

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street  
Manistee, MI 49660

## MEETING MINUTES

**AUGUST 7, 1997**

A Meeting of the Manistee City Planning Commission was held on Thursday, August 7, 1997 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Richard Franckowiak, Kristie Harless, John Lakos, John Serocki, Tony Slawinski, Roger Yoder

**MEMBERS ABSENT:** Mike Fatke, Duane Jones, Mathew McShane

**OTHERS PRESENT:** Jon Rose (Community Development Officer), R. Ben Bifoss, (City Manager) Jan Gavlinski (City Council), Jeff Mikula (Abonmarche), Denise Mikula (City Staff), Martin Prieb (Manistee News Advocate), Jim & Mary Jane Merritt (179 Quincy Street), Laura Horvat (Super 8), Tim Fogerty (Ace Hardware), Mary Ann Kaczmarek (1782 Vine Street), Dennis Dunlap, Fred MacDonald, Kendra Thompson (Kendra C. Thompson, Architects P.C.), Jim Kieszikowski (Oak Grove International), Dave Solberg (Solberg Marina)

Meeting was opened at 7:01 p.m. by Chairman R. Yoder.

### **PUBLIC HEARING:**

**Fred MacDonald - Zoning Amendment - Special Use Permit**

Public hearing opened at 7:02 p.m.

Fred MacDonald ETAL has requested a Zoning Amendment adding Residential as a Special Use to the existing Special Uses listed under C-3 Zoning. Mr. & Mrs. MacDonald, Linda Boss and Dennis & Linda Dunlap would like to construct a mixed use development consisting of 22 residential and marina condominiums at 45 Arthur Street. Presently the property is an abandoned Marina with a run-down sales building located on Manistee Lake. Mr. MacDonald is also requesting a 10 foot waterfront set-back for the proposed building on this property. Notification has been mailed to the adjoining property owners that are within 300 feet of this property.

Dennis Dunlap spoke on their plans to refurbish the Marina and have already started the permit process with the Department of Environmental Quality. The Project would be constructed in two phases. The first phase would consist of ten units and phase II would be the final twelve units. Plans include sheet-piling the marina and installation of new docks. Kendra Thompson, architect for the project handed out concept designs on the project and spoke on their development plans.

Jon Rose did a site plan review on the current plans and two areas will need to be addressed by the Zoning Board of Appeals. The height of the proposed buildings is 35.5 feet and exceeds the 30 foot height limitation by 5.5 feet. The ordinance calls for a 50 foot waterfront set-back and the developers are asking for ten feet.

Discussion was held on parking. With a garage for each unit they meet the requirements of the ordinance. Also questions on the number of boat slips were asked. The plans are for 22 condominium units to be built and shows 30 boat slips. There does not appear to be any room for parking for additional boat slips in the plan. Mr. Rose said that he had received a call from DEQ and they also were inquiring on the number of units being built. DEQ may only issue a permit that reflects the number of units. Questions were asked on storage for boat trailers and storm drainage problems in the area.

There being no further discussion the public hearing closed at 7:16 p.m.

#### Ace Hardware - Zoning Amendment - Street Vacation

Public hearing opened at 7:17 p.m.

Ace Hardware, 1425 U.S. 31 South has requested a Zoning Amendment for Lots 52 - 65 of Reitz Addition. This property is vacant and is located behind the Ace Hardware Building that is in Filer Township. Ace Hardware's request is to re-zone from R-5 Residential to C-1 Commercial for a retail lumber business. Ace is also requesting to vacate Maywood from Forest to Park. This is a platted but undeveloped street. Notification has been mailed to the adjoining property owners that are within 300 feet of this property.

Tim Fogerty of Ace Hardware spoke of their plans to add a lumber yard to their hardware business. Plans are for enclosed buildings, an attractive chain link fence, and mercury lighting on the buildings.

