

MANISTEE CITY PLANNING COMMISSION
70 Maple Street
Manistee, MI 49660

MEETING MINUTES

April 3, 2003

A meeting of the Manistee City Planning Commission was held on Thursday, April 3, 2003 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, David Kelley, Phil Picardat and Roger Yoder

MEMBERS ABSENT: John Serocki and Tony Slawinski

OTHERS: Ben Bifoss (Sand Products Corporation), Richard Raines (8 Cottage Lane), Don Gottschalk (7 Cottage Lane), Bob Ryan (28 Cottage Lane), Scott Pelton (329 First Avenue), Tom Voss (15 Cottage Lane), Cyndy Fuller (Harbor Village, 100 Marina Drive), Tom Baker (267 Second Avenue), Dave Crockett (260 Third Avenue), Bob Strohs (332 Lakeshore Drive), Tom Geoghan (286 Dunes Drive), Al Lawson (294 Dunes Drive), Glenna Erwin (15 Filer Street), Lee Ozdych, (296 Dunes Drive), Chuck Patten (305 Hughes Street), Tex Collins (92 Poplar Street), Dorine Raines (8 Cottage Lane), Wayne Birkmeier (11 Cottage Lane), Jon Rose (Community Development), and Denise Blakeslee (City Staff)

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

PUBLIC HEARING:

Sand Products Corporation/Man Made Lake Area - Planned Unit Development

A Public Hearing was scheduled by placing notice in the News Advocate and notifying all the property owners within 300 feet of the proposed development. This public hearing is in response to a request from Sand Products Corporation for a Special Use Permit for a Planned Unit Development. The proposed Planned Unit Development includes 15 residential lots. The request is for a two phase development. The south portion of Sand Products Property around Man Made Lake would be developed into nine building sites. The Sand Products Property around the north portion of Man Made Lake would include six building sites.

Ben Bifoss, Sand Products Corporation explained the proposed property swap with the City. Mr. Bifoss showed how the property could be developed at this time without a PUD then Mr. Bifoss showed how the property would be developed under the PUD. The PUD would require the vacation of a 16 foot alley.

Richard Raines, 8 Cottage Lane. Mr. Raines is opposed to the proposed development and would like the area preserved for future generations. Mr. Raines asked that the City explore other options to purchase the property such as public funds and grants. Mr. Raines would like us to work together on this endeavor.

Don Gottschalk, 7 Cottage Lane. Mr. Gottschalk said that there are funds available from private foundations. He spoke with a representative from the DNR who told him that the State spent 23 million dollars purchasing property last year. He distributed a handout from the DNR web site. Mr. Gottschalk asked why the city doesn't write a grant for the property? Mr. Gottschalk spoke of Daniel Burnham a great City Planner for Chicago who had the foresight to preserve prime areas for public use.

Bob Ryan, 28 Cottage Lane. Mr. Ryan spoke of the reason they purchased property in Manistee was the open beaches and lots of access to the lakeshore. Mr. Ryan said that Man Made Lake is valuable waterfront property and once it is gone it is gone forever. He encourages finding funding to purchase the property anyway possible.

Scott Pelton, 329 First Avenue. Mr. Pelton asked about the time that Man Made Lake was opened to Lake Michigan and questioned how the berm was reinforced. Mr. Pelton asked if Man Made Lake is now considered an inland lake. Mr. Pelton asked if the owners of the property would have the right to restrict access to the lake. Mr. Pelton said he would like to see careful development in the community. He spoke of South Haven and the development that restricted access to the beaches, lack of parking and having to pay to park.

Tom Voss, 15 Cottage Lane. Mr. Voss read a letter that he had submitted as a "Letter to the Editor" to the Manistee News Advocate which appeared in the April 2, 2003 issue. Mr. Voss is opposed to the development around Man Made Lake. He asked that we work to save the natural resources of the area and considers Man Made Lake to be a jewel that only action can save. He encourages negotiations with Sand Products Corporation to purchase the property.

