

MANISTEE CITY PLANNING COMMISSION
70 MAPLE STREET
MANISTEE, MI 49660

MEETING MINUTES

JULY 18, 2002

A meeting of the Manistee City Planning Commission was held on Thursday, July 18, 2002 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Bob Davis, Greg Ferguson, Ray Fortier, Joyce Jeruzal, Phil Picardat, John Serocki, Tony Slawinski and Roger Yoder

MEMBERS ABSENT: David Kelley

OTHERS : Richard Mosher (358 - 360 River Street), John Ball, 1820 Maple Street (Pail Face L.L.C.), Jon R. Rose (Community Development), and Denise Blakeslee (City Staff)

Meeting was open at 7:03 p.m. by Chair Roger Yoder

PUBLIC HEARING:

Richard Mosher, 358 - 360 River Street - Special Use Permit

Rich Mosher owns the buildings at 358 & 360 River Street. This property is adjacent to the Manistee River Channel. Mr. Mosher has applied for a Special Use Permit that would allow the construction of a 4 slip marina. Mr. Mosher has already obtained the necessary permits from the DEQ for the proposed project.

Mr. Mosher spoke about the construction of 4 boat slips behind his buildings at 358 & 360 River Street. Mr. Mosher has obtained all the necessary permits from the DEQ and Corps of Engineers for the project and was unaware that he needed a Special Use Permit from the City until he spoke with Mr. Rose in June. There is only 70 feet of frontage which allows a maximum of 4 boat slips at this location. There will not be a gas dock or fish cleaning station. Two spaces will be for Mr. Mosher's personal use and the other two will be used for private rental. If additional apartments are constructed in his buildings these slips may be rented in conjunction with those units.

Mr. Rose reviewed the requirements in the Zoning Ordinance for Marina Standards and explained to the members that the parking requirements are not applicable in the C-4 Zoning District. Mr. Mosher said that there is room behind his building for parking if necessary. Mr. Rose said the requirements for a pump-out only applies for marinas with 15 or more slips.

Mr. Mosher has spoken with Manistee Welding who will be constructing a railing/locked gate system that matches the existing railing on the Riverwalk. Mr. Mosher was asked if he had spoken with the owner from

Manistee Inn and Marina. Mr. Mosher currently is docking his boat at Manistee Inn and has spoken with the owner about his project with no objections.

No correspondence has been received in response to the Public Hearing. There being no further discussion the public hearing closed at 7:17 p.m.

CITIZEN QUESTIONS AND CONCERNS:

None

APPROVAL OF MINUTES:

Planning Commission Meeting Minutes, June 6, 2002

MOTION by Ray Fortier, seconded by Tony Slawinski that the minutes of the June 6, 2002 Planning Commission Meeting be approved. Motion approved unanimously.

NEW BUSINESS:

Richard Mosher, 358 - 360 River Street - Special Use Permit

A public hearing was held earlier in response to a request from Richard Mosher for a Special Use Permit to allow the construction of an four boat slip marina behind the buildings at 358 - 360 River Street.

MOTION by John Serocki, seconded by Greg Ferguson that the request from Richard Mosher, 358 - 360 River Street for a Special Use Permit to allow the construction of a four slip marina be approved with the condition that no slips can be rented to "boats used for hire".

Voting on the Motion as follows: Yes: Ferguson, Serocki, and Yoder
 No: Davis, Fortier, Jeruzal, Picardat, and Slawinski.

MOTION DENIED

MOTION by Bob Davis, seconded by Ray Fortier that the request from Richard Mosher, 358 - 360 River Street for a Special Use Permit to allow the construction of a four slip marina be approved with the condition that there be no fish cleaning station at this site.

Voting on the Motion as follows: Yes: Davis, Fortier, Jeruzal, Picardat, Slawinski and Yoder
 No: Ferguson and Serocki

MOTION PASSED

Garber/Magmer - Parcel Split

Parcel #51-51-144-704-01 is owned by Betty Magmer. Mrs. Magmer would like to split the west half of the property as shown on the attached survey to sell to Jack & Patricia Garber. Mr. & Mrs. Garber would like to construct a new home on this property. Staff review of the request shows that the requirements of the Zoning Ordinance have been met.

