



CITY OF GLADSTONE, MICHIGAN

CITY HALL, 1100 DELTA AVENUE

GLADSTONE, MI 49837

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www.gladstonemi.gov

"Year Round Playground"

August 8th, 2024

Planning Commission
City of Gladstone
Gladstone, MI 49837

Subject: PUD

**Location: 80 Delta Avenue
Gladstone, MI 49837**

RE: New Restaurant/Retail-Queen City

Applicant: Josh King

Zoning: I-2 Heavy Industrial

Dear Planning Commission Members:

The applicant above is requesting a PUD to consider a unique opportunity for a new restaurant on the lake at property located at 80 Delta Avenue. He is proposing 2800 SF of restaurant space via a barge on the lake, a future harbor space and to build a new structure on land that would house 2400 SF of retail space. The building on shore will also serve as restrooms for the restaurant and provide retail space for customers and residents. The site plan for this project was originally approved at the 9-12-23 Planning Commission meeting.

Gladstone Code of Ordinances Reviewed

- Section 30-509 Site Plan Review
- Section 30-555 Planned Unit Development
- Section 30-551 Industrial District
- Section 30-583 Off Street Parking
- Section 30-601—30-610 Signs

Staff Report/Fact Finding Results

A. Proposed Use and Zoning: The site is zoned I-2 Heavy Industrial. The proposed uses for this review are not permitted within the I-2 district and a PUD is requested. For the site to be developed in the proposed way the zoning classification would have to be changed. A large parcel of property to the west of this development is owned by the city and is planned to be developed in a PUD district which would allow for a mix of business/retail/commercial and housing.

 A WPPI Energy community

 The City of Gladstone is an equal opportunity employer and provider.

B. PUD Approval Standards:

Based upon the standards set forth in this subsection, the zoning committee may recommend denial, approval or approval with conditions, and the city commission may deny, approve or approve with conditions a proposed planned unit development. In making such a decision, the zoning committee shall rely upon the following standards:

(1) The uses proposed within the planned unit development will have a beneficial effect, in terms of public health, safety, welfare or convenience, on present and future potential land uses. The uses shall not adversely affect, in a material manner, the public utility and circulation system, surrounding properties or the environment.

(2) Off-street parking within the planned unit development shall be sufficient to meet the minimum parking required by [section 30-583](#); however, if it is deemed necessary in order to achieve the purposes set forth in subsection (b) of this section, the zoning committee may require more or less parking than that required by such section.

(3) All streets and parking areas within the planned unit development shall meet the minimum requirements set forth in city ordinances, unless modified by the zoning committee to achieve the purposes set forth in subsection (b) of this section.

(4) Landscaping or screening shall be provided, if necessary, within the planned unit development in order to ensure that the proposed uses will be adequately buffered from one another and from surrounding public and private property.

(5) Effort shall be made to ensure the preservation of natural and architectural features, trees, hedge rows, wood lots and the integrity of the land within the planned unit development.

(6) The site for the planned unit development shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material.

(7) Public water, sewer and electrical facilities shall be available within the planned unit development or shall be provided by the developer as part of the site development.

(8) The proposed density, setbacks and heights of the planned unit development shall be no different than the density, setbacks and heights which would be required for each of the component uses of the development. However, if it is deemed necessary in order to achieve the purposes set forth in subsection (b) of this section, the zoning committee may require greater or lesser density, setbacks or heights within such planned unit development than those required by this article.

(9) Traffic and accessory conditions regulations shall be as follows:

a. Safe, convenient, uncongested and well defined vehicular and pedestrian circulation within and to the planned unit development district shall be provided.

b. Drives and streets shall not be laid out so as to encourage outside traffic to traverse the planned unit development, nor to create unnecessary fragmentation of the development into small blocks.

c. No material impediment to the visibility of automotive traffic, cyclists or pedestrians shall be created or maintained.

(10) All buildings shall conform to city codes and ordinances.

