



CITY OF MARQUETTE
PLANNING AND ZONING
1100 Wright Street
MARQUETTE, MI 49855
(906) 228-0425
www.marquettemi.gov

MEMORANDUM

TO: Planning Commission
FROM: Dave Stensaas, City Planner and Zoning Administrator
DATE: September 28, 2023
SUBJECT: Public Hearing – Rezoning of 1025 Osprey Court

City staff is requesting that the Planning Commission conduct a rezoning process for the property at 1025 Osprey Court. The right to develop this property per the site plans for the Hawk's Ridge Planned Unit Development (PUD) has been terminated due to non-completion, per Article 54.323(I)(6) of the City's Land Development Code (LDC):

Expiration. Within a period of two (2) years following approval of the PUD Agreement by the City Commission, preliminary plats (*Section 54.501*) or final site plans (*Section 54.1402*) for an area embraced within the PUD must be submitted as hereinafter provided. If such plats or plans have not been submitted within the two-year period, the right to develop under the approved plan shall be terminated by the City. Upon the developer's showing of good cause, the Planning Commission can recommend and the City Commission grant an extension of up to two (2) years for submission of the preliminary plat and/or final site plan. If the right to develop under the approved plan is terminated by the City, the City shall commence rezoning the site to its previous zoning classification or a different zoning classification supported by the Master Plan, in accordance with *Section 54.1405*.

The property is designated as Multiple Family Residential (MFR) on the Future Land Use Map in the City's *Community Master Plan*, and thus that is the proposed zoning district classification that should be applied per Article 54.323(I)(6) of the LDC, and it seems to still be compatible with the current adjacent land uses.

This property has a complicated history, but it was part of the Hawk's Ridge PUD when it was approved initially, in June of 2003. There was an amendment that applied to building on this portion of the PUD in 2005, but the construction did not occur and the developers were later indicted and convicted of defrauding an investor. In recent years, the County Land Bank worked to extract the current 1025 Osprey Ct. parcel from the PUD, legally and physically via land division approval, and they currently are trying to sell the property to get the land. Rezoning the property is thus necessary to prepare for a sale and future development of the property.

Recommended Action:

The Planning Commission should review the application and support information provided in this packet, conduct a public hearing, and determine whether or not the proposed rezoning of the above property would be in harmony with considerations required by the Community Master Plan and that the request is in accordance with Section 54.1405 of the Land Development Code - Zoning Ordinance Amendment Procedures, and make a recommendation to the City Commission.

It is also highly recommended that any motion regarding the request include the following or similar language:

After conducting a public hearing and review of the application and Staff Report for 02-REZ-10-23, the Planning Commission finds that the previously approval Planned Unit Development zoning for the property is invalidated per the standards of Land Development Code (LDC) section 54.323(I)(6), and that the proposed rezoning is (consistent / not consistent) with the Community Master Plan and (meets / does not meet) the requirements of the LDC Section 54.1405, and hereby recommends that the City Commission (approve / deny) 02-REZ-05-22 (as presented / for the following reasons / with the following conditions). Approval will change the zoning district to Multiple Family Residential (MFR).

STAFF FILE REVIEW/ANALYSIS

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STAFF FILE REVIEW/ANALYSIS

Completed by David Stensaas – City Planner and Zoning Administrator
And Andrea M. Landers – Zoning Official



Case #: 02-REZ-10-23

Date: October 03, 2023

Project/Application: Rezoning from Planned Unit Development (PUD) to be zoned Multiple Family Residential (MFR).

Location: 1025 Osprey Court

Parcel ID: 0514370

Available Utilities: Natural Gas, Electricity, City Water, City Sewer, and Garbage Collection.

Current Zoning: PUD - **Expired**

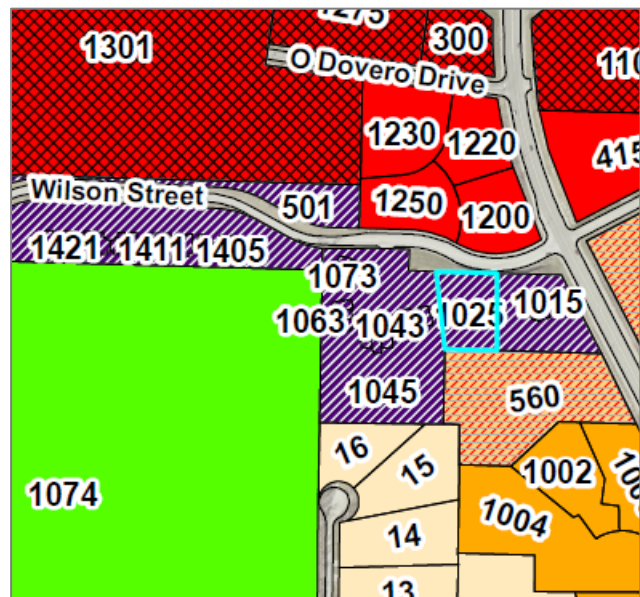
Surrounding Zoning: North: Right of Way, General Commercial
South: Undeveloped – City of Marquette land
East: PUD – Multiple Family Residential only
West: PUD – Multiple Family Residential only

Zoning Districts and Standards:

Existing Zoning

Section 54.323 PUD, Planned Unit Development District - EXPIRED

Parcel 0514370 was a part of the Hawk's Ridge PUD when it was approved, but is no longer part of that PUD. Please see the staff memo for a concise explanation of the parcel and PUD history.



