

**OFFICIAL PROCEEDINGS OF THE
MARQUETTE CITY PLANNING COMMISSION
April 12, 2022**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00 p.m. on Tuesday, April 12, 2022, in the Commission Chambers at City Hall.

ROLL CALL

Present: W. Premeau, A. Andres, Vice-Chair M. Larson, S. Mittlefehldt, N. Williams, M. Dunn, Chair J. Cardillo, N. Frischkorn
Absent: None

AGENDA

It was moved by M. Larson, seconded by A. Andres and carried 8-0 to approve the agenda with the additional correspondence for 1A and 1B.

MINUTES

The minutes of March 1st, 2022 were approved by consensus.

CONFLICT OF INTEREST and EX-PARTE CONTACT

None was stated.

NEW BUSINESS

A. 01-REZ-04-22 – 1433 Wright St.(PIN: 0511880), 1435 Wright St. (PIN: 0511840), 1621 Center St. (PIN: 0512390), 1505 W. Fair Ave. (PIN: 0970041), 1398 West Ave. (PIN: 0970031), 1396 West Ave. (PIN: 0970021), 1600 W Fair Ave. (PIN: 0512431) and McClellan Ave PIN: 0512453 and 0512454

Zoning Official A. Landers stated the Planning Commission is being asked to make a recommendation to the City Commission regarding a request to rezone Multiple City-owned properties between Fair Ave. and Wright St. along the McClellan Ave. corridor which are zoned Municipal (M) to be zoned Conservation & Recreation (CR). She stated at the February 14, 2022, City Commission meeting, the Commission made a motion to "Direct the City Manager or her designee to file a rezoning application for all City-owned properties fronting McClellan Avenue and located between Fair Avenue and Wright Street to change the zoning from Municipal to Conservation/Recreation". She referenced and showed the visuals of the staff report and attachments.

City Planner and Zoning Administrator D. Stensaas read correspondence received after the agenda was posted from Randy R. Appleton and from Karen and Jim Anderson

A Landers read correspondence received after the agenda was posted from Neil Russell, Randall and Coleen Howes, and Tim Wakkuri - Executive Director of the Upper Peninsula Medical Center.

City of Marquette Assistant City Manager Sean Hobbins, representing the City of Marquette as applicant, related the recent history of the proposed sale of the property in order to create an affordable housing development. He explained the objections of citizens and alternative proposals which were discussed.

Chair Cardillo opened the public hearing.

Margaret Brumm, 404 E. Magnetic St., stated that she attended this session on behalf of the former mayor, Jerry Irby. She stated she was present at his request to read his remarks onto the record, and related that Mayor Irby's written statement said that "he had, during his tenure, attended meetings with citizens and concerned property owners of area in question" and that "a commitment was made to the people concerned that the property along the McClellan Avenue extension would not be developed" and "that if the zoning was changed from its current Conservation & Recreation designation that it would be breaking a promise made to those citizens and residents." Ms. Brumm stated that concluded the statement from Mr. Irby, and then related that she was in attendance at the meeting wherein former Mayor Irby spoke. Ms. Brumm

stated that later in that meeting it is recorded that Commissioner Stonehouse verified the promises made by the mayor that when the road had to be extended that the concerned residents would not face development in that area. Ms. Brumm stated that for reasons unknown to her it was not committed to writing, but she stressed it was verified by two people who were present in the room at the said meeting and that she considers this still a binding promise on behalf of the city.

Marsha Lucas, 48 Elder Dr., stated she was at the same meeting where said promise was made in the early 2000s, and that she was at the meetings the prior November, too. Stated that her son teaches Construction Management at Northern Michigan University and had previous work experience in managed projects such as the one proposed. She explained that putting water and sewage infrastructure into an area is a routine practice and it does not necessarily dictate that the area was planned to be developed. She emphasized that for this reason, it does not invalidate the comments made by Mr. Irby and Mr. Stonehouse at this meeting. Ms. Lucas quoted items from the Master Plan which she felt were relevant to concerns regarding this proposed development and that these items demonstrated that the proposed project would violate these tenants and the overall health of the environment by developing pristine woodlands and that the damage could not be undone once it had begun.

Anne Donohue, 1614 West Ave., stated that she would like the Zoning Commission to support the Conservation & Recreation zoning designation. She thought that the proposed rezoning would be detrimental to the diverse wildlife which inhabits this area. She stated that the area very much used and enjoyed by the surrounding residents.

