

MANISTEE CITY PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660

Meeting of Thursday, July 12, 2001
7:00 p.m. - Council Chambers, City Hall

AGENDA

- I Roll Call
- II Public Hearing
 - 1. North Shore Supply/Jerome Wrzesinski - Special Use Permit
- III Citizen Questions, Concerns and Consideration
- IV Approval of Minutes
 - Planning Commission Meeting (6/7/01)
- V Unfinished Business
 - None
- VI New Business
 - 1. North Shore Supply/Jerome Wrzesinski - Special Use Permit
 - 2. Parks Commission - Parks & Recreation Plan
 - 3.
- VII Other Communications
- VIII Work/Study Session
- IX. Adjournment

cc: Planning Commission Members
Kristie Harless
City Council
Ken Oleniczak, Interim City Manager
Jon Rose, Community Development
County Planning Department
Jack Dinsen, Manistee Township Zoning Board
Don Alfred, Charter Township of Filer Planning Commission
Frederick Richter, Beautification Committee
Manistee News Advocate
WMTE Radio
WXYQ Radio
Jeff Mikula, Abonmarche
Julie Beardslee, Assessor
Mark Niesen, Building Inspector

MEMORANDUM

TO: Planning Commission Members

FROM: Jon R. Rose 
Community Development

DATE: July 3, 2001

RE: July 12, 2001 Meeting

The July Meeting of the Planning Commission will be held on Thursday, July 12, 2001. The following items are on the Agenda:

1. North Shore Supply/Jerome Wrzesinski - Special Use Permit. Jerome Wrzesinski owner of North Shore Supply, 70 Arthur Street is requesting a Special Use Permit to use their parking lot as a Boat/RV Storage Area. This property is located in the C-1 Commercial Zoning District and Section 5004.D.5.d of the Zoning Ordinance reads:

“For all *commercial establishments*, servicing or processing shall be conducted within completely enclosed *buildings*, except for off-road parking, loading, unloading and open air uses which are specifically approved by the Commission”.

This section of the Zoning Ordinance conflicts with the Special Use Standards for Mini/Self Storage and Public Warehouse Special Use Standards which does not allow outside storage. The Planning Commission needs to determine if this is an appropriate use for this site. A copy of the request is enclosed.

2. Parks Commission - Parks & Recreation Plan. The Parks Commission has requested the opportunity to speak to the Planning Commission regarding the update of the Parks & Recreation Plan. This item has been placed under New Business on the Agenda.

If you are unable to attend the meeting please call Denise at 723-2558. See you there!

cc: City Council



SPECIAL USE PERMIT APPLICATION

North Shore Supply-Jerome Wrzesinski

FOR OFFICE USE ONLY:

Applicant
70 Arthur Street

Address
Manistee, MI 49660

City, State, Zip Code

Phone Numbers (Work) 231-723-5288

(Home) 231-723-4822

Case number _____

Date Received 6.19.01

Fee Received 250.00

Receipt Number #403

Hearing Date 7.13.01

Action Taken _____

Expiration Date of Permit _____

FEE FOR SPECIAL USE PERMIT \$250.00

I. ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: To use parking lot as a boat/RV storage area. Negotiating possible boat dealership.
We would need proposed area for displaying boats.

II. PROPERTY INFORMATION:

A. Address of Property: 70 Arthur Street
Tax Roll Parcel Code Number: 51-51-101-250-02

B. List all deed restrictions - cite Liber & Page where found and attach: NONE.
CSX Transportation right of way, servicing the railroad
Liber 543 Page 0039

C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. Jerome and Kathy Wrzesinski William VanderWall
700 Marlawn Dr. P.O. Box 4473
Manistee, MI 49660 Spring Lake, MI 49456

D. Zoning District: C-1

E. Present use of the property: Retail Store and Storage Facility

F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).

