

Ishpeming Planning Commission
Meeting Minutes for May 10, 2021
(Agenda items are in bold text)

A. Call to order -- for the Ishpeming Planning Commission was by Chairperson Gabe Seelen at 6:32 P.M.

B. Roll Call --

Present: Gabe Seelen, Brooke Routhier, Bruce Houghton, Mike Kinnunen, Lindsay Bean, David Lawler, and Harry Weikel.

Absent: John Carlson and Ty Hyatt

Public present: Al Pierce, Zoning Administrator.

C. Public Comment – No members of the Public were present and Public Comment was closed at 6:33 P.M.

D. Approval of Agenda –The agenda was approved unanimously upon a motion by Bruce Houghton supported by Harry Weikel with the addition of **H. 5. Malton Road Recreation Area / Recreational Trails**

E. Approval of Previous Meeting Minutes – The meeting minutes of January 04, 2021 were approved unanimously as presented upon a motion by John Carlson supported by Brooke Routhier.

F. Presentations - none.

G. Public Hearings

1. CU 2021-01 Debra Leaf – Short Term Rental in CBD (Central Business District)

Debra owns the building at 118 E. Pearl St. in the Central Business Zoning District. On the First floor is West End Ski and Trail which is moving to a new site. The Second floor is a residential rental apartment. She is requesting approval for a Short-Term Rental on the First floor. The Zoning Ordinance in this district requires “residentially occupied units to be located above the first floor”. The replaced prior zoning ordinance allowed residential use on a Conditional basis. This change was required by the Michigan Economic Development Council’s Redevelopment Ready Community staff, who were consulted before this hearing as to the specifics and the intent to conduct a Public Hearing with Required statutory notifications. The concept of a fully utilized building is more attractive than a closed business. The current Zoning Ordinance now allows as a Conditional Use in the CBD district. “Community housing services with overnight accommodations”. While these two uses are completely different in intent, they share the commonality of first floor overnight accommodations. Off street rental parking is available to comply with Zoning requirements. The following Findings of Fact were noted:

CASE NO. CU 2021 – 01

**FINDINGS OF FACT FOR A SHORT-TERM RENTAL LOCATED ON THE
FIRST FLOOR OF A BUILDING IN THE CBD (CENTRAL BUSINESS DISTRICT)**

1. All fee, notification and publication requirements of the Zoning Ordinance have been met.
2. The applicant is the current owner of part of Lot 47 of Nelson’s Addition, A.K.A. 118 E. Pearl St., Ishpeming, MI 49849. The subject parcel is located in the CBD (Central Business District) where the requested use is no longer permitted by right. The replaced prior zoning ordinance allowed residential use on a Conditional basis. The present Ordinance requires “**residentially occupied units to be located above the first floor**”. The current structure on the parcel is presently rented for residential on the second floor. The first floor is presently occupied commercially by West End Ski and Trail who will be moving to the former Merrick’s building at 101 S. Main upon completion of renovations.

3. At the time of finalization of the present ordinance, the above bolded phrase was discussed at length with Chris Germain, Senior RRC Planner, who was insistent that it be adopted within the new ordinance in this fashion as a part of the "Placemaking" concept. The Zoning Administrator recently contacted him again and relayed concerns that a building in our CBD district being fully utilized was better than allegiance to a concept and a vacant building. It was indicated that Ishpeming would be conducting a complete Public Hearing that would consider the short-term rental as a Conditional Use. As this request was being considered openly in the public view and would be representative of community values, it was felt to be appropriate.

4. The applicant is requesting Conditional approval of a Short-Term Rental to replace the Bike Shop. The present Zoning Ordinance now allows as a Conditional Use "Community housing services with overnight accommodations". While these two uses are completely different in intent, they share the commonality of first floor overnight accommodations.

5. Parking is presently available via current rental on the adjacent Lot 46 to the West. The applicant has also expressed a desire to purchase the City-owned Lot 48 to the East for an owned parking area.

6. The number of days per week of the short-term rental periods is presently an unknown factor and is expected to fluctuate with the seasons.

A motion by Lindsay Bean supported by Bruce Houghton to approve the Short-Term Rental Use on the First Floor at 118 E. Pearl St. for CU 2021-01 passed unanimously.

