

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

August 6, 2009

A Meeting of the Manistee City Planning Commission was held on Thursday, August 6, 2009 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 p.m. by Chairman Yoder

ROLL CALL:

Members Present: Linda Albee, Maureen Barry, Ray Fortier, Eric Gustad, Harlo Haines, Nathaniel Neider, Tony Slawinski, Roger Yoder

Members Absent: Dave Crockett (excused)

Others: Brandon Jensen (Manistee Housing Commission), Jeff Curtis (141 Washington Street), Jon Rose (Community Development), Denise Blakeslee (Planning & Zoning) and Others

APPROVAL OF AGENDA:

MOTION by Ray Fortier, seconded by Linda Albee that the Agenda be approved as prepared.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Neider, Albee, Gustad, Fortier, Haines, Slawinski, Yoder
No: None

APPROVAL OF MINUTES:

Planning Commission Meeting of July 9, 2009

MOTION by Tony Slawinski, seconded by Linda Albee that the minutes of the July 9, 2009 Planning Commission Meeting be approved.

With a roll call vote this motion passed 8 to 0.

Yes: Barry, Neider, Albee, Gustad, Fortier, Haines, Slawinski, Yoder
No: None

PUBLIC HEARING:

PC-2009-07, Manistee Housing Commission, Amend Special Use Permit for a Planned Unit Development (PUD)

Denise Blakeslee has declared a conflict of interest for this request. Her son Brandon Jensen is the Project Manager for the Housing Commission. Denise will continue her duties as the Recording Secretary for the Planning Commission, but will not participate in the discussion.

A request has been received from the Manistee Housing Commission for an Amendment to their Special Use Permit for a Planned Unit Development (PUD), Parcel Code #51-713-175-04 Housing Commission Property on Vine Street and Park Place. The amendment would allow the replacement of two single family units with two duplex's (4 units) and establish guidelines for future changes to the property

Chairman Yoder opened the Public Hearing

Brandon Jensen, Manistee Housing Commission - Mr. Jensen said they will be using American Recovery Reinvestment funds for this project. They will be replacing two single family homes that were beyond repair with two duplex's. There is a zero foot set back on Grand Avenue proposed for one of the duplex's. This setback was discussed with the Site Plan Review Committee and has received approval from the Fire Chief. They are beginning a 20 year phase phasing out/renewing the housing stock in the Vine Street area. By having the approved PUD in place it will speed up the process in the future. The projected completion date is May 1, 2010. The plan for the units have been approved by the Detroit Field Office. These units are ADA compliant. Mr. Jensen reviewed the set-backs.

Commissioner Albee - Asked why there was an increase in the number of units, if the units were energy efficient and if the tenants are educated on how to take care of their home.

Brandon Jensen - The request to increase the density would allow the sale of the remaining scattered site units in the City to be included in future development. The scattered site homes would then be transferred back to the tax roll. HUD allocates the number of units that the Housing Commission has.

They had an Energy Performance Contract that allowed them to receive a \$1.3 million dollars to perform upgrades to their units that include, Plumbing, Lights, Hot Water Heaters, and Boiler upgrades. These upgrades will result in significant savings.

They applied for and have received a grant to educate tenants on yard maintenance, cleaning and how to up keep a home. This program will assist tenants who are able to become homeowners in the future.

Commissioner Haines - Asked the age of the Vine Street Units.

Brandon Jensen - The two units that were demolished were built in 1969. Most of the units in the PUD area are near the end of their usefulness. They have another building that was destroyed by a tenant and cannot be rented out. That building will be the next one to be replaced when funds are available.

Commissioner Albee - Spoke of the need for maintenance.

Jon Rose, Community Development Director - Mr. Rose addressed the density issue. The Master Plan/Future Land Use Plan designates the area to be Medium Density Residential. This appears to have been an error. This area has always been High Density Residential. The density they are asking for is allowed under the Zoning Ordinance.

A letter was received from the Spicer Group and given to the Commissioners. This addresses the last issue from the City Engineer. With this letter there are no outstanding concerns.

There were no public comments from people in attendance.

No correspondence had been received in response to the request.

There being no further comments the Public Hearing was closed at 7:28 p.m.

NEW BUSINESS:

PC-2009-07, Manistee Housing Commission, Amend Special Use Permit for a Planned Unit Development (PUD)

A Public Hearing was held earlier in response to a request from the Housing Commission for an Amendment to their Special Use Permit for a Planned Unit Development (PUD), Parcel Code #51-713-175-04 Housing Commission Property on Vine Street and Park Place.

