



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 August 6, 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. Public Hearing and consideration of PC Case 2014-010 652 E. Cloverland Dr Site Plan and Rezoning - Casanova
  - b. Public Hearing and consideration of PC Case 2014-011 1801 E. Cloverland Dr Site Plan and Conditional Use – Keweenaw Land Association
  - c. Discuss and consider PC Case 2014-009 Surplus Property Policy
  - d. Discuss Medical Marihuana Provisioning Center Regulation Act
8. Project Update
  - a. Comprehensive Plan Implementation Status
9. Other Business
10. Next Meeting: October 1, 2014
11. Adjournment



**Proceedings of the Ironwood Planning Commission  
Wednesday August 6, 2014**

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A Regular Meeting of the Planning Commission was held on Wednesday, August 6, 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	X	
Cayer, Joseph Sr.	X			
Davey, Sam	X			
Lemke, Joseph		X	X	
Johnson, Leroy	X			
Semo, Rick, ex-officio, non-voting member	X - Late			
Silver, Mark	X			
	<b>6</b>	<b>2</b>	<b>Quorum</b>	

Also present: Community Development Director Michael J.D. Brown.

3. Approval of Minutes:  
  
**Motion** by Cayer to approve July 2, 2014 Minutes. **Second** by Silver. **Motion carried 5 to 0.**
  
4. Approval of the Agenda:  
  
**Motion** by Cayer to accept the Agenda. **Second** by Davey. **Motion Carried 5 to 0.**

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):

Keweenaw Land passed out conceptual drawing for the company to expand their operations east of the current log yard. They would place a storage facility on ground, clear the area, and create a new entry to the yard. Keweenaw will create a buffer zone around the yard that will be very similar to the existing field. Director Brown indicated that they will have to wait for site plan approval. Keweenaw also stated that there was illegal four wheeler traffic in the past, which is why they will place a fence around the new location. In the past Keweenaw has given a license to the snowmobile group, to utilize a portion of land that runs through the new development. They will try to accommodate the snowmobiles and divert the traffic, through a different portion of land. Director Brown indicated that he went with the ATV group and most of the land is private property. The plan is to get designated trails. Keweenaw is working with Coleman Engineering for a final site plan for September. Chair Bergman suggested to be in communication with Director Brown throughout the process. Keweenaw asked the question whether this area is still conditional use. Director Brown indicated that it is and is required to be so. Chair Bergman asked the question if the township will be a part of this process due to it bordering township property. Director Brown stated that the property owners that are within 300 feet will be notified. There is also a buffer being proposed so there won't be any issues. Much discussion pertaining to ATV's, motorized trail redirection and buffer zones continued.

7. Items for Discussion and Consideration:

- a. Comprehensive Plan Priorities: Director Brown opened the discussion and presented the page on the city's website that is dedicated to the plan. He has indicated Immediate, Short Term and One-going action items, which pertain to the Planning Commission. Director Brown then presented the implementation matrix, which describes details within each action item. The commission then went through the action items one by one and indicated the following should be completed in the first year.
  - i. Update the zoning ordinance Strategy 3.1(a): Director Brown indicated, this is needed, and in order to implement some components of the plan, they will need to change regulations. He also indicated, they will need to hire a company to do this. Chair Bergman stated that they should go outside of the box, similar to the outreach done for the comprehensive plan. Director Brown then stated the sub components of this step, which are: Subdivision ordinance Strategy 3.1(c) and/or unified development code 3.1(d). Director Brown indicated that these aren't as applicable in Ironwood, but some aspects should be taken from both, to complete one plan. Johnson brought up the previous plan which discussed closing off the current subdivisions. Director Brown stated that the comprehensive plan suggested that these sites be used for redevelopment. Chair Bergman asked the question whether they should be worried about not getting appropriate funding and attention to this. Director Brown stated that, if the city wants to be taken serious, the update is needed.
  - ii. Formalize the development review process Strategy 3.1(e).
  - iii. Update the Zoning Map Strategy 3.1(b): Director Brown went into detail and stated that, they will need to rezone property. The process will include educating the public and specifically the property owners.
  - iv. Develop a Resource to Explain Administrative Processed to Developers and Property Owners Strategy 3.2(b): This is more on the staff level and will not involve the Planning Commission.

Director Brown then went through other priorities that will be tasked and accomplished by the other committees and staff. Director Brown urged the committee to get feedback from the public, think about it, and bring ideas.

- b. 2014-009 Surplus Property Policy: Director Brown created a memo with two different tiers, based off of the comprehensive plan. The first tier discusses property that is too small to develop on its own. These properties would only be available to bordering properties, because they are the only ones that can actually develop on it. Director Brown asked how proactive they should be. Davey suggested that, they target the land owners, to see if they would like to purchase the land. Chair Bergman asked, if this will apply to alley ways that will never be developed. Director Brown indicated, they can look at this on a case by case basis. Staff will evaluate which properties will apply.

Tier 2 are all of the properties that are larger in size, undeveloped and have more potential. They would identify the property and prepare a bid spec, based on the comp plan, and what they would like to see developed. Director Brown would like to set limits on timelines and such for the developments. The development must be consistent with the comprehensive plan, zoning regulations must be met, it has to follow site plan, conditional use process, time frames are set, and developer envisioning and experience should be considered. Director Brown will formalize it for the next meeting for review, and then bring before the commission to adopt it.

8. Project Updates: Director Brown will give a monthly update at each meeting.

9. Other Business:

Davey stated his dissatisfaction with the City Commission, on allowing the dumping behind the Little League field, which went against the Planning Commission and Parks and Rec recommendation.

Johnson also brought up the dumping of concrete at Globe and Alfred Wright Blvd. Director Brown stated that the City Commission approved dumping over the edge, which the plan shows, but Snow Country has enough other locations where they will be dumping. He also stated that they have the necessary permits for dumping. Chair Bergman stated that, they have time until next year to think of alternatives to the development of the Little League field, and he doesn't think that it is right for the City Commission to do what they want, without any sort of sight plan analysis. He also stated it's good practice to have a detailed plan before you do something, and he would like to see a plan before they proceed.

Cayer brought up the surplus property that the City of Ironwood owns outside of the City limits. He believes the City owns property in Wisconsin and elsewhere. Cayer would like to see a current list, to identify the properties and determine what to do with it. Director Brown indicated that this will be part of the process.

10. Next Meeting: September 3, 2014 at 5:30 p.m.

11. Adjournment:

**Motion** by Davey to adjourn the meeting. **Second** by Cayer. **Motion Carried 5 - 0.**

Adjournment at 6:51 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:** August 27, 2014

Meeting Date: September 3, 2014

**Re:** 2014-010 652 E. Cloverland Dr Site Plan and Florence St Properties Rezoning

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The following application has been submitted by Francis Casanova for a review of a Site Plan for additional parking for a multi-tenant building located at 652 E. Cloverland Drive, Ironwood MI 49938 with a date of August 13, 2014 prepared by Ray Niemi. The property is zoned C-3 Highway Commercial and R-4 High Density Residential.

