

**OFFICIAL PROCEEDINGS OF THE  
MARQUETTE CITY PLANNING COMMISSION  
May 21st, 2024**

A regular meeting of the Marquette City Planning Commission was duly called and held at 6:00p.m. on Tuesday, May 21st, 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, Vice Chair K. Clegg, K. Granger, D. Kaltsas, D. Fetter, C. Gottlieb, S. Lawry, Chair S. Mittlefehldt

PC Members absent: None

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

**AGENDA**

*It was moved by S. Lawry, seconded by C. Gottlieb, and carried 9-0 to approve the agenda as presented.*

**MINUTES**

The minutes of 04-16-24 were approved as presented by consent.

**CONFLICT OF INTEREST**

W. Premeau stated that he sold the property in the 03-SUP-06-22 extension request case and would recuse himself in that case.

**CITIZENS WISHING TO ADDRESS THE COMMISSION ON AGENDA ITEMS**

No comments were provided.

**PUBLIC HEARINGS**

**A. 01-SUP-05-24 – 2980 ST HWY M-553 (PIN: 0515971)**

A. Landers stated that staff has reviewed the Special Land Use permit application for a one-story building that will have Light Manufacturing use located at 2980 ST HWY M-553. She continued, saying that attached to the agenda is the staff report, the Special Land Use application submitted by the applicant, their site plan review application, staff comments, their responses to the staff comments, the area and block maps with the parcel outlined in blue, photos of the site, and the site plan. She said that staff did not receive any correspondence prior to the agenda being posted or prior to today's deadline.

S. Mittlefehldt asked if anyone had questions for staff.

S. Lawry asked if the Cleveland-Cliffs easement that is shown across the property is one of the old Cliffs electric easements for power lines, do we know? Staff did not have a conclusive answer to the question, but the applicant's team indicated that they could answer the question.

Mr. Bud Bradley, Construction Manager for Longyear, said that he was representing the project and that a brief overview is it's a 30,000 sq. foot light-manufacturing facility. He said it is going to be pre-engineered metal building and its going to be utilized for Able Medical's expansion. Production is driving that need and this is the proposed site and I'm hoping to answer any questions you have, in depth, about the project. He addressed Commissioner Lawry and said that to answer his question - the easement was owned by Cleveland-Cliffs, and our understanding is that it was transferred to UPPCO and then ATC. He said they have been in touch with all three entities and how it was recorded, or the lack of recording, is

still a bit of a mystery to us, but we're trying to get a quit-claim deed from all three entities to remove that burden from the property.

C. Gottlieb asked Mr. Bradley:

Is there anything in the easement right now, anything underground?

Mr. Bradley said that the easement dates back to the early 1900s, it is an electrical powerline transmission easement, and he has walked the easement and there is absolutely nothing within it and there is nothing underground.

S. Lawry asked Mr. Bradley:

As owners of the property, do you have any plans for moving the existing bike trails that are on the property?

Mr. Bradley stated:

We have a good working relationship with the NTN and they have a good idea of what trails are going to be impacted and we're working in conjunction with them for planning purposes. There will be a pause to those trails during construction but at this time it is to be determined where and how they will be rerouted.

S. Mittlefehldt asked...

Could you give us a sense, as I'm not familiar with Able Medical manufacturing, of exactly what you'll be doing? I noticed in the plans there is a blasting and polishing room, and wet process, but I have no idea. So, what is going to be going on at the site?

Mr. Robert Kinney, Plant Manager and Process Engineer for Able Medical, said:

We do [make] implants, (inaudible) and surgical instruments, similar, to Resolve medical, north of town. Our wet processing is citric based. There are CNC machines, lathes, mills, and from a thermoplastics standpoint it's (inaudible) and all Class B, there's no chemicals exiting the building. We'll clean up and take care of that during the disposal process. The wet process is just cleaning (inaudible) parts, usually with citric-based type of cleaners, nothing from an acid standpoint. We do use oil in our machines and we recycle that offsite.

C. Gottlieb asked Mr. Bradley if there is a written agreement with the NTN or an agency to replace the trails, or a guarantee that you guys are going to replace them?