Cyndy Fuller, Harbor Village, 100 Marina Drive. Ms. Fuller wanted to address the proposed site plan. Ms. Fuller felt the PUD would be a better development than to develop the property without a PUD. When Harbor Village was developed the development was sensitive to the neighboring property owners and she would like to see this property developed in the same manner. If possible a balance the curb cuts, impacts on views, and height restrictions be taken into consideration. Ms. Fuller asked what the Master Plan said about the area? Mr. Rose said that he would look that information up and answer question later.

Tom Baker, 267 Second Avenue. Mr. Baker asked what was the cost that Sand Products offered the property to the City for? Mr. Baker wanted to know why the property has gone up in value since the offer was first made? Mr. Baker is familiar with the Man Made Lake area and asked about the impact the development would have on the pitcher thistle a plant on the endangered species list?

Mr. Bifoss responded to some of the questions that had been asked. Sand Products would like to sell the property. The original offer to the City was 2.1 million. Since that time the City had an appraisal done on two City owned parcels on Monroe Street and that appraisal came in at around \$100,000 per parcel. This indicated to Sand Products that their original price was too low.

Dave Crockett, 260 Third Avenue. Mr. Crockett asked questions regarding the proposed land swap with the City. Mr. Crockett felt that the City Council had made a mistake to deny the offer to purchase the property without asking the Planning Commission for input. He feels it is remiss not to preserve the area.

Bob Strohs, 332 Lakeshore Drive. Mr. Strohs asked if Sand Products has a signed agreement with the DEQ to allow them to build on the berm? Mr. Strohs sees Man Made Lake as an area used by the youth of the community and would like to see options explored to keep the area undeveloped. Man Made Lake extends the swimming season greatly for the community.

Ben Bifoss said that the City has the opinion that the berm area cannot be built on because it is in a High Risk Erosion area. Sand Products has no signed agreement with the DEQ at this time.

Tom Geoghan, 286 Dunes Drive. Mr. Geoghan asked about the 180 day agreement. At this time no notice of cancellation has been given.

Al Lawson, 294 Dunes Drive. Mr. Lawson spoke of how busy Man Made Lake is with swimmers and the amount of traffic in the area. Mr. Lawson felt the City made a big mistake by not purchasing the property. This development will cut off the view of some of the Cottage owners. This will effect a lot of people in the community.

Glenna Erwin, 15 Filer Street. Ms. Erwin grew up around Man Made Lake and thinks that it is a beautiful area and safer to swim in than the big lake. Ms. Erwin does not want to see the area developed. She asked why a parking lot was developed if the area was going to be developed? Jon Rose spoke of the history behind the parking area and the agreement with Sand Products to lease the area.

Bob Ryan, 28 Cottage Lane. Mr. Ryan watches people enjoy this area and wishes that the City would do what it can to preserve the area. He said that grants are available to buy the property.

Lee Ozdych, 296 Dunes Drive. Mr. Ozdych was born in Manistee and remembered walking around the Man Made Lake area when the berm had broken. He asked questions about how the berm was repaired and the additional sand added to the area when the channel was dredged.

Chuck Patten, 305 Hughes Street. Mr. Patten is respectful of Sand Products Corporations right to develop their property and of the concerns from the Harbor Village residents loss of views if the property were developed. Mr. Patten express concerns about what impact Man Made Lake would have on the citizens of Manistee. He asked that other options be looked at including a land trade of property on the east side of dunes drive for development for the Man Made Lake property. He would like to do the best thing to meet the needs of the residents and Sand Products Corporation.

Tex Collins, 92 Poplar Street. Mr. Collins gave a history about previous development plans around Man Made Lake that never happened. Mr. Collins would like to see development on the East side of Dunes Drive. Mr. Collins spoke about a community swimming pool.

Dorine Raines 8 Cottage Lane. Ms. Raines expressed concerns about the number of curb cuts on Monroe Street with the amount of vehicles that use Monroe Street. Ms. Raines expressed concerns about the Pitcher Thistle and their conservation.

Tom Voss 15, Cottage Lane. Mr. Voss reminded people in attendance that the City Council will be discussing the land swap on April 15th.

Wayne Birkmeier, 11 Cottage Lane. Mr. Brinkmeyer asked where the City was going to put the parking for Man Made Lake?