Proposed Zoning

Section 54.309 MFR, Multiple Family Residential

(A) Intent	
<p>The M-U district is intended to encourage and facilitate redevelopment by implementing the following mixed-use policies of the Master Plan:</p> <ol style="list-style-type: none"> 1. Locations. The M-U district will be located in many areas of the City, with each area unique based on the character of the area and the objectives of the Master Plan. Therefore, the M-U district may be located along strategic corridors or in a major or minor node, such as crucial neighborhood intersections (for example, corner stores in a residential neighborhood). The M-U district is the recommended zoning district in the following Future Land Uses of the 2015 Master Plan Future Land Use Map: Mixed Use and Neighborhood Commercial. 2. Mix Compatible Land Uses. The M-U district will include areas of the city that are appropriate for many types of residential uses and compatible non-residential uses, including a mix of compatible uses in the same building. Examples of mixed-use buildings include non-residential uses on the lower floors and residential uses on the upper floors. 3. Local Services. The non-residential uses in the M-U district are intended to satisfy the need for basic services of the surrounding residential areas, thus reducing the number of car trips required to these areas. 4. Design. Development must be human-scale through appropriate building location near the street to help create a pedestrian-oriented environment that does not conflict with motorized traffic. 	
(B) Permitted Principal Uses	(C) Special Land Uses
<ul style="list-style-type: none"> • Accessory Building or Structure • Accessory Use, Single-Family Residential Lots • Adult Foster Care, Family Home • Adult Foster Care, Small Group Home • Child Care Center or Day Care Center • Child or Day Care, Family Home • Drive-Through Uses • Dwelling, Accessory Unit • Dwelling, Live/Work • Dwelling, Multiple-Family • Dwelling, Single-Family Attached • Dwelling, Single-Family Detached • Dwelling, Two-Family (Duplex) • Emergency Services • Farmers' Markets • Food Production, Minor • Foster Family Home • Health Services • Home Occupation • Home Office • Homestays and Vacation Home • Hospice • Indoor Recreation • Medical Hospital Related Accessory Uses • Medical Hospital Related Office • Medical Hospital Related Uses • Office, Medical • Office, Professional • Outdoor Entertainment and Community Events (Temporary) 	<ul style="list-style-type: none"> • Accessory Use, Non-Single Family Residential Lots • Bar • Bed and Breakfast • Bed and Breakfast Inn • Child or Day Care, Group Home • Domestic Violence Abuse Shelter • Dwelling, Intentional Community • Foster Family Group Home • Fraternity or Sorority House • Halfway House • Homeless Shelter • Hospital • Hospital Hospitality House • Hotel or Motel • Manufacturing, Light • Marihuana Safety Compliance Facility • Nursing Home, Convalescent Home, Extended Care Facility, Assisted Living Facility • Outdoor Entertainment and Community Events (Principal or Accessory Use) • Outdoor Alcoholic Beverage Service • Recreational Use, Public • Rooming House • School, Primary or Secondary • School, University • Supportive Housing Facility, Transitional and/or Permanent • Vehicle Repair and Service

STAFF FILE REVIEW/ANALYSIS

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<ul style="list-style-type: none"> • Outdoor Food and Non-Alcoholic Beverage Service • Outdoor Recreation • Public or Governmental Building • Religious Institution • Restaurant, Indoor Service • Retail Business, Indoor • Retail Sales, Outdoor Temporary • Service Establishment • Veterinary Clinic (Domestic Animals Only) 	
<p>Where there is a discrepancy between Section 54.306 and this table, Section 54.306 shall prevail.</p>	

(D) Dimensional Regulations			
Lot, Coverage, and Building Height Standards	Minimum Setbacks		
<i>Min. Lot Area (sq. ft.)</i>	4,800 (C) , (E)	<i>Front Yard (ft.)</i>	0 (E) , (F) , (G)
<i>Min. Lot Width (ft.)</i>	40 (D) , (E)	<i>Side Yard (one) (ft.)</i>	5 (J) , (L) , (N)
<i>Max. Impervious Surface Coverage (%)</i>	(R or S)	<i>Side Yard (total of 2) (ft.)</i>	13 (J) , (L) , (N)
<i>Max. Building Height of Primary Building (ft.) (P)</i>	44 (N)	<i>Rear Yard (ft.)</i>	20 (J) , (L) , (N)
<i>Max. Building Height of Accessory Building</i>	(L)		
<i>Max. Building Height (stories)</i>	-		
<p>Where there is a discrepancy between Article 4 and this table, Article 4 shall prevail.</p>			

54.403 Footnotes to Schedule of Regulations

(C) Minimum Lot Area for Two-Family Dwellings (Duplexes) in the MDR, M-U, TSC, and MFR Districts. In the MDR, M-U, TSC, and MFR District, the minimum lot area for a two-family dwelling (duplexes) is 6,000 sq. feet.

(D) Minimum Lot Width for Two-Family Dwellings (Duplexes) in the MDR M-U, TSC, and MFR Districts. In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a two-family dwelling (duplex) is 50 feet.

(E) Minimum Lot Area and Width for Three Family and Four Family Dwellings in the M-U, TSC, and MFR Districts.

(1) In the MDR, M-U, TSC, and the MFR District, the minimum lot area for a three-family and four family dwellings is 9,000 sq. feet.

(2) In the MDR, M-U, TSC, and the MFR District, the minimum lot width for a three-family and four family dwellings is 75 feet.

(F) Minimum Front Yard Setback in the M-U and GC Districts. In the M-U and GC districts, the minimum front yard setback is 0 ft. if there is at least a 10-foot distance between the front lot line and the curb/edge of the street. If there is not at least a 10-foot distance between the front lot line and the curb/edge of the street in these districts, the minimum front yard setback shall be increased accordingly so that the minimum separation distance between a structure and the curb/edge of the street is at least ten (10) feet.

(G) Maximum Front Yard Parking in the M-U and GC Districts. Although there are no maximum front yard setbacks in the M-U and GC districts, refer to [Article 9](#) for the maximum allowable parking in the front yard of the M-U ([Section 54.902\(E\)\(3\)](#)) and GC ([Section 54.902\(E\)\(4\)](#)) districts.

- (I) Reduced Side Yard Setbacks in the M-U, CBD, and GC Districts.** In the M-U, CBD, and GC districts the side yards may be eliminated under the following conditions:
- (1)** The side walls are of fireproof construction and are wholly without opening.
 - (2)** The zoning of the adjacent property is M-U, CBD, GC, Marquette Downtown Waterfront District, or Third Street Corridor District.
- (J) Modified Rear Yard Setbacks in the M-U and CBD Districts.** In the M-U and CBD districts the required rear yard may be measured from the center of an alley abutting the rear lot line, provided the structure is not located in the alley.
- (N) Height Exceptions and Increased Setbacks for Principal Buildings in the MFR and M-U Districts.** If the subject lot is adjacent to a lot zoned LDR, MDR, C, or CR, any portion of the building higher than 36.5 feet must be setback at least 8 feet from a minimum front yard setback line and at least 10 feet from any other minimum yard setback line.
- (P) Height Exemptions.** There shall be no height restriction on chimneys, flagpoles, public monuments, and wireless telecommunications facilities except when they are part of a special land use. Items attached to a building such as chimneys, weather vanes, lightning arrestors, etc. may be exempt as well.
- (R) Maximum Impervious Surface Coverage of a Lot in the LDR and MDR Districts, and single-family and two-family dwelling units in other zoning districts:** The maximum impervious surface coverage of a lot in the LDR and MDR Districts, and single-family and two-family uses in all other zoning districts shall be based on the lot areas as follows:

