

Ishpeming Planning Commission
Meeting Minutes for September 13, 2021
(Agenda items are in bold text)

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

B. Roll Call --

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

Absent: Ty Hyatt, John Carlson and Gabe Seelen.

Public present: Ryan Soucy, Ryan Carrig, Dan Perkins, May Tsupros and Al Pierce, Zoning Administrator.

C. Public Comment – None - 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 David Lawler.

E. Approval of Previous Meeting Minutes – The meeting minutes of August 02, 2021 were approved unanimously upon a motion by Mike Kinnunen supported by Bruce Houghton.

F. Presentations - none

G. Public Hearings

1. Tamara Niemi – CU 2021-02 Home Occupation – Art Gallery

The applicant was not present at the start of the hearing and arrived at 6:54 P.M. In her absence, Al covered the file information for Commissioners. Ms. Niemi is requesting a Conditional Use – home occupation Art Gallery at 315 S. First St. She proposes to be open in the Summer and Fall seasons during daylight hours for the Public or by appointment. The house is located in the GR (General Residential) zoning district. She would offer for sale art posters, photography and dolls in the “Medieval Stars Art Gallery”. A block ad was placed in the Mining Journal and 48 mailings were sent for Public Notification. Correspondence was received from Ms. Betty Nora opposing the request due to the lack of electric service, no parking, and potential human waste disposal in the backyard. The applicant did not furnish a Site Plan as requested. Al provided a satellite image for the Commissioner’s packet. Per the Zoning Ordinance, this use would be considered a Home Occupation occurring in a dwelling unit. Commissioners were furnished Sec.25.4 A. 3. detailing GR requirements for a Home Occupation and Section 26.0 Administrative Standards which reference, among other items, public service demands of the proposed use. The partial “*Findings of Fact*” furnished for this hearing state:

“3. *The current structure on the parcel presently does not have City utilities (Water and Sanitary service) or Regulated utilities (Gas and Electric Service). The accessory structure at the Northeast corner of the lot is not usable due to missing roof sections.*

4. *It is questionable if a Home Occupation can occur in a structure that can’t be lived in. Ishpeming’s Zoning Ordinance does not define “dwelling unit”. The IRS defines “dwelling unit” to “generally mean a house or apartment used to provide living accommodations in a building or structure”.*”

Several Commissioner's questioned the complete lack of utilities and the fact that the structure was not being lived in i.e. "How can this meet the Home Occupation requirements of the Zoning Ordinance?" Section 26.0 Administrative Standards require Commissioners to consider "*J. Demands upon public services such as electricity, police, and fire protection, schools and refuse disposal.*" when there are no utilities provided at all.

Upon further discussion, a motion by Bruce Houghton supported by Lindsay Bean that the Conditional Use request for a Home Occupation in CU 2021-02 be denied, passed unanimously.

G.1. Continuation

Al explained to Tamara Zoning Ordinance requirements for a Home Occupation, what he had presented to Commissioner's as Findings of Fact and that they had unanimously voted 6 Nays 0 Ayes in regards to her request for a Home Occupation. Tamara indicated that she was only asking for a summer use and introduced herself to the commissioners. She indicated that she had partially paid her tax bill and that she wanted to display her Art, Photos and Medieval Dolls in a gallery setting. Lack of off-street parking was not an issue from her perspective. Harry reminded her that this is supposed to be a Home Occupation and that there are no water or sewer connections for the home. Tamara responded that art galleries often had limited facilities. Bruce also reminded her that when you don't live in the premises it is not a Home Occupation and consequently does not meet Zoning Requirements. Tamara talked a little longer about her experiences in Marquette and paused. Al reminded her that the meeting was started at the published time in her absence, the requested use was a Home Occupation in a house that was not lived in, that home occupation requirements were not met, and that the Planning Commission had voted unanimously to deny her request. She thanked Commissioners for their consideration.