Geraldine Nault, 1851 N. McClellan Ave., stated that a lot of the comments which she was going to make had already been discussed so her presentation would be brief. She emphasized that Marquette's natural environment is one of the greatest assets to the community and that it should be carefully maintained. She went on to recognize the need for housing, but stressed that if the trees were cut down, they could not be back in 10 or 20 years. Ms. Nault explained that the trees are 500 years old and are an important habitat for animals and is also an important family venue. She stated that children of such families would benefit from learning and observing nature and develop a more creative and respectful view of natural ecology by having this area as a resource. She stated that this particular area was significant due it being a slower and more peaceful area compared to bike trails, where people could take walks and walk their dogs. She requested that the Planning Commission recommend to the City Commission that the area be zoned as Conservation and Recreation. She related also that she thinks that the area has facilities for water and sewage, but not natural gas, according to her experience, and she would like the issue clarified and also clarification about the use of non-single-family buildings, perhaps at the end of the meeting.

Randy Howes, 1427 Wright St., stated that he and his wife Colleen were very excited about moving to the Marquette area and have two sons who are already living in the area, along with their grandchildren. He stated that they love the area and that are enthusiastic supporters of rezoning the area for Conservation and Recreation. Mr. Howes stated that after getting assistance navigation through the rules and regulations, his only concern was that he hoped that in the future that apartment buildings would not be considered in area, while recognizing the provisions in the statues that would allow it. He emphasized that Conservation and Recreation is the right thing to do, that the area was very beautiful, and it is fortunate that forward-thinking people in the area were thinking to conserve areas significant to ecology and he felt it's a great idea.

Jon Bahk-Halberg, 31 Elder Dr., stated that his back yard is adjacent to the very picturesque, wooded area in question. He stated that his family just bought the residence one year prior when they moved from South Korea the previous September. He related his experiences in Korea and why he felt this was not an area for development. He emphasized that having such areas as this contributed to the reputation and desirability for people to want to live in the City of Marquette. He stated that there are other natural areas in town, but the fact that this is a heavily wooded area is significant. He stated he had attended the November and was sure that the proposed development was not a good fit for the property and that many people were surprised by the proposal. He restated his support for the rezoning for Conservation and Recreation and that he thinks it makes sense for the City of Marquette to preserve such a valuable area. He stated that he realized that promises cannot always be kept due to changes, but since the reassurance given by Mr. Irby and Mr. Stonehouse were not made long ago and it is in the city's best interest to honor their commitment.

Kenneth Holder, 6 Elder Dr., stated that the others have already related what he intended to say, but he wanted to assert his support for rezoning the area as Conservation and Recreation.

No one else wished to comment. Chairperson Cardillo closed the public hearing.

Chairperson Cardillo opened the Planning Commission discussion.

It was moved by M. Dunn, seconded by A. Andres and carried 8-0 to suspend the rules for discussion.

M. Dunn stated that he would like to immediately express that he has an internal conflict regarding this decision. He stated that he agreed with almost everything that was said during the public comments. He related that he felt that the area would make a great Conservation and Recreation property. He stated that when it comes to resolving issues related to the need for housing, it would be more appropriate to look at locations closer to the downtown area. He went on to explain the area where he feels uncomfortable is that this being a property owned by the City of Marquette, he has not seen a lot of input from residents other than those directly affected by it. He stated that if the property was privately owned, there would be no questions in his mind. He reflected that property is owned by the City for everyone in the city, not only the residents of this particular neighborhood. He stated that he felt this could be overreach on their part without additional input from the larger public of the city and that he was trying to think of a way to make that happen. He stated that brought up the question that if the Planning Commission were to not recommend the rezoning at this time, how long would it be before it could come up again for discussion and what was the timeframe that they were looking at.

D. Stensaas stated that a proposed rezoning case did not have an extended period of waiting between when the recommendation was made by the City Planning Commission and the decision by the City Commission.

A. Andres stated that he was wondering why they wouldn't wait until they see what the reaction was to the rezoning before a decision was made and it was moved forward. He stated that it would be doing everything at once instead of by individual parcels.

S. Mittlefehldt stated that along the lines of what M. Dunn and A. Andres had stated, there is an intention to revisit the Community Master Plan in the upcoming fall, and she emphasized that this is area was 27 acres, which is not a small section of the community. She illustrated that she was a huge supporter of ecology and that she likes the idea of zoning this area as Conservation and Recreation; however, she also did not feel that a full representation of the community was being heard regarding this significant part of the city. S. Mittlefehldt inquired if the recommendation might be postponed until a more comprehensive view of similar properties was obtained, although they might not be as large but were in a similar kind of situation. She stated that the rezoning needed to be looked at on the whole and not only by pieces.

J. Cardillo asked the question of D. Stensaas or S. Hobbins – as a Municipal property, for any kind of development, it would require a rezoning anyway, and permission to be granted by the City Commission, correct? S. Hobbins stated yes. She also stated that by us not doing this [rezoning] it's not like some development is going to happen without a lot of stuff falling into place and approved by a City Commission that has already committed to not letting anything happen there.

S. Hobbins stated that there is a significant process involved in selling a piece of City property and for rezoning. He stated the meeting in November was the first step in a long, multiple-step process that includes permission, appraisal, sale approvals, development agreements, and finally rezoning. He also stated that it could sit as Municipal for a while, the City Commission has been clear that they are not planning on selling it anytime soon, but if they decided to tomorrow there is a lengthy public process. D. Stensaas stated that it's not true that no development can proceed without rezoning, because the City is allowed to do any number of things that are enumerated in the Land Development Code to develop its own property.

