



213 S. Marquette St. Ironwood, MI 49938  
Memorial Building, Conference Room #1, 2<sup>nd</sup> Floor

### *Planning Commission Meeting Agenda*

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1. Call to Order
2. Recording of the Roll
3. Approval of the September 3, 2014 Meeting Minutes.
4. Approval of the Agenda
5. Citizens wishing to address the Commission regarding Items on the Agenda (Three-minute limit)
6. Citizens wishing to address the Commission regarding items not on the Agenda (Three-minute limit)
7. Items for Discussion and Consideration
  - a. Discuss and consider PC Case 2014-012 Capital Improvement Plan (CIP)
  - b. Discuss and consider PC Case 2014-013 Comprehensive Plan Rezoning
  - c. Discuss and consider Storage Container request
8. Project Update
  - a. Comprehensive Plan Implementation Status
9. Other Business
10. Next Meeting: November 5, 2014
11. Adjournment



**Proceedings of the Ironwood Planning Commission  
Wednesday September 3, 2014**

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A Regular Meeting of the Planning Commission was held on Wednesday, September 3, 2014 in the Conference Room #1, Second Floor of the Municipal Memorial Building in the City of Ironwood, Michigan.

1. Call to Order:  
Chair Bergman called the meeting to Order at 5:30 p.m.
  
2. Recording of the Roll:

MEMBER	PRESENT		EXCUSED	NOT EXCUSED
	YES	NO		
Bergman, Thomas	X			
Burchell, Bob	X			
Cayer, Joseph Sr.	X			
Davey, Sam	X			
Lemke, Joseph	X			
Johnson, Leroy	X			
Semo, Rick, ex-officio, non-voting member	X			
Silver, Mark	X			
	<b>8</b>	<b>0</b>	<b>Quorum</b>	

Also present: Community Development Director Michael J.D. Brown and Director of Public Safety Andrew DiGiorgio and guests.

3. Approval of Minutes:  
  
**Motion** by Davey to approve August 6, 2014 Minutes. **Second** by Silver. **Motion carried 7 to 0.**
  
4. Approval of the Agenda:  
  
**Motion** by Burchell to accept the Agenda. **Second** by Davey. **Motion Carried 7 to 0.**

5. Citizens wishing to address the Commission regarding Items on the Agenda (three-minute limit):
  - a. Jeff Berendt, 637 Florence St. speaking in regards to Item 7a – Public Hearing and consideration of PC Case 2014-010 652 E. Cloverland Dr. Site Plan and Rezoning – Casanova. He stated that he has lived at this property since 1975, and the debris cleanup that Casanova has done is a big improvement. He also owns 640 Florence, which he rents. He spoke with his tenants, which they are all in favor of Casanova's new site plan. They don't care if it's C-3 or R-4. Berendt feels it's a big improvement, he is in favor.
  - b. Warren Connell, 719 Florence St. He claims that the blight still exists, and that there is extensive runoff. He is also concerned with snow piling up from the parking lot, and being placed onto his land. His property is flooded already, and the traffic will be a nuisance to him, to have a parking lot when traffic is able to move from US2 to Florence St. He asks for the Planning Commission to say no.
  