G. Is a Property survey attached? Yes No.

H. Estimated completion date of construction (if applicable): _____

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Special Use Permit request at this time TO USE PARKING LOT AS A BOAT/RV STORAGE AREA. NEGOTIATING POSSIBLE BOAT DEALER SHIP. WE WOULD NEED PROPOSED AREA FOR DISPLAYING BOATS.
-
- B. Statement of support for the request. Please justify your request for a Special Use Permit below. The justification should address the following concerns: (Attach additional sheets if necessary)
1. The relationship of the Special Use Permit conditions (Article 86, Section 8610 and if applicable, Article 16) to the particular Special Use proposed. Do they pose any unusual problems for compliance?
 2. Relationship of the proposed use to the development plans of Manistee County and the City of Manistee.
 3. Impacts of the adjacent property and neighborhood. Indicate what impacts of the proposed use on the adjacent property are anticipated and what steps will be taken to mitigate any negative impacts. Consider the following:
 - a. Will the proposed use adversely affect the health, safety or enjoyment of property of persons residing or working in the neighborhood?
 - b. Will proposed use be detrimental to the public welfare or injurious to property in the neighborhood?

IV. INFORMATION REQUIRED IN APPLICATION:

- A. An Application for Special Use shall include:
1. A detailed Site Plan, as spelled out in Section 9406 of this ordinance, a copy of which is attached.
 2. A specific statement and supporting information regarding the required findings for the Special Use Permit, as stated in Section 8609 (as follows).
 - a. *Is the use reasonable and designed to protect the health, safety and welfare of the community,*
 - b. *Is the use consistent with the intent and purpose of the Land Use District,*
 - c. *Is the use compatible with adjacent land uses,*
 - d. *Is the use designed to insure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and*
 - e. *Does the use comply with all applicable regulations of this Ordinance.*
 - f. *Does the use comply with all specific standards found in the respective Land Use District, Section 1601 et. seq., and Section 101 et. seq. of this Ordinance.*

3. Proposed location of any open spaces, landscaping and buffering features such as greenbelts, fences, etc.

B. In Addition, the applicant may be required to furnish:

1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties.

V. CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

Signature (s) of Applicant (s):