C. Approval Standard Recommendation:

- (1) The proposed use will complement the future North Shore development and compliment the residential area by providing a point of interest and destination along the shoreline.
- (2) Off street parking requirements for this type of development was determined at 1.2 per 100 square feet of floor space for the restaurant and 1 per 150 square feet of retail space for the commercial building. The formula used would require 50 parking spaces. The plan provides for 88 spaces for parking and includes 4 handicap parking areas of which 1 is required to be van accessible. The interior landscaping rules apply so a minimum of 10% of the parking lot will provide green space as well a 5' buffer of green space along the perimeter of the lot and trees not more than 35' apart. 6' of green space between every 12 parking spaces is also provided to meet code.
- (3) See #2
- (4) Landscaping and screening will be an ongoing project as the North Shore area develops.
- (5) As this is an industrial site, these features do not currently exists, however as the area develops out these types of amenities will be considered.
- (6) All soil erosion and other shoreline/water permits shall be secured.
- (7) Adequate public water, sewer and electrical facilities shall be provided by the developer.
- (8) The site meets all setback, density and height requirements. Future walking paths will connect the Northshore & campground through this site. Developer has reviewed proposed Northshore plans and is committed to working with the City to ensure that as these development occurs connections will be made through his site.
- (9) Mr. King has reviewed future Northshore plans both for streets and pedestrian flow through the area and is committed to working with the City and future developers to make this work as it will benefit both sites.
- (10) All buildings and facilities must meet state and national building codes and permitting requirements.

D. Other: Signs: Any signs permitted in the B-2 district shall comply with section 30-610 of the ordinance and will be considered for approval by the Zoning Administrator. Signage is not noted within the plan and any signage will require approval prior to installation.

EAGLE: All conservation permits must be secured by developer. When land to be developed disturbs one or more acres of land and is within 500' of a lake and a stream and it is the owner's responsibility to comply with any requirements; the owner has been made aware of this requirement.

PUBLIC HEALTH: A food license is generally required from PHDM for restaurants. Because this property is located on the lake it is not yet determined who the appropriate entity is to issue this permit. The owner has been made aware that a food service facility is required to provide a license to the city prior to operations.

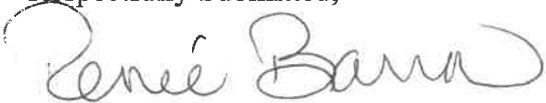
TIMELINE & CHANGES: Timeline for starting development for PUDS is 18 months. As the activities have already started as approved with the previous site plan this requirement has been met. Work is to continue in a reasonable diligent manner and be finalized within a 3-year period. Any changes to the plan shall be brought to the Zoning Administrator for consideration. Minor changes can be approved administratively, major changes will require Planning Commission review.

SUMMARY AND RECOMMENDATION

Recommend motion of favorable PUD review and to move the PUD on to the City Commission for approval. Recommendations and standards to be met as outlined in Section C Any deviation from the PUD guidelines will cause the PUD designation to be halted and the property owner is directed to work with City staff to resolve issues.

If you have any questions regarding this information, please don't hesitate to contact me by email at rbarron@gladstonemi.gov or by phone at 428-2311.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Renée Barron". The signature is written in black ink and is positioned below the text "Respectfully Submitted,".

Renée Barron, Zoning Administrator
City of Gladstone

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QUEEN CITY MARINA
GLADSTONE, MI

