



**Proceedings of the Ironwood Planning Commission
Wednesday May 1, 2013**

A Regular Meeting of the Planning Commission was held on Wednesday, May 1, 2013 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	X	
Cayer, Joseph Sr.	X			
Davey, Sam	X			
Geib, Courtland	X			
Lemke, Joseph	X			
Johnson, Leroy	X			
Semo, Rick, ex-officio, non voting member				X

Also present: Community Development Director Michael J.D. Brown. In the audience, numerous community members as well as Dawn Schultz, Xcel Energy.

3. Approval of Minutes:

Motion by Davey to accept the meeting minutes of April 3, 2013. **Second** by Johnson. **Motion Carried 6 to 0**

4. Approval of the Agenda:

Motion by Davey to accept the Agenda. **Second** by Geib. **Motion Carried 6 - 0.**

5. Citizens wishing to address the Commission regarding Items on the Agenda (three-minute limit):

None

Comm. Johnson: Would this be used for summer storage?

Dahlbeck: It's just my stuff. I am not doing it for hire. If my machines break down I bring them in and fix them.

Comm. Johnson: Did City of Ironwood staff discuss moving to the industrial park instead of zoning to R-3? You indicated you don't have horses now.

Dahlbeck: No. I have a horse, that's why we want to put the building on the property. We have enough acreage so that you wouldn't even know there is a horse out there.

Comm. Johnson: Is there any covenants or deed restrictions?

Dahlbeck: No.

Comm. Johnson: This was mining property at one time. There are a lot of mine shafts. I had concerns when it was zoned R-1. I am concerned that there are restrictions on deeds. I would be interested to see how your deed is worded.

Dahlbeck: Keweena land owned the two parcels at one time. There was more mature maple versus scrub. You can see out in my back area where it's been mined. The front part is heavily wooded, no mining shafts.

Comm. Johnson: I am a mining buff and have information that it was heavily mined up there. It's a safety concern for the buildings. You can walk through the property and tell where it was mined. Keweena always puts a covenant on the property when they sell it.

Dahlbeck: It doesn't show.

iv. Public Comment: In Favor of Rezoning

Don Muzzy
205 Bonnie Road, Ironwood MI 49938

I am neighbors with George and Alicia Dalbeck. Boys want bigger barns for bigger toys. A horse shouldn't be a problem.

v. Public Comment: In Opposition to Rezoning

John Liljestrom
24 Newport Heights, Ironwood MI 49938

(With the approval of the Commission Mr. Liljestrom reads his letter of objection, see attached). I strongly object to Mr. Dalbeck's request. It will have a negative effect on property values. There are odors from animals. How many horses will he have? This is not a rural area. There will be a noise issue. I am living right next to Mr. Dalbeck's property. There will be blight with parts and equipment and iron ore dust will come up from the roads.

The Industrial Park has room for his logging business. Trucks can be repaired there.

This is a highly concentrated residential area. There are many families and families with children. I ask this committee, would you want this type of business in your area? I have never heard of a rural area in the City of Ironwood limits.

Dave Liljestrom
23 Newport Heights, Ironwood MI 49938

This operation would be directly in front of my house on the north. I am opposed to the noise. If this is allowed, it sets the precedent that this may not stay the way it is. This could turn into a repair shop. There is an industrial area in Ironwood, but also in Bessemer and Wakefield. Why do we have to have a business in our residential area? I have lived here 27 years. At one time there were house foundations out here that sunk because of the mine shafts.

John J. Kostac
111 Bonnie Road, Ironwood MI 49938

I have three concerns. The ATV trail system is there. Is this going to affect the trail system? This would be not too far back from my property and there are holes there that could turn into sinkholes with added traffic. Is this going to be a repair shop or will he be processing wood there?

Question: Heather Muzzy

Heather Muzzy
205 Bonnie , Ironwood MI 49938

If this is private, it should be his own business and if he closes down the ATV trail that is not a legal trail. If you put a no trespassing sign, it is private property; the trail runs closer to their house than the shop ever will. I don't understand.

Joan Liljestrom
23 Newport Heights, Ironwood MI 49938

The comment about Ironwood Concrete there; they do not use Bonnie road, they use the access road. I work during the day, but this was a complaint when I moved here. The access road was supposed to be used for that.

Michelle Trier
1 Newport Heights, Ironwood MI 49938

I have more of a question for the board, when it gets zoned R-3; Dalbeck states that they are going to have one horse and a repair shop. Who governs when this is rezoned to this property?

Bergman: Once something is rezoned to the new district, generally anything that is a permitted use is allowed there. There is also conditional and special uses that could potentially be used beyond those permitted uses.

Trier: Farm animals would be allowed under R-3?

Director Brown: Farming is allowed, so horses would be allowed. That is why he requested R-3 zoning. We are considering this a barn or a garage. If he calls it a repair shop, it wouldn't be allowed. He could work on his own vehicle.

Trier: For building purposes, this is the only building he could build? If it is rezoned from R-1 to R-3 he could house more than one horse and he could build other buildings in addition to the barn without coming to the commission?

Director Brown: If it were permitted. If it were something not permitted, he'd have to come back for a variance or conditional use permit. If it is a building, he'd have to get a building permit.

Trier: Another question off of Heather's. About the ATV trail. So, can he build any recreational facilities for his children, such as a go cart track, race track? Can he build this on his land? What can be built on his property by changing the zoning? Would he have to come back to you?