H. New Business

1. Ryan Soucy AICP, Master Plan continuation

No discussion / action as Ryan is still recovering from a stroke and CUPPAD has not hired staff yet.

2. Initial Review/Comments on Capital Improvement Program (CIP 2022-2027)

Lindsay provided some background information from the City Council's discussions on the preliminary CIP 2022-2027 which is in the beginning phase of development. Gabe acknowledged that this is part of the Planning Enabling Act (Act 33 of 2008) and questioned – Why does the PC, with a part-time zoning administrator and volunteer members have the statutory responsibility for CIP preparation? (PC Assistant Secretary note: Sec. 125.3865). He recanted past histories where the PC reviewed a well-advanced CIP and recommended approval by the Council as more appropriate for the PC role. Brooke expressed interest in Recreational Grant Money Areas and questioned further Cedar Lake development. Lindsay made Commissioners aware of the ongoing Fire Tower Repair issue and roadway repair / paving plans. Also mentioned were the Malton Road corridor and the Bancroft Lake area. A general discussion ensued involving many areas of the City.

The City Manager furnished an e-mail dated May 7, 2021 stating:
"The City Council has proposed the attached changes to the CIP. The Attached word document is the current CIP. The attached spreadsheet are recommended changes. The City Council is requesting feedback on the existing changes, and then for the PC to recommend additional changes. Finally, the PC is requested to complete changes for the remainder of the document beginning with FY 2026."

A joint meeting with the City Council and DDA was suggested. No further action was taken.

3. Proposed Medical/Recreational Marijuana Amendments to the Zoning Ordinance

Caroline Bridges, City Attorney, submitted drafts addressing proposed Zoning Ordinance Amendments, a draft "police power" ordinance and a memo with 9 questions. Lindsay advised Commissioners that she is aware of a business that wishes to start in Ishpeming.

Al suggested that under the "Police Power Ordinance" that the terms in Section 2. Definitions (MMA, MFLA, MTA, & MRTMA) have the complete name typed out for clarity. Abbreviations are appropriate after that. Additionally, the title should be Ordinance No. 8-700 Regulation of Marijuana Facilities. There was continued generalized discussions among Commissioners about the marijuana ordinance and implementation. Gabe suggested that the Marijuana sub-committee group convene and discuss / review / edit / delete / answer the attorneys' regulations, zoning amendments and questions. It was the consensus of Commissioners to concur with the Chairman's recommendation.

4. Informational – Food Start UP – Joan Kimball

Al provided Commissioners with background information on Food Start (Commercial grade cooking facilities) for entrepreneurs involving preparation, packing, marketing and distribution. Upon a successful start, they move out and a new entrepreneur starts the process again. He has helped them locate a potential site in Ishpeming and negotiations may be commencing soon.

Bruce Houghton left the meeting around 8 PM.

5. Malton Road Recreation & Development

This is an area that the Council apparently would like to see developed to promote tax base seemingly without the Municipal investment of major funding. Malton Road transects the area from North (US-41) to South (BR-28) and is in excellent condition. The area immediately East of Wabash Heights has been rezoned for Single Residential development with no established utilities or connecting road(s) and the area North of Wabash Heights contains an established ballfield. It also becoming a recreational gem with Iron Ore Heritage Trails paved for biking, Range Area Mountain Bike Association (RAMBA) Trails, snowmobile trails, hiking trails and horseback riding trails (courtesy of Heritage Hills). Additionally, parcels of land have been recently conveyed to adjacent private landowners and an area has been identified for rustic camping, which would require only limited new water service and an access road. Brooke has been instrumental in promoting discussion and recreational development planning. A map for planning / recreational / preservation / development /municipal uses needs to be prepared and discussed with the Parks and Recreation Committee, City Council, RAMBA, Planning Commission, Public Works, IOHT, and group stakeholders.

This excerpt has been prepared by the Zoning Administrator and is intended to represent the discussions, concerns, ideas, comments and hopes expressed by Planning Commissioners during discussion of this added agenda item.

I. Old Business – none

J. Correspondence – none

K. Meeting Adjournment was unanimous upon a motion by Brooke Routhier supported by Harry Weikel at 8:34 P.M.

Prepared By:



Alan K. Pierce, Planning Commission Assistant Secretary

Reviewed By:



Bruce Houghton, Planning Commission Secretary