any concerns with it. But that is the only thing that popped into my mind for this kind of business, the glare of the shiny, silvery vehicles.

S. Mittlefehldt stated: Okay, we can go through the section 54.1403 standards.

The Planning Commission went through each one of the fourteen standards in section 54.1403 of the Land Development Code one at a time and found that the proposal was in harmony with all fourteen SLUP standards.

S. Mittlefehldt stated:

It sounds like we don't have any major concerns, so does anybody want to make a motion or is there any further discussion on this?

I just wanted to address the glare issue, which is a good question. We tried to lift that building as high as we can, just to get a good view from Highway 41, but its actually fourteen feet below the highway, so headlights can't hit and bounce of the vehicles. And the display area is more to the west and the building covers a lot of the area as well, so that shouldn't really be a concern.

K. Clegg stated:

Also, we can't forget that these trailers are on the road every day, so if they were a super shining hazard they wouldn't be on the road and licensed.

D. Fetter stated: Is the trailer display area on grass, gravel, or pavement?

Mr. Savolainen stated: It's on pavement.

It was moved by K. Clegg, seconded by M. Rayner, and carried 6-0 that after holding a public hearing and review of the site plan set dated October 23, 2023, with supplemental documentation and the Staff Report/Analysis for 07-SUP-11-23, 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, the Site Plan Review Standards in Section 54.1402, and the Vehicle Repair and Service use Standards in Section 54.627, and hereby approves 07-SUP-11-23 with the following condition - that an amended plan is submitted to meet staff comments.

PUBLIC COMMENT ON AGENDA ITEMS

No comments were provided.

NEW BUSINESS

A. Planning Commission 2024 Meeting Dates

It was moved by M. Rayner, seconded by A. Andrea, and carried 6-0 to adopt the meeting dates as presented.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No comments were provided.

TRAINING

A. Article "*Michigan's Path to Prosperity*" (Michigan Planner, Sept./October 2023)

The Planning Commission and staff briefly discussed the article.

COMMISSION AND STAFF COMMENTS

W. Premeau stated:

I'd like to get some things out of the Code. Cost is a big item today, that's why a lot of things aren't happening, and there is stuff in the Code since the 1970s. For example, we've talked about 4-unit buildings, apartments, on a 50 ft. lot. That's fine, but we can't have that with the greenspace requirements that we have. Another one is the landscaping requirements. At the last meeting we had a site plan they were missing one deciduous tree. This plan has them sticking all their trees in one hole up front, and that is a very costly item. We have plenty of trees - go up to Marquette Mountain and look at Marquette and see if we need to make people spend thousands of dollars for more plants. The other one

that is costly is the dumpster enclosures. The way they're interpreting it is they all have to be huge, high-dollar masonry structures, when you can enclose a dumpster quite simply with a piece of fence. If we want to really fit more people in a smaller area we also need to look a little bit at the heights. What has driven the cost of houses almost to the point where people almost can't afford them is the state of Michigan building code. Their requirements add \$60,000 more to a house and we've got to stop pounding people with requirements and use a little common sense, maybe just once or for a year, but we've got to try something.

K. Clegg stated that he is on board with infilling and making taller structures. And single-family zoning, you're talking about multi-family and its hard to get one in town and we have a housing problem in the City, and you want to build more and I'm with you and lets make it happen when its time to update our Code.

A. Andres said that it was good to be back.

S. Mittlefehldt stated:

If you've been following the legislation around clean energy in Michigan, there is a proposal that will have Michigan using 100-percent renewable energy by 2040, which I think is, aside from California, the most ambitious energy plan in the country. But there is concern with the way the bill is structured that would take away local decision-making authority. And there is a meeting tomorrow night at Marquette Township hall at 6:00 p.m. about that, hosted by Senator McBroom, specifically about the way the bill is structured that puts a lot of state resources and investments in large solar and wind projects and there's some concern that local authorities like Planning Commissions and City Commissions will somehow not be involved. It will be an interesting conversation and I'm hoping to go tomorrow night and hear what the concerns are. I've found that, as I'm involved with the Climate Neutrality Task Force for Northern, that our plan is not that ambitious because there just isn't a lot that local jurisdictions hands are tied and there's not a lot they can do. The City of Marquette or the BLP is not going to have a lot of money to throw at this, so I do think state involvement is appropriate given the limited resources that a lot of local entities have, but it will be interesting to see how that balance of power between local and state governance plays out. It might affect us in terms of our solar ordinance and wind, but it will definitely affect the Board of Light and Power.

D. Stensaas said that on Monday the 27th, Sarah will present the Planning Commission's annual report to the City Commission, and you can attend if you like, but only the presenter is required to attend. The draft presentation was put on the monitors and the Planning Commission and staff discussed the content and made a couple of adjustments.

ADJOURNMENT

The meeting was adjourned by Chair S. Mittlefehldt at 7:00 p.m.

David Stensaas

Prepared by D. Stensaas, City Planner and Zoning Administrator, Planning Commission Staff Liaison