

MANISTEE CITY PLANNING COMMISSION  
70 MAPLE STREET  
MANISTEE, MI 49660

MEETING MINUTES

NOVEMBER 1, 2001

A meeting of the Manistee City Planning Commission was held on Thursday, November 1, 2001 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

**MEMBERS PRESENT:** Greg Ferguson, Ray Fortier, Phil Picardat, John Serocki, Tony Slawinski and Roger Yoder

**MEMBERS ABSENT:** Bob Davis and David Kelley

**OTHERS :** John & Suzanne Riley (113 Maple Street), William Kracht (403 First Street), Robert Linn (372 Second Street), William Nankee (384 Second Street), Hugh Reinhardt (512 Maple Street), Clare Peterson (211 Maple Street), Martha Somsel (202 Maple Street), Alan Verheek (417 Second Street), Carol Sullivan (418 Second Street), Chris Heidel (390 Second Street), Jeff Mikula (Abonmarche), Jon Rose (Community Development) and Denise Mikula (City Staff) and others in the audience

Meeting was open at 7:00 p.m. by Chairman Roger Yoder

**PUBLIC HEARING:**

John & Suzanne Riley - Zoning Amendment

John & Suzanne Riley are requesting a Zoning Amendment to re-zone the two buildings at 111 & 113 Maple Street. Ms. Riley owns the house at 113 Maple Street and Mr. Riley and his parents own the house at 111 Maple Street. The property is currently zoned R-4 Residential and they would like to change the zoning to C-4 Commercial. Currently the Ramsdell Theater and Methodist Church property located on the north side of the block is zoned C-4 Commercial.

**William Kratch, 403 First Street**

Mr. Kratch is strongly opposed to the proposed re-zoning of the buildings at 111 & 113 Maple Street. Mr. Kratch read a prepared speech stating his concerns over the proposed re-zoning. A copy of the speech is attached as part of the record.

**Robert Linn, 372 Second Street**

Mr. Linn asked for clarification on the differences between the R-4 Residential Zoning District and the C-4 Zoning District. Mr. Rose said that the re-zoning of this property would allow the same uses that are in the downtown district. Mr. Rose read the permitted use section of the C-4 Zoning District.

**William Nankee, 384 Second Street**

Mr. Nankee is the owner of the house second house to the east of 113 Maple Street. Mr. Nankee express his concern over the impact to the neighborhood. The Church has demolished several homes on the block for parking and he feels this has lowered the value of his property. Asked what the Riley's intention is for this property. Ms. Riley said that they are proposing using the property for a Century 21 Real Estate Agency. Mr. Nankee express concerns over the amount of traffic and parking. Mr. Rose said that the C-4 Zoning would not require any off street parking. Mr. Nankee asked about the hours of operation.

Ms. Riley said that at the real estate office she currently works at they are opened between 8:00 a.m. and 5:00 p.m. The office hours would be similar. Occasionally they will meet a client after hours and on weekends. She said that the parking lot at the agency she currently works at is usually empty except for the agents and appraisers. Clients often meet the agent at the homes that are for sale and there is little traffic in the office.

Mr. Nankee asked about the noise if another use were to go into the building. Jon Rose said that any business would have to abide by the noise ordinance the City has in effect. Mr. Nankee stated that he was opposed to the proposed zoning change for 111 and 113 Maple Street.

**John and Suzanne Riley, 111 & 113 Maple Street**

Ms. Riley would like to open a Century 21 Real Estate office at 113 Maple Street. Ms. Riley invited the people in attendance and members of the Planning Commission to view the house and see that even though the structure looks very large the house would not be viable to be used for a restaurant or bar.

Ms. Riley and her father have owned the house since 1997 and have won an award from the Uniqueness Committee for their improvements to the house. They do not want to change the historical integrity of the home. Ms. Riley has had the house for sale on the market for the past four years and has not been able to sell it.

Mr. & Mrs. Riley who own the house at 111 Maple Street and the Methodist Church have expressed their support for this project. The property at 113 Maple Street includes a half lot adjacent to the alley and this area will be paved for off site parking. Ms. Riley said that at her current employers real estate office a majority of their parking lot is not used. The hours of operation would be between 8:00 a.m. and 5:00 p.m. with an occasional evening or weekend appointments scheduled to accommodate a client. She feels this would have a low impact on the neighborhood.

The C-4 Commercial district ends at the Ramsdell Theatre on the north side of the block. Under the R-4 Zoning a Real Estate Office would require a Special Use Permit, off street parking and has sign limitations.

