

# MANISTEE CITY PLANNING COMMISSION

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

## MEETING MINUTES

DECEMBER 5, 1991

The regular meeting of the Manistee City Planning Commission was held on Thursday, December 5, 1991 at 7:15 P.M. in the City Council Chambers of City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 7:15 P.M. by chairman, Roger Yoder.

**MEMBERS PRESENT:** R. Bruchan, R. Franckowiak, D. Johnson, J. Lakos, J. Pruis, J. Schimke, K. Thompson, R. Yoder

**MEMBERS ABSENT:** A. Slawinski

**OTHERS PRESENT:** Jon Rose (City Code Administrator), Tom Kubanek, Frank Gilbert, Jan Kenny, Bob Kenny, Dale Picardat, Ben Bifoss (City Manager), Kurt Schindler, Scott Brooksmiller, Rose Pomeroy Lamb.

### PUBLIC HEARING:

#### SPECIAL USE PERMIT FOR BED & BREAKFAST AT 516 MAPLE STREET-

**YODER:** Outlined the purpose of the public hearing and requested that the Kennys summarize their request.

**JAN KENNY:** Proposing one or two rooms (maximum of three) available for rent. Have had people come to their door asking if rooms were available.

**YODER:** Asked Rose if any correspondences have been received concerning the request.

**ROSE:** All neighbors within 300 feet were notified, however no correspondence has been received.

**FRANCKOWIAK:** Asked if we have any published rules and regulations governing bed and breakfasts.

**YODER/JOHNSON:** Advised that we have adopted a set of standards for bed & breakfasts, which have been forwarded to the city council for inclusion in the zoning ordinance. These items would be included in any permit that we may issue.

**YODER:** Asked if Mr. & Mrs. Kenny were given a list of the standards.

**ROSE:** Only those items currently in the ordinance.

**JOHNSON:** Indicated that on the application a "Guest House" is listed. Asked if living quarters would be provided in a structure separate from the main house.

**JAN KENNY:** No.

**THOMPSON:** Asked if the Kenny's understood the signage requirements, maximum of three square feet, unlighted and flat against the building.

**BOB KENNY:** Felt that was too much signage, but understood the requirements.

**YODER:** Asked if there was sufficient off street parking.

**JAN KENNY:** The driveway is paved, with three parking places in the yard and two in the garage for their use.

**YODER:** Asked for any questions and concerns from the commission members. None were noted. Advised that the request would be discussed further later in the meeting and adjourned the hearing at 7:21 p.m.

#### PROPOSED ADULT FOSTER CARE HOME AT 512 MAPLE STREET-

**YODER:** Called the hearing to order at 7:21 p.m. and explained the purpose of the hearing and asked the applicant, Rose Pomeroy Lamb, to summarize her request.

**LAMB:** Currently licensed as an AFC for six patients. Has had so many referrals that she has had to turn people away. She currently has four people on a waiting list and wants to increase her license from six to eight. She actually has enough room for twelve, but wants to keep it smaller.

**YODER:** Asked how long the house has been currently licensed.

**LAMB:** This house has been licensed for about a year, while her big house next door has been licensed from approximately 18 years.

**YODER:** Asked Rose if any correspondences have been received concerning the request.

**ROSE:** All neighbors within 300 feet were notified, however no correspondence has been received. Advised for the record that a six bed AFC home is considered a residential use, per a ruling issued by the State Attorney General, and zoning has no control on where

they are located. Over six patients, the operation becomes commercial and comes under zoning control. AFC homes are a special use in that neighborhood, thus the special use application.

YODER: Asked for comments or concerns. None were noted and the hearing was adjourned at 7:24 p.m.

#### **SITE PLAN REVIEWS:**

##### **ABONMARCHE LANDSCAPE DESIGN-**

Rose and Picardat made the presentation to the commission on behalf of Abonmarche. The plan included lighting, flag poles, hotel entrance and tree planting. Following discussion it was moved by Schimke, supported by Bruchan, to approve the plan, subject to the approval of the Historic Overlay District Review Committee's approval with the exception of the flag poles which exceed thirty (30) feet. MOTION CARRIED.

#### **QUESTIONS & CONCERNS:**

##### **PRESENTATION BY FRANK GILBERT-**

Mr. Frank Gilbert from the National Trust for Historic Preservation, Washington, D.C., who has been hired by the DDA to work on rewriting the Historic Overlay District ordinance made a presentation to the commission. He indicated that he would build on the existing ordinance and tie in with PA 69 of 1976 to expand the ordinance to enable greater enforcement. Goal would be to process applications in a way to find appropriate ways to meet the current needs and which is reasonable to be carried out. He indicated that the Supreme Court has found that Historic preservation is a reasonable municipal goal, coupled with the owner's right to use the structure in a reasonable manner.