There being no further discussion the Public Hearing closed at 8:15 p.m.

A five minute recess was given to allow the people who wanted to leave the opportunity to do so without disrupting the meeting.

CITIZEN QUESTIONS AND CONCERNS:

No questions or concerns were asked by citizens in attendance.

APPROVAL OF MINUTES:

Planning Commission Meeting Minutes, March 6, 2003

MOTION by Ray Fortier, seconded by Joyce Jeruzal that the minutes of the Meeting of the Planning Commission Meeting held on March 6, 2003 be approved. Motion approved unanimously.

NEW BUSINESS:

Sand Products Corporation/Man Made Lake Area - Planned Unit Development

A Public Hearing had been held earlier in response to a request from Sand Products Corporation for a Planned Unit Development around Man Made Lake.

Bob Davis asked about view corridors and how that could be addressed under the PUD. Mr. Rose spoke about the option of placing the buildings closer on one side which would result in a larger set-back between buildings on the other side. Mr. Davis asked about the number of curb cuts on Monroe Street and the possibility of requiring a service Drive. Mr. Bifoss said that due the topography of the property a service drive could not be installed to provide access to all the properties unless the property were leveled. A service drive with an entrance and exit could service 3 of the building sites. This would result in 3 curb cuts instead of 5.

Roger Yoder asked about requiring that the sidewalk be developed to Dunes drive for pedestrian traffic. Mr. Yoder asked if the Safety Director should look at the area regarding the number of curb cuts. Mr. Rose said that under the existing ordinance without a PUD they would be allowed to put in a curb cut for each building site.

Joyce Jeruzal expressed concerns about the possibility the area was an Indian Burial Site. She asked if we could require an Archeological Survey be done on the property. Mr. Rose said that we could request a survey but could not require one.

Greg Ferguson does not feel that granting the PUD would be a hindrance for the people who would be trying to raise the funds to purchase the property. Mr. Ferguson feels that the land swap is fair and would provide the easement for public access along Lake Michigan. The site plan does not indicate how Phase II would be developed. Mr. Ferguson feels that Phase I is well laid out. Monroe Street was designed to handle driveways and he does not see anything in the proposed plan to not approve it. Mr. Ferguson said that there were no concerns expressed by citizens that this was a bad development and Sand Products Corporation has the right to develop their property.

Ray Fortier asked if the PUD would result in the loss of the use of the berm? Mr. Bifoss said that the property exchange would result in a permanent public easement along Lake Michigan and allow public use until the property were developed or turned over to the condominium association.

Jon Rose spoke about the Planning Commission concerns about sidewalks, curb cuts and access. The PUD is a better development for Sand Products Corporation and the City than if the property were developed without a PUD. Other items Mr. Rose discussed included the density requirements for the Cottages in Harbor Village and Historic Overlay Approval. Both Harbor Village and Lighthouse Landings had to be reviewed by the Historic Overlay Review Committee as a condition of the PUD.

Mr. Bifoss reminded the Planning Commission that these lots are larger than the lots in the Cottages and the buildings sites should be allowed to be larger. Mr. Bifoss said that the lots may be sold to owners who wish to construct their own homes similar to how the Dunes Subdivision was developed. Historic Overlay Approval is not required in the Dunes Subdivision. Mr. Bifoss suggests that the Planning Commission could define the footprint of where the home can be constructed for view corridors but not what size home can be built if it fits in the footprint.

Members of the Planning Commission wanted the opportunity to have an on site visit of the property to discuss service drives, curb cuts and sidewalks.

MOTION by Bob Davis, seconded by David Kelley that the request from Sand Products Corporation for a Planned Unit Development be tabled until 6:00 p.m. on Thursday, April 10, 2003 for an onsite inspection followed by a Special Meeting to continue discussion.

Voting as follows:

Yes - Bob Davis, Ray Fortier, Joyce Jeruzal, David Kelley, Phil Picardat and Roger Yoder
No - Greg Ferguson

Motion passed.

The Special Meeting will begin at 6:00 p.m. at City Hall and a Dial-A-Ride bus will be scheduled to take the members of the Planning Commission to Man Made Lake for review of the site. The members will return to City Hall where the meeting will be reconvened.