J. Cardillo stated that, just to be clear, by switching from Municipal to Conservation Recreation, these are the uses that would be eliminated – cemetery, farmer’s market, indoor recreation, professional offices, outdoor entertainment and community events, schools – primary or secondary, universities, and wireless telecommunications. She stated she wanted to that we are all aware of what the changes would be, and that we are not talking about residential at all.

N. Frischkorn asked about the yellow easements shown on the map on p. 20. A. Landers stated those are wetland easements, and there is an access easement on the east side. D. Stensaas stated that access easement is a private easement for access to the landlocked parcels to the east of the road.

M. Larson stated that he agreed that there is a significant process ahead for considering zoning and the Master Plan, but we certainly have the ability to go in this direction as it is what is currently in the Master Plan, and the City Commission has asked to move forward. He also stated a question, if this gets rezoned to Conservation-Recreation, with the City owning that property, would the City tend to own this property in perpetuity, or are there other options that could come up. He also stated that he doesn’t know how the value of the property would be affected by rezoning to Conservation-Recreation.

S. Hobbins stated that he can’t speak to the future intentions of City Commissions, but his understanding is that moving to Conservation-Recreation is to prevent sale and development in the future, so it’s really meant to put it in line with the rest of our park facilities and the cemetery, the fit strip, and set it aside as a natural area in the City and not sell it.

S. Mittlefehldt stated that she would like to see more information in the form of a study or a survey as to what exactly the ecological value of the land was. She inquired if the city might have the funds available to conduct such an inquiry and compare it to other areas that could perhaps be protected in some way.

S. Hobbins stated that he did not feel that that would be in line with the strategic priorities for spending money right now, and that the Commission is looking at setting this property aside and allowing it to continue to exist as is, it having been purchased by the city for the McClellan Ave. extension, and that if someone would like to conduct such a study it would be allowed, but it would not be funded by the city.

M. Larson inquired if at some time this may become like the Fit Strip, a more managed property with trails and the like. S. Hobbins stated that he thinks the Parks and Recreation Master Plan states that we’re already at capacity for parks, and parks management may not have capacity to do any further kind of development and that his best interpretation of the situation is that the land would stay as it is and there wouldn’t be any infrastructure added.

W. Premeau brought up as a point of interest that Mr. Irby was recalled from office. He then suggested this was probably irrelevant but that he just stated it. He stated that he had inquired about what the term ‘in perpetuity’ meant and that someone that knew what was going on with the City once told him it meant “until somebody can’t remember”. He mentioned that the North Marquette ballfields were Conservation but then the City started looking to build warehouses there. He went on to mentioned other sections of the city that had been zoned ‘into perpetuity’ and that later the zoning was changed. He said things would not necessarily stay that way, it can be changed later.

M. Dunn inquired as to why the Future Land Use Map in the proposed Zoning Map have two different designations?

D. Stensaas stated that the Future Land Use Map dealt with land use and that land uses are different than zoning. He elaborated that ‘land use’ is what the anticipated best uses or preferred uses of the property in question would be at the time, and that the Preferred Zoning Map shows the zoning districts that are that its adopted and the ‘proposed zoning’ at the time the Community Master Plan was adopted in 2015, those some of the proposed zoning districts were desired and not the zoning that was current there. He further explained that when the Land Development Code was adopted in 2019, many of the zoning districts did go into effect because those were then seen at that time as the preferred zoning to enable the land uses that were considered as the preferred land uses. He clarified that therefore zoning follows from planning and that is the way it should be. He said you cannot have the zoning ordinance unless the planning was done

first, and that doing otherwise would be a bad practice.

M. Dunn followed up with a question why the zoning was not changed in 2018 for the said parcels in 2018 to be a closer match to what the Future Land Use Map had indicated.

D. Stensaas explained that during the 18-month long Land Development Code development process that the LDC was not adopted until 2019. And at the beginning of the process, it had been decided that the city had decided it would be better to put all of its own land in its own zoning district. He stated that it was done in several different cases such as civic property and that Civic Zoning District was created for non-city governmental and instructional properties like the county and North Michigan University. He also explained that another zoning district was created for the BLP, for example, so all of their property is now within their own zoning district where their own uses make sense. He recalled that prior to this all of the properties in questions had all kinds of different uses going on. For example, he said, the BLP own property in residential district although it would never be building houses and that, of course, the city is not going to build houses. He stated that it would not make sense to keep the old convention in place, so the Land Development Code process ended up with a variety of different zoning districts which were not thought of back when the Community Master Plan was adopted. The Planning Commission and the City Commission agreed this was a better approach going forward.