Jerome Wrzesinski
Kathy Wrzesinski

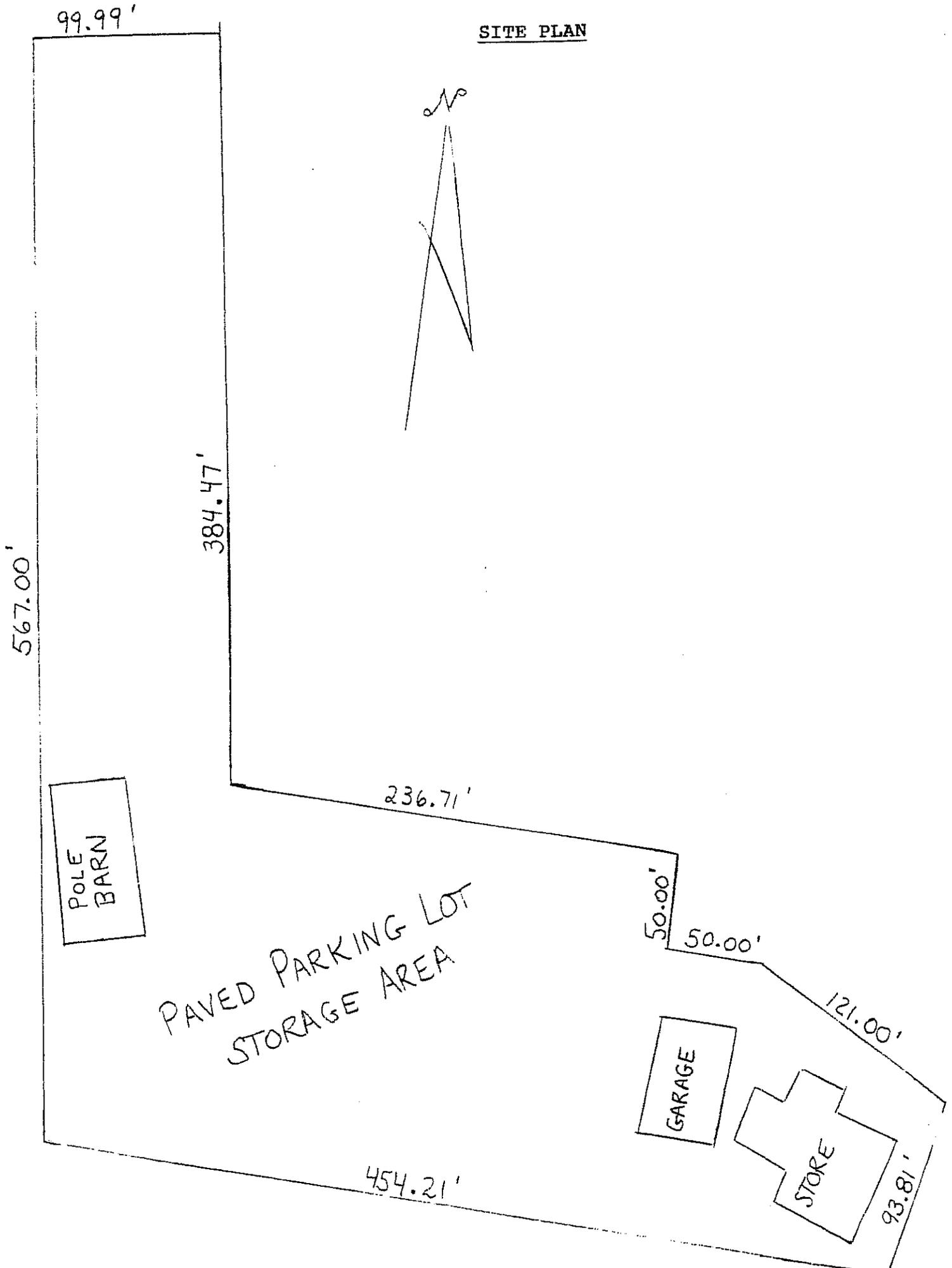
Jerome Wrzesinski

Kathy Wrzesinski

Dated June 19, 2001

By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

SITE PLAN



POLE
BARN

PAVED PARKING LOT
STORAGE AREA

GARAGE

STORE

CERTIFICATE OF SURVEY

Showing a parcel of land being surveyed and described as per tax roll description.

Part N2/3 Gov't lot 3 Com where W. line Arthur St, Int. S. line of N2/3, N11° 03'E alg W. Line of Arthur St. 441.9 feet for P.O.B., N72°W 121 ft., W. 50 ft., N. 50 ft., W. 228.9 ft.; N9° 52'W to N. line lot 3, W. along N. line lot to E. line of R.R. R/W, S9° 52'E to a pt N9° 52'W 350 ft. of S. line of N2/3 of Gov't lot 3, E. to W. line Arthur St., Nly along St. to P.O.B. Sec. 1 T21N R17W Manistee County, Michigan.

BEING FURTHER DESCRIBED AS: A part of the N2/3 of Gov't lot 3 Sec. 1 T21N R17W Manistee County, Michigan, Commencing at a point where the west line of Arthur Street (sometimes known as US-31) intersects the S. line of the N2/3 of said Gov't lot 3; thence N11° 03'E 442.11 ft. along said west line of Arthur street for a P.O.B.; thence N71° 42' 40"W 121.00 ft.; thence N89° 57' 19"W 50.00 ft.; thence N0° 02' 41"E 50.00 ft.; thence N89° 57' 19"W 236.71 ft.; thence N9° 18' 53"W 384.47 ft. to the N. line of said Gov't lot 3; thence N89° 51' 49"W 99.99 ft. along said N. line to the E. R.R. R/W; thence S9° 18' 53"E 567.00 ft. along said R.R. R/W; thence S89° 57' 19"E 454.21 ft. to the W. R/W line of said Arthur Street; thence N11° 03'E 93.81 ft. to the P.O.B. The above described parcel being subject to any rights-of-way or easements of record.

I, Anthony M. Slawinski, hereby certify that I have surveyed and mapped the above described parcel(s) of land in accordance with Act 132, P.A. 1970, and that the error of closure was no greater than 1:5000.

