

MANISTEE CITY PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

February 1, 2007

A Meeting of the Manistee City Planning Commission was held on Thursday, February 1, 2007 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 Vice Chair Fortier

ROLL CALL:

Members Present: Maureen Barry, Ben Bifoss, Dave Crockett, Ray Fortier, Eric Gustad, Tony Slawinski

Members Absent: Tamara Buswinka, Harlo Haines, Roger Yoder

Others: Dave Carlson (DDA), Tyrone Collins (Manistee Car Care), John Reed (Manistee Car Care), Julie Griffis (NAPA Auto Parts), Jon Rose (Community Development), Denise Blakeslee (Planning & Zoning) and Others

APPROVAL OF AGENDA:

MOTION by Tony Slawinski, seconded by Dave Crockett that the Agenda be approved as prepared.

With a roll call vote this motion passed 6 to 0.

Yes: Barry, Bifoss, Crockett, Gustad, Slawinski, Fortier
No: None

APPROVAL OF MINUTES:

Planning Commission Meeting of January 4, 2007

MOTION by Tony Slawinski, seconded by Dave Crockett that the minutes of the January 4, 2007 Planning Commission Meeting be approved.

With a roll call vote this motion passed 6 to 0.

Yes: Barry, Bifoss, Crockett, Gustad, Slawinski, Fortier
No: None

PUBLIC HEARING:

Dennis P. McCarthy, Blarney Castle Oil Co. - A hearing has been scheduled to allow input from the Public in response to the request from Dennis P. McCarthy, Blarney Castle Oil Co. for a Special Use Permit. The Special Use Permit is for an Automobile Repair Facility at 145 Harrison Street located in the C-2 Zoning District.

Tyrone Collins and John Reed, Manistee Car Care - Mr. Collins and Mr. Reed want to open the Automobile Repair Facility. They have already been improving the site and Mr. Collins owns Ludington Car Care in Ludington and feel there is a need for this facility in Manistee.

Julie Griffis, Napa Auto Parts - Ms. Griffis owns the Napa Auto Parts store in Bear Lake. They will be providing auto parts for the proposed Automobile Repair Facility and spoke of how the business will help their business located in the same county. Ms. Griffis supports the request.

There were two letters sent in response to the notice of Public hearing Vice Chair Fortier read the letters into the record:

- Sam H. Miller, Miller Bros. Iron & Metal Co. - Letter in support (attached)
- Alice and Tom Morris, 156 Harrison Street - Letter in opposition (attached)

There being no further public comments the public hearing was closed at 7:08 p.m.

NEW BUSINESS:

Dennis P. McCarthy, Blarney Castle Oil Co.

A Public Hearing was held earlier in response to the request from Dennis P. McCarthy, Blarney Castle Oil Co. for a Special Use Permit for an Automobile Repair Facility at 145 Harrison Street located in the C-2 Zoning District.

The applicant was asked to respond to several of the concerns expressed in the letter of opposition from Mr. & Mrs. Morris. The questions and responses were as follows:

- ▶ Cars being worked on outside.
Cars will be repaired inside the building there are two bays for that purpose. They may take a tire off a vehicle outside and repair a tire on occasion.
- ▶ Towing of vehicles at all hours of the day-night
A tow truck may drop off a vehicle and leave it on site after a break down, but the majority of their business is to have people bring their vehicles and take them out. They do not want vehicles to sit around.

- ▶ Concern over the revving of engines.
Mechanics do not rev engines and they do not do exhaust repair at their facility.
- ▶ Noise from snow removal.
Snow will be removed as necessary they want to keep a clean and neat facility.
- ▶ Cars for sale.
They would like the option to sell a vehicle and the ordinance allows up to two cars for sale at any one time.
- ▶ Fencing.
Jon Rose said that they are required to fence the dumpster. The applicant asked for additional time to fence the dumpster because of the weather.

MOTION by Ben Bifoss, seconded by Dave Crockett that the Planning Commission adopt a Resolution to Approve the Special Use Permit application for an Automobile Repair Facility at 145 Harrison Street. With the condition that the fence around the dumpster be installed within six months of the date of issuance.

With a roll call vote this motion passed 6 to 0.

Yes: Bifoss, Slawinski, Crockett, Barry, Gustad, Fortier
No: None

Resolution of Support Parks and Recreation Plan 2007 - 2012

The development of a Parks and Recreation Plan is necessary to ensure the orderly development of Parks and Recreation opportunities for the citizens and visitors to the community. A Parks and Recreation Plan is also required in order to apply for grants. The Planning Commissioners were give a copy of the Report to review and are now asked for a Resolution of Support.