N. Frischkorn stated that he understood why some of his fellow commissioners would like to get wider city input, but that ultimately a decision needed to be made according to the Master Plan that was in place at this moment, at the time that the request is being made. He quoted the first standard under the Land Development Code, Section 54.1405 as being 'consistency with the master plan' and that the Future Land Use Map showed the land in question as being marked for Conservation and Recreation. He then suggested that if changed in the current conditions or the public's attitude were to change, that would justify denying the rezoning even if the rezoning is in compliance with the Master Plan. He gave the opinion that after hearing the comments that were read into the record and the comments from his fellow commissioners, the community's attitude, as far as determine from the public record, has not changed and is in support of the rezoning. He further elaborated that environmental feature were another issue which needed to be looked at, and that most of the property to the west of McClellan was not suitable for development because it is wetlands. The property to the east of McClellan, he asserted, might be a different story. However, N. Frischkorn asserted that according to this thinking and based on the Master Plan, he felt the rezoning was appropriate.

N. Williams stated his concerns were that if this high-density area were rezoned that developers may keep pushing outward into lower density aesthetically desirable areas on the outskirts of town.

J. Cardillo stated that he had attended the City Commission meeting earlier the same day because she wanted to get an idea of what their thoughts were into why they would like to do this rezoning now. She pointed out that the City Commission had their own set of constraints and pressures and that the City Planning Commission exists to look at things purely from a planning perspective. She stated that although mostly there was agreement for the rezoning, some City Commissioners expressed that this proposal needed to be looked at wholistically and that this area should not be looked at in an isolated way since a new Community Master Plan was about to be revamped for the entire city. J. Cardillo stated that while she agrees that the majority of the land should be marked as CR, they should take this opportunity to really look wholistically at the city and that she would be in favor of postponing the rezoning with the understanding that it is not going to immediately change the situation or status of the property since the City Commission has the ultimately authority over what happens to it and it is known that they are in favor of keeping it as it is.

M. Dunn stated that he did not wish to vote against the rezoning but asked if there was any way to postpone the decision while the revision of the Community Master Plan was underway. He stated if it were mandatory that they were to make a final decision before the conclusion of the meeting, that he would vote in favor of rezoning it.

M. Larson inquired if any of the commissioners had comments on any particular parcel within the land in question. He stated that there were quite a few parcels included in this area and wanted to know if there

were any parcels of note that were thought to be suitable for reconsideration.

J. Cardillo reaffirmed that this was her reason for wondering why the process should be rushed, since the land in question was not at risk to be developed. She suggested taking time and looking at the land in question parcel by parcel and then look at it in the context of the broader city. She emphasized there was no need to rush the rezoning approval since there is no current danger of anything happening on the property.

M. Larson stated that he understood that, but since it meets the criteria, he thought it was clear what to do.

S. Mittlefehldt commented that a lot has changed since the Community Master Plan of 2015 was put into place in terms of the affordability of housing. She recalled the pandemic, the recession, and inflation as examples and though she understood that while she knows community members have expressed their opposition, that affordable housing does not happen due to such situations. She expressed that she understood the value of the land for ecological reasons and that it would be nice to see study performed, but that a more comprehensive community conversation needed to happen regarding the upcoming Community Master Plan plans around the issue of affordable housing and how to go about make it happen even when it's not popular politically. She stated this issue is a good illustration and brings to the forefront two very important topics within the community of natural preservation versus the need she has observed, especially among young people, for affordable housing. She said this particular zoning application is a case study about how the community is going to resolve this tension between the two ideas and that there needs to be more involvement from the community members as whole before a decision is made. She mentioned that she feels that the new Community Master Plan of 2022 will be very different from the one drawn up in 2015.

J. Cardillo stated that she would like to address the question about gas lines. She inquired if there were indeed gas lines.

A. Landers stated she would have to verify if that's true.

J. Cardillo inquired of Andrea if she could explain more about the accessory use, non-single-family residence.

A. Landers stated that the proposed project was not a multiple family use, it is non-single family residential lots. She explained that 'accessories' as when you have two of the principal uses.

J. Cardillo asked if that meant if there is no principal use then there is no accessory use.

A. Landers responded affirmatively.

J. Cardillo gave the example of an ice cream vending location in one of the parks as being an accessory use to the principal use of the park and this was affirmed.

S. Mittlefehldt illustrated the uses which would not be allowed should the said land be rezoned as Conservation and Recreation. The uses now allowed were cemetery, farmer's market, indoor recreation, office/profession, outdoor entertainment and community events, schools, universities, or wireless telecommunication facilities. She reemphasized that residential would not be allowed at all if the rezoning was approved.

N. Frischkorn stated that he had a question regarding the maps on pages 19 and 20. He inquired how the yellow easements marked on the maps were currently classified.