Mr. Bradley stated:

I'm not privy to any existing lease agreements with the NTN, all I know is that there is a consistent working relationship with NTN at this time. There is no actual guarantees or anything like that at this time.

S. Mittlefehldt asked if there was an correspondence on this project. There was not. She then opened the public hearing and asked if anyone wanted to provide testimony on this matter.

Mr. Ken Rushka, representing the Marquette Golf and Country Club, said that he was on their board of directors, and he stated:

We were put in contact with the Longyear and Able group and they had a good reach out to us and they were very willing to work with us on what we want to do there. The golf course is a very large green space and so we're very into recreation and green space and working with the NTN on trails, and we have a lot of them going through our property and some connectors as I understand are critical to them and we're very supportive of the NTN and this project. We spoke to the manager who is not here tonight and they seem to be building a light manufacturing, tech campus that would fit in with the golf course and we're satisfied with what they told us and we're here as a supportive and positive neighbor tonight. Thank you.

Ms. Lori Hauswirth, Executive Director of the [Noquemenon Trail Network] NTN, stated:

We've been in conversations with Longyear, obviously, and we knew this was coming for five or six years. (Inaudible) before they sold it had an option to put a permanent easement across this property and they

chose not to, so we're lucky to have a landowner that is actively working with us to make sure trails are preserved. So with this project the critical piece that we're losing is the snow bike trail connectivity, we will have to move that trail or find another route up higher to maintain that. And we'll be losing a bit of singletrack that we're hopeful will be reconnected but is less critical to the system. It gets tight in there because there is rocky cliff on the City property and the trail dictates how we can construct the trail, and not just the trail, we want to make sure we preserve the character too – the remote feel that we enjoy out on the trails, so anything we can do to maintain the terrain or the natural buffer is important to the trails too.

S. Mittlefehldt closed the public hearing after hearing no other comments.

It was moved by S. Lawry, seconded by K. Clegg, and carried 9-0 to suspend the rules for discussion.

S. Lawry stated:

I'm not sure whether its germane to this item or the next one for the road, but it does show the proposed right of way for the public road, but it does not include the turn-around at the end of the road, which would be required for plowing vehicles, fire trucks, and the like, and I think past practice has been to require a temporary easement for something like that. I think there was one for Tadych's parking lot where O'Dovero Drive ends and I'm just wondering if that is something that is still in the works between the City and the developer.

City Engineer M. Kilpela stated that they haven't discussed that yet, but it is a good point.

S. Lawry said that a second question is that its mentioned a couple of times in our materials that the schedule for this is undetermined at this point, but it appears that MDOT has a current mill and pave project underway on this section of McClellan and if the open cut for the sewer connection isn't done before they get there, they're probably going to prohibit it for several years. Can anyone address if that will be coordinated with MDOT?

Mr. Bradley stated:

We're hoping to team up with the City on that. The general intent would be to construct the road and then turn it over to the City eventually after construction. We have not pulled any permitting from MDOT as of yet, so I'm not sure where that will fall. However, for scheduling, what we're trying to hit now is to potentially break ground as early as mid-July, with substantial completion of the building sometime in the spring or summer of 2025.

S. Lawry stated:

I would urge that you contact the local construction office of MDOT and try to get a timeframe to them, but they'll give you a deadline of when you have to open cut to connect to that sanitary sewer even if you just extend it out beyond that curb and stop there it will remove a major roadblock to your project.

D. Stensaas stated:

I'd just like to add that MDOT has reviewed they're site plan for the access to the highway, as well as the Hemlock Park development across the highway, so they already know what's going on there, and so there just needs to be some coordination.

S. Lawry stated:

I don't believe the plans we had show the driveway location across M-553, and since this driveway doesn't line up with Division St., does it line up with one of those multi-family drives.

D. Stensaas stated:

The two are offset. The new Hemlock drive is already in place, it's been roughed-in, and they're [going to be] offset by a few hundred feet. So, MDOT likes the offset distance and is happy with the way this is going to work out, and they have the site plans.

S. Mittlefehldt said that for the benefit of new members, the Hemlock [Park] property is the 3170, and there is a new drive and housing development going in there.