6. Citizens wishing to address the Commission regarding Items not on the Agenda (three-minute limit):
  
7. Items for Discussion and Consideration:
  - a. Public Hearing and consideration of PC Case 2014-010 652 E. Cloverland Dr. Site Plan and Rezoning – Casanova: Chair Bergman read the Public Hearing Procedure to the crowd. Director Brown updated the Commission with the property location, the zoning and site plan. The site plan included a parking lot, drainage, fencing and curbing. There are two requests with this case: the approval of the site plan and the rezoning of the properties around Florence St. Director Brown also indicated that this needs to be consistent with the Comprehensive plan, which it is. He has had a chance to review the three revisions to the site plan, to make sure that there are no issues with the zoning ordinance requirements.
    - i. Casanova, 652 E. Cloverland Dr. addressed the Commission appreciating their time. MDOT is currently taking away 8 ft. of his highway frontage to his property, which is why he needs parking to the back of his building. He needs this done to be safe for customers coming into the building. He would like to have his new parking space in place, before they start construction to the highway. Ray Niemi is designing the sight plan. Director Brown indicated that the access will not move to Florence St. as the original plan suggested. The only access will be to and from Cloverland Dr. The ordinance prevents businesses from access to residential streets. Casanova's biggest concerns are the liabilities to him as a land owner, his concern with the shape of the roof, with falling snow, which is why the parking needs to be in the back. Casanova also updated the Commission about the abandoned alley that he inherited, which contains construction debris. He now has to remove these items. Silver asked why the parking needs to be in the back, instead of on the side of the building. Niemi had to design it this way based on the location of the services to his building. Johnson asked, why the snow needs to be stored in the back and not the side. Casanova stated that he doesn't own the property to the side. Davey asked about the runoff location. Niemi stated that the water will run to the North to Florence St. which will catch in the gutter. Davey also had a concern about headlights shining into the neighbors windows. The Commission agreed that there won't be an issue.
    - ii. Public Portion, in Favor:
      1. Wyssling, 527 N. Lake St. Wyssling stated that he owns round the corner on to 753 Florence and up to 652 E. Cloverland Dr. He stated that he is for the entire area to be zoned C-3. In the past Casanova has plowed snow onto his land. He thinks that with the highway construction and this zoning is necessary.

2. Director Brown read a letter presented to the Commission in favor of the project.
- iii. Public Portion, Not in Favor:
  1. Warren Connell, 719 Florence St. made the case that there isn't a tree buffer or sound protection. He is concerned that the snow will be pushed into his property and he believes that Casanova will not comply, based on his track record. He also stated that his property line is in danger.
- iv. Questions for the Commission and discussion: Mr. Foley from Coleman Engineering updated the Commission about a sewer drain that is nearby to the proposed plan. He noted that the sewer there is in very rough shape and to caution workers in that region to be careful. Casanova stated that they are aware of this issue and noted that his project isn't close enough to harm it.

**Motion** by Cayer to recommend to the City Commission, to re-zone Mr. Casanova's Florence Street properties to C-3. **Second** by Burchell. **Motion Carried 7 to 0.**

Discussion commenced about the storm sewer located in the vacated alley way that runs from Cloverland Dr. to Florence St. Berendt updated the Commission, that there are 3 catch basins for run-off that he takes care of. Silver stated that the snow moved from East of Casanova's property to the North, will be better for the neighbors. Davey would like the drainage to be addressed, and contours should be placed. Cayer would like conditions on the site plan to address the drainage. Semo asked if the existing grade causes the water to flow east to West. Niemi indicated that the gradient runs north to the street.

**Motion** by Cayer to approve the proposed site plan, pending the contours added to the site plan to show drainage to flow from east to west towards the catch basins, upon Director Browns review. **Second** by Silver. **Motion Carried 7 to 0.**

- b. Public Hearing and consideration of PC Case 2014-011 1801 E. Cloverland Dr. Site Plan and Conditional Use – Keweenaw Land Association: Director Brown updated the Commission on the proposal to expand their logging yard, to the east of their current yard. Keweenaw Land Association provided a map and site plan. Keweenaw is working with Mr. Foley from Coleman Engineering. Keweenaw has the proper permits from Gogebic County. The DEQ storm water prevention plan needed to be updated. They do have two licensed storm water prevention employees, which are listed in the State permits that have been in place since 1995. The yard would be primarily used to inventory and load, to truck to their customers. Foley stated that the trucks will be using existing exits and entrances, although they will need to have an emergency exit from the yard, which is in the plan. Keweenaw added that they are adding about 45% as a buffer area for neighboring residents.