A. Landers stated that those were wetland easements, except for one easement which was for access and driveway.

N. Frischkorn clarified that the access easement was for a private parcel.

M. Larson stated that while he agrees that there will be a process involved in the near future to consider all zoning and lands of the city moving forward, it is still in the City Master Plan and the Future Plannings Map set for Conservation and Recreation. He said that the City Planning Commission currently has the ability to move toward that direction since that it has already been notated for Conservation and Recreation in the City Master Plan and Future Land Use Map. M. Larson said they had a path forward to rezone the land as Conservation and Recreation despite the fact that the process might be laid out differently in the coming fall. He stated that since moving forward toward CR use and the City Commission has asked them to move forward the same way, they were within their rights to do so. He asked the question, if the land is rezoned as CR, it is still owned by the city and does the city plan to continue to own the property going forward indefinitely. He inquired about the change in land value should it be sold to an outside party. He stated that according to his understanding, the more to rezone as CR was for the purpose of preventing such a sale to a private party and to move the land in line with the other park facilities of the city.

S. Mittlefehldt stated that she would like to see more information in the form of a study or a survey as to what exactly the ecological value of the land was. She inquired if the city might have the funds available to conduct such an inquiry and compare it to other areas that could perhaps be protected in some way.

M. Larson stated that he did not feel that that would be in line with the strategic priorities for spending money at this time. He stated that simply setting the property aside and allowing it to continue to exist as is, it having been purchased by the city from a private owner and set aside for such purposes, he did not feel that any money could be spent on conducting such a survey. She said if someone would like to conduct such a study it would be allowed, but such an enterprise would not be funded by the city. Inquired if any development would be done in accordance with the CR use should the rezoning be allowed. He also stated that Parks and Recreation were already at capacity and that park management did not currently possess the ability to do any further kind of development. He stated that his best interpretation of the situation is that the said land would stay exactly as it is.

W. Premeau brought up as a point of interest that Mr. Irby was recalled from office. He then suggested this was probably irrelevant but that he just stated it. He stated that he had inquired about what the term 'in perpetuity' meant. He claimed the response was 'until somebody can't remember'. He mentioned another property that was marked for conservation but then the city started looking to build warehouses on that property. He went on to mentioned other sections of the city that had been zoned 'into perpetuity' that later the zoning was changed. He said it's just warning, things would not necessarily stay that way just become it is zoned into perpetuity and it can be changed later.

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D. Stensaas explained that the Future Land Use Map dealt with land use and that land uses are different than zoning. He elaborated that 'land use' is what the anticipated best uses or preferred uses of the property in question would be at the time that its adopted and the 'proposed zoning' at the time the Community Master Plan was adopted in 2015, those some of the proposed zoning districts were desired and not the zoning that was current there. He further explained that when the Land Development Code was adopted in 2019, many of the zoning districts did go into effect because those were then seen at that time as the preferred zoning to enable the land uses that were considered as the preferred land uses. He clarified that therefore zoning follows from planning and that is the way it should be. He said you cannot have the zoning ordinance unless the planning was done first, and that doing otherwise would be a bad practice.

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governmental and instructional properties like the county and North Michigan University. He also explained that another zoning district was created for the BLP, for example, so all of their property is now within their own zoning district where their own uses make sense. He recalled that prior to this all of the properties in questions had all kinds of different uses going on. For example, he said, the BLP own property in residential district although it would never be building houses and that, of course, the city is not going to build houses. He stated that it would not make sense to keep the old convention in place, so the Land Development Code process ended up with a variety of different zoning districts which were not thought of back when the Community Master Plan was adopted. The Planning Commission and the City Commission agreed this was a better approach going forward.

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J. Cardillo reaffirmed that this was her reason for wondering why the process should be rushed, since the land in question was not at risk to be developed. She suggested taking time and looking at the land in question parcel by parcel and then look at it in the context of the broader city. She emphasized there was no need to rush the rezoning approval since there is no current danger of anything happening on the property.

M. Larson stated that he understood that, but since it meets the criteria, he thought it was clear what to do.

S. Mittlefehldt commented that a lot has changed since the Community Master Plan of 2015 was put into place in terms of the affordability of housing. She recalled the pandemic, the recession, and inflation as examples and though she understood that while she knows community members have expressed their opposition, that affordable housing does not happen due to such situations. She expressed that she understood the value of the land for ecological reasons and that it would be nice to see study performed, but that a more comprehensive community conversation needed to happen regarding the upcoming Community Master Plan plans around the issue of affordable housing and how to go about make it happen even when it's not popular politically. She stated this issue is a good illustration and brings to the forefront two very important topics within the community of natural preservation versus the need she has observed, especially among young people, for affordable housing. She said this particular zoning application is a case study about how the community is going to resolve this tension between the two ideas and that there needs to be more involvement from the community members as whole before a decision is made. She mentioned that she feels that the new Community Master Plan of 2022 will be very different from the one drawn up in 2015.

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J. Cardillo asked if that meant if there is no principal use then there is no accessory use.