D. Stensaas said that the Able driveway will be a few hundred feet to the north of the Hemlock Park driveway.

S. Lawry said his questions were answered, and thank you.

S. Mittlefehldt asked if there were other questions or comments. She then directed the members to page 28 in the packet in which the request to exceed the maximum parking limit was posed.

A. Landers said that the Planning Commission has to look at their narrative and decide if you would agree to allow them to have more than the 20-percent above maximum.

S. Mittlefehldt asked if members had checked out the parking plan, and then asked if anyone had any thoughts.

W. Premeau stated:

...  
First off, it's going to be back in the woods, 129 feet off the right-of-way, and the nearest point you're going to see is their scrap metal container, and you have to climb about 50 to 60 feet. I think that is one of the best plans I've seen. In regards to parking, I think when we reduced parking drastically trying to downsize parking lots. They probably know better what they need for parking because its going to take a certain number of employees to run the place, so need for the parking is not a problem as far as I can see.

D. Kaltsas asked if the data was based on current estimates or for future planning.

Mr. Bradley stated:

This is for current planning with some expected growth with the 30,000 square foot facility. There is potential for new hires and our HR department is doing its best to keep up and try to anticipate that. Its based on the 30 members currently down at the Sawyer facility on the day shift, and there's also the night shift, but at times and with company visitors there is a very packed parking lot on an occasional basis. And to your point, sir [W. Premeau], if you hike McClellan Ave. you might never see this facility, if that helps in any decision making.

D. Kaltsas asked Mr. Bradley if they considered bike spaces since they are so close to the South Trails and for those do live in Marquette and that might want to bike after work.

Mr. Bradley stated:

A lot of Able employees are very excited about being located close proximity to the bike trails and we're going to try to make this as community-based a project as possible.

S. Mittlefehldt asked if there were other questions and said that it seems like there is consensus on this and that we can agree with the request for the proposed parking. The members indicated agreement.

S. Mittlefehldt then said that the members needed to go through the fourteen Special Land Use standards of section 54.1403(C). The Planning Commission discussed each of the fourteen standards. The following comments and discussion occurred during this portion of the case:

S. Lawry said, in regard to both time and the number of persons, if I understood the chart with the parking correctly, you basically only have a full staff there on day shift now. Do you envision at some point going to multiple production shifts that would go round the clock.

Mr. Kinney stated:

Currently we run a day shift until 5 o'clock and a night shift from 2 p.m. to midnight, Monday through Thursday currently. The plan going forward is maybe adding Friday night, but consistent with those hours.

Mr. Lawry stated:

I thought I saw where there were only a couple of employees there at night.

Mr. Kinney stated:

Yeah, at Forestville, that's true, we only have six people at night

Mr. Lawry stated:

But you could put the whole thirty people to work on those other shifts in the future.

Mr. Kinney stated:

That's true. Day shift has their engineering and quality department, sales, so we have more departments running during the day. At night it strictly the manufacturing staff keeping the machines running, so its more of a light-duty skeleton-type crew.

C. Gottlieb stated (regarding vehicular circulation):

This may be speculation, but is there any thought that the owners of the property will develop beyond the current proposal to single family homes up further that will increase traffic even more?

Mr. Bradley said that at this time any future development is speculation at this time and we would go through the City's planning process requirements, and that at this time nothing beyond this 30,000 sq. ft. expansion isn't something being planned for to a point where we can speak to it.

D. Stensaas stated, in regard to the last item, I don't know if the members noticed it on the plans, but part of the plan for pedestrian circulation here is a 6-foot maintenance strip. He said what that is, it's a type of multi-use path that isn't distance-separated from the curb, its basically attached at the curb and can serve as a short-term or long-term facility for use by pedestrians and bikes. For the immediate future the plan is to put that in from the access point on M-553 to the facility.

S. Lawry stated, regarding the *physical characteristics of the site*, that he saw a comment regarding cross culverts and that the City was only interested in easements or taking ownership of the portion in the right of way, and yet to properly maintain those culverts you have to have access to the inlet and the outlet. So I was a little confused by that.

