

# MANISTEE CITY PLANNING COMMISSION

70 Maple Street  
P.O. Box 358  
Manistee, Michigan 49660

## MEETING MINUTES

June 2, 1994

Three public hearings and the regular meeting of the Manistee City Planning Commission were held on June 2, 1994 at 7:00 PM in the City Council Chambers at City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 7:00 PM by Chairman, Roger Yoder.

MEMBERS PRESENT: R. Bauman, J. Carter, R. Franckowiak  
D. Jones, A. Slawinski, R. Yoder

MEMBERS ABSENT: D. Johnson, J. Lakos

OTHERS PRESENT: J. Rose (City Code Administrator)  
Others as shown on the attached list

### PUBLIC HEARINGS:

#### Schrader:

The hearing was opened at 7:00 PM.

The purpose of the hearing was to obtain public input on a request to change the zoning of 329 Second Ave. from R-2 to R-4. Mr. Schrader's property, which was acquired in an exchange with the Harbor Village Partners is directly adjacent to Land Use District R-4. Mr. Schrader desires to have the property zoned as R-4 to be consist with other residences in the neighborhood.

There was no adverse input from citizens at the hearing. In response to a question, J. Rose advised that the zoning change will allow Mr. Schrader to request a lot split at a later date which would result in two additional residential parcels which could be sold. Such action would require further Planning Commission action.

The hearing was closed at 7:10 PM.

#### United Broadcasting:

The hearing was opened at 7:10 PM.

The purpose of the hearing was to obtain public input on a request to vacate a portion of 11th Street between Cypress and Olga Street. United Broadcasting was represented by Mr. Wilson who described the section of 11th Street covered by the request. He advised that the section of Olga Street at the East end of 11th Street had been vacated, therefor it would not be possible to continue 11th Street to US 31 even if requested at some future date. He also advised that the objective was to clear the property of the 11th Street

right-of-way for general purposes. The current owner has no immediate development plans.

There was no public input.

The hearing was closed at 7:15 PM.

Natholee C. Schwaiger Trust:

The hearing was opened at 7:15 PM.

The purpose of the hearing was to obtain public input on a request to change the zoning of 327, 329, 331, 333, and 345 First Street from C-1 to C-4A. Mr. Wilson represented the applicant and described the proposed change. The property has several nonconformances relative to the existing C-1 zoning. Changing the zoning to C-4A would eliminate some of the nonconformances and allow the property to be split for easier sale.

There was no public input.

The hearing was closed at 7:20 PM.

SITE PLAN REVIEWS:

Solberg:

K. Thompson represented the Solberg Marina and described a proposed new bathhouse and community center at the Marina. Following discussion it was moved by R. Bauman, supported by J. Carter that "The site plan be approved subject to approval of a waterfront setback variance by the Zoning Board of Appeals". The motion passed unanimously.

Manistee Village Partners, Lakeshore III:

J. Rose presented a Site Plan for construction of Unit III in the Lakeshore planning area. The building will be a duplicate of Unit II. Manistee Village Partners plans to start construction in June 1994. It was moved by T. Slawinski, supported by R. Franckowiak that "The site plan be approved with the condition that design and construction shall meet all requirements of the Special Use Permit". The motion passed unanimously.

440 West Restaurant Deck:

K. Thompson represented the 440 West Restaurant and described the Site Plan for a proposed deck to be located on City property immediately west of the restaurant building. The only access to the deck will be from the River Street sidewalk via a barrier free ramp. There will no direct access from the restaurant for patrons or supplies. Provisions related to serving alcohol beverages are subject to State LCC approval.

The merits of limited deck access and associated River Street sidewalk traffic were discussed at length. K. Thompson stressed that the building configuration and elevation would make direct access to the deck undesirable from either the street level, or

from the basement. A direct entrance to the access ramp from inside the restaurant would result in the loss of table space. It was moved by R. Franckowiak, supported by D. Jones that "The site plan for a deck at the 440 West Restaurant be approved". The motion passed with all voting in favor, except R. Bauman who voted no.

#### CITIZEN QUESTIONS AND CONCERNS:

Other than those stated at the public hearings there were no citizen questions and concerns expressed at the meeting.

#### MINUTES:

It was moved by R. Franckowiak, supported by T. Slawinski, that the minutes of the April 21, 1994 meeting be approved. The motion carried.