Maximum Impervious Surface Coverage Based on Lot Area
60% of the lot area up to 8,712 sq. ft. (1/5 acre or less); plus
50% of the area of the lot between 8,713 sq. ft. and 21,780 sq. ft. (1/2 acre); plus
40% of the area of the lot between 21,781 sq. ft. and 43,560 sq. ft. (1 acre); plus
30% of the area of the lot over 1 acre

- (S) Storm Water Management.** For all uses except Single-family and Two-family dwelling units, please refer to Section 54.803 Storm Water Management. For Single-family and Two-family dwelling units, please refer to item Q above.
- (T) Landscape Buffer and Greenbelt Requirements.** The minimum setbacks may be increased in accordance with the landscape buffer and greenbelt standards of [Section 54.1003\(D\)](#).

Section 54.1003 Landscaping Design Requirements

(D) Buffer and Greenbelt Requirements.

- (1) Intent.** It is the intent of this section to provide suitable transitional yards for the purpose of reducing the impact of and conflicts between incompatible land uses abutting district boundaries.
- (2) Buffer and Greenbelt Schedule.** On any lot abutting a zoning district boundary, no structure, building or part thereof shall hereafter be erected, constructed, altered or maintained closer to the district boundary line than specified (in feet) in the following schedule (*Figure 50*). Where indicated, landscape planting is required.

Figure 50 - Required Buffer and Greenbelt Specifications:

DISTRICT IN WHICH BUFFER & GREENBELT IS REQUIRED	ABUTTING DISTRICT							
	LDR & MDR	MFR	MHP	M-U	CBD	GC & RC	C, M, & CR	I-M & BLP
M-U	15 (a)	15 (a)	N.A.	N.A.	N.A.	N.A.	N.A.	20 (a)

(a) Within this buffer area, one (1) tree per 30 linear feet is required.

Relationship to Applicable Land Development Code Standards (staff comments in bold text):

Section 54.1405 Zoning Ordinance Amendment Procedures

(A) Initiation of Amendments. The City Commission, the Planning Commission, or the property owner (including a designated agent of the property owner) may at any time originate a petition to amend or change the zoning district boundaries pursuant to the authority and procedure established by Act 110 of Public Acts of 2006 as amended. Changes in the text of this Ordinance may be proposed by the City Commission, Planning Commission, or any interested person or organization.

(B) Application for Amendment. Each petition by one (1) or more persons for an amendment shall be submitted to the Zoning Administrator. Documents to support the application may be filed with the Zoning Administrator. A fee, as established by the City Commission shall accompany each petition, except those originated by the Planning Commission or City Commission.

Application accepted.

(C) Amendment Review Procedures.

(1) Public Hearing. The staff liaison to the Planning Commission shall set a time and date for a public hearing, and the public hearing shall be noticed in accordance with [Section 54.1406](#). The Planning Commission may refuse to schedule a hearing on a petition for rezoning which includes any portion of a site considered for rezoning in the previous six (6) months.

The public hearing before the Planning Commission is scheduled for 6:00 p.m. on Tuesday, October 3, 2023.

(2) Planning Commission Consideration of the Proposed Amendment. The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section. Following the public hearing, the Planning Commission shall make a recommendation to the City Commission to either approve or deny the petition and report its findings to the City Commission.

The Planning Commission is being asked to make a recommendation at their meeting on October 3, 2023.

- (3) City Commission Consideration of the Proposed Amendment. The City Commission, upon recommendation from the Planning Commission, shall either schedule a public hearing or deny the petition. This hearing shall be advertised in accordance with [Section 54.1406](#). If determined to be necessary, the City Commission may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the **Official Zoning Map**, the City Commission shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.

(D) Standards of Review for Amendments. In considering any petition for an amendment to the text of this Ordinance or to the Official Zoning Map, the Planning Commission and City Commission shall consider the following criteria that apply to the application in making findings, recommendations, and a decision. The Planning Commission and City Commission may also take into account other factors or considerations that are applicable to the application but are not listed below.

- (1) Master Plan. Consistency with the recommendations, goals, policies and objectives of the Master Plan and any sub-area plans. If conditions have changed since the Master Plan was adopted, consistency with recent development trends in the area shall be considered.

This property is designated for *Multiple Family Residential (MFR)* on the *Future Land Use Map* of the Community Master Plan (CMP) and is designated as a *Planned Unit Development* district on the *Proposed Zoning Map* (excerpts attached). Approval of the Rezoning will amend the Official Zoning Map and the CMP's *Proposed Zoning Map* (which is presently being updated via the CMP Renewal Project) will be updated with the new M-U designation.

Please see p.3-31 and p.3-32 of the Community Master Plan (CMP), regarding Rezoning Requests. The Planning Commission must review all supporting information, this report in particular, and the attachment titled *Rezoning Considerations for Planning Commissions*, and hold a public hearing for community input prior to making a determination of whether to recommend approval or the request as presented or not.

- (2) Intent and Purpose of the Zoning Ordinance. Consistency with the basic intent and purpose of this Zoning Ordinance.

Please see above - "Zoning District and Standards".

- (3) Street System. The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.

No problems are anticipated in regard to Osprey Ct. or Wilson St.

- (4) Utilities and Services. The capacity of the City's utilities and services sufficient to accommodate the uses permitted in the requested district without compromising the health, safety, and welfare of the City.

There are no problems anticipated.

- (5) Changed Conditions Since the Zoning Ordinance Was Adopted or Errors to the Zoning Ordinance. That conditions have changed since the Zoning Ordinance was adopted or there was an error in the Zoning Ordinance that justifies the amendment.

There has been a change in conditions as approval for the PUD has expired, and there was no related errors in the Zoning Ordinance.