Members of the Planning Commission were given draft resolutions of approval and denial to review in their meeting packets.

MOTION by Ray Fortier, seconded by Maureen Barry that the Planning Commission adopt a resolution to approve an amendment to a Special Use Permit for a Planned Unit Development (PUD), Case PC-2009-07 Manistee Housing Commission, Parcel Code #51-713-175-04 (Housing Commission Property on Vine Street and Park Place (attached)).

With a roll call vote this motion passed 8 to 0.

Yes: Haines, Neider, Gustad, Barry, Fortier, Slawinski, Albee, Yoder
No: None

PC-2009-08, Jeff & Sharry Curtis, 141 - 149 Washington Street - Parcel Split

A request has been received from Jeff & Sharry Curtis, 141-149 Washington Street who are requesting a parcel split. The Curtis's own the "Hotel Northern" building and are asking to split the north two commercial units, 147 & 149 Washington Street, from the remainder of the building.

Jeff Curtis, 141 Washington Street - Mr. Curtis explained the request to the Commission. The building is too much for them to maintain and they hope to sell the north units.

Jon Rose, Community Development Director - This request meets the requirements of the Zoning Ordinance. Mark Niesen, Building Inspector met with Mr. Curtis and the building has a fire wall in place and with a few repairs will meet the necessary building codes for fire separation.

MOTION by Linda Albee, seconded by Ray Fortier that the Planning Commission can make recommendation to City Council to approve the request for a Parcel Split from Jeff & Sharry Curtis, 141 - 149 Washington Street to split the north two commercial units (147 & 149 Washington Street) from Parcel 51-146-732-03 as shown on a survey prepared by Hepworth Land Surveying, LLC dated July 1, 2009.

With a roll call vote this motion passed 8 to 0.

Yes: Fortier, Albee, Neider, Haines, Slawinski, Barry, Gustad, Yoder
No: None

PC-2009-09, Edmund Risdon, Vacant Land - Parcel Split

A request has been received from Edmund Risdon for a Parcel Split. Mr. Risdon owns three vacant parcels on Ninth Street (between Cypress Street and Concord Street). The three parcels are 51-670-711-03, 51-67-711-07, 51-670-711-09. Mr. Risdon is asking to reconfigure the parcels to allow more flexibility for future use.

Jon Rose, Community Development Director - Mr. Risdon called from Charlevoix and asked if he needed to attend the meeting. Mr. Rose told him that since the request met the requirements of the Ordinance he did not see any issues with the request that would require his attendance.

MOTION by Ray Fortier, seconded by Nathaniel Neider that the Planning Commission can make recommendation to City Council to approve the request for a Parcel Split from Edmund Risdon as shown on survey prepared by Abonmarche Consultants dated June 4, 2009.

With a roll call vote this motion passed 8 to 0.

Yes: Slawinski, Barry, Gustad, Haines, Albee, Fortier, Neider, Yoder
No: None

OLD BUSINESS:

None.

PUBLIC COMMENTS AND COMMUNICATIONS:

None

CORRESPONDENCE:

None

STAFF REPORT:

Jon Rose, Community Development Director - Mr. Rose said that a letter of interest has been sent to acquire the Lighthouse. Work has begun on Twelfth Street.

Denise Blakeslee, Planning & Zoning - Ms. Blakeslee asked if future agendas could include Subcommittee Reports? The Commission agreed.

Commissioner Gustad gave an update on the Green Initiative Sub- Committee. They held their first meeting and there were many great ideas. They will be working on High Level Goals, Strategies, Ordinance Amendment and Education. They have scheduled regular monthly meetings.

MEMBERS DISCUSSION:

Commissioner Albee said that they Green Initiative Committee is very enthusiastic!

ADJOURNMENT:

MOTION by Tony Slawinski, seconded by Ray Fortier that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 7:55 P.M.

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

City of Manistee
Planning Commission Resolution to Approve a
Special Use Permit for a Planned Unit Development
Case Number PC-2009-07
The City of Manistee Housing Commission

At a regularly scheduled meeting of the City of Manistee Planning Commission held on August 6, 2009, the following resolution was adopted to approve a Special Use Permit for a Planned Unit Development Plan for the Manistee Housing Commission property at Vine Street and Park Place including the replacement of two single family units with two duplex's (4 units) as submitted with PUD Application from the Manistee Housing Commission (Attachment A) as shown on Site Plan prepared by Spicer Group Project No. 117941SG2009 File No. DA-1167-03 Dated July 2009.