It was moved by T. Slawinski, supported by R. Franckowiak, that the minutes of the May 5, 1994 meeting be approved. The motion carried.

#### UNFINISHED BUSINESS:

##### Sign Ordinance:

J. Rose reported that during his recent workshop, Richard Frank commented that certain types of lighted signs such as gooseneck lights, or external spot lights are perfectly acceptable in a historic district. Others, such as backlit plastic are not. He also added that some degree of lighting is needed to give character and a degree of brightness to the downtown area. R. Bauman advised that he has contacted Tom Amor to expedite Downtown Merchants Association comments on the draft ordinance.

##### Historic Overlay District Ordinance Rewrite:

J. Rose stated that parcel information is being added to the data bank as historic research on each building is completed.

##### Washington Street Rentals:

During the May 5, 1994 meeting the Commission took no action on the requested Special Use Permit with the understanding that the lack of action would in effect deny the request. That understanding was not correct, therefor to complete official action on the application it was moved by D. Jones, supported by R. Bauman to "Deny the request by the Washington Street Rental Partners for a Special Use Permit to convert 248 Washington Street into four apartments". The motion passed unanimously.

##### 440 West Restaurant Lease:

D. Jones described provisions of the proposed lease agreement between the City and the 440 West Restaurant relative to the proposed outdoor deck. Mr. Jones and R. Yoder met with B. Bifoss on behalf of the Planning Commission to discuss the lease and provide input. It was moved by J. Carter, supported by T.

Slawinski to "Recommend that the City Council approve the lease agreement". The motion passed unanimously.

CITY UPDATE:

J. Rose provided the following City update; river dredging for the erosion control project should be started next week and completed by the end of July, Marina bathhouse construction is in the punchlist stage with the public restrooms now open, firebarn construction work is in the punchlist stage, Corps of Engineers are obtaining harbor bottom samples to support pier work next summer, power to the Lions area at Douglas Park is being upgraded, and the cruise ships will be docking behind the Elks during their two stops in Manistee. Demolition of the fire damaged bar on River Street has started.

DNR High Risk Erosion:

The City has received a letter from the DNR stating that within one year the zoning ordinance must be amended to meet new DNR requirements. A committee consisting of J. Rose, J. Carter and R. Yoder was established to prepare the required ordinance change.

D.D.A. REPORT:

D. Jones reported that the River Street sign post issue has been essentially resolved with final sign location yet to be determined, DDA has approved a loan for the Smuggler Cove outside restoration, and that 11 benches have been installed on River Street. He also reviewed the Richard Frank workshop held jointly by the DDA and Downtown Merchants Association. At their last meeting the DDA held a lengthy discussion on the local business climate and possible improvement actions.

ZONING BOARD OF APPEALS REPORT:

No report was given.

SITE PLAN REVIEW/HISTORIC OVERLAY COMMITTEE REPORT:

R. Bauman advised that no meetings were held during the past month.

ORDINANCE COMMITTEE REPORT:

J. Rose reported that the committee met and will recommend to the Council that they approve two of the three curb cut zoning ordinance changes approved by the Planning Commission. The change prohibiting parking in the area between the street and sidewalk will be discussed by the Council at a work session. The Committee also approved changing the zoning of two lots on Cypress Street between 9th and 10th Streets from C-1 to R-4.

NEW BUSINESS:

Schrader:

Following a brief discussion, it was moved by R. Bauman, supported by T. Slawinski to "Recommend to the City Council that the zoning

of 329 Second Ave. be changed from R-2 to R-4". The motion passed unanimously.

United Broadcasting:

Following a brief discussion, it was moved by D. Jones, supported by R. Franckowiak to " Recommend to the City Council that the City vacate the portion of 11th Street between Cypress Street and Olga Street". The motion passed unanimously.

Natholee C. Schwaiger Trust:

Following a brief discussion it was moved by D. Jones, supported by T. Slawinski to " Recommend to the City Council that the W 1/2 of Lot 3, and Lots 4, 5 & 6 of Block 9 in Filer & Smiths Addition to the City of Manistee be rezoned from C-1 to C-4A". The motion passed unanimously.

WORK SESSION:

There was no work session on the agenda.

ADJOURNMENT:

There being no further business, it was moved by R. Franckowiak, supported by T. Slawinski, that the meeting be adjourned. The motion carried.

The meeting adjourned at 8:40 PM.

MANISTEE CITY PLANNING COMMISSION



Ronald C. Bauman, Secretary