A letter was received from Margaret Ney-Blauwkamp, 1113 Forest Avenue expressing a concern about increased traffic in the residential neighborhood if the lumber yard is accessed from Vine Street. Chairman Yoder read the letter. Tim Fogerty responded by saying that the entrance to the lumber yard will be via the back of the Ace Hardware building.

Mary Ann Kaczmarek, 1782 Vine Street who is a neighboring resident asked how the re-zoning would effect the neighborhood and taxes. Mr. Rose responded to her questions and spoke on the difference between re-zoning the property Commercial or adding Lumber Yards as a special use to the R-5 Residential Zoning District. Mrs. Kaczmarek also asked about the hours of operation. Tim Fogerty responded by saying the hours the lumber yard would be open would be from 7:00 a.m. till 8:00 p.m. Mr. Fogerty also spoke of an additional six jobs to their business with the lumber yard.

There being no further comments from people in attendance the public hearing closed at 7:30 p.m.

#### Laura Horvat - Special Use Permit

Public hearing opened at 7:31 p.m.

Laura Horvat of Super 8 Motel, 220 Arthur Street has requested a Special Use Permit to allow a billboard sign consisting of two 10' x 20' panels that will be located on the hill behind the motel. Ms. Horvat intends to rent this sign. Notification has been mailed to the adjoining property owners that are within 300 feet of this property.

Ms. Horvat spoke of the interest from people who would like to lease the sign. Mary Jane Merritt, 179 Quincy Street owns property near the Super 8 Motel and expressed their concern if the sign would effect the sale of their property. Mr. Rose said the sign would have no impact on their property unless a request for a height variance for a new building were made. Questions were asked about the sign and the proposed sign ordinance. Mr. Rose said that billboards are addressed in the proposed sign ordinance and that they would be permitted in C-1 & C-3. Questions were asked about lighting and the proposed sign would be lighted from the top with lights facing down on the sign.

There being no further discussion the public hearing closed at 7:37 p.m.

### **SITE PLAN REVIEWS:**

#### **Oak Grove International, Inc.**

Oak Grove International located at 290 Washington Street has requested a Site Plan Review. Plans are to construct a 10,000 sq. ft. addition to their building. A site plan review has been done on the proposed project and it meets the set-back requirements. Kendra Thompson, architect for the project presented the plan for expansion to the Planning Commission.

MOTION by Harless, seconded by Lakos that the site plan for Oak Grove International be approved. Motion passed unanimously.

#### **Gary Schrader - Lot Split**

A request has been received for a lot split for Gary Schrader, 329 Second Avenue parcel, #51-51-202-450-01. Mr. Schrader would like to split the existing parcel into two parcels. Mr. Schrader's residence is located on Second Avenue and he would like to split off the south portion of the parcel that faces Third Avenue to sell. Attached is a survey that reflects the requested lot split. The lot split meets the required set-backs.

MOTION by Franckowiak, seconded by Lakos that the Planning Commission approve the lot split as presented in the attached survey. Motion passed unanimously.

#### **Russell & Ruth Claggett/ Michael & Deborah Majchrzak - Lot Split**

Dave Carlson from Lyman Real Estate is requesting a lot split on behalf of Russell & Ruth Claggett/ Michael & Deborah Majchrzak. Claggett's are in the process of selling the property located across from

the Golf Course on Twelfth Street to Majchrzak. Lots 5 & 6 of Lakeview Subdivision currently are one parcel. The request is to split Lot 5 Lakeview Subdivision into one parcel and Lot 6 Lakeview Subdivision into another parcel. The current parcel code number for the property is #51-51-363-701-11. This request meets the requirements of the Zoning Ordinance.

MOTION by Serocki, seconded by Lakos that the request for a lot split for Claggett/Majchrzak be approved. Motion passed unanimously.

MOTION by Harless, supported by Lakos that the Agenda be modified to open the Business Session so that decisions can be made on the Public Hearings that were held. Motion passed unanimously.

