

**CITY OF ISHPEMING PLANNING COMMISSION
MEETING MINUTES
NOVEMBER 6, 2023**

A. CALL TO ORDER

The regular meeting of the Ishpeming Planning Commission was called to order in the Council Chambers at City Hall by Chairperson Brooke Routhier at 6:30 p.m. November 6, 2023.

B. ROLL CALL

Present: Brooke Routhier, Lindsay Bean, Dave Lawler, Mike Kinnunen, Torrey Dupras, and Kari Getschow
(6). Absent: Mike Elliott (1). Two vacant seats (2). Also present was Al Pierce, Zoning Administrator (ZA).

C. PUBLIC COMMENT – There was none.

D. APPROVAL OF AGENDA

A motion was made by Member Bean supported by Member Lawler and carried unanimously to approve the agenda as presented including the additional minutes from May 2, 2022 for approval and remove from the not yet typed list.

E. PREVIOUS MEETING MINUTES FROM 9-11-2023 (EDITED) AND OCTOBER 2, 2023 AND THE MAY 2, 2022 MINUTES

Minutes to be typed: 6/13/22, 8/1/22, 9/12/22, 10/4/22, 11/14/22, 12/5/22, 12/21/22

A motion was made by Member Kinnunen supported by Member Bean and carried unanimously to approve the May 2, 2022 minutes as presented.

A motion was made by Member Bean, supported by Member Lawler and carried unanimously to approve the revised version of the minutes from 9-11-2023.

A motion was made by Member Bean, supported by Member Getschow and carried unanimously to approve the October 2, 2023 minutes as presented.

F. PRESENTATIONS – There were no presentations.

G. PUBLIC HEARINGS

1. SA Vacation 2023 – 01: Jennifer Hogg – Alley Vacation

ZA Pierce explained this was a request from Jennifer Hogg residing at 410 and 416 N. First Street, who was requesting an alley vacation in the General Residential zoning district between lots 49 and 51 of Nelson's Addition, Ishpeming. The applicant is looking for additional land added to her property. He added the 20-foot wide alley would be split with 10 feet going to each property owner.

Jennifer Hogg, 416 N. First Street and also purchased 410 N. First Street, indicate she had been taking care of the alley (mowing the grass, plowing, and picking up garbage) for many years. She was no looking to have the alley vacated so the property could be added to her parcel and become her property.

Proposed findings of fact:

1. *Jennifer Hogg requests the vacation of a Twenty (20) foot wide alley lying between Lots 49 and 52 of Nelson's Addition to the City of Ishpeming. The alley is not paved. The City of Ishpeming does not have water, storm or sanitary sewer utilities in the alley.*
2. *The applicant owns Lots 49 & 51 West of the alley. Lots 50 & 52, East of the alley, are owned by Francis, Bruce and Gilford Perry. Presently, upon vacation, one- half of the alley (10') would become owned by the lots on either side.*
3. *The proposed legal description for the alley vacation is: The Twenty (20) foot wide alley between Lots 49 thru 52, Nelson's Addition to the City of Ishpeming, Marquette County, Michigan.*

4. *The Ishpeming Planning Commission is requested to make a recommendation to the Ishpeming City Council regarding the alley vacation. Upon vacation, the parties on each side would be entitled to a 10' wide strip adjacent to their respective ownerships.*
5. *Legal Notice has been published and also provided to property owners within three hundred (300) feet. The requested alley vacation requires a fee payment for the vacating of streets or alleys of \$ 250.00, which has been received.*

A motion was made by Member Bean supported by Member Getschow and carried unanimously to recommend approval of the vacation of the alley as proposed and recommend to the City Council to proceed with the vacation based on the above findings of fact presenting by the ZA Pierce.

2. SA Vacation 2023-02: Lori Perry – Alley Vacation

ZA Pierce explained this was a request from Lori Perry at 718 N. First Street, for a vacation of an east-west alley between lots 163 and 165 and also a north-south alley between lots 161 through 168 in Nelson's addition at 704 N. First Street in the General Residential zoning district.

Lori Perry, 718 N. First Street, explained there was an alley that ran down the middle of the lot running east and west and by vacating the alley it would increase the size of her property. She further showed on the screen the location of the site. .