H. New Business

1. Ryan Soucy, AICP

a. Master Plan Continuation

b. NCI Charrette RFP Template

Ryan handed out an eight-page Land Use and Zoning Plan document. The second and third pages, Existing Land Use, had some Spanish? text. The document discusses differences between Land Use and Zoning Districts and proposes a new Zoning District / Land Use Class to impact part of the Deferred Development District, the Low-Impact Recreation Mixed Use district. This would formally recognize the extensive network of non-motorized trails that have developed. Also presented were Existing and Future Land Use Maps. A Zoning Plan with 12 different existing land uses was also furnished.

Ryan also addressed the potential for Charrettes and provided background information for Commissioners. A full-fledged Charrette, similar to what the City of Marquette had done with Third Street in the recent past, takes training, intensive preparation, a possible 6 month timeframe and could cost \$10,000. They are a dedicated attempt to involve the Public and get new ideas and concepts for quality development. Another less intensive method would involve a public open house to get public input. The cost would be considerably less and involve a concept meeting and a "final result" meeting. Al thought that trails (RAMBA, IOHT, snowmobile, hiking, horseback) should be located approximately in the Malton Road area. Brooke stressed that we need to establish our goals for what we want to achieve and expressed concern s over the costs and length of time to use the Charrette process.

At approximately 6:48 P.M., Ms. Tamara Niemi came into the meeting. Al asked Ryan if we could interrupt his presentation and recap the Commission's decision made in her absence. Ryan graciously acceded. See G. 1. Continuation above. Ryan resumed his presentation at 6:55 P.M.

Ryan informed Commissioners that he would be working with Partridge Creek Farms with a series of 4 open houses from Oct. 12 – 25. The focus would be on the farming plans East of the Jasperlite Apartments and be focused on students, seniors, and business owners. Information would be gathered using the Survey Monkey program online.

Lindsay asked Ryan where Ishpeming was at with the Master Plan process. Ryan estimated that we were approximately at the 75% completion schedule. There is a 63-day public review timeframe requirement with an approximate February finish. Ryan indicated that he planned to meet with Ishpeming's DDA one more time. The Council may have interest in working with LSCP (Lake Superior Community Partnership). Mike mentioned the idea of a charette addressing public concerns / input with the Malton Road area. Brooke questioned what level of detail we might want and the potential cost of obtaining it. Ryan informed Commissioners that on October 01 the Michigan Agricultural Rural Development Grant up to \$100,000 would become available requiring a 20% match. Mike received an affirmative response when he asked if the LSCP could help in applying for the grant. There was group discussion regarding the avenues to investigate to develop a vision for this area. Harry shared his thoughts that we might be sidetracked by the charrette concept. It is a great way to involve the community, but it may be more appropriate after the Master Plan is completed – we aren't ready for it yet. Upon questions, Ryan stated that RRC help with staff and funding would be available after Master Plan adoption.

He also encouraged Commissioners to check out the furnished link for the US-41 / Lakeshore Drive 2023 roundabout construction. Brooke had already seen the video and commented on the complexity of the replacement construction.

2. Red Barn Apartments and Townhomes

No dedicated discussion.

3. Malton Road Recreation and Development

Discussion was again held by Commissioners regarding this area and it continued to be difficult to make any meaningful progress. The continued lack of any maps depicting IOHT trails, RAMBA trails, Horseback trails, hiking trails, snowmobile / motorized trails, restricted Brownstone areas (locations which can't be excavated but only filled), area(s) impacted by Howard Oil and capped landfill subsurface plume movement, newly approved City land sales, areas of potential mining subsidence, does not promote realistic land use planning. The lengthy and difficult discussions among the Commissioners was again reflective of the outcome. Meetings with other stakeholders, including the Parks and Recreation Commission, are planned for the future.

I. Old Business

1. Scaled Back Medical/Recreational Marijuana Amendments to the Zoning Ordinance

Al was questioned regarding the status of Zoning Ordinance amendments for Marihuana and replied that he has not had any time whatsoever to research or draft the required definitions, regulations or prepare any text.

J. Correspondence – none

K. Meeting Adjournment was unanimous upon a motion by Bruce Houghton supported by Mike Kinnunen at 8:30 P.M.

Prepared By: _____
Alan K. Pierce, Planning Commission Assistant Secretary

Reviewed By: _____
Bruce Houghton, Planning Commission Secretary