The applicant is also requesting to rezone property located along Florence St from R-4 High Density Residential to C-3 Highway Commercial in order to meet zoning requirements to construct the requested parking lot and prepare for future development needs, specifically Lots 15-18 Block 4 Lakeview Addition and East Half of vacated Hibbert St and north ½ of vacated alley lying south of Lots 15-18.

As background to the request. Staff met with the applicant in June to discuss the project and provided him with necessary applications and paperwork. The reason for the additional parking is due to the Cloverland Drive road construction scheduled for 2015; the current parking in between Cloverland and the building will be reduced as parking is occurring on State right-of-way and the State will need the use of all of its right-of-way for the road construction project. An access drive to the north of the site to Florence Street is also being proposed.

In July the applicant started removing vegetation and bringing in fill prior to site plan approval. Staff contacted the applicant and informed him to stop any further work until all necessary approvals have been granted per Section 34-458 of the Zoning Ordinance.

### **Consistency with Comprehensive Plan**

The requests are consistent with the Comprehensive Plan based on the following:

1. It is consistent with the Future Land Use Map
2. It is consistent with Goal 3.1
  - a. It is consistent with Policy 3.1.2, 3.1.3,
3. It is consistent with Goal 3.2
  - a. It is consistent with Policy 3.2.2
4. It is consistent with Goal 3.3
  - a. It is consistent with Policy 3.3.1, 3.3.2, 3.3.6, 3.3.8

F:\Community Development\Planning Commission\PLANNING COMMISSION\Cases\2014\2014-010 652 E. Cloverland Site Plan and Florence St Rezoning\2014-010 PC Memo September 2014 v2.doc

This Institution is an Equal Opportunity Provider, Employer and Housing Employer/Lender

5. It is consistent with Highway 2 Overlay District
6. It is consistent with Strategy 3.1(b)
7. It is consistent with Goal 4.2
  - a. It is consistent with Policy 4.2.4
8. It is consistent with Goal 4.4
  - a. It is consistent with Policy 4.4.1
9. It is consistent with Goal 6.1
  - a. It is consistent with Policy 6.1.1, 6.1.3,

## Site Plan Review

- I. The following information is required with or on the site plan Per Section 34-462 of the Zoning Ordinance. Those items that are still required or are missing are noted below all other items have been addressed and meet the requirements. ***An initial review was completed and a revised site plan was submitted based on staff's original comments.***
  1. Existing topography with a minimum contour interval of two (2) feet; existing natural features such as trees, wooded areas, streams, marshes, ponds, and other wetlands; clear indication of all natural features to remain and to be removed. Groups of trees shall be shown on an approximate outline of the total vegetational canopy; individual deciduous trees of six-inch diameter or larger and individual evergreen trees of six-inch diameter or larger, where not a part of a group of trees, shall be accurately located on the final site plan. A written report of the areas to be changed shall include their effect on the site and adjacent properties; **Required please indicate pine tree locations and height on plan as indicated in email response of August 25, 2014.**
  2. Existing public utilities on or serving the property; location and size of water lines and hydrants; location, size and inverts of sanitary sewer and storm sewer lines; location of manholes and catchbasins; location and size of wells, septic tanks and drain fields; **Required identify location of sanitary sewer on plan as indicated in email from August 25, 2014.**
  3. Grading plan, showing finished contours at a minimum interval of two (2) feet and correlated with existing contours so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at or before the property lines; **Required please add grade change note to plan notes as indicated in August 25, 2014 email.**
  4. Landscape plan showing location and size and name of plant materials; **Required please indicate pine tree locations and size on plan as indicated in August 25, 2014 email.**
- II. Per Section 34-464 of the Zoning Ordinance the Planning Commission shall determine the following standards are observed. Those items that are still required or are missing are noted below all other items have been addressed and meet the requirements. ***An initial review was completed and a revised site plan was submitted based on staff's original comments.***
  1. All required information has been provided in accordance with the site plan review checklist. **Required**
  2. The proposed development conforms to all regulations of the zoning district in which it is located.
    - A. Yards:

- i. *Front yards.* The minimum front yard setback shall be twenty-five (25) feet. **Required please provide setback on plan; the front yard setback is off of Cloverland Drive.**
  - ii. *Side and rear yards.* Side and rear yards must be at least ten (10) feet, except that no building shall be constructed less than twenty (20) feet from any residential zone boundary and then only if the side or rear yard is used for a landscaped open area and all required parking and any loading/unloading docks are located outside of the side or rear yard area and provided, further, that the 20-foot minimum requirement shall be increased one (1) foot for each foot of height over twenty (20) feet for any commercial building. **Required please provide setback on plan; the rear yard is off of Florence St.**
3. Adequate assurances have been received from the applicant so that clearing the site of topsoil, trees and other natural features before the commencement of building operations will occur only in those areas approved for the construction of physical improvements. Areas to be left undisturbed during construction shall be so indicated on the site plan and shall be so identified on the ground so as to be obvious to construction personnel. **The site has been cleared and filled prior to site plan approval. The Planning Commission should discuss if this is a concern.**
- III. Expiration of Site Plan Approval shall comply with Section 34-466 of the Zoning Ordinance.
- IV. Asbuilt Drawing shall be required per Section 34-469 of the Zoning Ordinance.

### **Recommendations**

1. **Rezoning:** To recommend to the City Commission rezoning of Lots 15-18 Block 4 Lakeview Addition and East Half of vacated Hibbert St and north ½ of vacated alley lying south of Lots 15-18 from R-4 High Density Residential to C-3 Highway Commercial
2. **Site Plan:** There are still a few items to be noted on the plan. Staff hopes to have revised plans and information to review prior to the meeting on September 3, 2014.



**PHASE 1:**

- 1) PLACE FILL FOR ANGLE PARKING ON NORTH SIDE OF EXISTING STRUCTURE.
- 2) GRAVEL, PAVE AND MARK PROPOSED PARKING
- 3) TOPSOIL, SEED AND MULCH RAW SLOPES

**LEGAL DESCRIPTION:**

LOTS 15-18 BLOCK 4, LAKEVIEW ADDITION AND EAST HALF OF VACATED HIBBERT ST. & N 1/2 OF VACATED ALLEY LYING S OF LOTS 15-18  
 ZONING: R-4 RESIDENTIAL

THAT PART OF SE 1/4 OF SE 1/4 OF SEC 15, BEGINNING AT A POINT ON THE N. LINE OF CLOVERLAND DR, 25 FT N OF & 500 FT E OF SW COR OF SAID SUB-DIV RUNNING TH N 14 FT PARALLEL TO THE W LINE OS SAID SUB-DIV± TH E 150 FT, TH S 14 FT TO NORTH LINE OF CLOVERLAND DR± TH W ALONG SAID N. LINE OF CLOVERLAND DR 150 FT, TO POB.

