

MANISTEE CITY PLANNING COMMISSION

550 Maple Street
Manistee, MI 49660

MEETING MINUTES

January 6, 2005

A meeting of the Manistee City Planning Commission was held on Thursday, January 6, 2005 at 7:00 p.m. in the Manistee Middle School Library, 550 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Maureen Barry, Tamara Buswinka, Greg Ferguson, Ray Fortier, Christa Johnson-Ross, Tony Slawinski, Mark Wittlief, and Roger Yoder

MEMBERS ABSENT: Vacancy

OTHERS: Michael & Rosalie Gorbach (317 Fifth Avenue #2), Connie Fenner (Washington Street), Lynn & Raul Vasquez (301 Sibben Street), Paul Purdy (300 Sibben Street), Barry Baumann (552 Harvard Lane), Cyndy Fuller (City Council), Melissa Rennie (Manistee News Advocate), Jon Rose (Community Development), and Denise Blakeslee (Administrative Assistant) and others

Meeting was opened at 7:03 p.m. by Chairman Yoder.

Denise Burns - Zoning Amendment - WITHDRAWN. A request was received from Denise Burns to Re-zone Parcel #51-51-748-753-02 from I2 - Industrial to TR - Transition. This re-zoning request was being made to allow a residential parcel in the Industrial District to be split and combined with two adjoining substandard parcels in the Transition District. A notice was placed in the newspaper and sent to all parcels within 300 feet. Jon Rose received a phone call from Ms. Burns who asked to withdraw the request. Planning Commission will take no action on this request.

PUBLIC HEARING:

Michael J. Gorbach - Zoning Amendment. A request has been received from Michael Gorbach to Re-zone the East half of Parcel #51-51-670-723-01 from C-1 Commercial to R-4 Residential. This property is a vacant piece of property west of Cypress Street and South of Eleventh Street (undeveloped). The West half of the Parcel is currently zoned R-4 Residential.

Mr. Gorbach would like to split the east half of Parcel #51-51-670-723-01 into a separate parcel that he can construct a duplex upon. Duplex's are not allowed in the C-1 Commercial Zoning District while they are a permitted use in the R-4 Residential District.

There being no further discussion the Public Hearing closed at 7:05 p.m.

Mrs. Connie Fenner - Special Use Permit.

A request has been received from Connie Fenner for Special Use Permit for a Beauty Shop. Mrs. Fenner has made an offer to purchase the building at 307 Sibben Street. The building is currently vacant and was last use as a Church. Previous uses of the building include restaurant, church, and beauty shop. This property meets the requirements for a Special Use in the Transition District. Mrs. Fenner has also enclosed a site plan that shows that the building has handicap access and parking.

Jon Rose said that the Site Plan shows three off street parking spaces. The three spaces meet the requirements of the Zoning Ordinance but there is room for four spaces and he would recommend that four spaces be required.

Lynn & Raul Vasquez, 301 Sibben Street - adjoining property owners, express concerns about parking and the amount of traffic the beauty shop would create. Currently there is a chain link fence that provides no buffer between properties and they are concerned about their dog barking because of the activities at the Beauty Shop.

Paul Purdy, 300 Sibben Street - expressed concerns about the number of commercial business in the neighborhood and the additional traffic and parking problems the Beauty Shop would create.

Jon Rose said that the Transition District requires a buffer between residential and commercial uses. This requirement could be met by the installation of a fence 4 feet or more in height.

Chairman Yoder read correspondence in response to the request (attached). A phone call received from Carol Gilliland supported the request. A letter from Marian Purdy opposed the request.

Tamara Buswinka asked Mrs. Fenner how many clients the beauty shop would average in a day. Mrs. Fenner said that she only works part time and hopes to have two full time and an additional part time stylist on staff. The numbers of customers depends on what service the stylist is performing at that time. On a busy day the most she could estimate would be around 30 clients.

There being no further discussion the Public Hearing closed at 7:17 p.m.