Mr. Garber was out of town on work related business, Denise Blakeslee presented the request to the members of the Planning Commission.

MOTION by Ray Fortier, seconded by Greg Ferguson that the request from Garber/Magmer, to split Parcel #51-51-144-704-01 into two parcels as shown on the attached survey. Motion approved with Tony Slawinski abstaining.

City Owned Property, Washington and Harrison Streets.

The City of Manistee demolished an unsafe building on the corner of Washington and Harrison Streets (parcel code #51-51-146-731-07) located in the C-4 Zoning District and acquired the property after paying costs associated with the demolition. An inquiry has been made to the City regarding the possibility of selling this property. The Planning Commission reviews City property and makes a recommendation to City Council regarding the best use for vacant City owned property. Members of the Planning Commission are asked what is the best use of this property (remain a vacant lot, place the property on the market for sale, or determine if another use is the best use for this property).

Motion by Greg Ferguson, seconded by Phil Picardat that the recommendation be forwarded to City Council regarding the City owned property parcel code #51-51-146-731-07 be placed on the market for sale. Motion passed unanimously.

Pail Face L.L.C., 217 Arthur Street - Site Plan Review

A Site Plan Review has been performed on the proposed motel that would be constructed where the existing car wash is located at 217 Arthur Street. The Site Plan Review shows that two items do not meet the requirements of the Zoning Ordinance. The items that do not meet the Zoning Ordinance are:

1. Height - the C-3 Commercial Zoning District has a height restriction of 30 feet. The proposed height of the motel is 38 feet 6 inches.
2. Front Yard Set-back - the C-3 Commercial Zoning District has a minimum front yard set-back of not less than 30 feet from the front property line or, 63 feet from the centerline of the street, whichever is greater. The proposed set-back is 20 feet from the front property line.

The other requirements of the Zoning Ordinance have been met.

Mr. Ball spoke about the proposed motel. When asked why the building was so tall, Mr. Ball said that he wants to give the appearance that the building has more than 8 units. Mr. Ball was asked if he could lower the height to meet the ordinance. Mr. Ball said that if he had to he could.

Mr. Ball wants to use the footings from the existing car wash for the Motel that is the reason for the encroachment into the front yard set-back. Mr. Ball said that they have dug around the footing and they should be sufficient. Mr. Rose said that Mark Niesen, Building Inspector would need to review the footings to approve or disapprove them.

MOTION by John Serocki, seconded by Tony Slawinski that the Site Plan Review for Pail Face LLC, 217 Arthur Street be approved with the condition that variances be obtained by the Zoning Board of Appeals for height and front-yard set-back requirements. Motion passed unanimously.

UNFINISHED BUSINESS:

Open Space/Cluster Zoning

Open Space/Cluster Zoning. We began discussion during the May meeting for ordinance language for Open Space/Cluster Zoning. This item was tabled until after the workshop on June 26th. A draft copy of the proposed Zoning Ordinance Amendment was reviewed by members of the Planning Commission.

The Committee reviewed the draft language and inserted the percentages needed. Mr. Rose will insert the section numbers that are required. A public hearing will be noticed for the August meeting for the zoning amendment.

OTHER COMMUNICATIONS:

Mr. Rose had spoken with Jerry Adams from LSL regarding the progress on the Master Plan. Planning Commission members are expressing their concerns on the slow progress of getting a draft. With the requirements of the new Planning Act this plan must be adopted by January 9, 2003. Jerry Adams told Mr. Rose that a draft will be completed by the end of this week. Members asked to be called so they can pick up their copies as soon as possible to review.

WORK/STUDY SESSION

None

ADJOURNMENT:

MOTION by John Serocki, seconded by Bob Davis that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 8:35 p.m.

MANISTEE PLANNING COMMISSION

A handwritten signature in black ink, reading "Denise J. Blakeslee". The signature is written in a cursive style with a large initial "D".