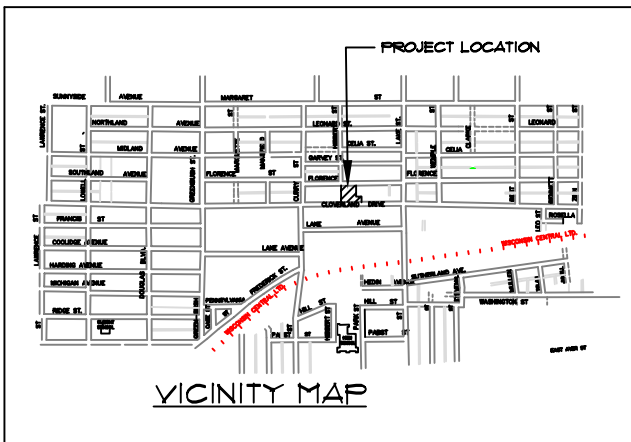
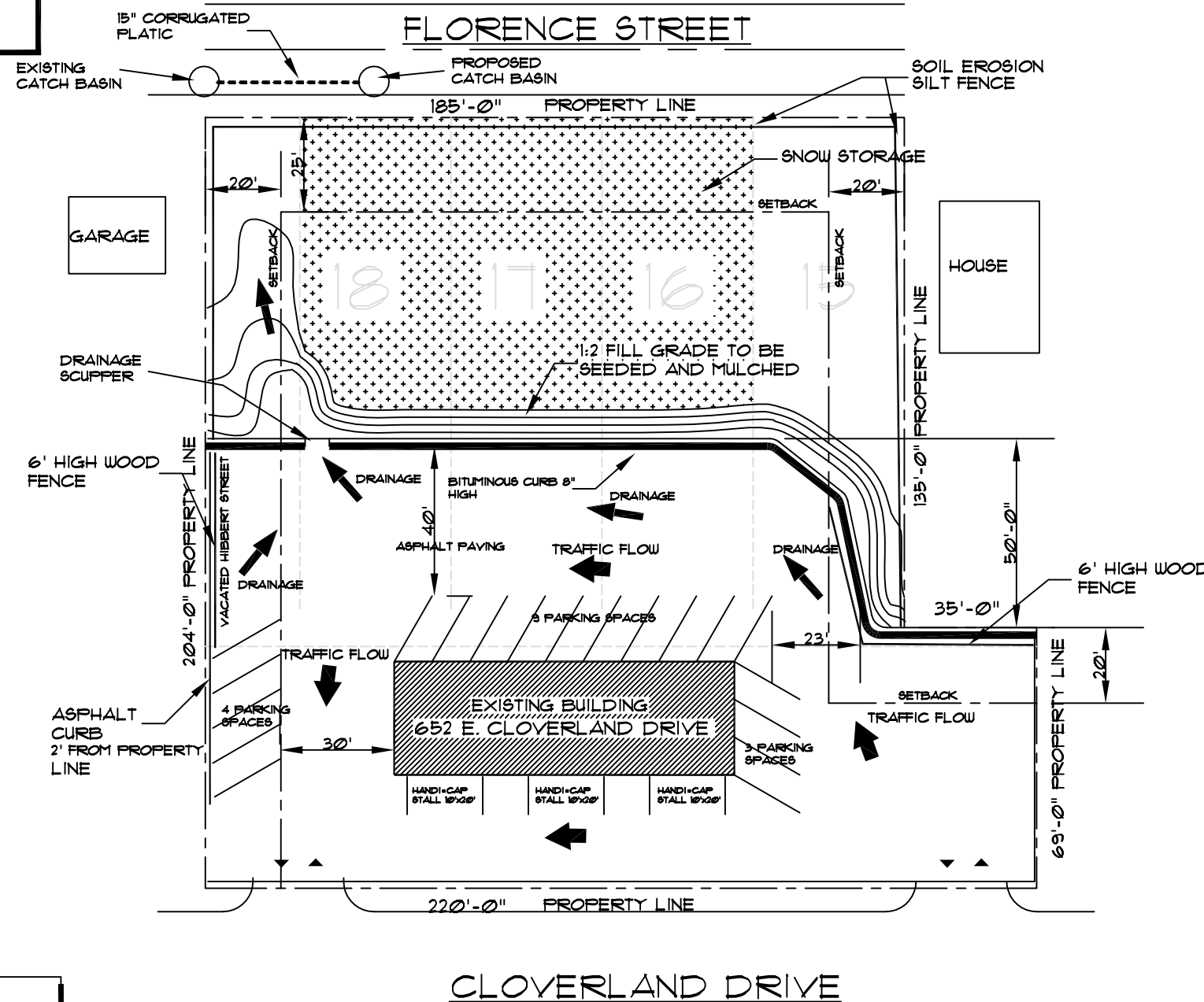
ALSO:  
 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 15, BEGINNING AT A POINT ON THE N. LINE OF CLOVERLAND DR, 25 FT N OF & 586 FT W OF SE COR OF SAID SUB-DIV TH N PARALLEL TO E LINE THEREOF 14 FT, TH W 10 FT, TH S 14 FT TO N. LINE OF CLOVERLAND DR, TH E 10 FT TO POB ACREAGE.  
 ZONING: C-3 HIGHWAY COMMERCIAL

**OWNER:**

FRANCIS & SHARON CASANOVA  
 110 E. COOLIDGE AVE.  
 652 E. CLOVERLAND DRIVE  
 IRONWOOD, MI. 49938

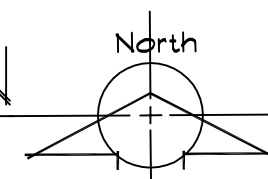
**NOTES**

- 1) PARKING STALLS 10'x20' ON 15° ANGLE
- 2) EXISTING BUILDING 30'x30'=2,100#
- 3) LOT AREA .94 ACRES
- 4) 18 PARKING PLACES REQUIRED, 19 PROVIDED
- 5) EXISTING SITE DRAINS TO THE NORTH WEST