**Motion** by Davey to approve the conditional use. **Second** by Burchell. **Motion Carried 7 to 0.**

**Motion** by Davey to approve the site plan. **Second** by Burchell. **Motion Carried 7 to 0.**

Lemke and Davey left the meeting at 6:42pm.

- c. Discuss and consider PC Case 2014-009 Surplus Property Policy: Director Brown updated the Commission on the consistency with the Comprehensive Plan. The policy was attached to the agenda and was reviewed. After the City Commission approves, the staff will take inventory of these properties for review by the Planning Commission.

**Motion** by Cayer to recommend to the City Commission to approve the Surplus Property Policy. **Second** by Johnson. **Motion Carried 5 to 0.**

Director Brown noted that this gives the City more flexibility.

- d. Discuss Medical Marihuana Provisioning Center Regulation Act: Director Brown noted that the law that will be passed by the State will give local communities the option to accept or deny Provisioning Centers, into their community, which are commercial store fronts. If they do allow, then the other question is, what zone does the City allow them in. Director DiGiorgio addressed the Commission. He stated that the law looks as though it will pass, due to low opposition. He stated that the current operations are generally in the residential neighborhoods. Director DiGiorgio made clear that he isn't condoning marihuana use. This law however allows the Police more control to develop an ordinance that will allow the local government to create their own laws. Currently the area is in an uncontrolled environment, and this law will make it a controlled environment. He also stated that because Ironwood is a border community, Ironwood will potentially see a little more activity than other communities. Ordinances don't allow the police to regulate caregiver operations, the law only allows the City to place rules on the provisioning centers. Director Brown stated that the provisioning centers can sell as much as they want, but they can't cultivate their own Marihuana. The provisioning centers can buy the excess Marihuana that is produced from the caregivers. If they do allow, then they can regulate, know more information on activities, and be able to track better. DiGiorgio stated that they don't currently know who holds cards and who is growing. If they allow the provisioning centers it allows Public Safety to know who holds cards, where they are buying from, and to inspect the center. They can also place rules that allow them to inspect where the centers are purchasing from. DiGiorgio stated that they will have control as a result. Semo stated that people still have the right to grow and be caregivers. DiGiorgio stated that the law gives control, where currently there is no control. It will allow Public Safety to create an ordinance that will create rules and regulations. Director Brown stated that they will have to choose a zone for the centers to operate. Staff along with Attorney Pope will need to create licensing regulations as a separate document, which will stand alone from the zoning ordinance, and will be controlled and administered by the police department. He also stated that they could place a large licensing fee for these centers to operate. Bergman reiterated that they can't control caregiver operations but they can control the provisioning centers. Director Brown stated that because this would be a business operation, the growers would then be required to have a business license. The City could then create a separate category for growers and raise the rate, to help fund the enforcement. Much more discussion took place. Director Brown stated that there are two components, first does the Planning Commission want to say yes and if yes what zone the City should allow. The Planning Commission should make a recommendation to the City Commission. Director Brown then brought to discussion where the centers should be allowed. Bergman noted that the Downtown would not be ideal due to the proximity to Schools and Churches. Director Brown would like the Planning Commission to make a statement that says yes or no, and if yes, what zone. Bergman Stated that, what he gathered from the last public meeting was that, the citizens just want clarity on the subject, and what the expectations are. Cayer asked if they could limit the zoning to one small property. Director Brown stated that you could set a minimum size property or building size. Bergman stated that you want to place it in a high visibility area and his first thought would be C-3. Semo stated that some complaints that he has heard was about the smell. DiGiorgio stated that they will not be using or growing at these centers. Bergman and Burchell then stated that C-2 may be better due to a struggling downtown and close proximity to the Public Safety Department. Director Brown took a tally and everyone agreed that C-2 downtown is the proper zoning.

Silver and Semo left the meeting at 7:17pm.

