

Planning Commission
June 20, 2017 at 5:30 p.m.
Negaunee Senior Center
(410 Jackson Street, Negaunee)

Agenda

1. Call to Order: Meeting called to order at 5:32pm by Chair Uren

2. Roll Call

Present: Rich Uren, Jeff Gardyko, Robbie Jandron, Jon Becker, Dave Oglesby (late 5:48p), also Bruce Houghton (city attorney)

Absent: Janice Chittle, Gary Sjolund (provided notice)

Also present: Rick Sanville, Matt Treado, Danielle Songer, David Nelson. Ronda Huffman, Michelle Halley (attorney for Huffman), Valerie Peterson, Brian Peterson

3. Approval of Agenda - Motion to approve by Gardyko, supported by Becker. Motion carries.

4. Approval of Minutes –May 16, 2017 minutes

Motion to approve by Jandron, supported by Gardyko. Motion carries.

5. Public Comment - Chair Uren indicates that unless anyone wants to speak during public comment, all present will have the opportunity to speak during the agenda item which brings them to the meeting.

6. New Business –

a. 829 Croix St.

1. Request for Recommendation to City Council for Change of Zoning from R-1 ~~back~~ to historical B-2 to permit reuse of existing office building

Comments:

> Matt Treado (UPEA) / Rick Sanville (UP Family Solutions) - Trying to use for office space which is the originally designed intent. UP Family Solutions provides foster care and adoption services UP wide. The building will not be used as housing.

Motion to approve recommendation to change zoning from R1 to B2 by Jandron, support by Gardyko. Motion carries.

2. Site Plan Review

Motion to approve site plan as presented by Uren, support by Gardyko. Motion carries. Oglesby abstains (due to arriving late).

b. Request for a Land Use Agreement for Disc Golf Course in Old Towne

> Background from City Attorney: Parks and Rec has seen this and approved to enter in to non-exclusive agreement with the non-profit.

Comments:

> Presentation by David Nelson on behalf of Disc Golf Course group. There won't be a cost to the city for installation or maintenance. There will not be an impact on existing trails/park users. Plans to raise \$20,000 for the course. Install tee pads (approx 4x6) treated box with astro turf and holes. Request to clear small trees, brush, and deadfall.

Motion of support for the City entering into a non-exclusive land use agreement with the disc golf course organization (a legal non-profit entity) by Jandron, support by Oglesby. Motion carries.

7. Old Business

a. Elaboration for City Council of PC Opposition to proposed Land Swap as opposed to outright sale
> The Planning Commission's opinion is that the City Council should not entertain the offer as presented for a number of reasons outlined below:

1. There is a City policy concerning the disposal of city owned real estate which has not been followed. This policy includes a number of steps which are to be followed when the City sells property including a recommendation from the Planning Commission as to whether the property is considered surplus and the determination of Fair Market Value through a proper valuation process. None of this has happened.
2. The offer as presented is unlikely to be an equitable trade based on assessor's reports available to the City. The City owned parcel has a taxable value of \$9,500+. The parcel being offered by Porter Ltd has a taxable value of \$4,750. This can't be valued as an even up swap.
3. Due to the previous (mining) use of both properties, there are likely environmental concerns that may create liabilities for the City. The City may have also accepted liabilities when it received the property from CCI and those liabilities may not be transferable to a buyer. Appropriate research and disclosure should be conducted prior to and as a necessary component of any transaction.
4. While increasing the tax base is certainly in the interest of the city, there is no guarantee that any development will ever happen. Any transaction should contain a contingency requiring the developer to build within a reasonable timeframe (12-24 months).

PC Secretary will prepare a letter for Council detailing this rationale and deliver before their next meeting.

b. Follow up on 1113 Owaissa: Land survey provided: approved

Informational agenda item only. This site plan was previously approved with conditions which have been reviewed by the zoning administrator and met. Specifically, a survey has been completed and presented to Bruce indicating that the proposed site plan meets the 50' setback from the high water line of Teal Lake.

Public Comment:

>Michelle Halley on behalf of Ms. Huffman

> Valerie Peterson & Brian Peterson

8. Public Comment:

Valerie Peterson

Michelle Halley

9. General Discussion - none

10. Adjournment - Motion by Oglesby, support by Gardyko. Motion carries.