**Hugh Reinhardt, 512 Maple Street**

Mr. Reinhardt has a concern over the change to Commercial Zoning. Mr. Reinhardt feels that there currently is a lot of vacant commercial property that should be considered before changing a residential building into a commercial building.

Suzanne Riley said that they have spent over \$100,000 to refurbish this home and have been unable to sell it as a residence.

**Clare Peterson, 211 Maple Street**

Mr. Peterson is opposed to the re-zoning of the property. He lives between the Seventh Day Adventist Church and the Doctors office on Maple Street and parking is difficult at all times. Mr. Riley said that they have approached the Methodist Church and have an agreement with them to use their parking lot for off street parking for the Real Estate Office.

Mr. Kratch said that re-zoning would result in no control over what were to happen to the property in the event that Mr. & Mrs. Riley sell the property.

**Martha Somsel, 202 Maple Street**

Ms. Somsel lives across the Street and is strongly opposed to the re-zoning of the property. She likes to live in a residential neighborhood and like the flavor of the neighborhood. They have a lot of elderly people in the neighborhood and they have put large amounts of money into their homes and are worried what the change in zoning would allow the building to be used for if the Riley's were to sell the property.

**Carol Sullivan, 418 Second Street**

Ms. Sullivan is new to the community. She has purchased a large home that is currently has three units. She lives in one unit and her brother lives in another. Since she has lived here she has not seen a soul in the house and would like to see the house used. She feels that the Riley's real estate office would do well at that location but has concerns if they were to sell the property then it could be used for another commercial use that would not fit with the neighborhood.

**Chris Heidel, 390 Second Street**

Mr. Heidel is the owner of the property east of 113 Maple Street. Mr. Heidel is not opposed to a Real Estate Office next to his property. He understands that the Riley's have had difficulty with renting the house due to the size and the amount of rent they need to ask for to cover their costs. Parking is difficult in the area during church services, but that only lasts four hours on Sundays. He did not feel the parking was much of an issue. Mr. Heidel would not be opposed to the real estate office if it could be allowed without changing the zoning of the property to commercial.

### **Correspondence**

Roger Yoder read four letters that have been received in response to this request.

John & Marina Riley, in favor of the request

Mr. & Mrs. Gerald Bialik (391 Second Street), opposed to the request

Reatha Johnson (395 Second Street), opposed to the request

Steve Harold, Manistee County Historical Museum , opposed to the request

Greg Ferguson asked Mr. Rose that this property is listed on the County Historical Register and if this has any impact on the proposed request. Mr. Rose said that zoning has no impact on the County Historical Register.

There being no further discussion the public hearing closed at 7:47 p.m.

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

No Questions or Concerns were expressed by the citizens in attendance.

### **APPROVAL OF MINUTES:**

Planning Commission Meeting Minutes, October 4, 2001

MOTION by Tony Slawinski, seconded by Greg Ferguson that the minutes of the October 4, 2001 Planning Commission be approved. Motion passed unanimously.

### **UNFINISHED BUSINESS:**

None

### **NEW BUSINESS:**

John & Suzanne Riley - Zoning Amendment

A public hearing was held earlier in response to a request from John & Suzanne Riley for a Zoning Amendment to change the zoning at 111 & 113 Maple Street from R-4 Residential to C-4 Commercial.

Roger Yoder expressed his concern about changing the Zoning of the property. Phil Picardat asked if they could apply for a Special Use Permit. Mr. Rose said that they would have the option to come back and request a Special Use Permit and may need a variance if they were unable to meet the parking requirements. Ray Fortier does not feel that the change in zoning would be a good idea.

MOTION by Ray Fortier, seconded by Phil Picardat that the request from John & Suzanne Riley to re-zone 111 & 113 Maple Street from R-4 Residential to C-4 Commercial be denied. Motion to deny the request passed with Tony Slawinski abstaining.

REQUEST DENIED.

#### OTHER COMMUNICATIONS:

Roger Yoder read a letter received from Edward Houk. Mr. Houk would like to see bike paths located within the City. Mr. Houk's letter mentioned adding a bike lane that would be attached to Maple Street Bridge may be an option. Mr. Houk wanted to submit his comments so that they would be included in the Master Plan Update.

Greg Ferguson said that Grand Haven has constructed an outside/attached bike lane to their bridge. He asked if anyone had seen this? Jeff Mikula said that there was an article in a magazine about bike lanes including bridge attached lanes. He will copy the article and forward it to the Commission.

Denise has been e-mailing Kurt Schindler about doing a training session for the Planning Commission members. Mr. Schindler has a meeting scheduled for December 13, 2001 but is still available on December 20, 2001. Denise asked the members if they would like to schedule a training session on that date. Consensus from the group was that date was too close to Christmas. Denise will contact Kurt for alternate dates and try to schedule something before the first of the year.