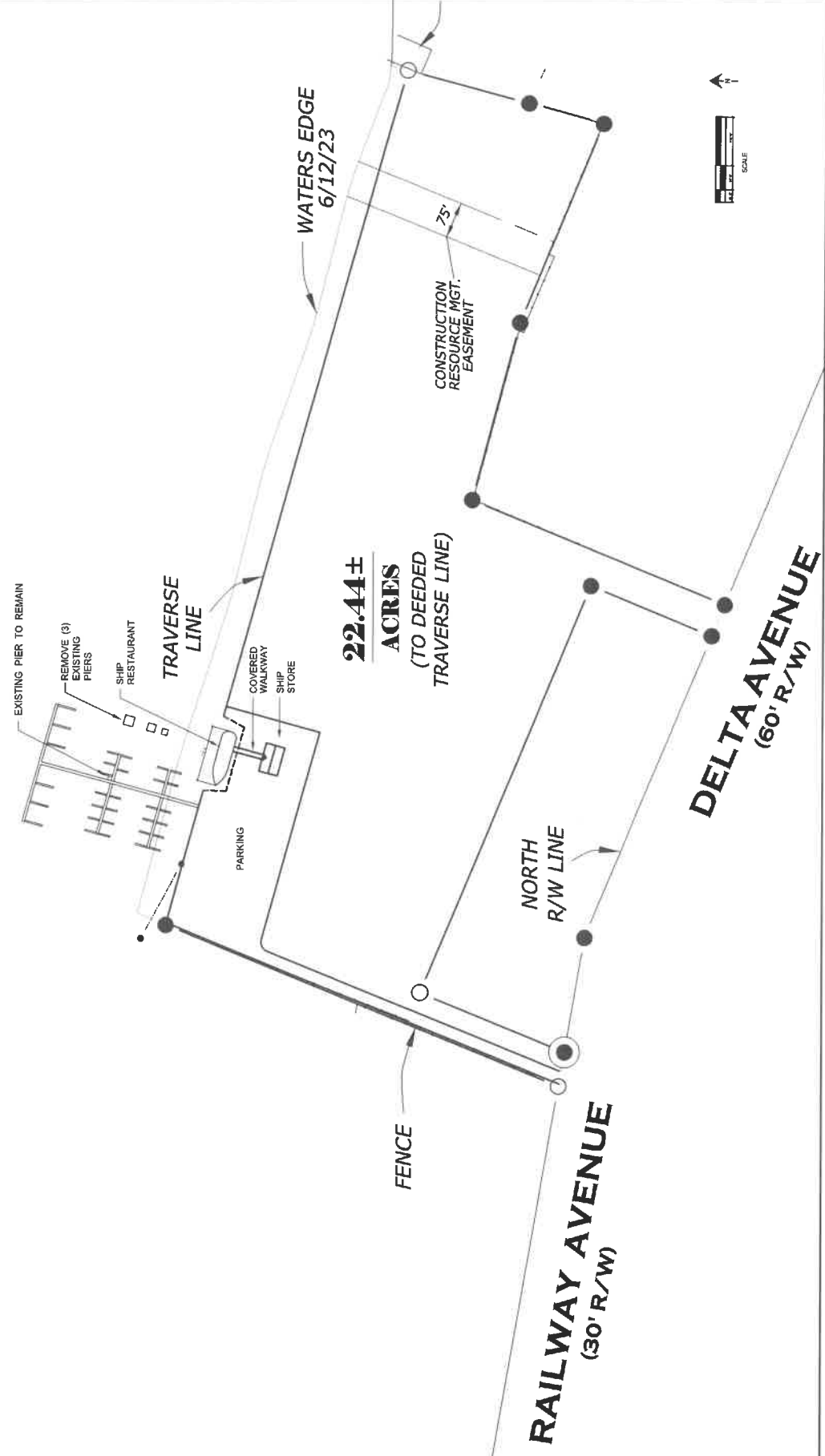
VIAU, INC.
181550 CO. RD 386
PORTERS, MI 48874
Phone 909-289-0764