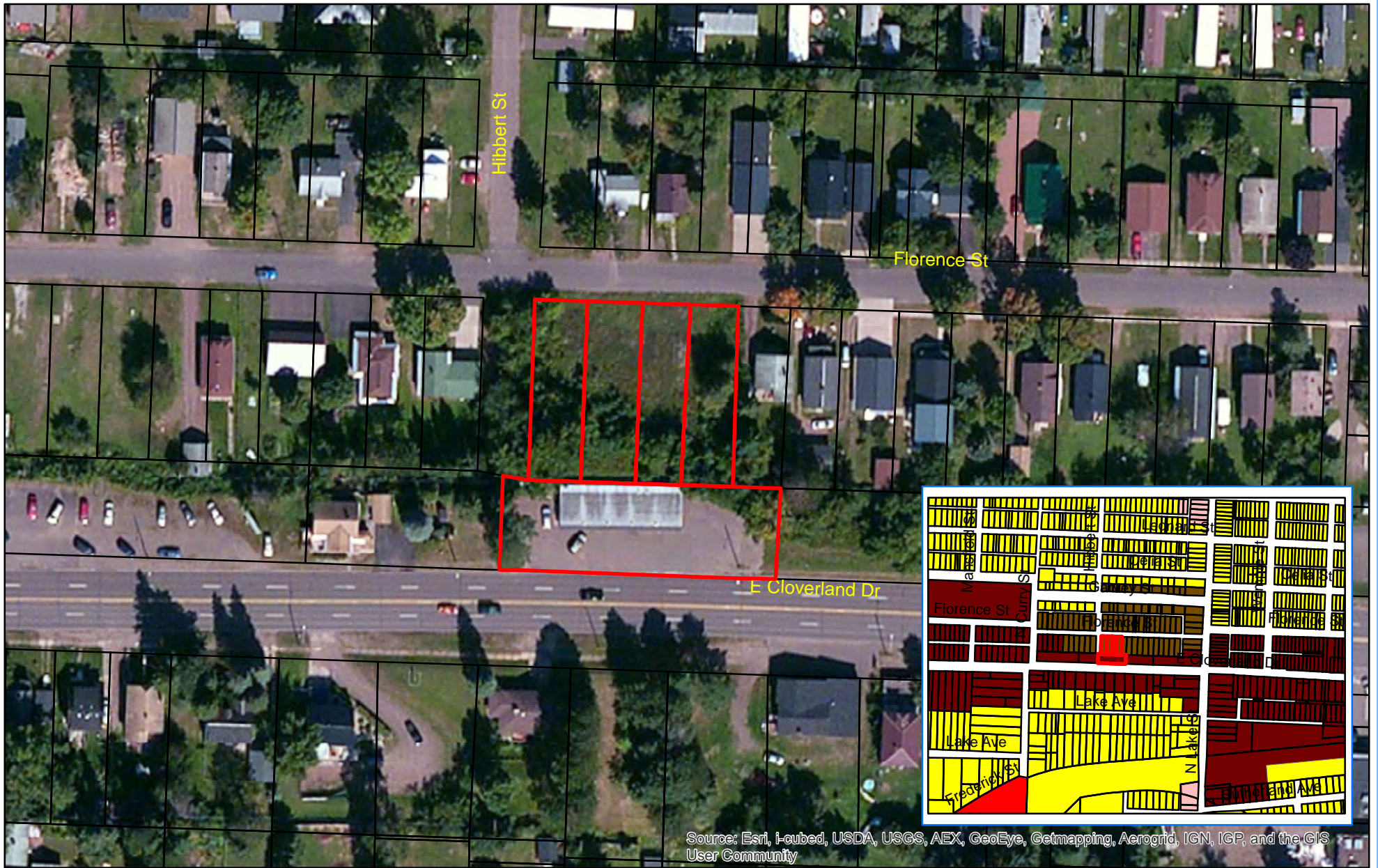
**SITE PLAN**

SCALE: 1" = 40'

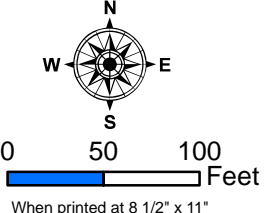


SIGNED AUG. 23, 2014

PREPARED BY:  
 RAY NIEMI  
 MI. P.E. 4836  
 SLADE ROAD  
 IRONWOOD, MI. 49938



Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



PC Case 2014-010  
 Site Plan 652 E. Cloverland Dr  
 Rezoning of Florence St Properties

Wednesday, August 13, 2014

Legend		
	652 E. Cloverland Drive and Florence St Properties	
Zoning		
	R-1	
	R-2	
	R-3	
	C-1	
	R-4	
	O	
	C-3	
	I	

The information contained in this map is for reference purposes only. The City of Ironwood is not responsible for the accuracy of the data.

August 19, 2014

Mr. Brown,

Received your letter and site plan regarding 652 Cloverland drive dated Aug. 15,2014 for a meeting on September 3, 2014.

This project started July 30, 2014 with no permits posted. This property has weeds between the building and pavement, litter

is only cleaned by snow plowing from the parking lot.

The one business that occupies the building has a large elderly clientel and you should require a guard rail at the rear of the

proposed drive/parking area.

The lot on Florence Street in back of the building in concern has been left overgrown and being used as a dumping ground.

It's hard enough to start a business but landlords like this don't help this area.

Sincerely,

A handwritten signature in black ink, consisting of a series of connected loops and a long horizontal tail that tapers to the right.



## MEMO

**To:** Chair Bergman and Planning Commission

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

**Date:** August 27, 2014

Meeting Date: September 3, 2014

**Re:** 2014-011 1801 E. Cloverland Drive Site Plan and Conditional Use Request – Keweenaw Land Association, Limited

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The following application has been submitted by Keweenaw Land Association, Limited for a review of a Site Plan and conditional use for an extension of its log yard located at 1801 E. Cloverland Drive, Ironwood MI 49938 with a plan revision date of August 25, 2014 prepared by Coleman Engineering Company. The property is zoned I-Industrial.

### Consistency with Comprehensive Plan

The requests are consistent with the Comprehensive Plan based on the following:

1. It is consistent with the Guiding Principle of A Thriving Community
  2. It is consistent with the Future Land Use Map.
  3. It is consistent with Goal 6.1 and Policy 6.1.1
- I. All information required with or on the site plan Per Section 34-462 of the Zoning Ordinance has been provided. The attached plan is the second revision and staff provided comments to the applicant once already and they have made necessary modifications.
  - II. All requirements per Section 34-464 of the Zoning Ordinance have been observed except for the following:
    1. The plan meets the required standards of other governmental agencies, where applicable, and the approval of these agencies has been obtained. **Required copies of permits or letters from applicable agencies required. The applicant has indicated they are working with and have submitted necessary permits to applicable agencies.**
  - III. Expiration of Site Plan Approval shall comply with Section 34-466 of the Zoning Ordinance
  - IV. Asbuilt Drawing shall be required per Section 34-469 of the Zoning Ordinance

## **Recommendation**

- 1. Conditional Use: To recommend approval of the conditional use for a log yard for PC Case 2014-011.**
- 2. Site Plan: To recommend approval of the site plan for PC Case 2014-011.**

NOTE: ALL ILLEGAL OR UNAUTHORIZED ENTRY POINTS WILL BE BLOCKED.