SURVEYED FOR:

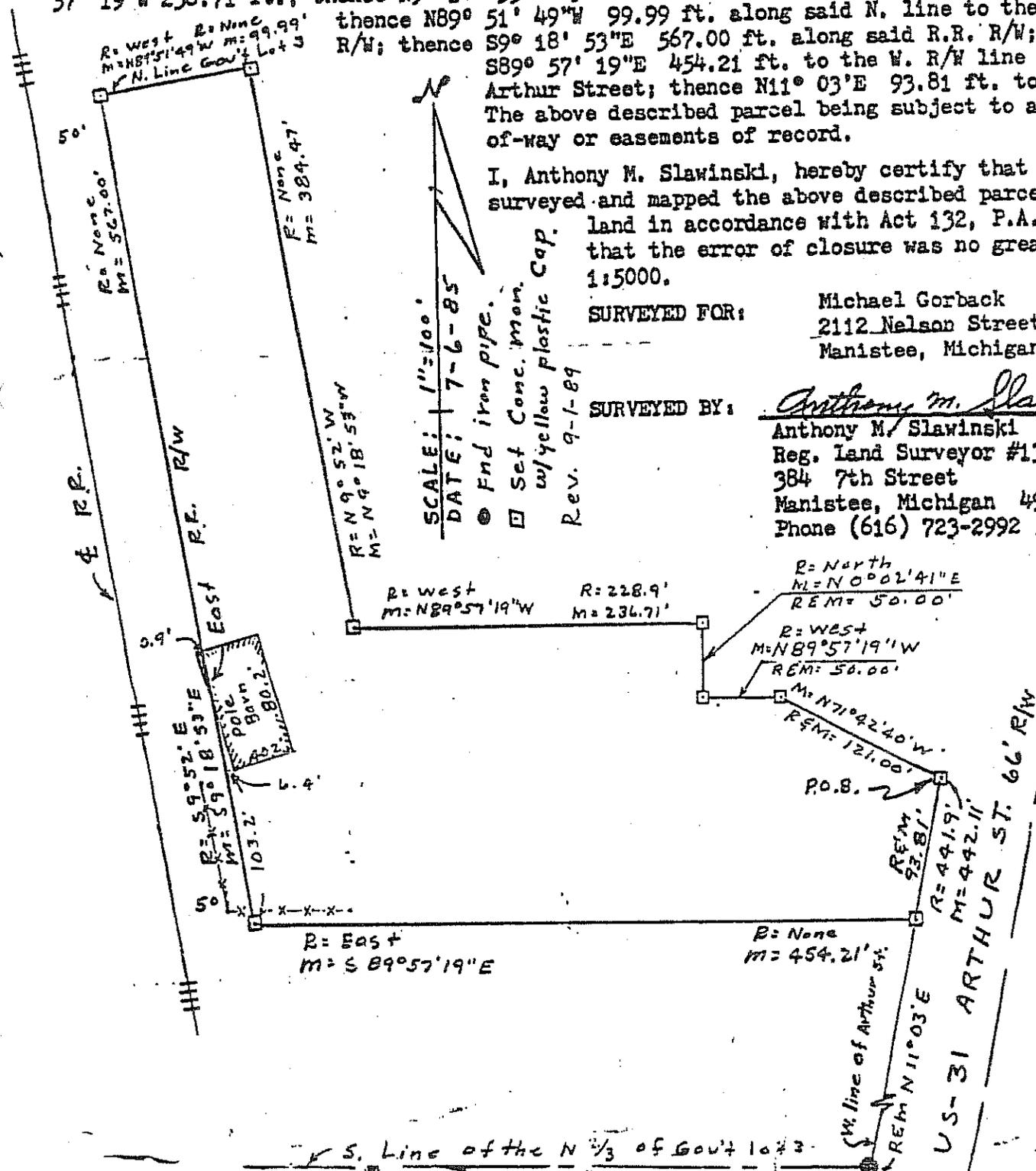
Michael Gorback
2112 Nelson Street
Manistee, Michigan 49660

SURVEYED BY:

Anthony M. Slawinski
Anthony M. Slawinski
Reg. Land Surveyor #13597
384 7th Street
Manistee, Michigan 49660
Phone (616) 723-2992