Tony Slawinski asked for a 150 day absence from the Planning Commission. MOTION by John Serocki, seconded by Ray Fortier that Tony be granted an excused absence from the Planning Commission. Motion passed unanimously.

#### WORKSESSION:

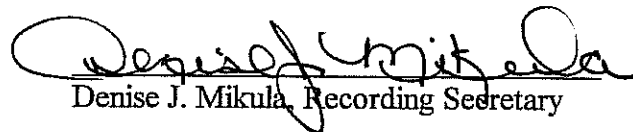
Denise will verify with LSL that they will attend the November 15<sup>th</sup> worksession.

**ADJOURNMENT:**

MOTION by John Serocki, seconded by Tony Slawinski that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 8:35 p.m.

MANISTEE PLANNING COMMISSION

  
Denise J. Mikula, Recording Secretary

November 1, 2001

We strongly oppose the re-zoning of the properties at 111 and 113 Maple Street, because it is unfair, unnecessary, and unwise, regardless of whether you look at it locally or from a more expanded viewpoint.

First, it is unfair, from both an economic and a quality of life standpoint. Consider the economic impact – if you look down Maple Street and elsewhere in the city, you will see that many of the turn-of-the-century homes have sold in recent years for prices that far exceed the value of comparably sized commercial properties. Many property owners in this city have spent a great deal of time, effort, and money restoring these properties as residential properties, either family homes or bed-and-breakfast (which is a residential zoning as well). If this spot commercial zoning is allowed to jump First Street into these residential areas, the property value of everyone else will suffer greatly. People like us will be the first to feel that loss because of our proximity to the property in question, but the effects will be felt all the way down the Maple Street corridor, including blocks on either side. Typical numbers would probably be in the thousands, or even tens of thousands, of dollars in reduction of property values all along and near Maple Street. This spot re-zoning would also establish a very dangerous precedent that would make future commercial zoning in residential areas south of First Street harder to resist, again having a very negative economic impact on a large number of taxpayers and homeowners in the city.

It is also unfair from a quality of life standpoint. This is more difficult to quantify than the economic issues, but no less important. This is a residential area... yes, there are some fine historic properties in the neighborhood like the Ramsdell Theater and the Episcopal Church, but the vast majority of properties, even this far north on Maple, are residences. Most of us in the area have spent a lot of time and effort trying to make this an even better place to live and raise our families. It is unfair to destroy that by introducing commercial plots where two of those residences now stand.

In addition to being unfair, this re-zoning is unnecessary. There is an abundance of available commercial property along River Street, US-31 and elsewhere throughout the city that is either totally unused or badly underused. The City of Manistee has spent a great deal of time and effort trying to attract more business into these areas. We certainly do not need to destroy residential properties, in residential neighborhoods, in order to add even more commercial space.

Finally, this re-zoning is simply unwise from the standpoint of the "big picture" and long term planning in Manistee. This city has again spent a great deal of time, effort and money promoting us as The Victorian Port City, attracting not only those important tourist dollars, but permanent residents (like ourselves) as well – and the money we spend on groceries, clothes, gas stations, plumbers, contractors, etc. Major city efforts in recent years have been the downtown streetscape, the Ramsdell Theater restoration project, and even the transportation center renovations that will accommodate those buses to carry the tourists around. We hear over and over that two of the main attractions in Manistee are (1) the abundance of beautiful Victorian and turn-of-the-century homes and (2) the small-town, down-home, Middle America character of the quality of life in this city. I know those were two major points in our deciding to relocate here. While the exact numbers may be somewhat a point of personal opinion, I don't think anyone could deny that at least one-fourth to one-third of the most striking of those

architecturally significant homes are along Maple Street or within a block on either side (including one of the homes proposed for re-zoning). As far as the second point about classic Middle America neighborhoods, just take a walk around this part of town – this is exactly what small town Middle America is all about. You see people doing exactly that – taking health and recreational walks around our neighborhood – all the time.

In summary, whether you are looking at this from the viewpoint of the residents of the immediate surrounding area, the larger neighborhood along the Maple Street corridor, the “family” of all of us who are trying to preserve the unique historical and architectural character of Manistee, or the “big picture” view of what’s good for the whole city and area around Manistee, this re-zoning is a bad idea. It is a bad idea for the specific properties in question, and it is a bad idea because of the dangerous precedent it would set.

William R. and Mary L. Kracht  
403 First Street  
Manistee, MI 49660