- (6) No Exclusionary Zoning. That the amendment will not be expected to result in exclusionary zoning.

The proposal will not result in any substantial changes that would make exclusionary zoning more likely.

- (7) Environmental Features. If a rezoning is requested, compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

The proposed zoning is compatible with site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.

- (8) Potential Land Uses and Impacts. If a rezoning is requested, compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

The proposed rezoning would allow all of the possible land uses for a Multiple Family Residential zoning district.

- (9) Relationship to Surrounding Zoning Districts and Compliance with the Proposed District. If a rezoning is requested, the boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.

There are no issues anticipated in this regard.

- (10) Alternative Zoning Districts. If a rezoning is requested, the requested zoning district is considered to be more appropriate from the City's perspective than another zoning district.

The LDC requirement for rezoning an expired PUD on sec. 54.323(I)(6) makes the specified district on the Future Land Use Map the only viable alternative.

- (11) Rezoning Preferable to Text Amendment, Where Appropriate. If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.

A text amendment would not be appropriate due to the requirements for rezoning an expired PUD, per LDC section 54.323(I)(6).

- (12) Isolated or Incompatible Zone Prohibited. If a rezoning is requested, the requested rezoning will not create an isolated or incompatible zone in the neighborhood.

The adjacent land use in the Hawk's Ridge PUD is multi-family residential, and to the west along Wilson St. there is a combination of single family and multi-family residences in the Harlow Farms and Mill Creek developments.

- (E) Notice of Adoption of Amendment. Following adoption of an amendment by the City Commission, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. Amendments shall take effect eight (8) days after publication. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk or his/her designee, which shall identify all map amendments. The required notice of adoption shall include all of the following information:
- (1) In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Marquette."
 - (2) In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).
 - (3) The effective date of the ordinance or amendment.

If the proposed zoning amendment is adopted by the City Commission the requirements of this section will be met.

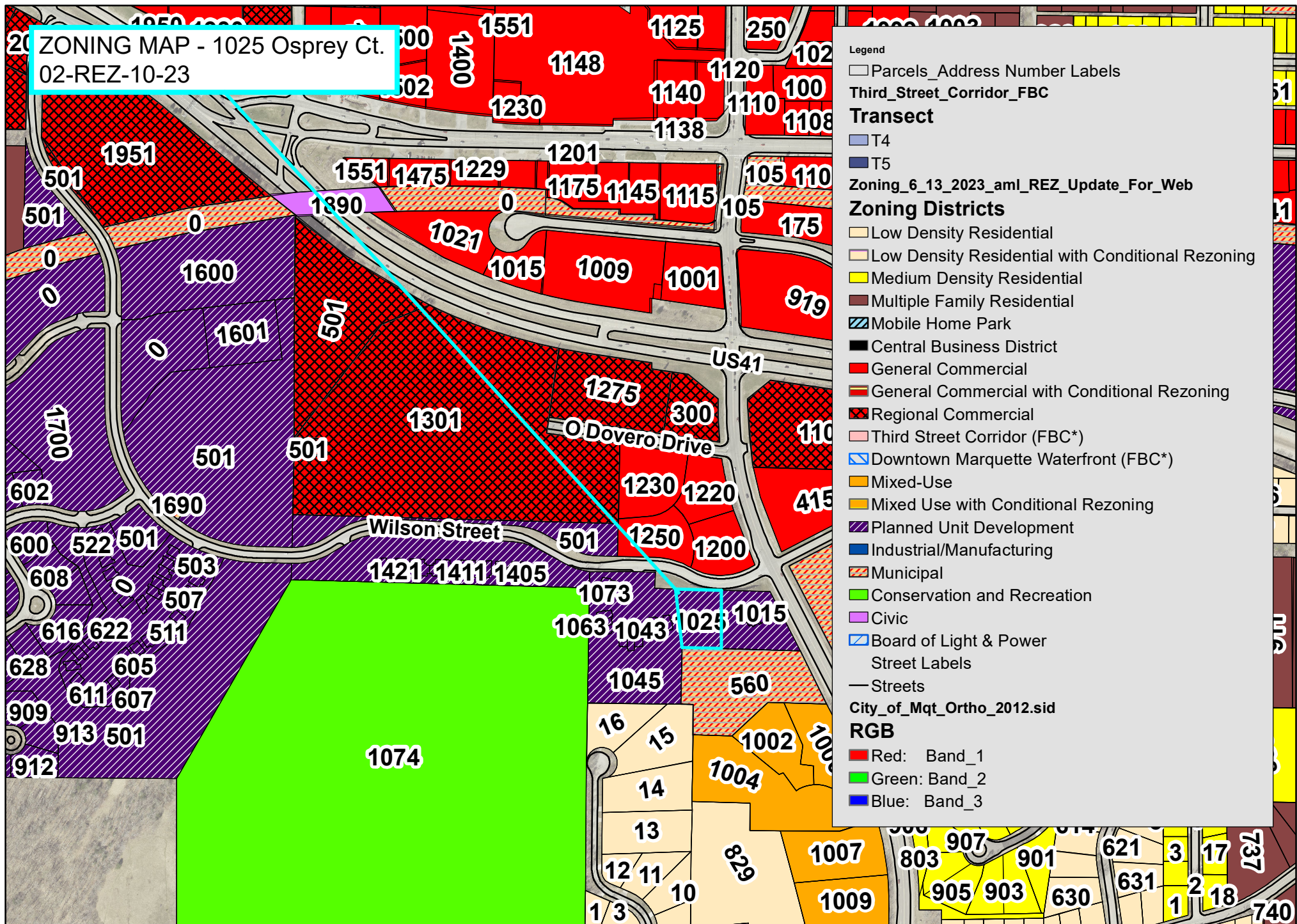
Additional Comments:

The Planning Commission should consider the request, and the information provided in this analysis, and provide a recommendation to the City Commission.

