

**OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY PLANNING  
COMMISSION  
April 2nd, 2024**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, April 2nd, 2024, in the Commission Chambers at City Hall. An audio/video recording of this meeting is available online [here](#).

**ROLL CALL**

Planning Commission (PC) members present: W. Premeau, M. Rayner, C. Gottlieb, S. Lawry, D. Fetter  
PC Members absent: Vice Chair K. Clegg, Chair S. Mittlefehldt  
Staff present: Zoning Official A. Landers, City Planner & Zoning Administrator D. Stensaas

**AGENDA**

*It was moved by C. Gottlieb, seconded by M. Rayner, and carried 5-0 to approve the agenda as presented.*

**MINUTES**

The minutes of 03-19-24 were approved as presented by consent.

**CONFLICT OF INTEREST**

There were no conflicts of interest stated.

D. Stensaas stated that the Planning Commission now needs to appoint an Acting Chair to conduct the rest of the meeting.

*It was moved by C. Gottlieb, seconded by D. Fetter, and carried 5-0 to have S. Lawry serve as Acting Chair for the rest of this meeting.*

**1. PUBLIC HEARINGS**

A. 02-REZ-04-24 – 600 W. Spring St. (PIN: 0240012)

S. Lawry introduced the hearing and asked staff to proceed.

A. Landers stated:

The Planning Commission is being asked to make a recommendation to the City Commission regarding a request to rezone the property located at 600 W. Spring Street which is zoned Municipal (M) to be zoned Medium Density Residential (MDR). The City Commission approved a resolution of intent to sell this property at their December 12, 2022, regular meeting for residential units. Following this meeting, the City Manager opened negotiations with Habitat for Humanity and approved a right of entry permit to allow access to the property to conduct an environmental review. Upon completion of this review with minimal findings, and an appraisal, the City Manager has negotiated a purchase price.

She also said that attached to the agenda is the Staff Report and referenced the report contents as she showed the report on-screen, including the existing zoning requirements, the Land Development Code zoning items for consideration, the current zoning district and its standards, the proposed zoning district and its standards, the zoning ordinance and map amendment procedures information, information about spot zoning, the attachments of the application submitted by the applicant, the area map, block map, and existing zoning map – all with the parcel outlined in blue; photos of the site; and proof of publication of this hearing as a legal advertisement. She also referenced in the staff report an excerpt from the Future Land Use Map that and the Proposed Zoning Map from the Community Master Plan (CMP) showing the parcel as Civic on the Future Land Use Map and Municipal on the FLUM. She also said that no correspondence was received, and asked if there were any questions.

S. Lawry asked if anyone had questions for staff. He then asked if anyone would like to speak on behalf of the applicant.

Ms. Deanna Johnson, Executive Director of Habitat for Humanity in Marquette, said that she just wanted to add that we hope to get your support tonight.

S. Lawry opened the public hearing and asked if anyone wanted to comment on the rezoning request. Nobody spoke to the request and S. Lawry closed the hearing without comments.

S. Lawry asked if any of the Planning Commission members had questions or comments.

D. Fetter asked if this is rezoned to Medium Density Residential and the sale fell through, would this revert back to Municipal or would it stay Residential?

A. Landers stated that it would stay Residential and have to be rezoned again if the City wanted to change it back.

D. Fetter asked if it would be possible for the zoning change to be contingent on the sale.

D. Stensaas said that the Planning Commission can put conditions on any decision that it makes, and it would be reasonable to recommend a condition for the approval of the rezoning contingent on the sale of the property.

S. Lawry asked if that would constitute Conditional Rezoning.

D. Stensaas stated that Conditional Rezoning is a different thing, which is proposed by the applicant, and it provides for specific land uses to be allowed and might remove others from the lists of permitted and special uses for the requested zoning district, whereas this could just be a normal approval contingent on the sale of the property.

S. Lawry said that he would like to remind the Commissioners that the Planning Commission is not rezoning the property but are making a recommendation to the City Commission.

C. Gottlieb asked if the City had a purchase agreement.

A. Landers said that per the information we have the City Manager opened negotiations, but she doesn't know the status of a purchase agreement.

Ms. Johnson offered that there is a signed purchase agreement and that the final thing to complete is the zoning change.

C. Gottlieb said that he went by the property and in his mind this a good use of the property as a place for Habitat to build housing and that it would be a step forward for the city.