M. Kilpela said the intent is that the City would only take over the stormwater systems that capture runoff from the public roadway, whereas the cross-culverts that capture runoff from the parking lot that go to the detention ponds would be privately maintained.

S. Lawry stated he understands, but there are a number of culverts under the road that carry small streamlets and they're picked up and discharged outside of the proposed right of way.

M. Kilpela stated that if you're talking about a culvert that would have an end section (inaudible) the right of way, we'll take another look at that.

S. Mittlefehldt said, regarding *environmental factors*, that she has a question about the issue of recycling titanium shavings, and asked for an explanation of what that is about.

Mr. Kinney stated:

We basically have a dry-hop system where we store them in a metal hopper inside the building, we drain all the oil off and we have a shipper that comes from Chicago that picks them up in lined totes and takes the down to be completely recycled, and we do that for stainless steel shavings as well.

K. Clegg asked how often those shavings are shipped out.

Mr. Kinney said about once every four months, which provides time to reclaim as much oil as possible to reuse in the machines.

S. Mittlefehldt asked if anyone wanted to make a motion or is there any other discussion?

*It was moved by C. Gottlieb, seconded by K. Clegg, and carried 9-0 that after holding a public hearing and review of the site plan set dated April 3, 2024, with supplemental documentation and the Staff Report/Analysis for 01-SUP-05-24, the Planning Commission finds that the request meets the intent and requirements of the Land Development Code Sections 54.1403, 54.1402, 54.627, and hereby approves 01-SUP-05-24 with the following condition - that an amended plan is submitted to meet all of staff comments.*

## **B. 01-ZOA-05-24 – Land Development Code Amendments**

D. Stensaas stated that in the packet are all of the proposed amendments that we've been working on for the past four to five months, concluding with a joint work session with the City Commission last week, and unless there are questions or concerns someone could move to present these to the City Commission for a public hearing.

S. Mittlefehldt opened the public hearing. Nobody came forward to provide comments. S. Mittlefehldt closed the public hearing.

*It was moved by K. Clegg, seconded by C. Gottlieb, and carried 9-0 to suspend the rules for discussion.*

K. Clegg said that he thinks there is an oversight that needs correction in item 54.1003(F)(2). This was discussed and a resolution was proposed that was acceptable to the members.

W. Premeau asked questions about the definition of family and there was discussion that followed, without consensus to make any changes to the text of the definition.

W. Premeau asked about item 54.322(C)(4)(e) – the proposed added subsection for *Dog Pens and Runs*.

A. Landers said that the text is from the City Code and it is being added here so that people don't have to jump from the LDC to the City Code to find this information, which was what we said before in the work session.

W. Premeau said that was the only question he had.

C. Gottlieb said that the main concern that he heard at the joint work session last week, other than the day care center issue that was cleared up, was the height of a tower-mounted wind turbine being a maximum of 66 feet. He said that one of the City Commission members was concerned with that maybe being too high, and wondered if others here had the same concern, and that his opinion is that tower-mounted wind turbine has to come before the Planning Commission as a Special Land Use, it can't be in a residential districts, and there is a strict sound limit of 40 decibels and doesn't think that is going to be a problem in the long run. He said he'd rather deal with it here before it goes back to the City Commission but has no problem with the way it was written and think we ought to just let it go.

A. Landers stated that the text is existing language that we just moved from Article 7 to Article 6.

S. Lawry asked about the maximum height – if it is for the tower or the blades?

A. Landers stated that it refers to the maximum height – whatever is the tallest portion, the same as a cell tower.

S. Lawry said that it also has to get above trees and buildings to catch wind and if we shorten it much its not going to be effective to put one anywhere.

C. Gottlieb said that these have to be on a minimum of a one-acre lot and is a Special Land Use and not in residential area, so I don't think this is an issue.

S. Lawry said that the setback is at least the full height of the structure away from all property lines, so if it fell it would fall on the property it is on.

S. Mittlefehldt said that it sounds like we have consensus to keep that language intact. And she said that we will need a motion on this item and asked if anyone would like to make a motion.