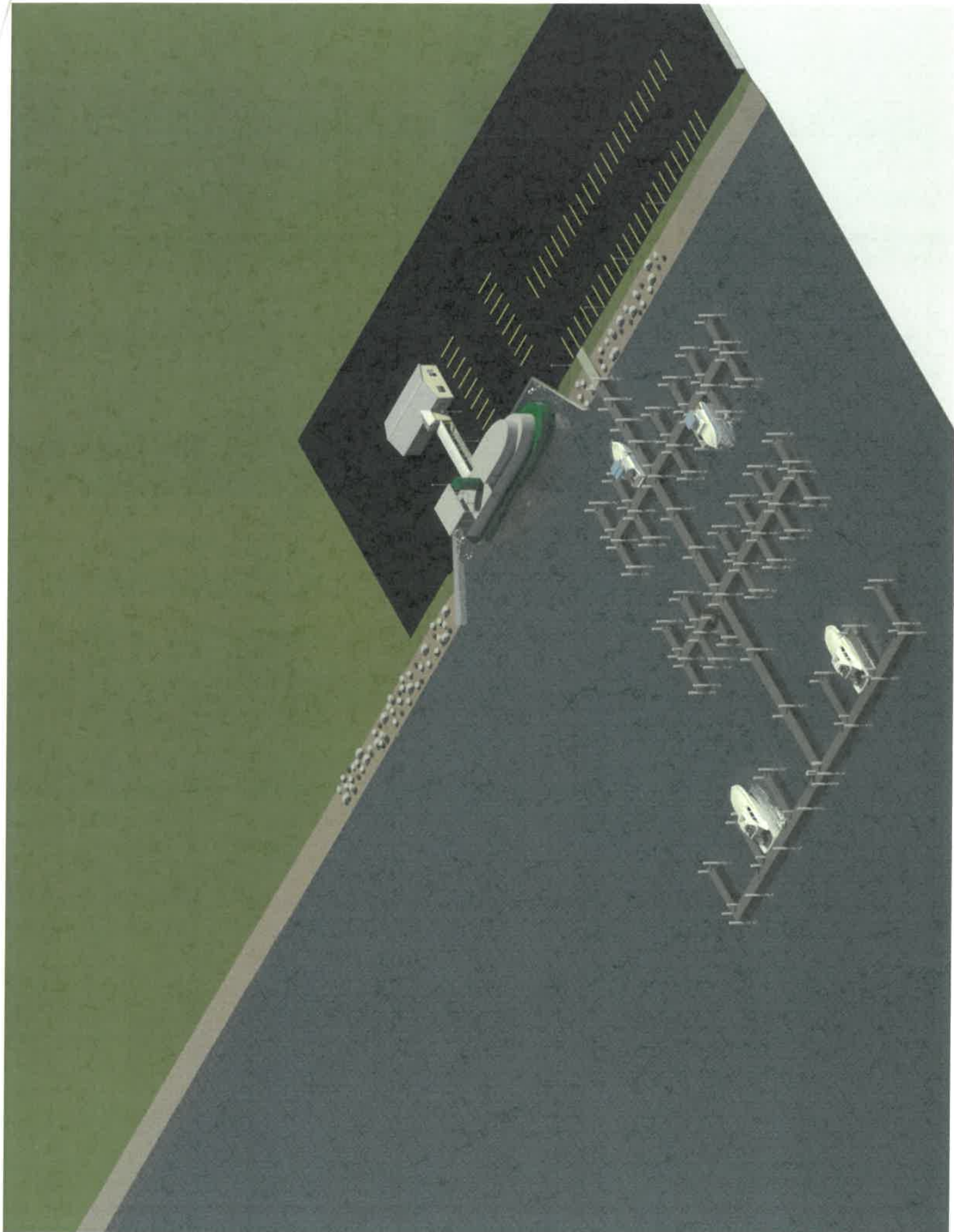
Email: rando@viauinc.com
www.viauinc.com

VIAU
Inc.
Architects & Builders

DATE	NOV 02 2010	NOV 02 2010
OWNER	QUEEN CITY MARINA	QUEEN CITY MARINA
PROJECT	QUEEN CITY MARINA	QUEEN CITY MARINA
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SHEET NO. C1.0





Sec. 30-555. - Planned unit development.