Proposed findings of fact:

1. *Lori Perry requests the vacation of a Twenty (20) foot wide North-South alley lying between Lot 161 to Lot 168, and an East-West alley between Lot 163 and Lot 165, of Nelson's Addition to the City of Ishpeming, Marquette County, Michigan. The alleys are not paved. The City of Ishpeming does not have Municipal water, storm or sanitary sewer utilities in the alley.*
2. *The East -West alley between Lots 164 and 166 was previously vacated and is recorded in Liber 87 of Deeds, Page 452. The tax descriptions for other parcels in this block reference a vacated alley. No other alley vacations were located by the Marquette County Register of Deeds office or located in City of Ishpeming records. Presently there are 2 structures within unvacated alleys in this block.*
3. *The applicant owns Lots 161, 163, 165, and 167 West of the alley of Nelson's Addition. The applicant's home is located on Lot 167.*
4. *The Ishpeming Planning Commission is requested to make a recommendation to the Ishpeming City Council regarding the alley vacations. Upon vacation, the parties on each side would be entitled to a 10' wide strip adjacent to their respective ownerships.*
5. *Legal Notice has been published and also provided to property owners within three hundred (300) feet. The requested alley vacation requires a fee payment for the vacating of streets or alleys of \$ 250.00, which has been received.*

A motion was made by Member Dupras, supported by Member Kinnunen and carried unanimously to recommend approval of the vacation of the alley as proposed and recommend to the City Council to proceed with the vacation based on the above findings of fact presenting by the ZA Pierce

3. CU 2023-03: Peninsula Lofts

ZA Pierce explained the CHN-Peninsula Lofts was seeking a conditional use permit in the Central Business District to permit (2) two first floor residential apartments at the west side of the existing building. This hearing was to consider only the two (2) first floor apartments not the apartments on the second floor.

Proposed findings of fact:

1. *All fee, notification and publication requirements of the Zoning Ordinance have been met.*
2. *CHN Anderson Peninsula LDHA LP is the current owner of ORIGINAL PLAT, CITY OF ISHPERING LOT 40 & PART OF LOT 41 BEG AT NW COR THEREOF TH S'LY ALG W LINE THEREOF 3.5' TH E'LY PAR TO N LINE THEREOF 21.25' TH S 3.5' TH E'LY PAR WITH N LINE THEREOF TO E LINE THEREOF TH N TO NE COR THEREOF TH W'LY ALG N LINE OF LOT TO POB. A.K.A. Peninsula*

Lofts 105 South Main Street, Ishpeming, MI. The subject parcel is located in the CBD (Central Business District), where the requested use is presently a Conditional Use. The site is being purchased by the Company.

- 3. The applicant has indicated that Two (2) first floor apartments will initially be constructed in the back (West Side) of the building and parking meeting the requirements of the Ordinance (one space per unit) will be provided. No residential units will face South Main Street. Two Commercial spaces are proposed for the front of the first floor on South Main Street. Parking for Principal uses is not required in this district.*
- 4. A full sized (24" x 36") Site Plan, complying with Ordinance requirements, will be required upon Planning Commission review of the Conditional Use request for final approval.*
- 5. The total number of proposed apartment units for the Peninsula Lofts is Thirteen (13) on 2 floor levels. Full build out as proposed does not require any additional parking spaces. This hearing is considering **only** the two (2) first floor apartments. The status of window replacements and exterior renovations / repairs (if any) is not known at the present time. The location of the building within the property lines is not presently available.*

A motion was made by Member Bean, support by Member Kinnunen and carried unanimously to approve the conditional use permit 2023-03 for the Peninsula Lofts for the two first floor apartments based on the findings of fact with the correction being made in item 5 changing three (3) first floor apartments to two (2) first floor apartments.

4. CU 2023-04: Anderson Lofts

ZA Pierce explained the CHN- Anderson Lofts was seeking a conditional use permit in the Central Business District to permit (3) three first floor residential apartments at the east side of the existing building. This hearing was to consider only the three (3) first floor apartments not the apartments on the second floor.

Proposed findings of fact:

- 1. All fee, notification and publication requirements of the Zoning Ordinance have been met.*
- 2. CHN Anderson Peninsula LDHA LP is the current owner of ORIGINAL PLAT, CITY OF ISHPEMING LOT 40 & PART OF LOT 41 BEG AT NW COR THEREOF TH S'LY ALG W LINE THEREOF 3.5' TH E'LY PAR TO N LINE THEREOF 21.25' TH S 3.5' TH E'LY PAR WITH N LINE THEREOF TO E LINE THEREOF TH N TO NE COR THEREOF TH W'LY ALG N LINE OF LOT TO POB. A.K.A. Anderson Lofts 203 South Main Street, Ishpeming, MI. The subject parcel is located in the CBD (Central Business District), where the requested use is presently a Conditional Use. The site is being purchased by the Company.*
- 3. The applicant has indicated that Three (3) first floor apartments will initially be constructed in the back (East Side) of the building and parking meeting the requirements of the Ordinance (one space per unit) will be provided. No residential units will face South Main Street. Two Commercial leased spaces are proposed for the front of the first floor on South Main Street. Parking for Principal uses is not required in this district.*
- 4. A full sized (24" x 36") Site Plan, complying with Ordinance requirements, will eventually be required upon Planning Commission review of the Conditional Use request for final approval.*
- 5. The total number of proposed apartment units for the Anderson Lofts is Eleven (11) on 3 floor levels. Full build out as proposed requires One (1) additional parking space. Commercial parking spaces are not addressed This hearing is considering **only** the Three (3) first floor apartments. The status of window replacements and exterior renovations / repairs is not known at the present time. The location of the building within the property lines is not presently available.*