Attachments:

1. Existing Zoning Map Excerpt
2. Future Land Use Map
3. Location, Site and Utility Map
4. First Site Plan/Site Layout Map of Hawk's Ridge PUD
5. Phase 2 Map for the 1025 Osprey Ct. parcel area of Hawk's Ridge PUD
6. Memo RE Public Hearing to Property Owner
7. Publication Notice

ZONING MAP - 1025 Osprey Ct.
02-REZ-10-23



Legend

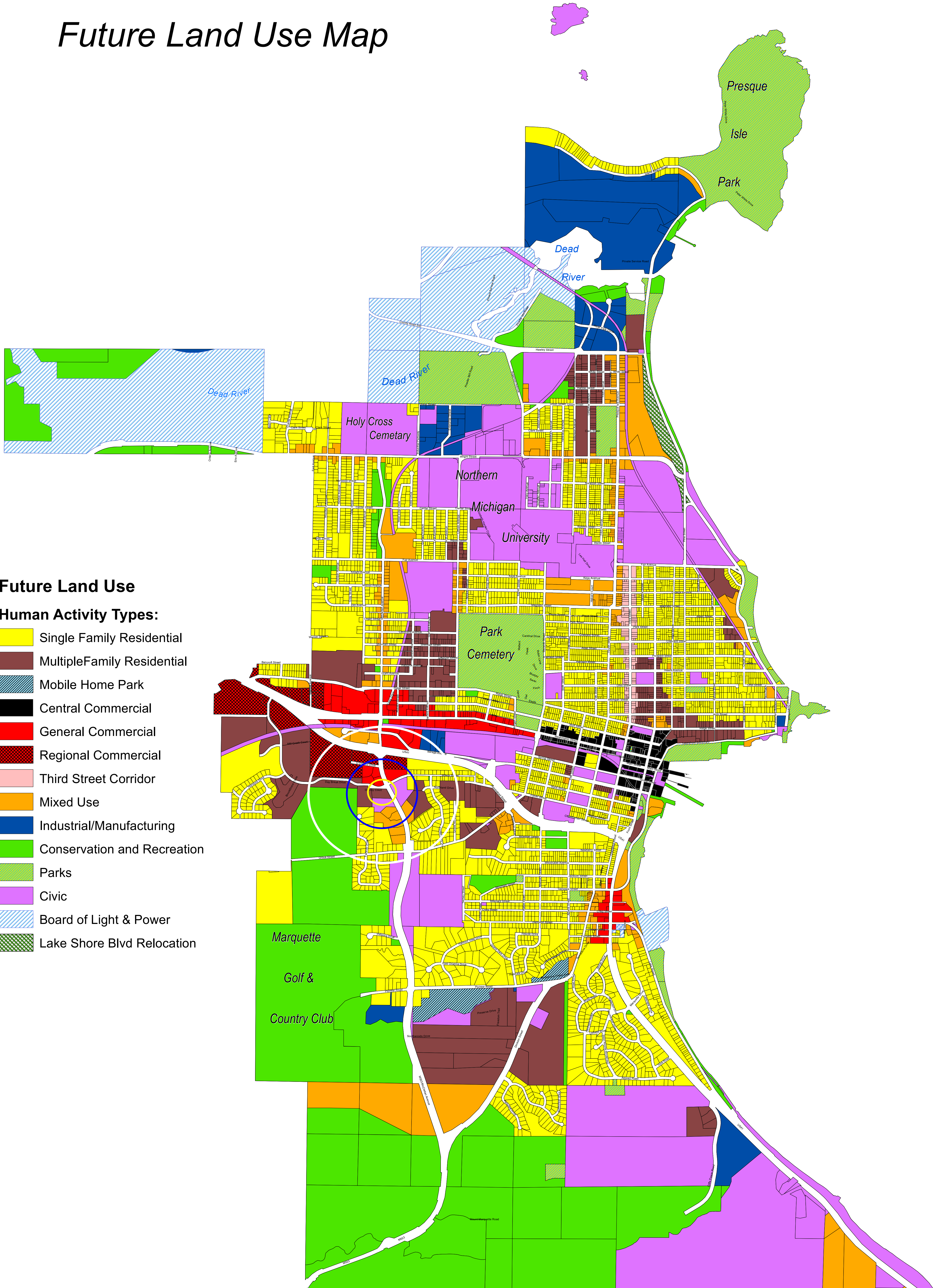
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- Third_Street_Corridor_FBC
- Transect**
 - T4
 - T5
- Zoning_6_13_2023_aml_REZ_Update_For_Web
- Zoning Districts**
 - Low Density Residential
 - Low Density Residential with Conditional Rezoning
 - Medium Density Residential
 - Multiple Family Residential
 - Mobile Home Park
 - Central Business District
 - General Commercial
 - General Commercial with Conditional Rezoning
 - Regional Commercial
 - Third Street Corridor (FBC*)
 - Downtown Marquette Waterfront (FBC*)
 - Mixed-Use
 - Mixed Use with Conditional Rezoning
 - Planned Unit Development
 - Industrial/Manufacturing
 - Municipal
 - Conservation and Recreation
 - Civic
 - Board of Light & Power
- Street Labels
- Streets
- City_of_Mqt_Ortho_2012.sid
- RGB**
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

In regard to the map, the information contained on this map is believed to be accurate but accuracy is not guaranteed. Mapping information is a representation of various data sources and is not a substitute for information that would result from an accurate land survey. The information contained herein does not replace information that may be obtained by consulting the information's official source. In no event shall the City of Marquette be liable for any damages, direct or consequential, from the use of the information.