- (a) *Established.* A district known as the "planned unit development district," also referred to as the "PUD district," is established and as used in this section, "planned unit development" includes such terms as cluster zoning, planned development, community unit plan, and planned residential development and other terminology denoting zoning requirements designed to accomplish the objectives of the zoning ordinance through a land development project review process based on the application of site planning criteria to achieve integration of the proposed land development project with the characteristics of the project area.
- (b) *Purpose.* The purpose of the planned unit development district is to permit flexibility in the regulation of land development; encourage innovation in land use and variety and design, layout and type of structures constructed; achieve economy and efficiency in the use of land, natural resources and the provision of public services and utilities; provide adequate housing, additional commercial establishments and new employment or maintain current employment; encourage the use and improvement of existing sites when the uniform regulations contained in other zoning districts do not provide adequate protection and safeguards for the site or its surrounding areas; encourage the provision of open spaces and the development of recreational facilities in a location within reasonable distance of planned living units; and minimize the adverse impact that new development may have on the natural environment or public facilities, such as drainage systems, sewage disposal systems, water systems and other publicly provided systems, services and facilities. All such development shall be consistent with the public health, safety, convenience and welfare.
- (c) *Principal permitted uses.* Principal permitted uses within the planned unit development district shall be all residential uses, including multiple-family apartments, or a mixture of single-family and multiple-family units on a planned basis, through the use of cluster homes, row houses, townhouses and/or apartment houses; all business, service and professional offices; all manufacturing or industrial uses; all commercial uses; or any combination of such uses.
- (d) *Permitted accessory uses.* Accessory uses permitted in the planned unit development district shall include any accessory uses, which are permitted in any residential, commercial, office and/or industrial district in accordance with the regulations set forth in this article.
- (e) *Site plan submission.* All owners, or the holders of a lawful option, within the planned unit development district shall file with the zoning administrator a proposed site plan and detailed description of the structures to be erected, the other facilities of the project and the land uses involved. In addition, such owners, or the holders of a lawful option, shall furnish such other information as the zoning administrator and/or the zoning commission may reasonably require, consistent with the purposes set forth in subsection (b) of this section.

(f)

Applicability of section. The provisions of this section may be applied, upon application of a proper person, to any parcel exceeding one-half acre in size, except where the parcel is located in the R-1 district.

(g) *Approval standards.* Based upon the standards set forth in this subsection, the zoning committee may recommend denial, approval or approval with conditions, and the city commission may deny, approve or approve with conditions a proposed planned unit development. In making such a decision, the zoning committee shall rely upon the following standards:

- (1) The uses proposed within the planned unit development will have a beneficial effect, in terms of public health, safety, welfare or convenience, on present and future potential land uses. The uses shall not adversely affect, in a material manner, the public utility and circulation system, surrounding properties or the environment.
- (2) Off-street parking within the planned unit development shall be sufficient to meet the minimum parking required by section 30-583; however, if it is deemed necessary in order to achieve the purposes set forth in subsection (b) of this section, the zoning committee may require more or less parking than that required by such section.
- (3) All streets and parking areas within the planned unit development shall meet the minimum requirements set forth in city ordinances, unless modified by the zoning committee to achieve the purposes set forth in subsection (b) of this section.
- (4) Landscaping or screening shall be provided, if necessary, within the planned unit development in order to ensure that the proposed uses will be adequately buffered from one another and from surrounding public and private property.
- (5) Effort shall be made to ensure the preservation of natural and architectural features, trees, hedge rows, wood lots and the integrity of the land within the planned unit development.
- (6) The site for the planned unit development shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material.
- (7) Public water, sewer and electrical facilities shall be available within the planned unit development or shall be provided by the developer as part of the site development.
- (8) The proposed density, setbacks and heights of the planned unit development shall be no different than the density, setbacks and heights which would be required for each of the component uses of the development. However, if it is deemed necessary in order to achieve the purposes set forth in subsection (b) of this section, the zoning committee may require greater or lesser density, setbacks or heights within such planned unit development than those required by this article.
- (9) Traffic and accessory conditions regulations shall be as follows:
 - a. Safe, convenient, uncongested and well defined vehicular and pedestrian circulation within and to the planned unit development district shall be provided.
 - b.

Drives and streets shall not be laid out so as to encourage outside traffic to traverse the planned unit development, nor to create unnecessary fragmentation of the development into small blocks.

- c. No material impediment to the visibility of automotive traffic, cyclists or pedestrians shall be created or maintained.

(10) All buildings shall conform to city codes and ordinances.