APPROVAL OF MINUTES:

Planning Commission Meeting of December 2, 2004

MOTION by Ray Fortier, seconded by Tony Slawinski that the minutes of the December 2, 2004 Planning Commission Meeting be approved.

MOTION APPROVED UNANIMOUSLY.

NEW BUSINESS:

Michael J. Gorbach - Zoning Amendment

A Public Hearing was held earlier in response to a request from Michael Gorbach to Re-zone the East half of Parcel #51-51-670-723-01 from C-1 Commercial to R-4 Residential. This property is a vacant piece of property west of Cypress Street and South of Eleventh Street (undeveloped). The West half of the Parcel is currently zoned R-4 Residential.

MOTION by Ray Fortier, seconded by Tony Slawinski that the request to Re-zone the East half of Parcel #51-51-670-723-01 from C-1 Commercial to R-4 Residential be forwarded to City Council with a recommendation for approval.

MOTION APPROVED UNANIMOUSLY

Mrs. Connie Fenner - Special Use Permit.

A public hearing was held earlier in response to a request from Connie Fenner for a Special Use Permit for a Beauty Shop. Mrs. Fenner has made an offer to purchase the building at 307 Sibben Street. This property meets the requirements for a Special Use in the Transition District.

Commissioners discussed the requirement of a solid fence, should a time limit for installation be included as a condition, number of off street parking spaces that should be required.

MOTION by Ray Fortier, seconded by Maureen Barry that request from Mrs. Connie Fenner for a Special Use Permit to use the existing Commercial Building at 307 Sibben Street located in the Transition District for a Beauty Shop be approved with the following conditions:

1. A solid fence six feet in height be installed within 6 months.
2. Four off street parking spaces be provided.

MOTION APPROVED UNANIMOUSLY

After the Motion was approved property owners agreed to work together on the location of the fence.

Barry Baumann and Karl Wagner - Parcel Split and Combination.

Barry Baumann explained the request. Karl Wagner owns two properties on Bryant Avenue. Mr. Wagner lives in the home at 554 Bryant Avenue and the building at 552 Bryant Avenue is used as a rental. Barry Baumann has entered into a purchase agreement with Karl Wagner to purchase the house at 552 Bryant Avenue. The properties currently have a diagonal configuration that Mr. Baumann and Mr. Wagner would like to realign into north/south parcels. The Zoning Board of Appeals approved a variance to reduce the street frontage requirement for 554 Bryant Avenue from 100 feet to 66 feet with the following conditions:

That approval is received from the City of Manistee Planning Commission and City Council for a parcel split and combination as follows:

Parcel #51-51-340-709-01 (554 Bryant Avenue) will be reconfigured into Lot 2 & Lot 11

Parcel #51-51-340-709-03 (552 Bryant Avenue) will be reconfigured into Lot 1 & Lot 12

That the proposed sale of parcel #51-51-340-709-03 (552 Bryant Avenue - Lot 1 & Lot 12) to Mr. Baumann is executed.

MOTION by Greg Ferguson, seconded by Tony Slawinski that the request from Barry Baumann and Karl Wagner to split and combine parcel #51-51-340-709-01 and 51-51-340-709-03 be approved as follows:

Remove Lot 1 from Parcel #51-51-340-709-01 and add it to Parcel #51-51-340-709-03.

Remove Lot 2 from #51-51-340-709-03 and add it to Parcel #51-51-340-709-01.

MOTION APPROVED UNANIMOUSLY.

Committee Appointments

Chairman Yoder asked if members wished to make a motion to table Committee Appointments until the February Planning Commission meeting since there is currently a vacancy on the board.

MOTION by Ray Fortier, seconded by Greg Ferguson that Committee Appointments be tabled until the February 3, 2005 Planning Commission Meeting.

MOTION APPROVED UNANIMOUSLY.

Charter Township of Filer - Land Use Map Amendment.

The Planning Commission received correspondence from Jennifer Williams, Chair of the Charter Township of Filer regarding notification of a proposed amendment to their Land Use Map. Under the Municipal Planning Act 285 of 1931, as amended adjoining municipalities are noticed when changes are made to the plan. Planning Commissioners are asked to review the information forwarded from Filer and comments will be forwarded to their Planning Commission Chairperson.