*It was moved by K. Clegg, seconded by M. Rayner, and carried 9-0 that after review of the draft Land Development Code (LDC) amendments presented as case 01-ZOA-05-2024, 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 with the following amendment – that the last sentence of item 54.1003(F)(2) be amended to state that wood other than cedar must be treated.*

**PUBLIC COMMENT ON NON-AGENDA ITEMS** - There were no comments provided.

## **NEW BUSINESS**

### **A. 01-STR-05-24 – 2980 Highway M-553, Able Way New Street Proposal**

D. Stensaas stated that City Engineer Mik Kilpela is going to address the Commission on this project, with the details that we've provided in the [agenda] packet.

M. Kilpela stated:

I'll go through the details on the public road and utilities for the Able Way right of way within the proposed development. He provided the dimensional details from the Fact Sheet and said it would be an asphalt roadway with parking allowed on one side and that it is a "local yield street" as described in the Community Master Plan. He also said there would be a 6-ft. wide asphalt maintenance strip for pedestrian use on one side of the road and on-street shared parking on the other side of the road. He said that for utilities, serving the site is a standard 8-inch ductile iron water main, an 8-inch PVC sanitary sewer, and that a portion of the storm sewer would be public – the portion that services the length of the public roadway. He said that the cross-section proposed is one that has been used in Harlow Farms, Hemlock Park – across the street, Granit Point and Shiras Hills, and it works well for low-volume streets and still allows for parking on the road as well.

D. Stensaas referenced some of the maps and images in the packet.

M. Kilpela discussed the site map and pointed out the public portion of the road, and discussed the features of the proposed road cross-section. He said that if there is future expansion, the parking could be removed from the one side of the road and the road would handle more traffic, so there is some flexibility there.

S. Lawry asked if this road has the potential to become a through-street for Marquette Township?

M. Kilpela stated there may be some conservation easements that might prevent that.

A discussion ensued about the ownership of the land directly to the west of the subject property, which is owned by Marquette Township, and the potential and direction for creating a new road between the City and the Township in this location. There was no conclusive information provided and no consensus reached on that topic.

S. Mittlefehldt asked if there were any more questions, and then asked the applicant if they wanted to comment or add anything.

Mr. Bradley said he didn't have anything to add.

S. Mittlefehldt asked if there was any correspondence on this item. There was none. She then asked if anyone wished to provide public comments. There were none. She then asked if anyone wanted to make a motion or to suspend the rules for discussion.

*It was moved by D. Kaltsas, seconded by K. Clegg, and carried 9-0 that after review of the proposed cross-sections and associated background information for 01-STR-05-24 - the Able Way Street Construction Project, - the Planning Commission finds that the proposed project meets the intent of the Community Master Plan, and hereby approves the street reconstruction design as presented.*

### **B. 03-SUP-06-22 - Extension Request for Duplex Dwelling**

W. Premeau recused himself due to a conflict of interest and left the room.

A. Landers said that in the packet there is an extension request from the property owner, requesting a second extension for the previously approved new duplex dwelling at 442 McMillan Street. She also said that the project will currently expire on 6-21-24 due to the first extension received, and attached there is an excerpt of the June 21, 2022, Planning Commission minutes. She said we've attached the Land Development Code language for the approval period, and that if this is granted this will be the last extension, but also if the proposals regarding duplexes in the amendments to the LDC are approved this may not be a Special Land Use in the future.

S. Mittlefehldt asked if the applicant was here. He was not. She asked if there was any public comment. There was not.

*It was moved by C. Gottlieb, seconded by K. Clegg, and carried 8-0 to suspend the rules for discussion.*

C. Gottlieb said that he would rather this project not proceed due to the reasons that were clearly described in 2022, but as stated by the Planning Commission in 2022 there was really no reason not to approve it and I think we are still bound by the same reasoning, and I think we have to approve it.

S. Lawry said that its really not how many units are next to you, its who lives there and how they behave, and other than the fact that because more people can live there it increases the chances of someone misbehaving somewhat, but this town was built with duplexes and triplexes in most neighborhoods, in most blocks, and all of my family back two generations before has lived in duplexes here and I don't know of any problems with any of them. He said the number of units doesn't dictate who your neighbor is, its just an attempt to allow more people to live within the city limits and based on that neighbors can have a pretty strong influence on the behavior of their neighbors as well, and if they're united in how they want residents there to behave they can influence that in other ways than preventing the project.