**BUSINESS SESSION:**

Fred MacDonald - Zoning Amendment

A public hearing was held earlier regarding a request from Fred MacDonald for a Zoning Amendment to adding Residential as a Special Use to the existing Special Uses listed under C-3 Zoning. Discussion addressed out side storage and densities allowed for apartments throughout the City.

MOTION was made by Lakos, supported by Franckowiak that the request for a Zoning Amendment to add Residential as a Special Use to the existing Special Uses listed under C-3 Zoning be approved with the following conditions:

There will be no outside storage.

Parcel area will be a minimum of 2,500 sq. ft. per dwelling unit.

Motion passed with voting:

In favor	-	Franckowiak, Harless, Lakos, Slawinski, Yoder
Abstaining	-	Serocki

Fred MacDonald - Special Use Permit

Mr. MacDonald had also requested that a Special Use Permit be granted to allow the construction of a 22 unit condominium project at 45 Arthur Street. Mr. MacDonald had also requested that a 10 foot waterfront set-back be allowed for the project.

MOTION by Serocki, supported by Harless that a Special Use Permit be approved contingent on variances from the Zoning Board of Appeals and staff approval of utilities and curb cuts.

The motion included recommendation to the Zoning Board of Appeals that the waterfront set-back be a minimum of 15 feet and that the height be approved. Motion passed unanimously.

Ace Hardware - Zoning Amendment

A public hearing was held in response to a request from Ace Hardware for a Zoning Amendment for Lots 52 - 65 of Reitz Addition. This request is to re-zone from R-5 Residential to C-1 Commercial for a retail lumber business.

The Planning Commission discussed the difference between re-zoning the property to C-1 Commercial and allowing Lumber Yards as a Special Use in R-5 Residential.

MOTION by Franckowiak, supported by Serocki that Lumber Yards be allowed as a Special Use in the R-5 Zoning District with the following standards:

Parcel size be a minimum of 100,000 sq. ft.

All outside storage will be under roof.

Six foot fence be allowed.

Lights be on the buildings only.

Hours of operation would be limited to 7:00 a.m. to 8:00 p.m.

Access only from primary streets.

Motion passed unanimously.

Ace Hardware - Special Use Permit

MOTION by Serocki, supported by Slawinski that a Special Use Permit be granted to Ace Hardware for a Lumber Yard located on Lots 52 - 65 of Reitz Addition. Motion passed unanimously.

Ace Hardware - Street Vacation

Ace Hardware is also requested the vacating of Maywood between Park and Forest and the vacating of Forest from Maywood to Vine. These are platted but undeveloped street. It was suggested that Ace Hardware be given the opportunity to obtain an easement from the City instead of vacating the streets.

MOTION by Slawinski, supported by <sup>Serocki</sup> Slawinski not to recommend the vacating of these streets. Motion passed unanimously. Request denied.

Laura Horvat - Special Use Permit

A public hearing has been held for Laura Horvat who is requesting a Special Use Permit to allow construction of a 20' x 22' billboard sign located on the hill behind the Super 8 Motel, 220 Arthur Street.

MOTION by Harless, supported by Lakos that a Special Use Permit be granted. Motion passed unanimously.

**CITIZEN QUESTIONS AND CONCERNS:**

No questions or concerns were expressed by the citizens in attendance.

**MINUTES:**

MOTION by Lakos, supported by Slawinski, that minutes of the July 9, 1997 meeting be approved. Motion passed unanimously.

Discussion was held on holding work sessions and it was decided that we would begin holding work sessions in October.

**UNFINISHED BUSINESS:**

**Solberg Marina Inc. - Special Use Permit**

Dave Solberg of Solberg Marina Inc. requested a Special Use Permit to allow a campground at Fisherman's Center, 263 Arthur Street to provide on site parking for four (4) self-contained camper trailers. This item was tabled until the August meeting for more information.