MOTION by Ben Bifoss, seconded by Tony Slawinski the Planning Commission authorize the Chair and Secretary of the Planning Commission to sign a Resolution of Support of the Parks and Recreation Plan for 2007 - 2012.

With a roll call vote this motion passed 6 to 0.

Yes: Slawinski, Barry, Crockett, Gustad, Bifoss, Fortier
No: None

Appoint Alternate to serve on Zoning Ordinance Re-Write Committee

The Zoning Ordinance Re-Write Committee is continuing their review of areas of the Zoning Ordinance that need to be Amended. Due to a family illness a Member of the Committee will be out of town for two months. The Zoning Ordinance Re-Write Committee needs to schedule a meeting in February and with a shortage of members an alternate needs to be appointed.

Vice Chair Fortier appointed Maureen Barry to serve as an alternate on the Zoning Ordinance Re-Write Committee a Sub-Committee of the Planning Commission.

OLD BUSINESS:

None

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA:

None

CORRESPONDENCE:

None

STAFF REPORT:

The wrap up meeting of the "Finding Common Ground: Exploring Opportunities for Joint Planning Benzie and Manistee Counties" was held on January 31, 2007. The main focus of the workshops was to encourage municipalities to work together when there is an area of common interest.

In the past the Planning Commission has invited Manistee Township and Filer Township Planning Commission to attend a worksession/bus tour. Discussed trying to set up a worksession/bus tour this year possibly in May.

The Historic District Ordinance will have the first reading at the City Council Meeting on February 6, 2006 and could be adopted on February 20, 2006. At that time the Historic District Commission will be appointed and the Historic Overlay Review Committee will be disbanded.

MEMBERS DISCUSSION:

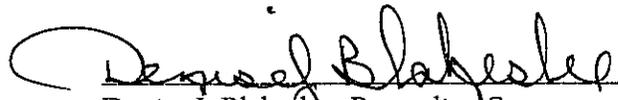
Dave Crockett commented on how well the Parks and Recreation Plan read.

ADJOURNMENT:

MOTION by Tony Slawinski, seconded by Maureen Barry that the meeting be adjourned. Motion passed unanimously.

MEETING ADJOURNED AT 7:30 P.M.

MANISTEE PLANNING COMMISSION


Denise J. Blakeslee, Recording Secretary

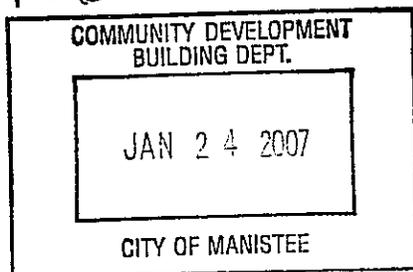
Jan 24, 2007

To whom it May concern,

We have no objections
to Blarney Castle Oil Co.
operating an oil change
garage at the corner
of Harrison St and US 31.

We encourage new
business in the city
of Manistee.

Sincerely,
Sam H Miller
Miller Bros Iron & Metal Co, Inc.



Alice Morris / Tom Morris
156 Harrison St.
Manistee, Mi. 49660-1239

January 13, 2007

Jon Rose
Community Development, City of Manistee
P.O. Box 358
Manistee, Mi. 49660

Dear Sir,

The purpose of this letter is to express our concerns about the request by Dennis P. McCarthy of Blarney Castle Oil Company P.O. Box 246 Bear Lake, Mi. 49614, for a Special Use Permit for an Automobile Repair Facility to be located at 145 Harrison Street, within the C-2 Zoning District in the City of Manistee.

We are opposed to a business of this nature at this location for the following reasons.

1. Disabled vehicles of all kinds will undoubtedly be allowed to accumulate in plain view. This will result in another unsightly "junk yard" appearance located on the main thoroughfare within the city limits. What sort of impression will this make upon our beloved tourists? We don't look forward to this view from our living room windows either.

Do you really want to permit another "grease pit" environment like the former Joe's Garage located at the corner of 5th & Ramsdell streets, or Van's Toeing located on 28th Street in Filer Township, or the little dumpy repair facility on the corner of Nelson & 21st Street??

2. Noise from a business of this nature is inevitable. Revving engines with loud exhausts, parts delivery and tow trucks arriving at all hours of the day or night, snow removal being performed in the pre-dawn hours, work being performed out doors in warm weather and all the noise associated with each of these, is virtually guaranteed .

We already have more than our share of these annoyances, having the dubious honor of living adjacent to an Auto Value parts store, a hideous rail road switching yard and a four lane highway, (U.S 31.)