Denise J. Blakeslee, Recording Secretary

Certificate of Survey

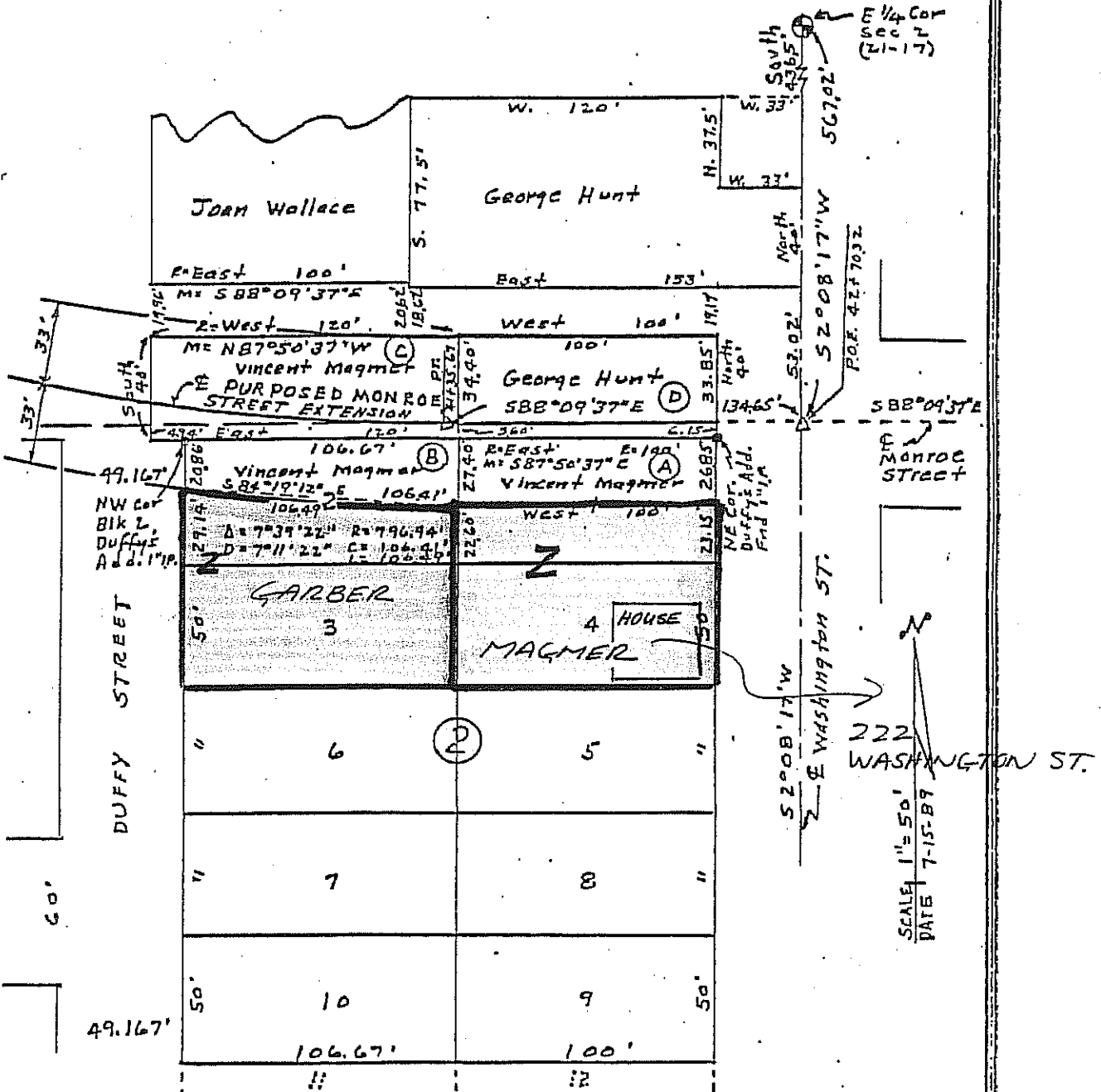
6

PURPOSED MONROE STREET EXTENSION

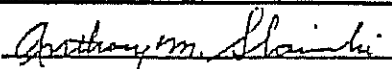
Sheet 1 of 2

Showing 3 parcels of land, namely

(A), (B), (C) being described on attached sheet.



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: The City Of Manistee Manistee, Michigan 49660 Att: Dale Picardat Community Development Officer	SURVEYED BY:  Anthony M. Slawinski Registered Land Surveyor #13597 384 Seventh Street Manistee, Michigan 49660 Telephone (616) 723-2992	FIELD: AMS L.S. <hr/> OFFICE: AMS <hr/> CHKD: AMS.
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