Planning Commissioner Ray Fortier moved, supported by Planning Commissioner Maureen Barry, the adoption of the following resolution.

WHEREAS, the Manistee Housing Commission has had a development on Parcel 51-51-713-175-04 since 1968, and

WHEREAS, the City of Manistee adopted a new Zoning Ordinance on February 21, 2006 that became effective on March 27, 2006, and

WHEREAS, the Manistee Housing Commission development on Parcel 51-51-713-175-04 would be allowed under the current Zoning Ordinance as a Planned Unit Development, and

WHEREAS, Article 4 Nonconformities, Section 408 Nonconforming Special Uses reads "*Uses that previously existed as permitted uses but which under this ordinance are treated as special uses in the district in which they are located, shall not be considered to be nonconforming. Provided, however, that any subsequent change, expansion or adjustment to such use or its associated site shall be undertaken in compliance with this ordinance.*", and

WHEREAS, the request from the Manistee Housing Commission is to construct two duplex's where two single family homes were previously demolished resulting in an expansion of the development which requires a Public Hearing, and

WHEREAS, On July 13, 2009 a request was received from the Manistee Housing Commission for an Amendment to the Special Use Permit for approval of a Planned Unit Development Plan, and

WHEREAS, the Site Plan Review Committee reviewed the Plan at a meeting on July 13, 2009 and recommended the Plan be forwarded to the Planning Commission, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed development on August 6, 2009, and

WHEREAS, the Planning Commission has received written comment, reviewed the Site Plan, and has completed review of the application, input of the Applicant and the input received at said public hearing.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

A. RESOLVED, that the Planning Commission has reached the following determination regarding Special Use Permit Standards (Section 1802.A):

1. The Special Use is consistent with the adopted City of Manistee Master Plan.
2. The Special Use is designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and such use will not change the essential character of the area in which it is proposed.
3. The Special Use is not hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
4. The Special Use is served adequately by essential public facilities and services, such as highways, streets, police and fire protection, storm water drainage, refuse disposal, water and sewage facilities, and schools; or persons or agencies responsible for the establishment of the proposed use shall provide adequately for such services.
5. The Special Use does not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.
6. The Special Use does not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors.
7. The Special Use meets the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

B. Findings of Fact - Planned Unit Development Standards: Pursuant to Section 1870.C (Regulations and Conditions) of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:

1. The use is compatible with adjacent land use, the natural environment, and the capacities of affected public services and facilities, and that such use is consistent with the public health, safety and welfare of the residents of the City of Manistee and the benefits of the development shall not be achievable under any single zoning classification.
2. The use is consistent with the City of Manistee Master Plan and the Future Land Use Map.
3. The use and development is warranted by the design and additional amenities made possible with and incorporated by the development proposal.
4. The development does consolidate and maximize usable open space.
5. Landscaping is provided to insure that proposed uses will be adequately buffered from one another and from surrounding public and private property and to create a pleasant pedestrian scale outdoor environment.
6. Vehicular and pedestrian circulation, allowing safe, convenient, non-congested and well-defined circulation within and access to the development is provided.
7. Existing important natural, historical and architectural features within the development are preserved.

BE IT FURTHER RESOLVED, that the Special Use Permit for a Planned Unit Development for the Manistee Housing Commission be limited by the following parameters:

1. The PUD density will be limited to 15 units per acre.
2. The PUD shall have no greater than 60% lot coverage by buildings.
3. The PUD shall have buildable areas and setback limits as indicated on the attached page called PUD - Graphic.
4. No building will exceed 35 feet in height.
5. No single building shall have greater than four (4) dwelling units in one building.
6. The minimum dwelling unit square footage shall be 500 square feet.
7. No dwelling shall be constructed which is less than 20 feet in width.

8. One on premise parking space will be provided per dwelling unit that fronts on Park Street and Vine Street.
9. All buildings shall have a minium 20 foot clearance on no less than 75% of the building's perimeter. The remaining 25% shall have a clearance of no less than 20 feet.

CITY OF MANISTEE PLANNING COMMISSION:

AYES: Haines, Neider, Gustad, Barry, Fortier, Slawinski, Albee, Yoder

ABSTAINING: None

NAYS: None

ABSENT: Crockett

MOTION: X CARRIED NOT CARRIED

CERTIFICATION:

I, Maureen Barry, Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of August 6, 2009

Maureen Barry, Secretary