No objections were voiced in response to the letter from Jennifer Williams, Chair of the Charter Township of Filer Planning Commission.

UNFINISHED BUSINESS:

None

OTHER COMMUNICATIONS:

Report from Subdivision Committee. Members of the Subdivision Committee met to review the preliminary plat for the 55 acres on the corner of Cherry and Merkey Roads. This proposed development is referenced as "Two Brothers Plat Phase I". Members of the Committee will report their review to the Planning Commissioners.

Jon Rose reported that The Subdivision Committee met once and Tamra Buswinka prepared a critique of the project. They will be meeting tomorrow with the developers representative and continue discussions.

Report from Non-Motorized Transportation Committee

A report was given by Christa Johnson-Ross, Chair of the Non-Motorized Transportation Committee. This committee has been working on the development of a Bike route through the City, plans to purchase and install bike racks at public locations, develop signage for bike lanes, etc. The committee has also been working on a Master Plan for Non-Motorized Transportation for the City of Manistee.

The committee will hold public worksessions for citizen input in the proposed Master Plan. Ms. Johnson-Ross was commended for her leadership role in the Committee.

Misc.

Cyndy Fuller presented Chairman Yoder with a certificate of recognition from Michigan Society of Planners for his 20 year membership with the organization.

The Planning Commission congratulated Cyndy Fuller on her appointment to City Council. Ms. Fuller was thanked for her service on the Planning Commission.

CITIZEN QUESTIONS AND CONCERNS:

None

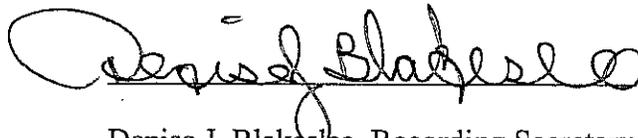
WORKSESSION:

Next Worksession will be on Thursday, January 20, 2005 at 6:00 p.m. in the Middle School Library. The Planning Commission will continue working with Jay Kilpatrick on the Zoning Ordinance Re-write.

ADJOURNMENT:

MOTION by Tony Slawinski, seconded by Mark Wittlief that the meeting be adjourned. Motion passed unanimously. Meeting adjourned at 8:27 p.m.

MANISTEE PLANNING COMMISSION

A handwritten signature in black ink, appearing to read "Denise J. Blakeslee". The signature is written in a cursive style with a large initial "D" and a decorative flourish at the end.

Denise J. Blakeslee, Recording Secretary

MEMO

TO: Planning Commissioners

FROM: Mark W. Niesen *M.W.N.*
Building Inspector

RE: Request from Ms. Connie Fenner

I received a call from Carol Guilliland, MSHDA Housing Director wanted to express her support of Ms. Fenner's request for a Special Use Permit for a Beauty Shop.

January 4, 2005

To Whom It May Concern,

I live at 300 Sibben Street and recently received a letter about the zoning variance for the beauty shop. My first thought was I didn't think it was a bad idea, then the "excepts" started creeping in. I looked at the block, we have other businesses there I know. Right across the street from where the beauty shop wants to go in is a barbershop. On the north corner is a boat repair shop and a bookstore, and one block up is Candy Mountain. I live in a building with four apartments, across from the book store is three apartments. The building that would house the beauty shop is very close to a residence. I am very concerned about where everyone will be parking as some mornings the barbershop will have four of five cars parked. I am also concerned about the effect on the people who live in the area. The people who live in the house right next to the building in question and across the alley both have dogs. They are very good dogs and have never been a problem. I am concerned that with additional traffic so close to the houses they will bark more. This is not fair to them. I know that people would like to see businesses open in the area as it is a help for everyone I just think that we do need to remember this is a residential area for a reason. People live in residential areas for a reason and to keep moving business into them defeats the purpose of this. There is already more business on that block than the parking allows for and I would not like to see another business go in so close.

Marian R. Purdy
300 ½ Sibben Street
Manistee, MI 49660