

MANISTEE CITY PLANNING COMMISSION  
70 Maple Street  
Manistee, MI 49660

MEETING MINUTES

April 6, 2000

A meeting of the Manistee City Planning Commission was held on Thursday, April 6, 2000 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Ray Fortier, Kristie Harless, John Lakos, Phil Picardat, John Serocki

**MEMBERS ABSENT:** Bob Hornkohl, Tony Slawinski, and Roger Yoder

**OTHERS PRESENT:** Steve Harold (Manistee County Museum), Cyndy Fuller (Harbor Village), Duane Jones (Lighthouse Landings), Jim Mrozinski (Onekama Marine), Bill Garland (Aztec), Jeff Mikula (Abonmarche), Jon Rose (Community Development) and Denise Mikula (City Staff)

Meeting was open at 7:03 p.m. by Vice-Chair Kristie Harless.

**PUBLIC HEARING:**

Manistee Village Partners - Amendment to PUD

An application has been received from Manistee Village Partners to modify their Planned Unit Development Special Use Permit to resolve an encroachment issue between 57 and 61 Anchor Rode Drive. A modification in the design of the building made each unit longer resulting in a 11 foot 6 inch set-back between buildings instead of the required 15 feet.

Cyndy Fuller, President of Harbor Village explained how the error occurred and that they have added an additional 3 feet 6 inches between building #4 and #5 so that no benefit is gained by the error.

A memo was read from Fire Chief Sid Scrimger. Chief Scrimger said in the memo that he did not have any problems with the reduced set-back as long as a clear ten foot (no landscaping) strip remained between buildings.

There being no further discussion the Public Hearing for Manistee Village Partners - Amendment to PUD was closed at 7:09 p.m.

### **CITIZEN QUESTIONS AND CONCERNS:**

None

### **APPROVAL OF MINUTES:**

MOTION by John Lakos, seconded by Ray Fortier, that the minutes of the March 2, 2000 Planning Commission Meeting be approved. Motion approved unanimously.

### **UNFINISHED BUSINESS:**

None

### **NEW BUSINESS:**

#### Amend Agenda

MOTION by John Serocki, seconded by Ray Fortier to modify the agenda by removing item #5 Lot Split/Combination - Ringel Real Estate (encroachment) and adding Site Plan Review from Aztec. Motion passed unanimously.

#### Manistee Village Partners - Amendment to PUD

A Public Hearing was held earlier in response to a request from Manistee Village Partners to modify their Planned Unit Development Special Use Permit to resolve an encroachment issue between 57 and 61 Anchor Rode Drive.

MOTION by John Serocki, seconded by Ray Fortier that the request for a modification to the Planned Unit Development Special Use Permit for Manistee Village Partners to reduce the set-back between 57 & 61 Anchor Rode Drive from 15 feet to 11 feet 6 inches be approved with the condition that a 10 ft wide shrubbery-free space be maintained between buildings. Motion passed unanimously.

#### Lighthouse Landings - deadline extension

Duane Jones asked to speak to the Planning Commission about two different requests. First is the extension of the deadline for removal of the decks be extended an additional 5 days. Mr Jones has experienced difficulties in finding help to work at the development and was unable to begin plans for removal until after the Council Meeting of March 21<sup>st</sup>.

MOTION by Ray Fortier that no extension be given. No second was made.

MOTION by Phil Picardat, seconded by John Serocki that Lighthouse Landings be granted an extension until 8:00 a.m. Tuesday, April 11<sup>th</sup> to have the encroaching areas of the decks removed. Motion passed with voting as follows: Lakos, Picardat, Serocki - yes  
Fortier, Harless - no

#### Lighthouse Landings - landscaping

Mr. Jones said that Lighthouse Landings is beginning to landscape the west side of their property next to Tom Kubanek's property. Condition # 5 of their Special Use Permit reads "A fence shall be provided along the easternmost property line." The proposed landscaping would include a retaining wall that will be constructed near units #31 & #32.

Jon Rose said that a fence may be required at the top of the retaining wall for safety reasons. Mr. Rose said that the design should be worked out between Lighthouse Landings and Tom Kubanek the adjoining property owner. It was also suggested that the remaining portion of the project be staked every 50 feet along the property line in the areas where there is still construction to avoid further encroachment problems.

MOTION by Ray Fortier, seconded by John Serocki that the retaining wall and fence for Lighthouse Landings be approved with the condition that Tom Kubanek has final approval of design and that the remaining area of the project under construction be staked every 50 feet along the property line to eliminate potential encroachments. Motion passed unanimously.

#### Net Shed/Riverwalk - Site Plan

Steve Harold, Manistee County Historical Museum said that there has been five years of planning to add 19 historical interpretive stations along the Riverwalk. There will be 18 displays at different locations along the Riverwalk in addition to the Net Shed. The public will not enter the Net Shed. It will be constructed to allow viewing thru the windows. A previous application to the DEQ to allow construction of the Net Shed at the sand bar to the west of the current proposal was refused due to the proximity to a wetland. The current location has received permits from both the Corps of Engineers and the DEQ. Plans are to begin placing pilings next week. The current location was chosen with a 50 foot area between the Net Shed and existing Marina as a buffer.