S. Lawry said:

The City had considered this site for a consolidated fire station, when it was a much larger parcel. This parcel is what's remaining after the sale of the property to build the hospital, and then later the PUD was amended to allow the Beacon House to be built in what was primarily the footprint for the proposed Fire Station. So, what's left there is no longer a viable site for that alternative municipal use for this property and I agree with Commissioner Gottlieb that the use of it for affordable housing would be an excellent improvement to the property and in my mind it does agree with the goals of the current [Community] Master Plan to try to create more affordable housing, especially in that area of the city.

The Planning Commission then discussed the four characteristics of *spot zoning*, with the aid of the materials regarding spot zoning that were included in the agenda packet, and determined that only one of the four criteria – the lot size – was the only possible characteristic of the parcel/proposal that could be

considered as possibly met, whereas all four criteria have to be met for a spot zone to be created from the rezoning process. Thus, the Planning Commission determined there will not be a spot zone created by the proposed rezoning.

S. Lawry asked if anyone was ready to make a motion.

*It was moved by C. Gottlieb, seconded by D. Fetter, and carried 5-0 that after conducting a public hearing and review of the application and Staff Report for 02-REZ-04-24, the Planning Commission finds that the proposed rezoning is inconsistent with the Future Land Use Map but consistent with the Recommendations for Land Use of Chapter 3 of the Community Master Plan. and meets the requirements of the Land Development Code Section 54.1405 and hereby recommends that the City Commission approve 02-REZ-04-24 with the condition that the rezoning be conditioned on the sale to Habitat for Humanity by the City*

## **PUBLIC COMMENT ON AGENDA ITEMS**

No comments were provided.

## **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Ms. Sally Davis, Mayor of the City of Marquette, stated:

I've been on the City Commission for four and a half years and when I was fortunate enough to be elected as Mayor one of the things that I set out to do is attend at least one of the meetings of each of the various City commissions. So, I'm here just to say hello and thank you for your time. I know that this committee in particular has to study more and have a higher level of knowledge than the others, and I so appreciate that. During the years I've been on the City Commission I'll occasionally hear from other committees that the Commission doesn't listen to them or doesn't get to hear them, and I just want you to know that we read all of your minutes and they are often more intense and more interesting than other minutes, but we do read the other minutes, but still some of that information doesn't get passed along. I think this commission is sort of an exception to that because you are much more formal and your recommendations are usually always there, versus some of what happens with other committees. But again – thank you for your time and your interest in this committee and I just wanted to say hi.

## **WORK SESSION**

### **A. Land Development code 2024 Amendments**

The Planning commission and staff continued work on a comprehensive update to the Land Development Code (LDC) by discussing several items from the LDC that staff has annotated and prepared for amendments. The items discussed were:

- Definitions, both amended and new. S. Lawry recommended possibly referencing SARA Title III to help with the distinction between different levels of manufacturing.
- Amending Section 54.307 to allow duplex, triplex and quadplex dwellings as a permitted use in the Medium Density Residential (MDR) zoning districts.
- Amending Section 54.308 to allow duplex dwellings as a Permitted Use in the Low Density Residential (LDR) zoning districts, and to allow triplex and quadplex dwellings as a Special Land Use in the LDR districts.
- Amending Section 54.308 to expand where Light Manufacturing and Heavy Manufacturing are Permitted Uses.
- Amending Figure 8 in Article 3, to change *Gasoline and Service Station* uses to *Fuel Dispensing Uses, including Service Stations*, and adding to the zoning districts where these could be

Permitted Uses – the Civic, Municipal, and BLD districts, and proposing this as a Special Land Use in Mixed-Use zoning districts.

- Possibly amending Section 54.803 to add a section for spill protection/containment measures where fuel-dispensing uses are proposed.
- Verifying the adequacy of a new graphic created for Section 54.905 to clarify maneuvering lanes for angle parking of 75-90 degrees applies to both one-way and two-way lanes.
- Amendments of Section 54.1402 to add a section of voluntary considerations to Figure 52, the Site Plan review checklist.
- Amendment of the definition of Mural in Section 54.1103, to clarify that a portion of a mural that displays commercial speech or content will not be treated as a sign in whole, but instead regulated as wall signs are per Section 54.1103(C)(26).

A consensus was reached on some of these issues and others will require more research and/or study.

#### **COMMISSION AND STAFF COMMENTS**

C. Gottlieb thanked S. Lawry for running the meeting. There were no other commissioner comments.

A. Landers and D. Stensaas provided information on the status of business for the next two meetings.

#### **ADJOURNMENT**

The meeting was adjourned by Acting Chair S. Lawry at 7:45 p.m.

David Stensaas

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