K. Clegg said that in the intent, obviously things can change, but the applicant intends to occupy the unit and so its in his best interest to seriously vet his potential renters. He said that can change, but its about



the people that live there and there's a will in our community to see more duplexes and triplexes and this might not be an issue in less than two months.

M. Rayner asked if there was any correspondence. There was none.

D. Kaltsas said he wasn't here on the Commission in 2022, but he read that people were concerned about the safety of the streets and so maybe we can mention to people that we have a Complete Streets board now and maybe if people have a concern with safety of streets we can direct them to that board instead of the Planning Commission.

S. Mittlefehldt asked if anyone wanted to make a motion.

*It was moved by C. Gottlieb, seconded by K. Clegg, and carried 8-0 that the Planning Commission approves the request for an extension for case 03-SUP-06-22, with the expiration date to be 06-21-25.*

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

Antonio Adan, the recently appointed Housing Specialist for the Marquette County Land Bank, introduced himself and addressed the Planning Commission regarding his role with the Land Bank and he provided a synopsis on his role and the collaborative role of the County Land Bank. He said that the mission of his role is to steward and be a catalyst for projects and housing developments for that could be happening in our county. He said they are helping local units of government if they wish and need any assistance, and they're currently helping working developers and maybe some mid-size developers with resources, tools, and knowledge, things of that nature. He said that there is a lot of interest in helping the housing cause, and one of his jobs is to make sure people understand what goes into building, with the price of construction having skyrocketed in the last five years, the various grants the state is rolling out and the incentives from partnership opportunities. He said he wants to be as helpful as he can be and that he's here as a resource, so please reach out. He also complemented the board on how the meeting was run and the questions that were asked, and especially with the LDC amendments which he is excited about and he complements everyone in making the LDC smoother and it should make it easier to know the potential options to develop housing and that is the kind of leadership that is needed across the county. He thanked the board for the opportunity and said they can find him on the County Land Bank website.

## **COMMISSION AND STAFF COMMENTS**

W. Premeau said that his comment is that the City is looking for taxes and yet we're hassling people. I don't get mad anymore, but I would have left and gone to the township with my business. If you look at what they (applicants) pay, \$2,800, and hundreds of thousands in architectural and engineering fees, and we sit here evaluating them - they shouldn't have to wonder if they'll get approved.

D. Fetter said that she was really happy to see that with the Able development they worked closely with the NTN and the Golf Course, that is really good.

D. Kaltsas said he was looking forward to Able's move, that it will be good for the local economy, with good job creation and the philanthropic work of the Longyear company will be seen here. Thanks to Antonio for coming as well and that he looks forward to working together in the future and that he looks forward to working more on the LDC for more housing and to make it easier to build.

K. Granger thanked Antonio for coming tonight, and said she was honored to be on this Commission and there's a big learning curve and there's a lot of information that is coming through. She also said that she is grateful for all of the questions that everyone brings up across the board and that is important to have everyone's questions, thoughts and opinions heard.

S. Lawry commented said that even though one of our priority goals is housing I feel that an even higher priority is good-paying jobs and I'm extremely happy to see some moving into the city, and we can say we

need to make room for housing, but we have very little room to accommodate new manufacturing jobs and I'm happy that they found a niche to fill there with about 40 job total – wonderful.

K. Clegg stated that he's happy to see new manufacturing in the area but will personally lament the loss of a favorite trail in that location, and hopefully Able and the NTN will come to a solution to relocate or find some agreements to continue using part of that property for trail systems, because that is a vital part of our local economy as well.

S. Mittlefehldt asked Mr. Adan if Planning Commission members could still register to attend the housing session at NMU this week. Mr. Adan stated yes, this is Thursday morning, the much anticipated Target Market Analysis is going to be presented by Sharon Woods from Land Use USA for a one-hour tutorial, and that is open to all of the boards and commissions and we still have space available.

#### **ADJOURNMENT**

The meeting was adjourned by Chair S. Mittlefehldt at 7:25 p.m.

David Stensaas

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