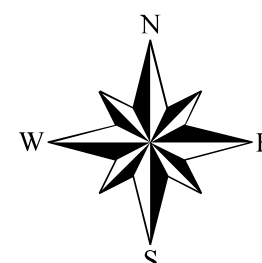


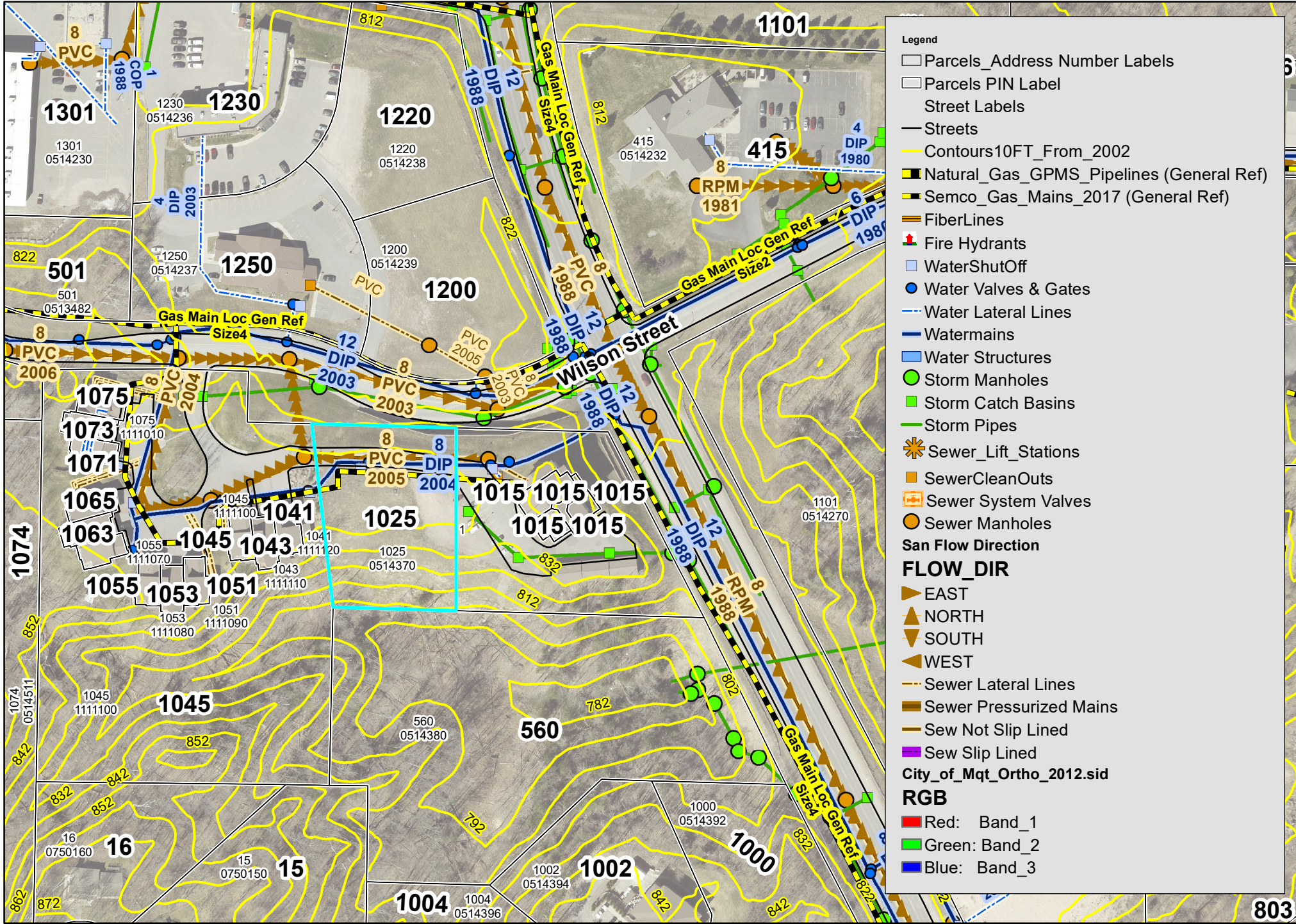
MARQUETTE COMMUNITY MASTER PLAN

Future Land Use Map



0 0.25 0.5 1 Miles



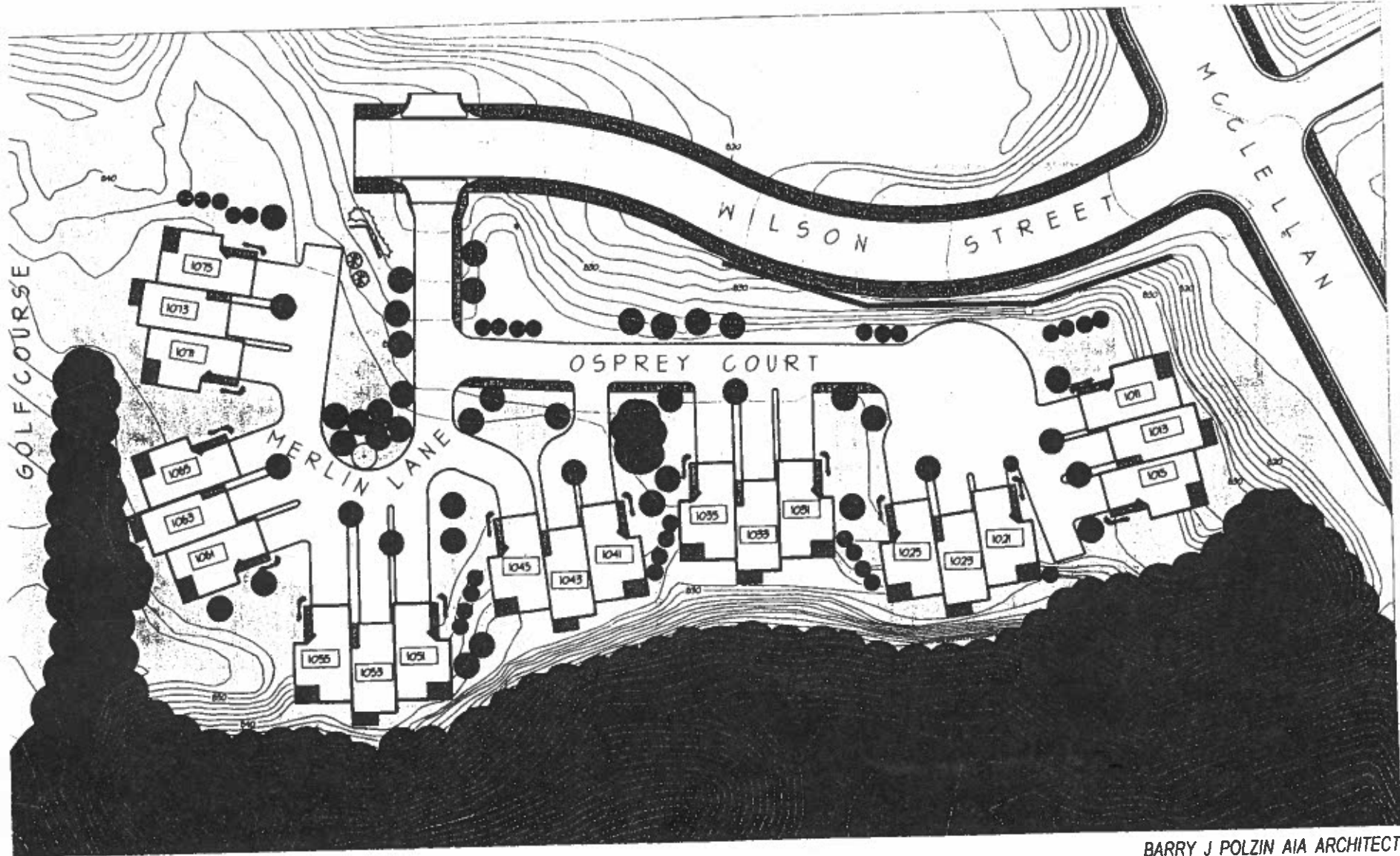


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1 inch = 160 feet

Original Hawk's Ridge Site Plan
Site Layout Map

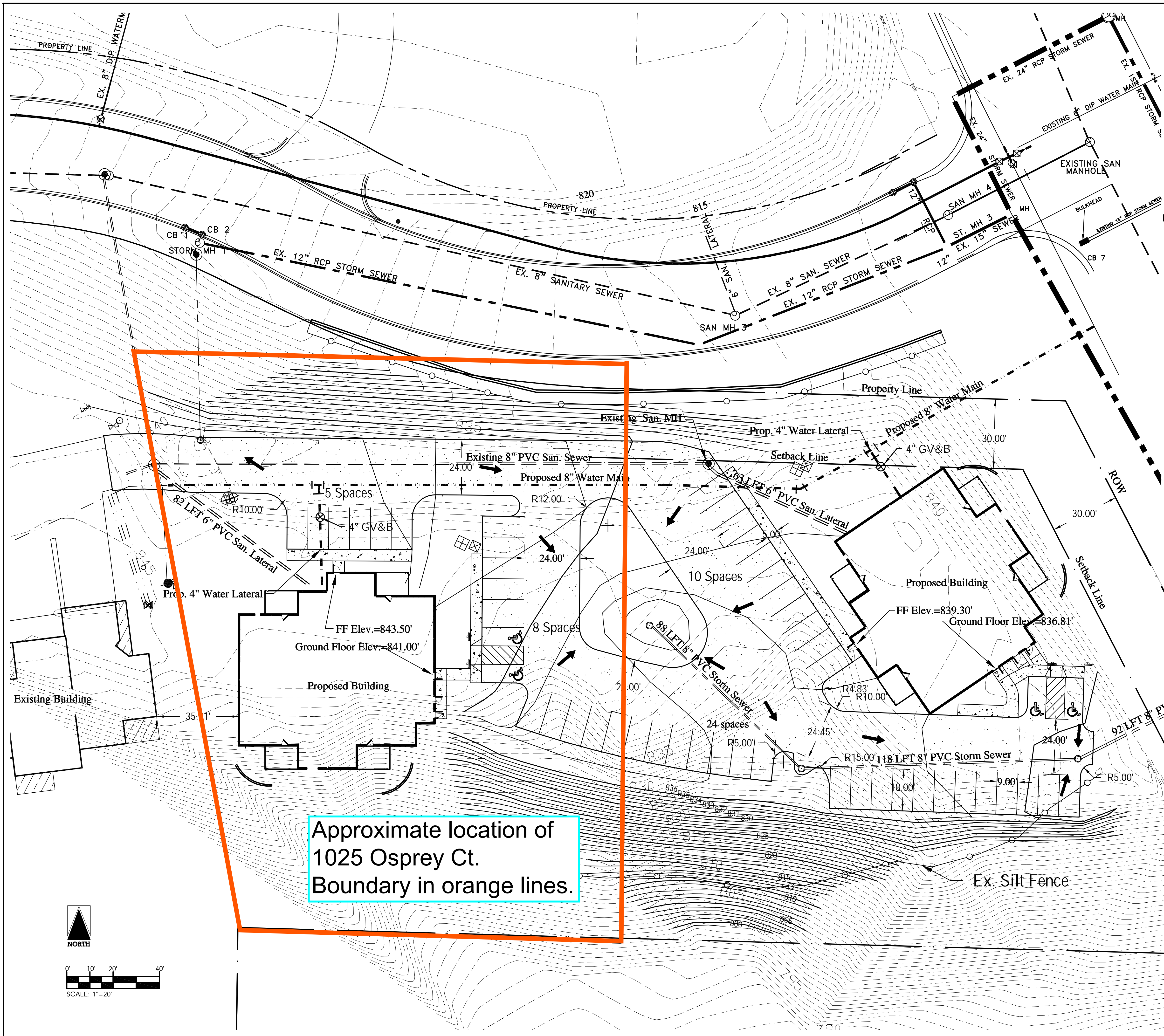


BARRY J POLZIN AIA ARCHITECT

HAWK'S RIDGE
MARQUETTE, MICHIGAN

SITE PLAN
SCALE NORTH

IRON BAY DEVELOPMENT LLC



Approximate location of 1025 Osprey Ct. Boundary in orange lines.

GENERAL NOTES

1. ALL DISTURBED AREAS OUTSIDE THE LIMITS OF THE PROPOSED WORK SHALL BE RESTORED IN KIND.
2. EXISTING UTILITIES SHOWN ARE FROM OLD PLANS. CONTRACTOR SHALL NOTIFY MISS-DIG A MINIMUM OF 3 WORKING DAYS PRIOR TO CONSTRUCTION.
3. PRIOR TO CONNECTING TO CITY UTILITIES THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN TAPPING PERMITS FROM THE CITY AND FIELD VERIFY ALL UTILITY GRADES, SIZES AND CONNECTIONS PRIOR TO CONDUCTING THE WORK. ALL UTILITY WORK SHALL MEET CITY OF MARQUETTE STANDARD SPECIFICATIONS FOR CONSTRUCTION.
4. ALL WORK SHALL BE PERFORMED TO MEET MDT 2003 STANDARD SPECIFICATIONS FOR CONSTRUCTION UNLESS OTHERWISE NOTED.
5. ALL PUBLIC UTILITIES SHALL HAVE EASEMENTS PROVIDED. SANITARY SEWER LATERALS SHALL HAVE A 6" CLEANOUT INSTALLED AT EASEMENT LINE. 4" WATER VALVE BASES WILL BE PROVIDED AT EASEMENT LINE.