30' SETBACK FROM PROPERTY LINE PERIMETER

**UNDISTURBED AREA**

SURFACE WATER TO NATURALLY DISPERSE INTO UNDISTURBED AREA

FORESTED AREA REMOVAL BOUNDARY - 6.67 ACRES

REMOVE EXISTING FENCE THIS SIDE OF PROPERTY

**PROPOSED WOODYARD EXPANSION - 4.97 ACRES**

PROPOSED 9,803LF OF 10' WIDE 16' HIGH WOOD STORAGE ROWS

EXISTING FORESTED AREA BOUNDARY - 11.18 ACRES

**EXISTING KEWEENAW LAND ASSOCIATION WOODYARD & OFFICE COMPLEX - 8.54 ACRES**

SILT FENCE

24" CULVERT UNDER ENTRANCE DRIVEWAY

GATED EMERGENCY ENTRANCE INTO WOODYARD

**LIBERTY STREET**

INSTALL NEW FENCE ALONG LIBERTY STREET

**PRIVATE ROAD**

DRAINAGE PATTERNS

ROAD EDGES

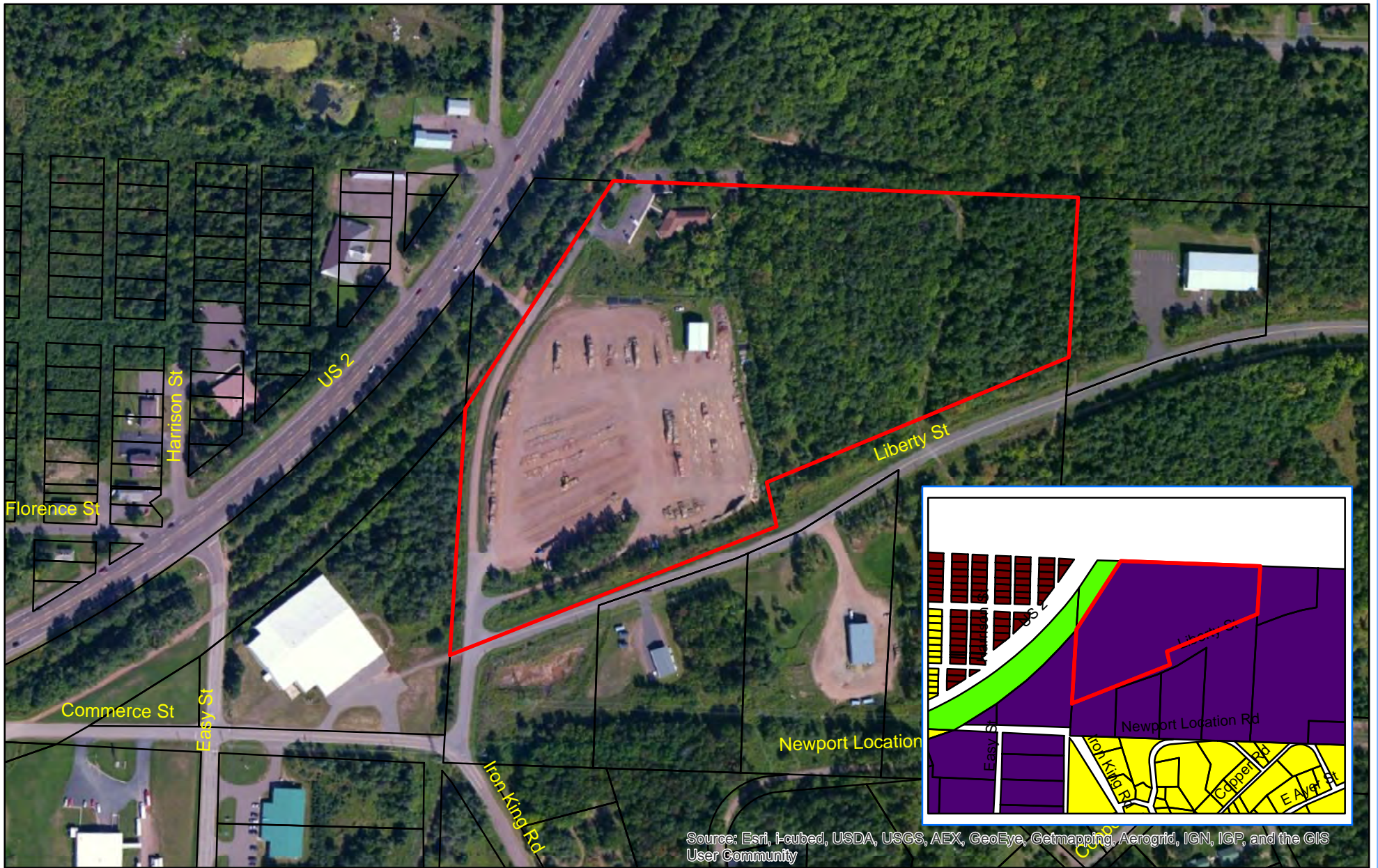
Rev	Date	By	Description
1	8/25/14	KGR	Revs per City Review 8/22

**APPLICANT:**  
**KEWEENAW LAND ASSOCIATION, LIMITED**  
 1801 E. CLOVERLAND DRIVE  
 IRONWOOD, MI 49938

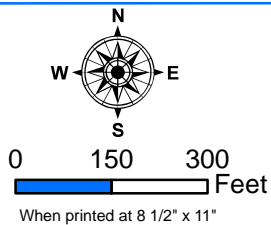
T48N-R47W, Sec 13, SW1/4 of SW1/4, City of Ironwood, Gogebic County. That portion lying North of Liberty Street in the E1/2 of SW1/4 of SW1/4. Zoned: I-Industrial

Per FEMA Flood Plain Map  
 Community-Panel Number 260081 0005 B:  
 Property is located in Zone C - Area of Minimal flooding.



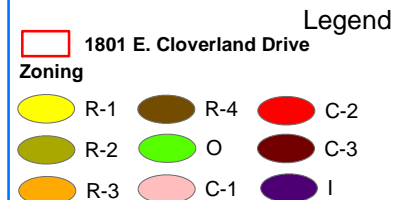


Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



# PC Case 2014-011 Site Plan and Conditional Use 1801 E.. Cloverland Dr

Thursday, August 28, 2014



The information contained in this map is for reference purposes only. The City of Ironwood is not responsible for the accuracy of the data.



## MEMO

**To:** Chair Bergman and Planning Commission

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

**Date:** August 27, 2014

Meeting Date: September 3, 2014

**Re:** 2014-009 City of Ironwood Surplus Property Policy

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As discussed at the August 2014 meeting, The Planning Commission asked that a final policy regarding the sale of surplus property be brought back for consideration and recommendation to the City Commission. The policy is attached. Below is a description of how the topic is consistent with the comprehensive plan.