A. Landers responded affirmatively.

J. Cardillo gave the example of an ice cream vending location in one of the parks as being an accessory use to the principal use of the park and this was affirmed.

It was moved by M. Larson, seconded by M. Dunn and carried 5-3 that after conducting a public hearing and review of the application and Staff Report for 01-REZ-04-22, 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 01-REZ-04-22 as presented.

Yes: W. Premeau, Vice-Chair M. Larson, N. Williams, M. Dunn, N. Frischkorn

No: A. Andres, S. Mittlefehldt, J. Cardillo

B. 01-ZOA-04-22: Land Development Code Amendments

A. Landers stated that the proposed amendments are the product of several months of effort by staff and the Planning Commission and have been developed, discussed, and refined during several work sessions in late 2021 and early 2022. She stated the draft amendments to the LDC document are attached to the agenda packet. She also stated that text to be eliminated is shown with strikethrough font, new text was highlighted in yellow, and text included to help explain the changes is highlighted in blue.

D. Stensaas stated that the text of the proposed ordinances has been the topic of many hours of work by staff and the Planning Commission over several months and that it would take hours to go through this in detail, so staff is just going to answer questions if anyone has any. He also stated that some changes were made to section 54.321 since the last Planning Commission meeting because staff realized that the intended changes to that section, which were in the document at the previous regular meeting, would have possibly created a legal foothold for the elimination of the short alley and the access it provides to three buildings on the east side of the 100 block of S. Front Street. The issue and the text were discussed, and

no further text changes were made.

Chair Cardillo opened the public hearing.

Margaret Brumm, 404 E. Magnetic St., stated that she initially believed that the proposed changes to the land development code were inspired by ad hoc housing committee, but now as she is rereading them and listening to comments, there is no mention of the ad hoc housing committee. She inquired if it was correct to state that the changes have nothing to do with the ad hoc housing committee recommendations. She stated that the ad hoc housing committee's recommendations that were most concerning to her were putting dwellings in smaller spaces. She said she's not seeing this recommendation now in what she's reading and asked if it was not allowed. She said if that recommendation were to be followed, in her opinion it would be bad. She related her experience with overcrowding in dorms when she was attending college. She said placing too many people in too a small space affects everyone's quality of life. She expressed her concern that nothing but bad results would come from cramming more people into a smaller space, even when it's technically possible. She stated in her personal and professional opinion she does not recommend decreasing lot sizes or allowing auxiliary dwellings.

Colleen Roberts, 903 Adams St., asked what the projected density for the City of Marquette in 25 years is. He inquired how high the density that they want, because it looked like that was how things were being mapped out. He said if small houses were allowed in back yards, he wanted to know how it would affect tax rates and home values. He stressed that although the committee had been tasked with increasing available housing in Marquette, there is a limited amount of land. He expressed the idea that annexing land would be necessary if the city wanted to increase the population in order to create a wider tax base. He firmly asserted that increasing the density and creating overpopulation was not a desirable goal because after 25 years, Marquette would no longer be a desirable place to live. He illustrated that creating high density in the city would not be good for people with children and urged the members to investigate what high density living areas in other cities were like to be living in.

Mary Buckmaster, 108 Palms St., stated that she recently became aware of the addition and revision recommendation to the land development code. She also stated that she did understand that the changes were in response to the recommendation of the ad hoc housing committee recommendation and that the committee worked long and hard on preparing these recommendations. She stated that one of the recommendations of the committee was a new land use called supportive housing facility transitional and/or permanent land use and that staff decided to place that land use in five cities zones, low density residential and medium density residential, multiple family residential, mixed land and central business zones. After a joint meeting between the ad hoc housing committee and the city commissions, the hearing was set which they are all attending. M. Buckmaster related the definition of the supported housing facility is on Page 36 of the agenda for this meeting. She stated that the permitted land use designation in the multiple family residential zone is what she was hoping the committee would change to special land use column. Article 3 and the Zoning Districts and the maps on 37 are a good visual, she said and this was the bottom line. Four zones have a special land use designation; one has a permitted use, she explained. She stated that since this is a new use, all five zones ought to have the designation in the five categories of special land use. She stated that her reasoning was that any of the zones in Marquette could possibly be right across the street from a multiple family zone. She stated she hoped that many new land use requests would result in all residents within 300 feet would be advised of the request and the planning commission meeting. She stated that one of the city documents covered only 5;4 percent of the zones in Marquette. Three very large buildings, Snowberry, the Turbel apartments, and Hara Vista must take a large amount of that percentage, she related. She stated that she have lived in Marquette all her life and she knows that it has been hard to find adequate housing recently and that she knew that everyone was having issues with this. She stated that despite having very talented people to help with the issue, there is only a limited amount of land. She asked that special land use designation for all five targeted is a fair way to proceed for all citizens of Marquette.