Director Brown: Yes, if he called this a place of work then this would be a non-residential use. If he is doing logging business, then he would have to move to a commercial lot.

Trier: I moved to this property for the location. We landscaped the property and spend a lot of time outside. I signed the letter, and we agree with everything in it. We paid a lot of money for our home to use the property.

Andy McRae
406 Hubin, Ironwood MI 49938

I was going to try and clarify on horse issue. The City code says if you have horses you need to clean up after them every day. On the use of Bonnie road, I see nothing wrong with Iron King. Bonnie Road is not in that good of condition.

Gerald Cady
15 Newport Heights, Ironwood MI 49938

Mr. Dahlbeck is going to be using his barn for his equipment, and that's for his private use. But, his equipment is used for his logging business, so isn't this commercial?

Bergman: Good Question. He is using his logging trucks for business, so if he wants to repair them there, that's maintenance and is commercial.

McRae: We have a beautiful neighborhood here. We have spent a lot of money here; you come around the corner and it looks like a park. I am of the age that in a couple of years I might want to sell and I can't afford a big loss. This is my retirement. I understand that once it's rural, he can put up all kinds of buildings, animals, chickens. Where's he going to put that road? I would like to see some exact plans where he is going to put the road. He could put his road right behind my garage. I own 150' back off of Iron King. Can we look into the commercial aspect?

Johnson: There is limited commercial. It has to be associated with the agriculture nature of the R-3.

McRae: His business is forestry.

Johnson: He has a commercial business.

McRae: I don't understand how he can have a commercial business in a residential area.

**Joseph Briaspinick
33 Newport Heights (aka #1 Iron King Road), Ironwood MI 49938**

I grew up in this area. Dalbeck said he's going to leave those big maples up as a buffer zone. This will help with some of the buffering. My concern is that I can't use the road there now going up to Iron King. Who's going to maintain Iron King road? There are holes big enough to bury my pickup. Is this City of Ironwood going to maintain this road? It will be a cost to the City of Ironwood. If they do it for him, I hope they do it for me.

vi. Public Hearing closed:

Discuss and consider action: After considerable public input, **Motion** by Johnson to recommend to the City Commission denial of PC Case 2013-001 to Rezone Mr. Dalbeck's property, identified as Parcel's 52-24-101-010 and 52-24-176-040 from R-1 to R-3. **Second** by Cayer. **Motion carried 6 to 0.**

7b. Consideration of PC Case 2013-002 Xcel Energy Rezoning:

- i. Open Public Hearing. Chair Bergman explained the procedures for this public hearing.
- ii. Staff Report: Director Brown presented the facts on this property rezoning request. This is a site plan review request from Xcel Energy located at 900 E Ayer Street, which is owned by the City of Ironwood of Ironwood, which Xcel intends to purchase from the City of Ironwood, in order to expand its existing substation that is on site. In addition, Xcel is purchasing the western 45 feet of the property (Parcel #52-23-276-005) just east of 900 E Ayer Street to expand its substation footprint. 900 E Ayer Street is currently zoned Industrial; however, Parcel 52-23-276-005 is zoned residential and will be required to be rezoned to Industrial.
- iii. Applicant Testimony: by Dawn Schultz from Xcel. Cayer inquired if this is the only zoning request or would this matter come before the Commission again? Cayer also inquired if this had to do with Orvana's lines. Schultz indicated that this does not have to do with Orvana's lines. Johnson asked how close this is to residential properties. Schultz explained.

Johnson inquired as to how big the parcel is that is being purchased and Schultz indicated 282 feet total for now.

iv. Public Comment: None

- v. Close Public Hearing
- vi. Discuss and consider action: After consideration, and due to a transcription error by the newspaper, the proper public hearing notice didn't include the site plan portion. Therefore Staff recommended tabling the rezoning request until June 5, 2013 at which time the site plan public hearing can be held and then the Commission can take action on both the site plan and the rezoning request simultaneously. Xcel is in favor of this. **Motion** by Cayer to move this matter to next month. **Second** by Davey. **Motion carried 6-0.**

7c: Outdoor Storage Zoning Amendment: Director Brown presented the wording to the ordinance. Johnson likes how this reads now. Director Brown indicated that a public hearing will need to be held on this zoning amendment. Director Brown was directed to have City of Ironwood Attorney Pope draft this ordinance. The Commission would like this matter brought back to them next month. **No further action at this time by the Commission.**

8. Project Updates:

Depot Park bids came in higher than expected. Budget items are being gone through to see what can be cut out to balance it.

The City of Ironwood has received the grant on the Western Trail. We will be working through the documents to prepare this with the DNR. Not sure if we will get started this year. Davey indicated the Road Commission will apply for a DOT grant to finish the trail from Ironwood to Wakefield. Forestry is applying for the Trust Fund grant. Within two years, hopefully, the trail will be complete.

- 9. Other Business: None
- 10. Next Meeting: June 5, 2013, 5:30 p.m.
- 11. Adjournment:

Motion by Lemke to adjourn the meeting. **Second** by Davey. **Motion Carried 6 - 0.**

Adjournment at 6:05 p.m.

Respectfully submitted



Thomas Bergman, Chairman



Kim M. Coon, Community Development Assistant