### **Comprehensive Plan**

The decisions the City makes and policies it sets should align with its comprehensive plan. Therefore, the following should be reviewed for consistency with the comprehensive plan.

### ***Guiding Principles***

The Land Use and Community Character and Community Development chapters identifies Ironwood as a Friendly Community, a Thriving Community and Great Destination as well as a Connected/Collaborative Community that relate to this topic.

### ***What We've Heard*** (What did the public say during the planning process?)

Improved infrastructure and housing diversity and quality were raised by the public. This ties into the discussion by getting land back into private hands for future development and improvements in the systems.

### ***Goals and Policies*** (Is this consistent with the goals and policies that are in the plan?)

Goals 3.1, 3.2, 3.3, 6.2 & 6.3 and various associated policies.

### ***Framing Concepts*** (Is this consistent with the framing concepts that are in the plan?)

The land use chapter emphasizes neighborhood character and compatibility while the community development component emphasizes infill and redevelopment.



**Strategies** (Is this consistent with the strategies that are in the plan?)

Strategy 3.3 and 6.11(c)

**Priority Actions** (Has the City set this as a priority action?)

Yes, the Planning Commissions set this as a priority action the same day it adopted the comprehensive plan.

**Potential Partners** (Are there entities that can partner with the City?)

Potential partners could be local builders, contractors and developers.

**Cost** (What are potential costs?)

Costs will be staff time to prepare and present the policy documents to the Planning Commission and City Commission.

**Spark Plan** (Is there a Spark Plan for this and will it be used as a guide?)

No spark plan has been developed.

**Project Drivers** (If this is a project, what members will be participating and driving it?)

The project drivers will be staff, Planning Commission and City Commission.

**Recommendation:**

**To recommend to the City Commission approval of the City of Ironwood Sale of Surplus Property Policy.**

**RESOLUTION #014-0XX**

**City of Ironwood Surplus Property Policy**

**WHEREAS**, the City of Ironwood desires to reduce the number of real properties it owns through a formal policy attached as Exhibit A known as the City of Ironwood Surplus Property Policy;

**WHEREAS**, the attached policy is consistent with the City of Ironwood Comprehensive Plan and Chapter 2, Article VI, Division 3 of the City of Ironwood Code of Ordinances and has been reviewed and recommended by the City of Ironwood Planning Commission on September 3, 2014;

**WHEREAS**, any resolution that may be in conflict is hereby repealed;

**THEREFORE BE IT FURTHER RESOLVED** that the City of Ironwood hereby adopts this resolution and the attached City of Ironwood Surplus Property Policy.

The following aye votes were recorded: \_\_\_\_\_

The following nay votes were recorded: \_\_\_\_\_

\_\_\_\_\_

Kim Corcoran, Mayor

I, Karen Gullan, the duly appointed City Clerk of the City of Ironwood, Michigan, do hereby certify that the foregoing is a true copy of a Resolution adopted by the City Commission of the City of Ironwood at its Regular Meeting on **September 22, 2014**.

\_\_\_\_\_

Karen M. Gullan, City Clerk

## Exhibit A



### City of Ironwood Surplus Property Policy

#### 1. Introduction

The following policy outlines how the City of Ironwood disposes of real property it considers to be surplus and of no further use for the public good per Chapter 2, Article VI, Division 3, Section 2-242 of the City of Ironwood Code of Ordinances.

#### 2. Amendments to this policy:

The City of Ironwood Planning Commission shall review and make a recommendation to the City Commission regarding amendments to this policy. Upon receiving a recommendation from the Planning Commission, the City Commission ~~shall~~ may approve, approve with modifications or deny all amendments; if approved they shall be passed by resolution to this policy by resolution.

#### 3. Property not for Sale

City owned property that is being used for a public purpose shall not be sold. This includes but is not limited to parks, recreational areas and property with public buildings/use (i.e. Memorial Building, Library, Public Works, Public Safety, utility stations, water towers etc).

The City Commission ~~can~~ may consider these types of property for sale only after receiving recommendations from the following:

- A. Park/Recreation Area Property: Parks and Recreation Committee and Planning Commission
- B. Public Building/Use Property: Planning Commission

#### 4. Industrial Park Property

The following is the process the City shall follow to sell property it owns in the Industrial Park. While this property is not considered surplus, this will formalize the process to sell Industrial Park property.

- A. A development proposal and site plan shall be submitted to the Ironwood Industrial Development Corporation (IIDC) for City owned property within the Industrial Park. The IIDC shall make a recommendation with conditions to the City Commission.
- B. The Planning Commission shall review the development proposal and site plan and make a recommendation to the City Commission.

- C. Upon receiving a recommendation from the IIDC and Planning Commission the City Commission shall approve, approve with conditions or deny the request.
- D. If approved, development agreements and other legal documents shall be prepared for approval by the City Commission. The development agreement shall take into account requirements deemed necessary for sale and development of the property.
- E. All costs incurred by the City (legal, engineering, recording of documents or other fees/costs) through the sale and development of the property shall be paid for by the purchaser. A deposit may be required to ensure payment prior to preparation of development agreement/deed/legal documents. The deposit shall be maintained until completion of the project. In addition, a letter of credit shall be required to ensure the completion of the project.
- F. The development proposal and site plan shall comply with all zoning/development regulations and be consistent with the Comprehensive Plan.
- G. A timeframe shall be set for completion of the development; if the development is not completed in the set timeframe the property shall revert back to the City of Ironwood. ~~A security shall be required to guarantee completion of the development.~~
- H. The price of land shall be set by the City Commission on a case by case basis and annually reviewed with the IIDC.
- ~~I. All land sale proceeds shall go to the IIDC.~~

## 5. Tiered System

Property identified as surplus shall be placed into one of two tiers that are outlined below. This tiered approach is consistent with the City of Ironwood Comprehensive Plan Strategy 6.11(c). ~~Surplus property is defined as property the City owns that is not being used for a public purpose of which the City desires to put back into private ownership and use.~~

### A. Tier I Property

- I. These are properties that are “sandwiched” in between different property owners or adjacent property owners of which the City owned property would not be able to be developed under existing zoning regulations and could only be utilized by such adjoining property owners. The property would only be eligible to be sold to the adjoining property owners to add on to their property. (see attached map **Surplus Property Policy: Tier 1** for example)
- II. The City shall prepare and adopt, by resolution, a list and corresponding map of Tier I properties and purchase prices ~~and identify, on the same list and map, the property owners eligible to purchase Tier I properties.~~
  - a. The Planning Commission shall direct staff to prepare a list and map of Tier I properties and corresponding prices to include property owners eligible to purchase Tier I properties.
  - b. Upon completion of the list and map the Parks and Recreation Committee shall review the list and map and evaluate if any property identified should be removed

from the list and held by the City for parks and recreation purposes. The Parks and Recreation Committee shall make a recommendation to the Planning Commission.