8. Project Updates: Comprehensive Plan Implementation Status. Director Brown went over the status and also brought to the Commission's attention that, he has contact a person for training regarding place making. The Session will be free to the Planning Commission. Bergman stated that we should open it up to the public.
9. Other Business: None
10. Next Meeting: October 1, 2014 at 5:30 p.m.

11. Adjournment:

**Motion** by Cayer to adjourn the meeting. **Second** by Burchell. **Motion Carried 4 - 0.**

Adjournment at 7:37 p.m.

Respectfully submitted

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Thomas Bergman, Chairman

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Tim Erickson, Community Development Assistant



## MEMO

**To:** Chair Bergman and Planning Commission

**From:** Michael J. D. Brown, Community Development Director

**Date:** September 24, 2014

Meeting Date: October 1, 2014

**Re:** 2014-013 Comprehensive Plan Rezoning

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Strategy 3.1(b) of the Comprehensive Plan recommends to update the City's zoning map. Attached are the pages from the plan that discuss this. The Planning Commission identified this as a priority action item for this first year.

I have provided an outline and process to be considered but recommend the Zoning Ordinance be updated prior to rezoning.

1. Discuss and decide on a process to be followed with the Planning Commission.
2. Identify properties to be rezoned based on recommendations in the Comprehensive Plan.

The Comprehensive Plan provides for a future land use district of Low Density Residential that doesn't have a corresponding zoning district. The plan indicates these properties could have an R-1 zoning or a new zoning district could be created. This district suggests allowing more flexibility for home businesses and live-work situations such as typical home office/professional business but also expands options for workshops and small-batch production. This was a discussion point the Commission had during the Comprehensive Plan process regarding how to allow for more industrial type of home based businesses in order to provide incubator type settings or cottage industries for future expansion into permanent appropriately zoned properties such as commercial or industrial.

If the Commission wants to rezone properties in this proposed district it can move forward with the rezoning process, but if it wants to consider a new zoning district to align with the Low Density Residential Future Land Use District, it should hold off on rezoning these areas or possibly rezoning anything until the Zoning Ordinance can be updated.

***Staff recommends considering a new zoning district to align with the Low Density Residential Future Land Use District and to update the Zoning Ordinance prior to rezoning the recommended properties.***

Property owners will then know what to expect and what the regulations are once their properties are

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Comprehensive Plan Rezoning\2014-013 PC Memo October 2014.doc

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rezoned. Staff is currently researching general costs for a zoning ordinance update.

3. Notify the City Commission of the Planning Commission's direction.
4. Notify property owners (see attached example letter).
5. Hold public information meeting with property owners, Planning Commission and City Commission.

This meeting will allow the property owners to understand why the City is proposing rezoning and allow property owners to voice their opinions and concerns. This wouldn't be a public hearing, but an open forum for discussion. This will give the Planning Commission and City Commission a sense of acceptance to the project or not.

6. Discuss public information meeting with Planning Commission and determine what properties will be proposed for rezoning.
7. Schedule and hold a public hearing at the Planning Commission and send recommendation to the City Commission.
8. City Commission takes action on rezoning ordinance.



**DATE**

Dear Property Owner,

In July of 2014 the City of Ironwood adopted a new comprehensive plan. The City did so because the 2008 Michigan Planning Enabling Act grants municipalities the authority to create a “master plan” (or comprehensive plan) which acts as the legal basis for the development of land use regulations. While a master plan is not explicitly required, the statute does indicate that for municipalities (such as Ironwood) that have a zoning ordinance, zoning must be based on a plan.

The purpose of the master plan is to guide future development towards more harmonious, economic, and efficient use of the land; promote public health, safety, and the general welfare; provide for adequate transportation systems, public utilities, and recreation; and ensure efficient expenditure of public funds.

The Comprehensive Plan can be found at <http://cityofironwood.org/Documents/Comprehensive%20Plan.html>.