Geraldine Nault, 1851 N. McClellan Ave., stated that as the committee reviews both the Community Master Plan and the land development code to consider that people wish to live in Marquette because of what it is seen to be now. She stressed that as the committee goes about doing the extremely difficult job of amending things, just keep in mind what the city is like now and try not to make extreme changes.

No one else wished to comment. Chair Cardillo closed the public hearing and asked if anyone wanted to make a motion.

It was moved by A. Andres, seconded by M. Dunn and carried 8-0 to suspend the rules for discussion.

A. Andres stated that he wants to thank the public that came to the meeting for their comments and participation. He also stated that he is inclined to approve the amendments.

M. Dunn stated that he didn't have anything to add.

W. Premeau stated that on page 23 there are limitations on colors and asked if they were allowed to do that.

D. Stensaas stated that those standards would apply in the two form-based code districts, just like there are specifications for materials, this specifies that exterior cladding can only be up to fifty percent white or gray, and that he would consider it a pilot project.

W. Premeau stated that he did not understand the talk around affordable housing and why there is not affordable housing. He stated that NMU played a huge factor in affordable housing. Also, he stated that between the City Planning Committee, the City Commission, the state, the county and others have added costs, and that building codes alone have added approximately \$70,000 to \$75,000 to the cost of house. He stated that designations keep changing and that now they need even more insulation, and that for the pittance that would be saved it doesn't make sense. He pointed out that any changes that they make that add costs, those costs should be able to be recuperated within 10 years, per state law, but that is totally disregarded. He stated that the government was making housing unaffordable, not the people.

It was moved by S. Mittlefehldt, seconded by M. Dunn and carried 8-0 that after review of the draft Land Development Code (LDC) amendments presented as case 01-ZOA-04-2022, and after conducting a public hearing and careful consideration of the contents of the draft LDC amendments, the Planning Commission finds that the draft LDC amendments are consistent with the recommendations, goals, and policy objectives of the Community Master Plan, comply with section 54.1405 of the Land Development Code and therefore are justified and appropriate and therefore should be approved by the City Commission as presented.

C. 01-MPA-04-22: Master Plan Amendments

A. Landers stated the City of Marquette adopted its most recent Community Master Plan (CMP) on 12/17/2018. She stated the proposed update is to incorporate the *Final Report* of the City of Marquette Ad-Hoc Housing Committee as Appendix K. She also stated the 95-day public comment period for this CMP Amendment was between December 1, 2021, and March 6, 2022; and no comments were received. She showed a visual of the document.

Chair Cardillo opened the public hearing.

Margaret Brumm, 404 E. Magnetic St., stated she felt that people would not realize the significance of the changes to the Land Development Code and the Community Master Plan until the density reaches such a high density and increases to such a high degree that people would suddenly wake up and realize that they never envisioned that such a situation would happen. She expressed that the housing problems in the city would not be solved by shoving more people into the existing space. She stated that the residents of the City of Marquette do not wish to live in a crowded area with multipole neighbors and multiple vehicles. She stated that during a previous commission meeting was the fact that having additional spaces available for people to live on the same lot interferes with the storage of snow removal equipment during winter and yet she is not seeing in any of the documents that suggests that there must be space to deal the winter issues and the snowfall. She states that such a proposition to put more people in the same space goes against common sense. She stressed that the quality of life in Marquette will be detrimental for the society in future

and warned this would cause conflict between residents.

Colleen Roberts, 903 Adams St., stated that she was against changing the rules in order to accommodate increasing density, in order to increase the tax revenue. She stated that the proposition of building additional housing on existing lots was not even practically possible due to the increase in the cost of building materials. She asked that the committee consider the consequences will be for the people who intend to stay in Marquette. She then thanked the committee.

No one else wished to comment. Chair Cardillo closed the public hearing and asked if anyone wished to make a motion.

It was moved by M. Dunn and seconded by S. Mittlefehldt and carried 8-0 that after review of the proposed 2022 Community Master Plan Amendment, and after conducting a public hearing and careful consideration of the contents of the documents and maps, the Planning Commission finds that the proposed text amendments are justified and appropriate and therefore recommends that the City Commission approves as presented.

CITIZENS WISHING TO ADDRESS THE COMMISSION ON NON-AGENDA ITEMS

Margaret Brumm, 404 E. Magnetic St., stated that she was proud that former Mayor Irby had asked her to come and address the commission. She mentioned that it had been pointed out that the former mayor's career had ended with him being recalled, and she knew that would give a person pause to appearing in public for fear of being criticized. She emphasized that in such a situation proves Mr. Irby very sincere in his desire to express that a promise had been made and that he felt very strongly about that promise. She expressed her surprise that earlier in the meeting some of the commission members had stated that "they needed more input from the public" and pointed out that the commission they voted to change the Land Development Code and the Community Master Plan with virtually no input from the public and it did not seem to bother any of the members. She mentioned that they had heard the testimony of many residents and yet they were still saying "they need more input from the public". She asserted that the members of the committee already had had input from the public. She stated the impression that this was gave was that they would be willing to do anything in order that the decision be made. She encouraged the committee member to realized that the people who are attending the public meeting are indeed the public and that due weight be given to the same. She commended Commissioner Larson on how clearly he presented the first agenda item. She stated her concern over the effects that the changes to the land use and the Community Master Plan were going to have on the residents of the city. She then addressed again that it was not desirable for them to say they wanted more input from the public when the public was sitting right in front of them. She thanked the committee for their time.