SCALE: 1"=100'
DATE: 7-6-85

- Fnd iron pipe.
 - Set Conc. mon. w/ yellow plastic cap.
- Rev. 9-1-89



PARCEL 1. A part of the North 2/3 of Lot Three (3), Section One (1), Township Twenty-one (21) North, Range Seventeen (17) West, commencing at a point where the West line of Arthur Street intersects the South line of the North 2/3 of said Lot 3, thence North $11^{\circ}03'$ East along the West line of Arthur Street 441.9 feet to an iron stake for a place of beginning of this description, thence North 72° West 121 feet, thence West to a point 100 feet East of East line of the railroad right-of-way, thence North $9^{\circ}52'$ West and 100 feet distant from such railroad right-of-way to the North line of said Lot 3, thence West along the North line of said Lot to the East line of said railroad right-of-way, thence South $9^{\circ}52'$ East to the Northwest corner of land formerly sold to Socony Vacuum Oil Company, thence East along the North line of said land 350 feet, thence continuing East to the West line of Arthur Street, thence Northerly along the West line of Arthur Street to place of beginning.

PARCEL 2. Also a parcel of land being in the North 2/3 of Government Lot 3, Section One (1), Township Twenty-one (21) North, Range Seventeen (17) West, commencing at a point where the West line of the right-of-way of Arthur Street (Sometimes known as U.S. 31) intersects the South line of the North 2/3 of said Lot 3, thence Northerly along the West line of the right-of-way of said street 441.9 feet, thence North $71^{\circ}43'$ West 121 feet, thence West 50 feet for place of beginning of this description, thence continuing West 228.9 feet, thence N $9^{\circ}23'$ West 50 feet, thence East to a point due North of place of beginning, thence South 50 feet, more or less, to place of beginning. Manistee County, Michigan.

Exhibit "A"

resident/manager of the facility and sufficient off *street parking space* to provide one (1) space for each outside employee on any respective shift.

- C. Shall be operated in a manner which will not disturb the comfort and repose of the neighbors in the neighborhood.

1612. Mini/Self Storage Facility Special Use Standards

[Annotation: This section added by amendment, effective March 7, 1995]

- A. Each unit in facility shall have an exterior door.
- B. Each unit in facility shall be accessible by the owner or tenant on an unlimited basis.
- D. The storage of perishable goods, flammable, *toxic* or *hazardous substances* and the use the facility to store goods or products for commercial or industrial purposes is prohibited.
- D. There shall be no outdoor storage.
- E. The facility shall be limited to storage *use* only. No activities other than rental of storage units and pick-up and deposit of storage shall be allowed on the premises.
- F. This type of facility shall not front on highway U.S. 31. If the *parcel* fronts on highway U.S. 31 the facility must be located behind another *commercial establishment* or enough property must be provided between the facility and highway U.S. 31 to construct a *commercial establishment* in the future. "Enough property" as used in this paragraph shall mean at least ninety (90) feet of *depth*.
- G. The maximum *height* of the *structure* shall not exceed seventeen (17) feet.

1613. Public Warehouse Special Use Standards

[Annotation: This section added by amendment, effective March 7, 1995]

- A. Structure must be an existing non-residential *structure* which has been converted or adapted, without altering its exterior appearance, for the storage of customer's goods, wares and vehicles on a rental basis.
- B. The owner/operator of the facility will handle the storage of the placed items and vehicles.
- C. The customer will have limited access to their possessions.
- D. The storage of perishable goods, flammable, *toxic* or *hazardous substances* and the use the facility to store goods or products for commercial or industrial purposes is prohibited.
- E. There shall be no outdoor storage.

1614. Lumber Yards

[Annotation: This section added by amendment, effective September 2, 1997]

- A. Parcel size must be a minimum of 100,000 square feet
- B. All outside storage will be under roof.
- C. Six foot fence be allowed.
- D. Lights on the buildings only.
- E. Hours of operation are between the hours of 7:00 a.m. and 8:00 p.m.
- F. Access to property is only from a major street or state highway.

1615. Communication Towers

[Annotation: This section added by amendment, effective February 17, 1998]

- A. The following site and developmental requirements shall apply:
 - 1. A minimum site of point seven five (.75) acre with a minimum width to depth ratio of 1 to 2.
 - 2. The use of guyed wires is strictly prohibited within Residential districts.
 - 3. The base of the tower and wire cable supports shall be fenced with a minimum