- (h) *Procedural requirements.* Upon receipt of a planned unit development application and site plan, the zoning administrator shall transmit the application and plan to the zoning committee. The zoning committee shall hold a public hearing in the same manner and give notice of such hearing as required for zoning amendments under section 30-475.
- (i) *Rezoning of parcel.* Approval of the planned unit development by the zoning committee shall be a recommendation to the city commission to rezone the property to a planned unit development zoning classification for the uses as shown on the planned unit development application and site plan.
- (j) *Time for completion of development.* Within 18 months of the approval of an application and site plan for a proposed planned unit development, or for a phase of such development, all proposed buildings, parking spaces, landscaping, usable open spaces and amenities included in the site plan shall be started or the planned unit development district will revert to its previous zoning. Work shall be continued in a reasonably diligent manner and completed within three years of the approval by the city commission. Such 18-month and three-year periods may be extended if applied for by the applicant and granted by the city commission in writing following a public notice and public hearing. Failure on the part of the owner to secure the applicable written extension shall result in a stoppage of all construction.
- (k) *Consequences of approval.* After approval of a planned unit development, the parcel to which it pertains shall be developed and used in its entirety only as authorized and described in the resolution approving the planned unit development.
- (l) *Changes.* Minor changes to a previously approved planned unit development site plan may be approved without the necessity of action by the zoning committee or city commission if the zoning administrator certifies in writing that the proposed revision does not alter the basic design, nor any specified conditions of the site plan as approved by the city commission. Any changes or alterations, other than minor changes as set forth in this section, may be made only by following the same procedures as required for the adoption of a planned unit development in the first instance.
- (m) *Appeal.* A party aggrieved by the decision of the city commission may appeal to the circuit court for the county in which the property is located as provided under subsection 30-511(g) of this Code.

(Code 1976, § 150.22; Ord. No. 453, § 308, 12-8-1986; Ord. No. 470, § 2, 5-28-1991; Ord. No. 564, § 2, 3-26-2007)

State Law reference— Planned unit developments, MCL 125.3503.

Sec. 30-475. - Amendments.

- (a) Proposals for amendments to the text or zoning maps of this article shall be presented to the zoning committee, which shall hold a public hearing to discuss the proposals. The zoning committee shall be guided in its decisions by the plan and the provisions and zoning maps of this article. Any decision of the zoning committee relating to proposed amendments shall be set forth in writing and in detail and shall be transferred to the city commission as the recommendation of the zoning committee. The city commission shall, in accordance with the enabling statute, make the final decision regarding proposed amendments. Any amendment shall be set forth as an ordinance amending this article, and all amendments rezoning land shall include legal descriptions of the land involved, provided, however, that an amendment to conform a provision of the zoning ordinance to the decree of a court of competent jurisdiction as to any specific lands may be adopted by the city commission and the notice of the adopted amendment published without referring the amendment to the planning commission or any other board.
- (b) After receiving a zoning ordinance or an amendment thereto the city commission may hold a public hearing if it considers it necessary or if otherwise required, as provided in MCL 125.3401.
- (c) The city commission shall grant a hearing on a proposed ordinance provision to an interested property owner who requests a hearing by certified mail, addressed to the city clerk. A hearing under this subsection is not subject to the requirements of section 30-513, except that notice of the hearing shall be given to the interested property owner in the manner required in subsections 30-513(b)(3) and (4).

(Code 1976, § 150.34; Ord. No. 453, § 508, 12-8-1986; Ord. No. 564, § 2, 3-26-2007; Ord. No. 574, 10-27-2008)

State Law reference— Amendments, MCL 125.3202.



GLADSTONE PLANNING COMMISSION MEETING

City Hall Chambers – 1100 Delta Avenue
August 13, 2024
5:00 PM

A Regular Meeting of the Gladstone Planning Commission will be held on Tuesday, August 13, 2024 at 5:00 PM hosted at City Hall Chambers – 1100 Delta Avenue.

MINUTES

CALL TO ORDER: Commissioner Haulotte called the meeting to order at 5:00PM.