- c. Upon receiving a recommendation from the Parks and Recreation Committee, the Planning Commission shall review the list and map and make a recommendation to the City Commission.
  - d. Upon receiving a recommendation from the Planning Commission, the City Commission ~~shall~~ may order a title search of all properties identified on the list to verify ownership (a title search ~~shall only~~ may be required for new properties being added to the list in the event of an amendment as described below). If after the title search there are properties that are not in City ownership, they shall be removed from the list and map. The City Commission shall then adopt the list and map by resolution.
  - e. Amendments to the list and map: On an annual basis the City Assessor shall conduct a regular land use and building conditions inventory (Comprehensive Plan Strategy 3.3) to determine if there are additional properties that may apply, properties that have been sold shall be removed, other properties for removal shall be evaluated and prices reevaluated. Amendments shall follow the same approval process outlined above.
- III. Once the resolution adopting the list and map is approved, no additional approvals shall be required by the City to sell Tier I properties except in the following cases:
- a. If multiple eligible property owners wish to purchase a property staff shall bring the requests before the Planning Commission for a decision; it is the intent of the City for an even split of the property.
  - b. If an eligible property owner doesn't want to purchase the entire property the City ~~will~~ may consider splitting the property. Staff shall bring the request before the Planning Commission for a decision; it is the intent of the City to sell the property as a whole if possible.
- IV. If the purchaser doesn't agree with the set price they shall have an appraisal prepared, at their own cost, and submitted to the City. The City ~~shall~~ may accept the lowest price (surplus list price or appraisal price).
- V. Purchaser shall pay the listed price, or appraisal price, as well as all attorney and recording fees associated with preparing the deed prior to preparation of the deed. Once payment has been received the City will cause the City attorney to prepare the deed; once the deed has been prepared, the City Clerk shall record the deed with the County.
- VI. It is the City's intent to be proactive about selling its Tier I surplus property by actively contacting eligible property owners.
- ~~VII. —There may be situations where an individual/developer assembles a large block of properties to purchase for redevelopment purposes. If this takes place the City will evaluate the development proposal and purchase of Tier I properties on a case by case basis. The City would only sell the Tier I properties upon evidence the individual/developer own the adjoining properties.~~

## B. Tier II Property

- I. All City property considered to be surplus that is not designated as Tier I shall be considered Tier II property. These properties are generally larger in size and have more development potential.
- II. Tier II properties shall go through a competitive request for proposal bid process (RFP). The RFP would evaluate development proposals based on future use, developer's vision and experience and potential neighborhood impacts rather than on bid price alone. This helps to ensure that redevelopment contributes to neighborhood revitalization.
- III. There are two ways properties shall be identified for the RFP process:
  - a. The Planning Commission shall identify properties it would like an RFP prepared for based on staff recommendations. The number of RFP's prepared each year will vary based on staff resources.
  - b. Someone from the public shall be allowed to request a particular property have an RFP prepared for it. Upon receiving a written request the Planning Commission shall discuss it at its next regularly scheduled meeting and decide if an RFP should be prepared or not based on consistency with the comprehensive plan. A \$250.00 non-refundable deposit shall be required upon a written request.
- IV. Property ~~Ownership Verification~~ Appraisal  
  
Prior to preparing an RFP, the City shall conduct a ~~title search and have a survey prepared for the property in question to verify ownership and if there are any encumbrances on the property. The cost to conduct this work can be built into the bid price~~ property appraisal to determine a basis to set a bid price.
- V. RFP Preparation Process
  - a. Upon successful completion of a title search and survey and if no ownership or encumbrance issues arise, staff shall prepare an RFP (see below for RFP Components).
  - b. Upon completion of the RFP the Parks and Recreation Committee shall review it for parks and recreation components and shall make a recommendation to the Planning Commission.
  - c. Upon receiving a recommendation from the Parks and Recreation Committee the Planning Commission shall review and make a recommendation on the RFP to the City Commission.
  - d. Upon receiving a recommendation from the Planning Commission the City Commission ~~shall~~ may authorize going out to bid for the RFP. The City Commission can modify the RFP prior to authorizing to go out to bid or deny it. If denied the City Commission shall indicate the reason why and what direction the City should take with the particular property in question.

VI. RFP Award Process

- a. Upon receiving RFP proposals staff shall review them for completeness and forward them on to the Planning Commission which shall review and make a recommendation to the City Commission. The Planning Commission may ask for additional information and modifications to the proposals prior to making a recommendation which would then be brought back to a future meeting. The Planning Commission may make a recommendation that no proposal be awarded.
- b. Upon receiving a recommendation from the Planning Commission the City Commission shall take action. The City Commission can award (with modifications) or deny the recommended proposal by the Planning Commission. If denied, and there is a desire to see the property sold and developed, the City Commission may direct staff to start the process over with preparation of an RFP.
- c. The City shall not be obligated to make an award.
- d. If the RFP is approved, development agreements and other legal documents shall be prepared by staff and the City attorney for approval by the City Commission. The development agreement shall take into account the requirements listed in the RFP in addition to any other requirements deemed necessary for sale and development of the property. A survey and title search of the property shall be a requirement in the development agreement.
- e. All costs incurred by the City (legal, engineering, recording of documents or other fees/costs) through the sale and development of the property shall be paid for by the purchaser. A deposit may be required to ensure payment prior to preparation of development agreement/deed/legal documents. The deposit shall be maintained until completion of the project. In addition, a letter of credit ~~shall~~ may be required to ensure the completion of the project.

VII. RFP Components

The RFP shall take into consideration the following components and award of the bid shall not be based on price alone. This list is not exhaustive, but provides a base line from which to evaluate each unique property. Additional criteria may be considered as part of each individual RFP.

- a. The development plan is consistent with the comprehensive plan (design of buildings, site layout, amenities, open space etc).
- ~~b. All zoning and development regulations are met, variances shall not be requested, considered or granted.~~
- ~~e.b.~~ All required development ordinances and processes shall be complied with once a proposal is awarded (site plan review, conditional use, rezoning, building permits etc).
- ~~d.c.~~ A time frame shall be set for completion of the development otherwise the property reverts back to the City; all costs associated with the development project shall be forfeiture including the purchase price. The owner would be required to submit a

~~Letter of Credit as security for the project.~~ One extension may be considered under extreme circumstances, which would come before the Planning Commission for review and approval.

~~e.d.~~ Developer vision and experience (resume, references, description of past projects etc).

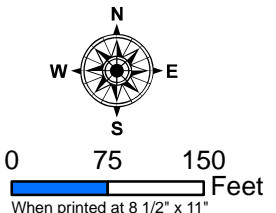
~~f.e.~~ Potential neighborhood impacts.