Keynotes:

1. Provide 12" Class II Sand Subbase, 6" Aggregate Base, 3" HMA 13A Pavement Structure.
2. Place 4" Concrete Monolithic Sidewalk per Detail.
3. Place 4" Concrete Sidewalk per Detail.
4. Provide 4" Yellow Line Markings.
5. Provide 4" Blue Line Markings, Handicap Symbol, Handicap Sign per Detail.
6. Provide Handicap Ramp per ADA Requirements.
7. Tap Existing Storm Sewer per Marquette City Specifications.
8. Tap Existing Sanitary Manhole per Marquette City Specifications.
9. Connect to Existing Sanitary Sewer Stub per Marquette City Specifications.
10. Tap Existing Water Main per Marquette City Specifications.
11. Place Pegged Class B Sod.
12. Prefabricated Retaining Walls Per Owner (Maximum Height = 30")
13. Bituminous Spillway at Catch Basin.

Legal Description:

A parcel located in the southwest 1/4 of section 22 beginning at the northwest corner of Fairway View Subdivision; then north 420 feet to the south right-of-way line of Wilson Street; then east along said right-of-way 745 feet ± to the west right-of-way line of McClellan Avenue; then southeasterly along said right-of-way 275 feet ±; then north 88° 24' 37" west 482.02 feet then south 00° 39' 44" west 224.39 feet; then west along the north line of Fairway View Subdivision 383.20 feet to the point of beginning. (Containing 6.3397 acres)

SOIL EROSION MEASURES

- (PER MDT STANDARD PLANS)
- ⊕ PERMANENT SEEDING
 - ⊙ PERMANENT SODDING
 - ⊗ PERMANENT RIPRAP SLOPE W/GEOTEXTILE FABRIC
 - ⊕ TEMPORARY SEDIMENT TRAP
 - ⊙ GEOTEXTILE SILT FENCE

MISS DIG



3 Full Working Days Before You Dig,
Call Miss Dig
1 (800) 482-7171

LEGEND

- DIRECTION OF DRAINAGE
- 819- EXISTING COUNTOUR
- x 823.79' EXISTING SPOT GRADE
- 819.65' PROPOSED FINISH GRADE
- STORM SEWER CATCH BASIN
- MANHOLE
- 818- PROPOSED CONTOUR
- ⊗ WATER VALVE
- HYDRANT
- PROPERTY CORNER

1025 Osprey Court – Site Photos



View looking west across 1025 Osprey Ct., in front of the Lofts at Hawk's Ridge building.



View looking south across 1025 Osprey Ct., with the Lofts at Hawk's Ridge building on the left and Hawk's Ridge buildings at right.



View to the south of Osprey Court adjacent to the 1025 parcel. Wilson St. is just below, with the junction of Osprey Ct. just out of sight on the left side of the photo.



CITY OF MARQUETTE
PLANNING AND ZONING
1100 Wright Street
MARQUETTE, MI 49855
(906) 228-0425
www.marquettemi.gov

MEMORANDUM

TO: Anne Giroux, Executive Director – Marquette County Land Bank Authority
FROM: Dave Stensaas, City Planner and Zoning Administrator
DATE: September 6, 2023
SUBJECT: **Rezoning of 1025 Osprey Court**

City staff will be initiating a rezoning process for your property at 1025 Osprey Ct. and bring the request to the Planning Commission on October 3, 2023. The right to develop this property per the site plans for the Hawk's Ridge Planned Unit Development (PUD) has been terminated due to non-completion, per Article 54.323(I)(6) of the City's Land Development Code:

Expiration. Within a period of two (2) years following approval of the PUD Agreement by the City Commission, preliminary plats (*Section 54.501*) or final site plans (*Section 54.1402*) for an area embraced within the PUD must be submitted as hereinafter provided. If such plats or plans have not been submitted within the two-year period, the right to develop under the approved plan shall be terminated by the City. Upon the developer's showing of good cause, the Planning Commission can recommend and the City Commission grant an extension of up to two (2) years for submission of the preliminary plat and/or final site plan. If the right to develop under the approved plan is terminated by the City, the City shall commence rezoning the site to its previous zoning classification or a different zoning classification supported by the Master Plan, in accordance with *Section 54.1405*.

The property is designated as Multi-Family Residential (MFR) on the Future Land Use Map in the City's *Community Master Plan*, and that will be the zoning district classification that will be proposed by staff for the rezoning, and that is the only zoning classification that is likely to be found compatible with the current adjacent land uses. Please share this information with the property's prospective buyer.

Cc: City Attorney, Zoning Official, Director of Community Development

September 14, 2023

Dear Property Owner or Occupant:



RE: Notice of PUBLIC HEARING before the Marquette City Planning Commission regarding: **02-REZ-10-23 – 1025 Osprey Ct. (PIN: 0514370)**

The City of Marquette is requesting to rezone the property located at 1025 Osprey Court which is zoned **Planned Unit Development (PUD)** to be zoned **Multiple Family Residential (MFR)**. The right to develop this property per the site plans for the Hawk's Ridge Planned Unit Development (PUD) has been terminated due to non-completion, per Article 54.323(I)(6) of the City's Land Development Code. The property is designated as Multi-Family Residential (MFR) on the Future Land Use Map in the City's *Community Master Plan*.

You are being notified of the public hearing referenced above because you own or occupy property within 300 feet of the property.

The public hearing for this request will be at 6 p.m. in the Commission Chambers at City Hall on Tuesday, **October 3, 2023**. If you wish to comment on this matter, you may do so at that time.

Written comments may also be submitted to the Community Development Department located at 1100 Wright Street, Marquette, Michigan 49855 or e-mail alanders@marquettemi.gov. Written submissions will be accepted until 12:00 p.m. on October 3, 2023.

The Land Development Code language pertaining to the request is available for review at the Community Development Department's office at the Municipal Service Center during 7:30 a.m. to 4:30 p.m., Monday through Friday. Otherwise, you can request to have the material e-mailed to you by e-mailing alanders@marquettemi.gov. You can also view the Land Development Code on our website at www.marquettemi.gov.

Please contact me if you have any questions at 906.225.8383 or e-mail alanders@marquettemi.gov.

Sincerely,

Andrea Landers

Andrea M. Landers
Zoning Official