

MANISTEE CITY PLANNING COMMISSION  
70 Maple Street  
Manistee, MI 49660

SPECIAL MEETING MINUTES

April 10, 2003

A Special Meeting of the Manistee City Planning Commission was held on Thursday, April 10, 2003 at 6:00 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, John Serocki, Tony Slawinski and Roger Yoder

**MEMBERS ABSENT:** None

**OTHERS:** Ben Bifoss (Sand Products Corporation), Jeff Mikula (Abonmarche), Tom Mathews, Tom Voss (15 Cottage Lane), Tim Simonis (1005 Cypress Street), Merlin Norby (Manistee News Advocate), Alan Marshall (City Council), Bob Hornkohl (City Council) Jon Rose (Community Development), and Denise Blakeslee (City Staff) and others

Meeting was open at 6:00 p.m. by Chairman Yoder. The Planning Commission, staff and others left City Hall on a Dial-A-Ride Bus for a Site Inspection of Man Made Lake - Sand Products Corporation proposed Planned Unit Development and Tim Simonis, 1005 Cypress Street - Open Air Uses.

People in attendance during the Site Inspection were shown property markers and proposed driveways at the Man Made Lake Site. The Site Inspection at 1005 Cypress Street showed the proposed area for the Open Air Use.

Members returned to City Hall at 7:15 p.m.

**PUBLIC HEARING:**

None

**CITIZEN QUESTIONS AND CONCERNS:**

Tom Mathews asked if there would be driveways in the existing parking areas at Man Made Lake. Mr. Bifoss said that current driveway and parking area would be developed to local street standards.

Tom Voss, 15 Cottage Lane. Mr. Voss asked if the new street would continue to be a one way street or would it become a two way street? Mr. Bifoss said that would be up to the City to decide if the street would be one way or two way. He did not have a preference either way.

Jeff Mikula, Abonmarche. Mr. Mikula said that the City requires that after three houses are constructed where a street is platted but not developed the City requires that the Street be developed to local street standards.

#### **APPROVAL OF MINUTES:**

##### Planning Commission Meeting Minutes, April 3, 2003

MOTION by Ray Fortier, seconded by Joyce Jeruzal that the minutes of the Meeting of the Planning Commission Meeting held on April 3, 2003 be approved. Motion approved unanimously.

#### **NEW BUSINESS:**

None

#### **UNFINISHED BUSINESS:**

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

A Public Hearing was held on April 3, 2003 for public input regarding the proposed Planned Unit Development around the Man Made Lake Area. Members of the Planning Commission wanted the opportunity to have a site inspection of the site before deliberating on the request for a Planned Unit Development.

At the meeting of April 3, 2003 Planning Commission Members discussed view corridors and how that could be addressed under the PUD, the option of placing the buildings closer on one side which would result in a larger set-back between buildings on the other side.

The number of curb cuts on Monroe Street and the possibility of requiring a service Drive. Should sidewalks be required to Dunes Drive.

Concerns about the possibility the area was an Indian Burial Site. Should we request an Archeological Survey be done on the property.

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.

Should 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.

During the site inspection of the property Mr. Bifoss had a topographical survey of the area which included proposed curb cuts for driveways. The plan showed three curb cuts on Monroe Street. The curb cuts for lots 12 and 13 would be "right turn only" when exiting the property because of the island which divides Monroe Street. The other curb cut was placed at the crest of the hill to allow a clear line of vision for entering/exiting the drive.

MOTION by Bob Davis seconded by Ray Fortier that the request from Sand Products Corporation for a Special Use Permit for a Planned Unit Development be approved with the following conditions.

1. Three curb cuts will be allowed on Monroe Street as per the plan that was shown to the Planning Commission during the Site Inspection.
2. The existing sidewalk on Monroe Street be continued to Dunes Drive.
3. Set backs be established between buildings to allow wider view corridors.
4. Historical Overlay Approval be required for buildings.

Discussion on the motion and conditions followed.

Should the sidewalk be required to go all the way to Dunes Drive or should it stop at Pershing Street?

Mr. Bifoss was opposed to the requirement that the building designs would require Historic Overlay Approval. The Harbor Village Development and Lighthouse Landings Development were built as condominiums. This development is for single family homes similar to Harbor Drive and Dunes Drive. Mr. Bifoss would prefer that the Planning Commission review and approve the Architectural Document requirements for the project than require Historic Overlay Approval.

Voting on the Motion as follows:

Yes: John Serocki

No: Bob Davis, Greg Ferguson, Ray Fortier, Joyce Jeruzal, David Kelley, Phil Picardat, Tony Slawinski and Roger Yoder.

Motion Denied

MOTION by Bob Davis, seconded by Ray Fortier that the request from Sand Products Corporation for a Special Use Permit for a Planned Unit Development be approved with the following conditions.

1. Three curb cuts will be allowed on Monroe Street as per the plan that was shown to the Planning Commission during the Site Inspection.
2. The existing sidewalk on Monroe Street be continued to Pershing Street.

3. Set backs be established between buildings to allow wider view corridors.
4. Planning Commission review and approve Architectural Documents for Building Sites.