~~g.f.~~ Bid price (a minimum bid price should be established). The proposed price should not be a major determining factor. The other factors suggested above should be weighed equally or greater. The high bid would not be guaranteed the property.





Source: Esri, i-cubed, USDA, USGS, AEX, GeoEye, Getmapping, Aerogrid, IGN, IGP, and the GIS User Community



# Surplus Property Policy: Tier 1

Wednesday, July 30, 2014

- Legend**
- Permitted to purchase from surplus list
  - City Property

The information contained in this map is for reference purposes only. The City of Ironwood is not responsible for the accuracy of the data.



**Senate Fiscal Agency**  
P. O. Box 30036  
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

**Telephone: (517) 373-5383**  
**Fax: (517) 373-1986**

House Bill 4271 (Substitute S-1 as reported)  
Sponsor: Representative Mike Callton  
House Committee: Judiciary  
Senate Committee: Government Operations

**CONTENT**

The bill would enact the "Medical Marihuana Provisioning Center Regulation Act" to provide that criminal, civil, or other sanctions would not apply to a medical marihuana provisioning center or its agents, a safety compliance facility, a registered qualifying patient, a visiting qualifying patient, or a registered primary caregiver, for specified activities involving the purchase, receipt, sale, possession, or transfer of marihuana, including those described below:

- A medical marihuana provisioning center could purchase, receive, sell, or transfer marihuana to or from registered qualifying patients, registered primary caregivers, or other provisioning centers, if it had been granted any applicable municipal registration or license and were operating in compliance with the Act.
- A safety compliance facility could acquire or possess medical marihuana obtained from, and return it to, registered qualifying patients, registered primary caregivers, and provisioning centers, if the facility had been granted any applicable required municipal registration or license and were operating in compliance with the Act.
- A registered qualifying patient, a visiting qualifying patient, or a registered primary caregiver could purchase or acquire usable marihuana or marihuana-infused products from a provisioning center.
- A registered qualifying patient or a registered primary caregiver could supply or sell medical marihuana to a provisioning center.

The bill also would do the following:

- Allow a municipality (a city, village, or township) to prohibit the operation of provisioning centers or safety compliance facilities within the municipality.
- Require a municipality to provide for the licensure of provisioning centers if it permitted their operation.
- Allow a municipality to impose and enforce licensing and operational requirements on provisioning centers or safety compliance facilities.
- Limit the proximity of a provisioning center or safety compliance facility to a school.
- Prohibit a provisioning center from selling or providing a preparation that included usable marihuana for ingestion or topical application unless it had been tested by a safety compliance facility and was in a container that met labeling requirements.
- Prohibit a provisioning center from providing more usable marihuana or marihuana-infused products to an individual in any 10-day period than allowed under the Michigan Medical Marihuana Act, or receiving more than 50 ounces of usable marihuana or marihuana-infused products during any 60-day period from a qualifying patient or registered caregiver.
- Require a provisioning center agent to verify that an individual requesting medical marihuana was a qualifying patient or a provisioning center agent.

- Prohibit a provisioning center or safety compliance facility from employing a person who was under 21 years old or who had been convicted of a felony involving illegal drugs or assault within the previous 10 years, and prohibit such a person from serving as a center or facility agent.
- Prohibit a provisioning center or safety compliance facility agent from transporting medical marijuana in a motor vehicle unless certain conditions were met, and provide that a violation would be a misdemeanor.
- Provide that other violations of the proposed Act would be State civil infractions.
- Provide that a provisioning center or safety compliance center would not be exempt from criminal or civil prosecution or sanctions for cultivating marijuana.
- Prohibit a laboratory from handling or testing marijuana after March 31, 2015, unless it was licensed as a safety compliance facility by a local municipality and met other conditions.
- Prohibit a provisioning center from distributing or selling any product containing marijuana after March 31, 2015, unless it had been tested for mold, mildew, fungi, and pesticides by a licensed safety compliance facility and did not contain any of those substances.
- Require a provisioning center to comply with various requirements if it elected to manufacture and distribute a marijuana-infused product.

"Medical marijuana provisioning center" would mean a commercial entity located in this State that acquires, possesses, manufactures, delivers, transfers, or transports medical marijuana and sells, supplies, or provides medical marijuana to registered qualifying patients, directly or through their registered primary caregivers. The term would include any commercial property where medical marijuana was sold to registered qualifying patients and registered primary caregivers. The location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the medical marijuana registration process in accordance with the Michigan Medical Marijuana Act (MMMA) would not be a provisioning center for purposes of the proposed Act.

"Registered qualifying patient" would mean a person who either has a valid, unexpired registry identification card as a qualifying patient, or satisfies the qualifications under the MMMA for a person who is deemed to have a valid registry ID card and possesses the documentation that constitutes such a card.

"Visiting qualifying patient" would mean a patient who is not a Michigan resident or who has been a resident of this State for less than 30 days, and who possesses a registry identification card, or its equivalent, that was issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States and that allows the use of medical marijuana by the patient.

"Registered primary caregiver" would mean a person who has a valid, unexpired registry ID card as a primary caregiver or who satisfies the criteria for someone who is deemed to have a valid registry ID card and possesses the documentation that constitutes such a card.

"Safety compliance facility" would mean a municipally licensed entity that tests marijuana produced for medical use for contaminants.

"Medical marijuana" would mean marijuana for medical use as that term is defined in the MMMA.

"Usable marijuana" would mean the dried leaves, flowers, plant resin, or extract of the marijuana plant, but would not include the seeds, stalks, or roots of the plant.

The bill would take effect on April 1, 2015.

Legislative Analyst: Suzanne Lowe

## **FISCAL IMPACT**

The bill would have no fiscal impact on State government. Any increase in fine revenue from the proposed State civil infractions would be allocated to public libraries.

There could be increased cost to local government for enforcement of the proposed misdemeanor. There also could be increased legal costs if a municipality petitioned the court for the closure of a center or facility or to ensure safety compliance.

In addition, a city, village, or township that chose to enact an ordinance regulating medical marihuana provisioning centers or safety compliance facilities would have additional administrative and enforcement responsibilities and, depending on the terms of the local ordinance, registration or license fee revenue to cover all or a portion of the costs of regulation. A municipality that chose to prohibit the operation of provisioning centers or safety compliance facilities would avoid the cost of the regulation of those facilities; however, it potentially would incur costs to enforce a local prohibition against those entities. A county with a provisioning center would have new responsibilities under the bill to inspect provisioning centers at least annually. The provisioning centers would be required to pay the cost of the inspection.

Date Completed: 7-30-14

Fiscal Analyst: John Maxwell  
Elizabeth Pratt

Floor\hb4271

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.