Mr. Solberg stated that he met with Jon Rose on August 6, 1997 and they discussed the option of granting an easement for a sewer line or installing a Fish Cleaning Station on the property that would be hooked up to the City Sewer.

MOTION by Slawinski, supported by Lakos to grant a Special Use Permit for four self-contained camper trailers with the condition that the permit would not be in effect until an easement from Solberg's Marina to Fisherman's Center for a sewer line is recorded at the Register of Deeds Office and a copy provided to the city for their records. Motion passed unanimously.

**OTHER COMMUNICATIONS:**

**City Update**

Mr. Bifoss reported on Tenth Street project and on the State Street Community Development Block Grant for Pandrol Jackson. The Riverwalk is nearing completion. Fire hall has new doors with a new entrance to the station. The new truck is already in the building. Renaissance Park is progressing. There is a possibility of a grant to help with infrastructure costs. Marina is having an excellent year. City has purchased the Axce property and it will be on the November Ballot for voter approval of charter protection. Duffy park was also discussed.

C-1 Commercial, Access Roads

The Planning Commission Members received a memo from City Manager, R. Ben Bifoss regarding Section 5004 of the Zoning Ordinance that deals with regulations and standards in the C-1 Commercial District. Mr. Bifoss has requested that the Planning Commission consider whether or not the service drive concept continues to make sense in developed C-1 Commercial Districts in Manistee.

This item was tabled until the September Meeting due to time.

**REPORTS:**

D.D.A.:

Mr. Bifoss reported on the August 6, 1997 D.D.A. meeting. He said that the Planning Commission and City Council will be getting an invitation to attend a Planning Priority Meeting in September.

Zoning Board of Appeals

No report given.

Historic Overlay Review Committee

No meeting.

Joint City Review/Ordinance Committee

No Meeting.

**NEW BUSINESS:**

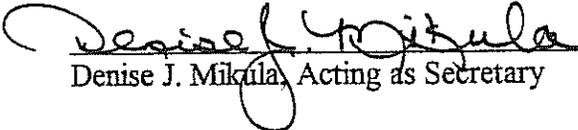
No new business reported.

**ADJOURNMENT:**

There being no further business, MOTION by Serocki, supported by Slawinski that the meeting be adjourned. Motion passed unanimously.