Voting as follows:

Yes: Bob Davis, Greg Ferguson, Ray Fortier, Joyce Jeruzal, David Kelley, Phil Picardat, Tony Slawinski and Roger Yoder

No: John Serocki

Motion Approved

Tom Voss was not familiar with the Historic Overlay Review Committee and asked what their duties were. Mr. Rose explained that the Historic Overlay Review Committee is a subcommittee of the Planning Commission and they review the buildings in the Historic Overlay District (Central Business District). Both Harbor Village and Lighthouse Landings PUD were required to have Historic Overlay Review Approval for their developments.

#### Tim Simonis, 1005 Cypress Street - Open Air Use

A request has been received from Tim Simonis, 1005 Cypress Street (Manistee Majic Car Wash) to be added to the Agenda of the April 3, 2003 meeting. Due to the late hour and with the Planning Commission already scheduling a Special Meeting Mr. Simonis was told they would add this item to the Agenda of the Special Meeting of April 10, 2003. Mr. Simonis would like to conduct an open air use by selling Yard decorations in a fenced in area adjacent to the car wash. Under the C-1 Commercial District approval is require by Planning Commission for an Open Air Use.

The Planning Commission did a Site Inspection at this location earlier this evening. During the Site Inspection Mr. Simonis said that they intended to paint some of the concrete yard decorations by first spraying them then hand painting.

Mr. Simonis said that by not having to purchase property and already having an attendant on duty this would not have the expenses of an operation that only sold yard decorations. This would supplement his existing business. Mr. Simonis intends to sell concrete yard decorations but they could be made of other materials also. The business would start up in the spring and run through the Christmas season. Mr. Simonis intends to gravel the parking area and use decorative red mulch as ground cover in the display area. A four foot black chain link fence would be installed around the display area.

John Serocki asked when Mr. Simonis intended to asphalt the area. Mr. Simonis said that he intended to asphalt the area next year if the business were successful.

Bob Davis expressed his concern over the spray painting and any environmental impacts that could arise? With the close proximity to the car wash would the paint have an impact on the sewer? Mr. Davis asked what portion of the business would painting. Mr. Simonis said that approximately 20% - 25%

would be custom painted. The painting would be done with a small hand sprayer for the base color then hand painted. A water base acrylic house paint would be used.

Greg Ferguson asked for clarification on the "Open Air Use" and expressed his concern over the side plan deficiencies that included not showing the number of parking spaces, correct set-backs, and was not prepared by an engineer. Mr. Rose cautioned that he did not want to require that site plans had to be prepared by a licenced engineer or architect.

MOTION by Bob Davis, seconded by Greg Ferguson that the Planning Commission deny the request from Tim Simonis to allow an open air use - selling of yard decorations at 1005 Cypress Street.

Voting as follows:

Yes: Bob Davis, Greg Ferguson, Joyce Jeruzal and Roger Yoder

No: Ray Fortier, David Kelley, Phil Picardat, John Serocki and Tony Slawinski

Motion denied

MOTION by John Serocki, seconded by Ray Fortier that the request from Tim Simonis, 1005 Cypress Street to allow an open air use - selling of yard decorations be approved with the following conditions:

1. No Spray Painting of Yard Decorations be allowed on site.
2. Parking and set-back requirements be met for the proposed use.
3. Only concrete Yard decorations can be sold
4. One year use of gravel parking area would be allowed, if the business continues past one year the parking area will be required to be paved with concrete, bituminous asphalt or other similar material.
5. If the business is discontinued the area must be returned to its original state.

Voting as follows:

Yes: Bob Davis, Ray Fortier, Joyce Jeruzal, David Kelley, Phil Picardat, John Serocki, Tony Slawinski and Roger Yoder

No: Greg Ferguson

Motion Passed

Jon Rose explained to the Members of the Planning Commission that under the parking requirements in the Zoning Ordinance approximately 36 parking spaces would be required for a 60' x 60' open air use. Section 1054.B of the ordinance reads:

*In addition to the above requirements, parking space in the proportion of one (1) space for every two (2) persons employed at the establishment shall be provided. Where no specific requirement is designated for other businesses, parking space*

*which is adequate shall be provided. Adequacy of parking shall be based upon the anticipated intensity of use of the business establishment by patrons and employees and by reference to the standards contained in Section 1054.A. The Administrator shall establish the number of parking spaces required in the land use permit.*

Mr. Rose asked that the Planning Commission establish the number of parking spaces that should be required for this use.

Greg Ferguson asked to be excused from the meeting due to another commitment. Mr. Ferguson was excused at 8:55 p.m.

MOTION by Bob Davis, seconded by Ray Fortier that the number of parking space required for the open air use - sale of yard decorations be established at seven (7) or more spaces.

Motion passed unanimously.

#### OTHER COMMUNICATIONS:

Reminder the Worksession/Bus Tour with Manistee township will begin at 6:00 p.m.

#### WORK/STUDY SESSION:

None

#### ADJOURNMENT:

MOTION by Phil Picardat, seconded by Tony Slawinski that the meeting be adjourned. Motion passed unanimously.

Meeting adjourned at 9:07 p.m.

MANISTEE PLANNING COMMISSION



Denise J. Blakeslee, Recording Secretary