Scott Brooksmiller from the State Historic Preservation Office, also spoke. He indicated that a new ordinance needs to be broad based, cooperative effort and user friendly.

When asked if language concerning signage should be in the Historical District Ordinance or in a separate Sign Ordinance, they responded that size and number of signs should be in the sign ordinance, while location, materials, lettering, etc should be handled under the Historic District Ordinance.

**CONSIDERATION OF MATTERS:** None

**MINUTES** It moved by Lakos, supported by Bruchan, that the minutes of the November 7th meeting be corrected to show Bruchan absent and approved. MOTION CARRIED.

##### **SIGN ORDINANCE**

Special meeting scheduled for December 10th to continue work.

##### **MASTER PLAN AMENDMENTS**

Tabled.

##### **CONFLICT OF INTEREST POLICY**

At the last meeting a draft of a conflict of interest policy was distributed so that it could be reviewed for this meeting. In reviewing, it was felt that we could utilize basically sections I & III, with the exception of item IIIc. It was felt that in as much as the commission does have a set of by-laws, this policy could be incorporated into that, along with any other policies that been adopted. Action on the policy was tabled until the next regular meeting. Johnson indicated that he would try to print out a copy of the by-laws and incorporate the proposed policy for the next meeting.

##### **CITY UPDATE**

Picardat reported on:

1. Grant has been approved for the marina bathhouse.

##### **D.D.A.**

Picardat reported on:

1. Frank Gilbert's presentation.

##### **ZONING BOARD OF APPEALS**

No report.

**SITE PLAN REVIEW &  
HISTORICAL OVERLAY COMMITTEE**

A brief report was given by Thompson.

**SPECIAL USE PERMIT FOR BED & BREAKFAST AT 516 MAPLE STREET-**

A discussion was held concerning the proposed special use permit for a Bed & Breakfast at 516 Maple Street. It was moved by Johnson, supported by Lakos, that a Special Use Permit be granted, but including the bed and breakfast standards as previously adopted by the commission. MOTION CARRIED.

**SPECIAL USE PERMIT FOR AFC HOME AT 512 MAPLE STREET-**

A discussion was held concerning the proposed special use permit for a AFC Home at 512 Maple Street. It was moved by Franckowiak, supported by Lakos, that a Special Use permit be granted, but for maximum of eight (8) residents. MOTION CARRIED (Thompson abstained).

**PARKS AND RECREATION PLAN-**

The proposed parks and recreation plan, as drafted by the Parks Commission, was presented the City Manager, Ben Bifoss. He indicated that the plan is needed to apply for grants. He admitted that there was more listed in the plan than was needed, but it is the policy of those reviewing plans for grant consideration, if the item for which grant money is being sought is not in the plan, a grant cannot be made. It was moved by Thompson, supported by Lakos, to endorse the plan to the City Council. Before a vote was taken, several members indicated that they would not vote on a document that they have not had an opportunity to read. At that time the motion was withdrawn. It was decided to take action on the matter at a Special Meeting on Tuesday, December 10th at 7:00 p.m. in Picardat's office.

**MEETING DATES FOR 1992-**

Johnson presented at list of proposed dates for the regular commission meetings in 1992. Each of the given dates was the first Thursday of the month. During discussion it was felt that the January, July and December meetings should be changed to the second Thursday, due their close proximity to New Years, Fourth of July and the Victorian Christmas activities. It was moved by Lakos, supported by Bruchan, that the following dated be approved and published as the Commission's regular meeting dates for 1992:

January 9th	May 7th	September 3rd
February 6th	June 4th	October 1st
March 5th	July 9th	November 5th
April 2nd	August 6th	December 10th

MOTION CARRIED.

**ELECTION OF OFFICERS FOR 1992-**

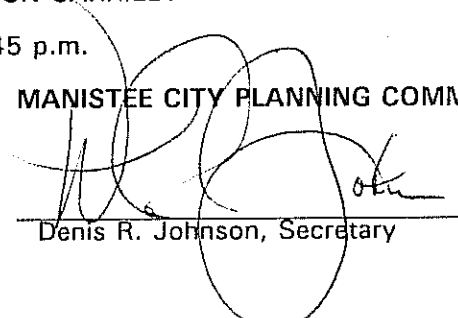
The next order of business was the election of officers for 1992. Roger Yoder was nominated for Chairman by Lakos, support by Thompson; Thompson was nominated for Vice Chairperson by Franckowiak, supported by Schimke and Johnson was nominated for Secretary by Lakos, supported by Franckowiak. It was moved by Schimke, supported by Lakos, that an unanimous ballot be cast. MOTION CARRIED.

**ADJOURNMENT**

There being no further business, it was moved by Lakos, supported by Prius, that the meeting be adjourned. MOTION CARRIED.

The meeting adjourned at 9:45 p.m.

**MANISTEE CITY PLANNING COMMISSION**

  
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Denis R. Johnson, Secretary