As part of the plan a number of strategies or action items were recommended. One of those strategies was to update the City's Zoning Map in order to align with the Comprehensive Plan's Future Land Use Map. Prior to updating the Zoning Map the City updated its Zoning Ordinance to ensure that zoning supports the land use character and form described in the plan.

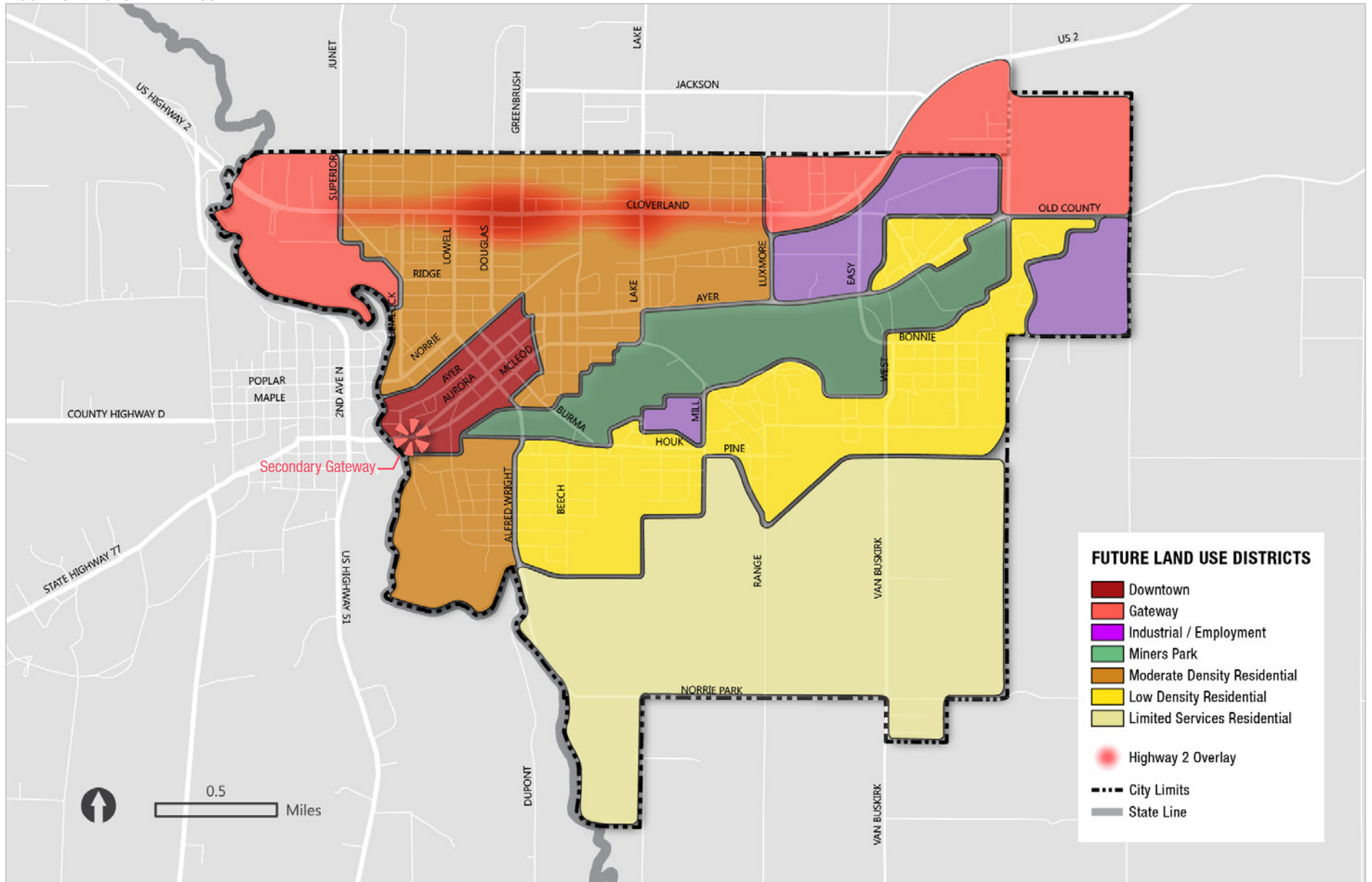
Your property has been recommended to be rezoned. **A list of all properties recommended for rezoning has been provided.** It identifies the property, its current zoning and proposed zoning. Current zoning regulations can be found at **INSERT LINK** for you to understand what permitted for both your current zoning and proposed zoning.