Geraldine Nault, 1851 N. McClellan Ave., stated that she also wanted to point out that there was notification to the public in the paper and so the public did have notice if they wanted to come. She stated that the information is also available on the city website, the whole packet is available online and people can see what issues are being brought up, and that the public had been notified. She said this was her comment and then thanked the commission.

TRAINING

A. Article: "Green Signals from Across the Pond", *Planning, Winter 2022*

D. Stensaas stated that this was the first of what is planned to be an ongoing series of informational and educational articles from a variety of sources, which is required by the Redevelopment Ready Communities program which the City is now part of. He explained that there was a format prepared already for planning commissions and that this if the first, simple step that was being taken toward that end. He stated that the article emphasizes that much could be learned from other countries that have embraced the circular economy idea and cradle-to-grave product development and product treatment. He stated the concept touches on a lot of different things having to do with sustainability such as the prevention of pollution and the avoidance of creating carbon emissions when products are produced. He went on to illustrate the

ecological subjects covered in the article. He also stated that in order to continue in the RRC action would have to be taken, whereas before involvement in this subject was not as mandatory.

COMMISSION AND STAFF COMMENTS

M. Dunn stated he would like to clarify for the record that the amendments were considered carefully over the period of around one year and that they were not rushed through. He wanted to emphasize that nobody breezed through these amendments or took them lightly. Secondly, he expressed that in his opinion the more public opinion that was heard, the better and that he would like to have more voices heard, more often. He thanked those that did appear and speak.

N. Frischkorn thanked the staff for their work preparing for the three public hearings which were held and expressed how helpful it was in making an informed decision.

S. Mittlefehldt stated that she really enjoyed the Green Signals article and informed the group of an upcoming trip to France to attend a *circular economy* conference and that she would be presenting some of her own research at the event. She expressed her pleasure at seeing her professional and personal interests in harmony. She stated she would like to share any knowledge she gained from the trip with the commission members.

W. Premeau stated that the only issue that arose for him was regarding former Mayor Irby and expressed his support for him. He stated he wouldn't go into the details, but he wanted it acknowledged that Mr. Irby was not the only person recalled and that one of the managers quit shortly after the recall.

A. Andres expressed frustration on how long they are waiting for a comment from the housing community while they were attempting to improve the quality of life in the city for everyone involved. He also expressed his frustration that due to the streets not being plowed, he was from attending some meetings. He asserted that if they were going to have meetings, they need to make the meetings more accessible and easier for people to attend. Mr. Andres emphasized that they do not take things lightly, they take their time deciding on issues, and try to take everyone's different views into consideration. He wanted to encourage more participation from a wider segment of society. He thanked the public for attending.

M. Larson stated that he would like to remind the commission about the upcoming training that will be on May 16th which is for Planning and Zoning for Solar Energy System.

D. Stensaas stated that two members have signed up for the training and mentioned other training opportunities were available as well, and that he would send out more information. He expressed frustration at the comments which make it appear as if the City doesn't have any professional planners and that they just rubber-stamp things. He stated that they take a lot of time considering what should be in the Land Development Code (LDC) and they weren't simply copying things produced by other committees or by the Ad Hoc Housing Commission. D. Stensaas stated that everything considered for or in the LDC was produced in-house, such as the definitions and standards. He clarified that an assumption was also made regarding the commission wanting more people in Marquette, which isn't accurate. He stated that the population was going to increase here because it is increasing by about 80 million people per year in net gain and that pressure will only increase on most places that people want to live and that he feels that this Planning Commission has done a good job of working with staff and taking public input and finding solutions that work for Marquette. He also stated that he wanted to address the comments about accessory dwelling units being cheap housing and that they have been allowed in Marquette for over three years, but that only one has been developed through an application and that may be because they are not a cheap housing option. He stated that ADUs are as expensive to develop as any other housing. He thanked the people who showed up and the comments they made.

J. Cardillo thanked Andrea and Dave for the months of work and effort for making the meeting happen. She stated that she would like to support all of the comments that Commissioner Andres had made about participation. She stated that it is exciting to have a full board here and that meetings such as these are very exciting to her and having a lot of participation is important to her. She expressed the thought that in

her opinion the committee should not be downsized and that having the full eight people was important. She thanked everyone and stated she was very glad that everyone was in attendance.

ADJOURNMENT

The meeting was adjourned by Chair J. Cardillo at 8:10 p.m.

Prepared by:

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