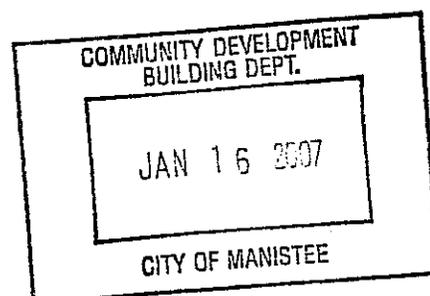
Allowing a business possessing these inherent characteristics to exist at this location would only add to the already lackluster appeal of the U.S. 31 corridor and would be detrimental to near by residential property values as well as any chance for peace and quiet in and around this neighborhood.

Sincerely,

Alice Morris
Alice Morris

Tom Morris
Tom Morris

TEM





Planning Commission Resolution

WHEREAS, The City of Manistee Parks Commission has adopted a Parks and Recreation Plan for 2007 - 2012, and

WHEREAS, the development of the Parks and Recreation Plan is necessary to ensure the orderly development of Parks and Recreation opportunities for the Citizens of the Community as well as visitors, therefore now be it

RESOLVED, the City of Manistee Planning Commission hereby endorses the Parks and Recreation Plan of 2007 - 2012 for the City of Manistee.

 2-1-07
Ray Fortier, Vice Chair Dated
City of Manistee Planning Commission

ATTEST:

I, Maureen Barry, Secretary of the City of Manistee Planning Commission, hereby certify that the foregoing resolution is a true and correct copy of the resolution adopted by the Planning Commission at their meeting of February 1, 2007.

 2/1/07
Maureen Barry, Secretary Dated
City of Manistee Planning Commission

City of Manistee
Planning Commission Resolution of Approval
Special Use Permit, Case Number PC-2007-01
Dennis P. McCarthy, Blarney Castle Oil Co.

At a regularly scheduled meeting of the City of Manistee Planning Commission held on February 1, 2007, the following resolution was adopted pertaining to Amending the Special Use Permit for an Automobile Repair Facility.

Planning Commissioner Ben Bifoss moved, supported by Planning Commissioner Dave Crockett, the adoption of the following resolution.

WHEREAS, on December 20, 2006 a request was received from Dennis P. McCarthy, Blarney Castle Oil Co. for a Special Use Permit for an Automobile Repair Facility at 145 Harrison Street, and

WHEREAS, an Automobile Repair Facility is provided for as a Special Use under the C-2 Neighborhood Commercial Zoning District, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed development on February 1, 2007, and

WHEREAS, the Planning Commission has received written comment, reviewed the Site, and has completed review of the application, Site input of the Applicant and the input received at said public hearing, now therefor, be it

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.

And, be it further

RESOLVED, that the Special Use Permit for the project as proposed by the Applicant be, and is hereby, approved subject to the following Requirements and Conditions established by the City of Manistee Zoning Ordinance for an Automobile Repair Facility:

1. Dismantled, wrecked or inoperable vehicles or any vehicle parts or scrap of any kind shall not be kept outdoors where they are visible from any adjoining property or right-of-way. The Planning Commission may require an opaque fence up to eight (8) feet in height and/or an evergreen landscape buffer not less than eight (8) feet in height at time of planting to buffer any vehicles from neighboring uses or passers-by.
2. Not more than two (2) vehicles shall be parked on site for the purpose of selling or renting such vehicles.
3. All exterior lighting shall be in accordance with Section 525 hereof.
4. All equipment including hydraulic hoists, pits, lubrication and repair facilities shall be entirely enclosed within a building. No outdoor storage of merchandise or equipment shall be permitted.
5. All hazardous material storage and handling shall be conducted in accord with Section 520 hereof, and with any applicable State or Federal requirements.
6. All repair and maintenance activities shall be performed entirely within an enclosed building.
7. The Planning Commission may establish hours of operation for such uses consistent with the character of the land uses in the vicinity.
8. All signs shall be in accordance with Article 21 of this Zoning Ordinance.
9. All parking shall be in accordance with Section 514 of this Zoning Ordinance.
10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

11. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines and that the fence for the dumpster be installed within six months of issuance of the permit (August 1, 2007).

CITY OF MANISTEE PLANNING COMMISSION:

AYES: Bifoss, Slawinski, Crockett, Barry, Gustad, Fortier

ABSTAINING: None

NAYS: None

ABSENT: Buswinka, Haines, Yoder

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 February 1, 2007

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

Maureen Barry Dated
Secretary, City of Manistee Planning Commission

On _____, 2007, before me, a Notary Public in and for said County, personally appeared Maureen Barry, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be her free act and deed.

Notary's
Stamp _____
(Notary's name, county, acting in County,
and Date Commission expires)

Notary's Signature