MOTION by Bob Davis, seconded by Joyce Jeruzal that the Planning Commission make a recommendation to City Council to explore finding any funding possible to purchase additional access to Man Made Lake through grants, etc.

Voting as follows:

Yes - Bob Davis, Ray Fortier, Joyce Jeruzal, David Kelley, Phil Picardat and Roger Yoder
No - Greg Ferguson

Motion passed.

Request to amend Agenda - Tim Simonis, 1005 Cypress Street

A request has been received from Tim Simonis, 1005 Cypress Street (Manistee Majic Car Wash) to amend the agenda. Mr. Simonis would like to conduct an open air use by selling Yard decorations in a fenced in area adjacent to the car wash. This would require approval by the members of the Planning Commission. Due the seasonal nature of the business Mr. Simonis is asking members of the Planning Commission to allow the request to be discussed tonight instead of having to wait until the May Meeting.

MOTION by Ray Fortier, seconded by Joyce Jeruzal that the Planning Commission not amend the Agenda to include a request from Tim Simonis, 1005 Cypress Street.

Voting as follows:

Yes - Bob Davis, Greg Ferguson, Ray Fortier, Joyce Jeruzal, David Kelley, and Roger Yoder
No - Phil Picardat

Motion passed.

Due to the late hour members of the Planning Commission told Mr. Simonis that they would place his request on the Agenda of the Special Meeting of April 10th. This would also give the members of the Planning Commission the opportunity to view the site after they review the Man Made Lake site.

UNFINISHED BUSINESS:

None

OTHER COMMUNICATIONS:

We are continuing our discussion with Manistee Township to hold a joint worksession on April 17th. Please hold this date and note that the time will be at 6:00 p.m. instead of 7:00 p.m.

WORK/STUDY SESSION:

The members of the Ordinance Re-Write Committee met on March 27th. Two items were discussed that draft language has been prepared for Zoning Amendments. Members of the Planning Commission were handed out the draft Zoning Amendments for comment.

Parking in the C-4 Commercial District for residential units. This is a proposed change to Article 10 General Regulations, Section 1054.F Vehicular Parking Space, Access and Lighting. This amendment would remove requirements for off street parking for dwelling units or apartments. Hotels and other Transient Lodging Places consisting of six or more units would still be required to provide off street parking. Mr. Rose presented this draft language to the DDA at their meeting on April 2nd. The DDA endorsed the proposed Zoning Amendment.

Tattoo Parlors - the current Zoning Ordinance does not have any regulations for Tattoo Parlors. This proposed Zoning Amendment would add two definitions and a new section under General Regulations. The language is similar to the language used to regulate Sex-oriented Businesses.

Members of the Planning Commission discussed the proposed zoning amendments and made changes. These two Ordinance Amendments will be on the May Agenda.

ADJOURNMENT:

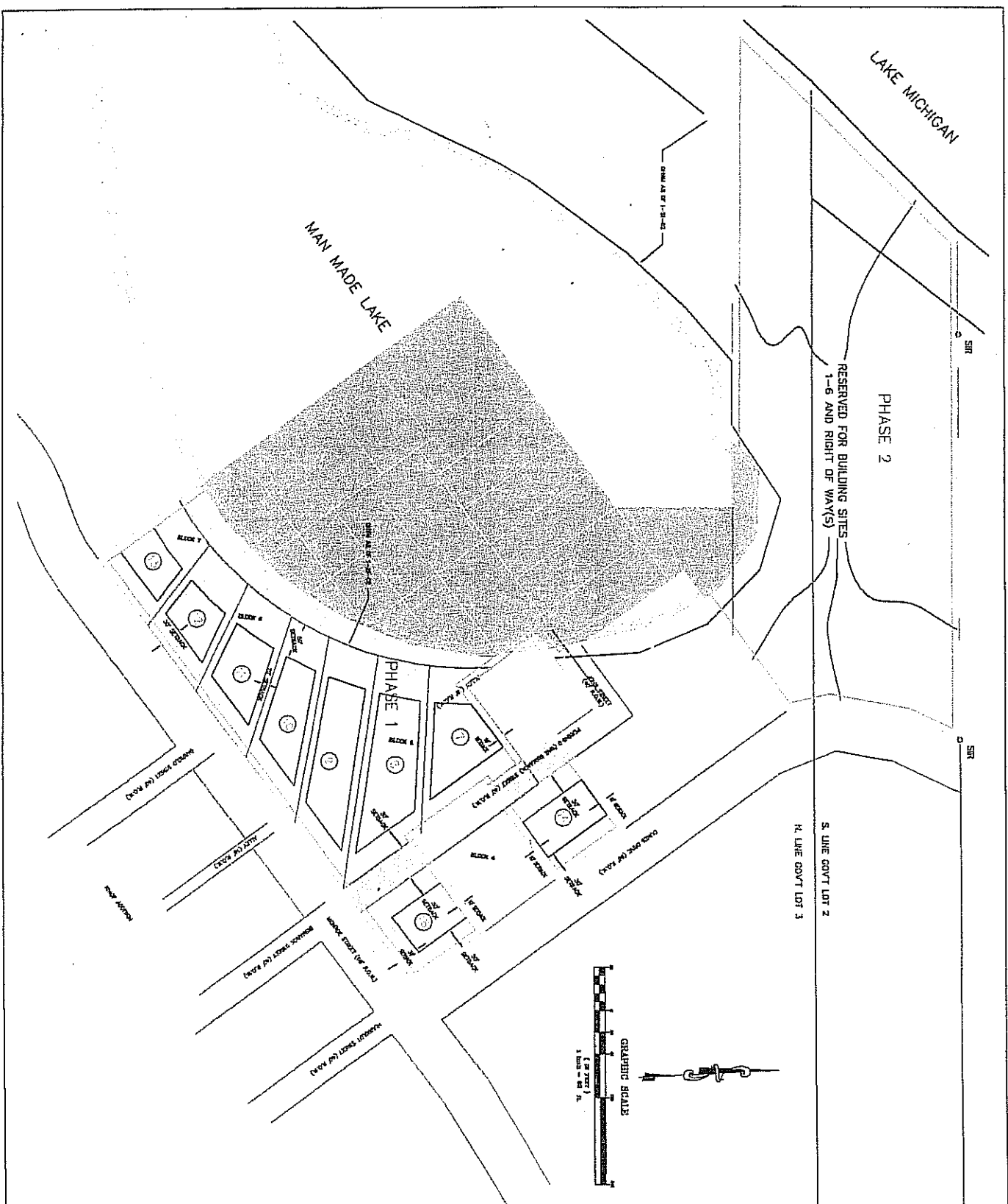
MOTION by Greg Ferguson, seconded by Phil Picardat that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 9:43 p.m.

MANISTEE PLANNING COMMISSION



Denise J. Blakeslee, Recording Secretary



GRASS LANE AREA - 40,130 SQ. FT.
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DESCRIPTION
 1. This is a plan of a portion of the land owned by SAND PRODUCTS CORPORATION, showing the proposed layout of buildings and other improvements, and the location of easements and other interests therein.

PROPERTY MAPS-3-18-14-100-01
 THIS PLAN IS A PART OF A SUBDIVISION MAP OF SAND PRODUCTS CORPORATION, showing the proposed layout of buildings and other improvements, and the location of easements and other interests therein.

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TITLE	
SAND PRODUCTS CORPORATION	
WEST MICHIGAN DOCK & MARKET C	
550 MART ST. MUSKEGON, MI	
ATTN: R. BEN BFOSS	
ABONNARCHE CONSULTANT	
ST. LOUIS, MO	
R. BEN BFOSS	
PH 314-863-1111	
FAX 314-863-1111	
www.abonnarche.com	
DRAWING TITLE	
PROPOSED LOT LAYOUTS	
SCALE: AS SHOWN	
DATE: FEBRUARY 8, 2017	
DESIGNED BY: [Signature]	
DRAWN BY: [Signature]	
CHECKED BY: [Signature]	
SCALE: AS SHOWN	