ROLL CALL: Commissioners present: Haulotte, DeFiore, Noreus, Woodworth, Leonard
Excused: Commissioner Strom & Butch

APPROVAL AND/OR CORRECTIONS OF:

1. Approve Minutes from 7-9-24
Moved by Commissioner Noreus; seconded by Commissioner Leonard to approve the meeting minutes of 7-9-24 as presented. **MOTION CARRIED**

ADDITIONS TO AGENDA

PUBLIC HEARINGS

2. Master Plan Revision-Public Hearing 8-13-24

Commissioner Haulotte opened the public meeting at 5:01. Renée Barron gave an overview of the Master Plan process, where the Planning Commission was at in the process and reviewed the staff report that was included in the packet. She also reviewed two public comments that were received after the open comment period. Written public comment received were from: 1) City of Escanaba and 2) John Pickard. Both parties were present at the meeting. Barron directed the Planning Commission that the code allows for the Planning Commission to have final approval of the plan should they decide to move to approve it. She also pointed out that this approval would require an affirmative 2/3 vote. Public was invited to comment on the plan.

John Pickard spoke on behalf of the Train Committee and had concerns about the train priority being removed from the Master Plan. He spoke about the past activities of the Train committee and potential activities for the future. He stated that people stop all day long at the train depot, that the railroad is giving them land for a parking lot and that the state will give them signage. He stated that he wants to retain the current site and they need the blessing from the City for their plan.

Diane Krouth; 1509 2nd Avenue North spoke in favor of the train activities and talked about growing up near the train and that many people are interested in the train. She supports what the committee is doing including the legwork to get established as well as the fundraisers and dreams they have for it. She stated that they are doing these activities so the City doesn't have to.

Commissioner Haulotte closed the Public Hearing at 5:20PM.

Patricia West addressed some of the concerns Mr. Pickard presented in his comments and pointed out that the train activities were not removed from the Master Plan but that they exist in the DDA/TIFF plan. Barron and West outlined how the Master Plan supports the types of activities Mr.

Pickard and Ms. Krouth talked about and that the Master Plan does not hinder any of the proposed activities.

Commissioner Noreus and DeFiore asked questions of Mr. Pickard to clarify his position and Commissioner Noreus directed Pickard to the City for answers to his specific questions about train activities.

Moved by Commissioner Noreus; seconded by Commissioner Woodworth to approve the proposed Master Plan Amendment as presented including the current land use and future land use maps as well as other maps in the plan, along with all the resources utilized within the plan.

Roll Call: Haulotte-Yes DeFiore-Yes Noreus-Yes Woodworth-Yes Leonard-Yes

MOTION CARRIED

3. PUD-80 Delta Avenue

Renée Barron reviewed the application from Josh King regarding his PUD request for 80 Delta Avenue. A site plan was approved for this site at the 9-12-23 meeting with a re-zoning required for the development. Barron reviewed that the Planning Commission may recommend approval of a PUD to the City Commission with or without conditions. The Public Hearing was opened at 5:45PM and was closed as no public made comment. The Planning Commission reviewed the proposal.

Moved by Commissioner Noreus; seconded by Commissioner DeFiore to recommend approval of the rezoning request of I-2 to PUD to accommodate the activities approved in the 9-12-23 site plan with the following condition: work with the City on landscaping and screening to provide safe and convenient circulation of vehicles and pedestrians within the site and as the Northshore develops. **MOTION CARRIED**

UNFINISHED BUSINESS

NEW BUSINESS

4. Site Plan Review-1103 Delta Avenue

Renée Barron reviewed the application submitted by Kyle Bosk for and addition at 1103 Delta Avenue and went over the fact-finding report. The Planning Commission reviewed the application. Moved by Commissioner Woodworth; seconded by Commissioner Leonard to approve the site plan for 1103 Delta Avenue as presented.

MOTION CARRIED

PUBLIC COMMENT: John Pickard asked about the status of Besse Forest Products. Gary Slade of Escanaba representing the train group stated that the committee is made up of good people and they are looking for support to develop their store and business activities.

INFORMATION SHARING: Mayor Joe Thompson talked about the recent ballot initiative to remove the cities ability to special assess. Residents were encouraged to find reputable sources to review prior to going to the poles in November.

COMMISSIONER COMMENTS

COMMUNITY DEVELOPMENT COMMENTS

ADJOURNMENT: Motion made to adjourn at 6:08PM