The City of Ironwood Planning Commission along with the City Commission will be holding an informational meeting to discuss this process on **INSERT DATE**, at **INSERT TIME**, at the Memorial Building 213 S. Marquette St, Ironwood, MI 49938 in the auditorium. This meeting will provide you with a better understanding of the rezoning process and will allow you a chance to ask questions. Ultimately a public hearing will be required prior to officially rezoning any property at which you will have another opportunity to speak.

Sincerely,

Michael J. D. Brown  
Community Development Director

FIGURE 3-1. FUTURE LAND USE MAP



# STRATEGIES

## KEY TERMINOLOGY

“Strategies” are actions, programs, and practices that support one or more of the plan’s goals and policies. Strategies address the “who, what, when, where, and how” of reaching a goal, and may involve multiple sub-strategies.

The following strategies support the Land Use goals and policies described in this chapter.

### STRATEGY 3.1: UPDATE CITY ORDINANCES

Successful implementation of the Comprehensive Plan’s vision for future land use requires the alignment of land use regulations, primarily the City zoning ordinance, as well as administrative practices that facilitate public understanding of City policies.

#### Strategy 3.1(a): Update zoning ordinance

Ironwood should update its zoning ordinance to reflect modern building standards, ensure compliance with state regulations, and alignment with land use directions in the Comprehensive Plan. Key considerations include:

- Provide more explicit direction in the zoning around built form and design character rather than use per se; provide flexibility for proposed developments that conform to design standards, but may not adhere to permitted uses.
- Understand the scope of non-conformities in the community, including types of existing non-conformity (lot size, structure, use) and the issues and impacts related to such properties; to the extent that non-conforming uses are an issue, consider using the zoning update process to rectify or mitigate.
- Ensure that zoning allows for a mix of housing types in downtown, appropriate to both the higher-density mixed use core and more peripheral neighborhoods; within the downtown core, specify a higher-level of design standards for store front design, signage, and pedestrian-friendly elements.
- Permit flexible uses within the Industrial/Employment district to encourage diversity and accommodate new economy type businesses.
- Due to the historic platting of lots, many properties are too small to accommodate modern standards for garages and accessory structures. Provide flexibility in the zoning to allow adjacent vacant residential parcels under single ownership to be regarded as a single property when applying dimensional standards for accessory buildings.

#### Strategy 3.1(b): Update the City’s Zoning Map

To align the City’s zoning map with the Comprehensive Plan’s Future Land Use Map, the following areas should be considered for potential rezoning. Figure 3-3 shows these potential rezoning areas on the City’s current Zoning Map.

Table 3-1 below shows the potential alignment between future land use districts described in this chapter and existing zoning districts. An in-depth evaluation and update of the City’s zoning ordinance is recommended to ensure that zoning supports the land use character and form described in the Comprehensive Plan.

TABLE 3-1. FUTURE LAND USE & APPLICABLE ZONING DISTRICTS

Future Land Use District	Applicable Zoning Districts
Downtown	C-2
Gateway	C-2, C-3, O
Industrial	I
Miners Park	O
Moderate Density Res.	R-1, R-2, R-4, C-1
Low Density Res.	R-1 could be applied with appropriate modifications to the zoning description, or a new zoning district could be created.
Limited Density Res.	R-3

FIGURE 3-3. ZONING CHANGE CONSIDERATIONS