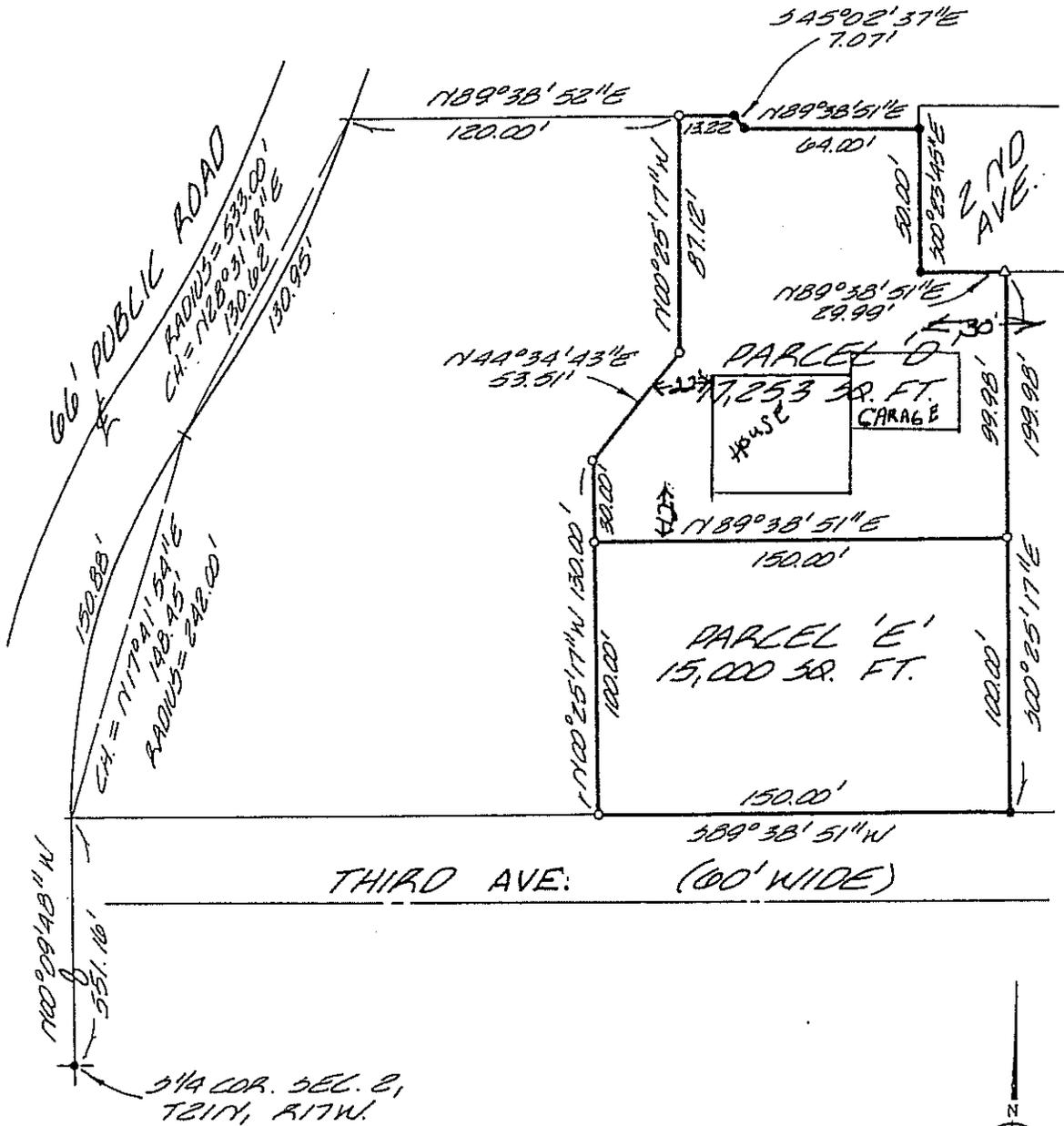
The meeting adjourned at 8:53 p.m.

MANISTEE PLANNING COMMISSION

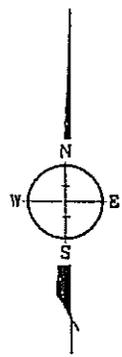
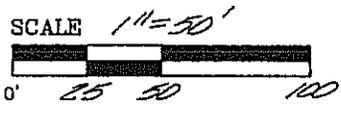
  
Denise J. Mikula, Acting as Secretary

# CERTIFICATE OF SURVEY

PART OF THE 36 1/4 SEC. 2, T21N, R17W,  
UNPLATTED CITY OF MANISTEE,  
MANISTEE CO., MICHIGAN.

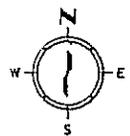


- LEGEND**
- IRON FND      ⊕ MONUMENT FND.
  - IRON SET      ⊕ MONUMENT SET
  - ▲ P.K. FND.    (R) RECORD
  - △ P.K. SET     (M) MEASURED



I, the undersigned, being a Registered Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the unadjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended.  
 The basis for bearings is:

Error of Closure is 1' / \_\_\_\_\_ R.L.S. No. 25850



**Jenema Land Surveys**  
 82 Division Street  
 Manistee, MI 49660  
 616-723-7930  
 FAX 616-723-5761

FOR: <b>GARY SCHRADER</b>	
DATE: <b>8-22-1994</b>	SHEET: <b>1 OF 2</b>
DWN. <b>LKM</b>	CHK. <b>BLU</b> FILE NO. <b>94365</b>