#### Jim Mrozinski, Onekama Marine Inc. - River Frontage for Marina

Correspondence has been received from the Manager's office in response to Onekama Marine's desire to lease an additional 440 feet of property west of their current lease at Cedar Street Marine.

Jim Mrozinski, Onekama Marine said that he has purchased the property to the east of the existing marina and the acquisition of this property would allow the necessary parking needed for the marina expansion. Mr.

Mrozinski is in the process of upgrading the docks, deck and building at the current marina and would like to lease from the City the 440 feet to the west of his current Marina.

Mr. Rose explained that a Public Hearing would be necessary to allow the necessary expansion of the Parking Lot since the property is zoned C-4A. Also the museum needs to begin construction on the dock next week in order to meet the grant deadline.

Mr. Mrozinski said that he would like to opportunity to try. He said that he would be willing to call the DEQ and Corps of Engineer and ask if the permit could be amended to relocated the net shed to the previous location at the sand bar.

Mr. Rose reminded him that a 50 foot buffer would be required on both sides for the Net-Shed.

MOTION by John Lakos, seconded by John Serocki that the Manistee County Historical Society be allowed to construct a Net Shed at either the current location or the previous location at the sand bar if approved by the Corps of Engineers and DEQ. Motion passed with Phil Picardat abstaining.

MOTION by Ray Fortier, seconded by John Lakos that Onekama Marine be given until 5:00 p.m. Wednesday, April 12, 2000 to receive written approval from the DEQ and Corps of Engineers for the relocation of the Net Shed to the sand bar. Motion passed with Phil Picardat abstaining.

#### Lot Split & Combination - Ringel Real Estate

The Lot Split & Combination request from Ron Ringel was withdrawn by Mr. Ringel by letter on April 4, 2000.

MOTION by Ray Fortier, seconded by John Serocki that Item #6 English & Associates Real Estate - City Property be moved to after Aztec - Site Plan Review since no one is in attendance from English & Associates. Motion passed unanimously.

#### Aztec Producing Company, Inc. - Site Plan Review

An application has been received from Aztec Producing Company to allow construction of a metal building at the four oil and gas wells located at the Aztec Site to enclose a natural gas compressor for oil and gas production purposes. The building is for noise abatement and weather protection.

A memo from Jon Rose who did a Site Plan Review of the request shows that the building can be allowed under Article 80 Nonconformities of the City of Manistee Zoning Ordinance.

Bill Garland, Aztec Producing Company said that the building was approved by the DEQ and that construction was stopped before all the insulation was installed.

Mr. Rose said that he had received a complaint about the noise from the compressor. Mr. Garland assured that the noise from the compressor would not be audible from the road once the building was insulated.

MOTION by John Serocki, seconded by Ray Fortier that the request for a Site Plan Review from Aztec Producing Company to allow the construction of a metal building at the Aztec Site to enclose a natural gas compressor for gas production purposes be approved with the condition that no noise be audible from the street. Motion passed with Kristie Harless abstaining.

#### English & Associates Real Estate - City Property

Frank D. English, English & Associates Real Estate is investigating the sale of City owned property next to Richard Najdowski's residence 255 Eighth Street (parcel 51-51-612-375-12).

Mr. Rose gave background information on the history of the Najdowski property. Mr. Najdowski built his garage on the undeveloped portion of Center Street in error. The City then vacated and sold Mr. Najdowski the Northern portion of Center Street retaining a five foot easement for foot traffic. Mr. Najdowski was under the impression that he had bought both the northern and southern portion of Center Street.

Mr. Najdowski has retired and no longer has a need for the garage and would like to sell the garage. The zoning ordinance does not allow an accessory structure to be split into a parcel without a primary structure. A buyer has been found who agrees to build the required primary structure and meet any other conditions the City would require to allow the split.

A request has been received from Frank D. English, English & Associates Real Estate is investigating the sale of City owned property next to Richard Najdowski's residence 255 Eighth Street. The City owned property are identified as parcel #51-51-612-375-03 and #51-51-612-375-15.

MOTION by John Serocki, seconded by John Lakos that a recommendation be forwarded to City Council recommending the sale of parcel #51-51-612-375-03 and parcel #51-51-612-375-15.

#### **OTHER COMMUNICATIONS:**

Jon Rose said that a request has been received from Rich Robinson for a Site Plan Review for removing the existing garage and building a garage addition on the back of the building at 719 Kosciusko Street. The request will require a variance from the Zoning Board of Appeals and we will call a meeting of the Site Plan Review Committee.

**WORK/STUDY SESSION:**

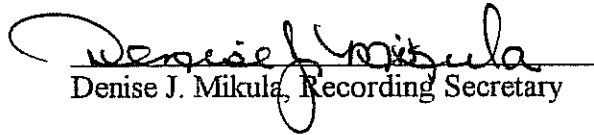
At the April 20<sup>th</sup> Worksession we will joint the Charter Township of Filer Planning Commission at the Filer Township Hall.

**ADJOURNMENT:**

MOTION by Phil Picardat, seconded by Ray Fortier that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 8:45 p.m.

MANISTEE PLANNING COMMISSION

  
Denise J. Mikula, Recording Secretary