A motion was made by Member Kinnunen, seconded by Member Getschow and carried unanimously to approve the conditional use permit 2023-04 for the Anderson Lofts for the three (3) first floor apartments based on the findings of fact above.

Member Routhier would like to see this building kept historic to keep with the theme of the downtown.

CJ Felton, CHN, proposed developer, advised they were seeking a historic designation on the Anderson Building because it would be very beneficial for their project which would make available historic tax credits. They want to keep with the historic nature of the downtown.'

Barry Polzin, Architect, indicated most everything will stay historic with the Anderson Building and would be doing the same thing with the Peninsula Building. There was some discussion related to the multiple façades of the Peninsula Building.

H. NEW OR CONTINUING BUSINESS

1. Master Plan: 2024 Goals Continuing Review

Member Routhier would like to add the list of items discussed to the agenda so that the list could continually be added to.

2. City-Owned Land by Malton Road Area - Potential low impact recreation area

There was continued discussion related to the potential low impact recreation on Malton Road. It was felt the development of Malton Road by the DDA was good as it opened up another route to US 41 for development and provided access to the RAMBA trailhead. It was further questioned how developable that area would be due to the terrain and there were not utilities run to that area. A suggestion was made to contract a dog park in that area.

Also talked about was the recommendation made to the City Council pertaining to extending Wabash through to Malton Road, however, exiting onto Malton road past the curve; and possible development of the area near New York Street.

3. Sign Ordinance and Lighting - Work on the amendment has not started to date.

4. Short Term Rental Ordinance - No progress to date.

5. DDA Joint Meeting

The Planning would like to discuss the following topics at the joint meeting with the DDA: Canda Street/Hematite area; Iron Ore Heritage Trail, and Malton Road. In addition, member would like to determine future meeting dates with the DDA for 2024 since the Master Plan indicates two joint meeting will be held per year.

6. Jasperlite Site – Partridge Creek Farms Proposed Rezoning, Shipping Container, Urban Gardening Addition to Ordinance

ZA Pierce discussed the possibility of rezoning the Jasperlite site to Deferred Development which would then allow farming. He further questioned if there would be any interest in an Urban Gardening addition to the Zoning Ordinance.

There was discussion related to shipping containers and how they should be handled within the zoning ordinance. Currently they were not permitted other than if they were located in the Industrial or Mining Districts. It was felt this issue could be discussed further at a later time.

Member Bean did not feel shipping containers look bad as compared to some other structures. Members talked about the size and aesthetics of shipping containers versus other metal structures.

Member Routhier pointed out the Zoning Ordinance did not allow shipping containers other than the two districts so it would either need to be amended or it would need to be enforced. She did not feel shipping containers on residential lots should be allowed and that they would not add to the tax base.

Member Getschow felt there were already several blighted properties in the City and allowing shipping contains in residential areas would only contribute to the problem.

8. Accessory Structure Violation at 440 Ready Street (too high variance required)

ZA Piece advised the structure at 440 Ready Street was at a height of 22 feet which exceeded the height requirement in the zoning ordinance. The owner was currently working with the Marquette County Building Codes department as he was initially building a 192 square foot accessory building but then added a second floor which would now require a building permit. He added the owner would also need a zoning variance for the height.

I. Old Business

1. Gino Gerding apartments - There was no correspondence sent to date. ZA Pierce advised the conditional use permit was no longer valid because the deadline for paving the parking area was not met. He now needed to follow up with correspondence.

J. Correspondence – There was none.

K. Meeting Adjournment

At 8:25 p.m., a motion was made by Member Lawler, supported by Member Bean and carried unanimously to adjourn.

Prepared by:



Cathy Smith, City Clerk



Alan K. Pierce, Assistant Secretary



Torrey Dupras, Secretary