

## **CITY OF MANISTEE PLANNING COMMISSION**

70 Maple Street  
Manistee, MI 49660

### **MEETING MINUTES**

April 7, 2016

A meeting of the Manistee City Planning Commission was held on Thursday, April 7, 2016 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:04 pm by Chair Yoder

#### **ROLL CALL**

Members Present: Maureen Barry, Aaron Bennett, Ray Fortier, Marlene McBride, Gabriel Walker, Mark Wittlieff, Roger Yoder

Members Absent: None

Others: T. Eftaxiadis (815 Cherry Street), Karen Kobeck (216 Sixth Avenue), Denise Blakeslee (Planning & Zoning Administrator) and others

#### **APPROVAL OF AGENDA**

Motion by Ray Fortier, seconded by Mark Wittlieff that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Bennett, Walker, Fortier, McBride, Wittlieff, Yoder  
No: None

#### **APPROVAL OF MINUTES**

Motion by Mark Wittlieff, seconded by Maureen Barry that the minutes of the March 3, 2016 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Walker, Fortier, Barry, Bennett, McBride, Wittlieff, Yoder  
No: None

#### **PUBLI HEARING**

Chair Yoder opened the Public Hearing at 7:06 pm

**PC-2016-05 Edgewater Planned Unit Development (fka River Parc Place II LLC), 80 Washington Street – Special Use Permit for Planned Unit Development**

A request has been received from Edgewater Planned Unit Development (fka River Parc Place II LLC), 80 Washington Street for a Planned Unit Development for 18 residential units with two tenant commercial spaces utilizing existing structure.

**T. Eftaxiadis, Consultant for the Developer** – John Groothuis was unable to attend this evenings meeting and Mr. Eftaxiadis as part of the Development Team presented the request to the Commission. Mr. Eftaxiadis spoke of how Edgewater is part of a larger project that includes the building to the north and adjacent vacant property. He reviewed the site plan with the commissioners, spoke of the environmental cleanup that will be performed under the Brownfield Plan, the installation of a retaining wall, future development of the property to the north and status of the Blight Elimination Grant. Developer was hoping to start at the end of April early May to have units to show during the peak of the summer. Schedule depends on the grant award. The contractor has been selected and they are trying to use local contractors. There will be 18 residential units with two commercial spaces.

**Denise Blakeslee, Planning & Zoning Administrator** – On June 21, 2005 a Special Use Permit was issued to C. Gerry Seyferth for a 10 Unit (Multiple Unit Dwelling) on parcel #51-211-100-05. The applicant began construction of the building and then abandoned the project. The structure left to the elements became a blighted property. On April 12, 2012 a permanent Easement Agreement along the south edge of the property to the City of Manistee was granted to the City of Manistee. This was a condition of the original permit. On May 3, 2012 the Special Use Permit was transferred to River Parc Place LLC.

Since that time the developer has received a Brownfield Plan for the “South Washington Street Redevelopment Project” which includes the building at 80 Washington Street and the adjoining property adjacent to the property. The applicant has applied for a Blight Elimination Grant from the MEDC and secured the financing for the rehabilitation of the building. A Development Agreement between the Brownfield Redevelopment Authority, Applicant and the City has been entered into for the project.

Under a PUD the Planning Commission may alter miscellaneous regulations were such regulations or changes are reasonable and consistent with the intent, objectives and standards set forth in Section 1870.D . Two areas were identified for the Commissioners consideration:

**Parking** - The reduction in the number of parking spaces from 27 to 18 is reasonable taking into consideration that upper story dwellings are a permitted use in the C-3 Zoning District and rental units in the C-3 Zoning District are exempt from the parking standards of the ordinance. Staff review of the project showed that the north portion of the parking lot (8.5 feet) encroaches on the adjoining parcel. This parcel is under the control of the owner and an agreement will be needed that permits the encroachment of the parking lot on parcel #51-211-100-02.

**Living Area** - The reduction in the living area requirement from 500 square feet to 490 square feet and 400 square feet respectively, allows the developer the option to provide “efficiency” or “studio” units that are popular options for single people or couples who are looking for a second home. Two of the units are ten square feet short of the required 500 square feet requirement. The remaining two units are not untypical of an efficiency apartment which typically ranges in size from 300 to 450 square feet.

On March 16, 2016 the Site Plan Review Committee recommend to the Planning Commission to approve the request from Edgewater Planned Unit Development for a Special Use Permit for a Planned Unit Development for 18 residential units utilizing existing structure at 80 Washington Street as shown on site plan prepared by Nederveld Project No: 15201640.

The Site Plan Committee recommended the Planning Commission approve the reduction in the number of parking spaces from 27 to 18 spaces and reduction of living area for four units from 500 square feet to 490 square feet and 400 square feet as permitted under Section 1870.D. Dimensional and Use Standards.

Staff forwarded the application to the Director of Public Safety, DPW Director, Finance Director and City Engineer for their review. No issues were noted by the Fire Department. The City Engineer and DPW Director are working with the architect to address a few remaining issues including:

- Turning radius for access drive
- Storm sewer sizing
- Water Service Connection
- Retaining Wall

Due to a scheduled vacation staff has not received final approval of the plans from the City Engineer and DPW Director before the meeting and requests that a condition be placed on the permit that reads:

***If needed the Applicant will submit an updated site plan that addresses any outstanding items to the City Engineer and DPW Director who must approve the changes before issuance of the Special Use Permit.***

Since the applicant needs to provide off street parking and a portion of both the Parking Area and Ingress and Egress Area are located on the adjacent parcel staff recommends that the applicant provide either a permanent right to use the adjacent property by providing either an easement or a permanent license agreement that is not terminable. The developer has been working on drafting the necessary document that will require final review and approval from the City Attorney. Staff suggests that a condition be placed on the permit that reads:

***Either an easement or permanent license agreement that is not terminable will be prepared and recorded at the Register of Deeds Office that permits for both the portion of the parking lot and ingress and egress area located on the parcels to the north (51-211-100-02 and 51-211-100-03). Applicant will provide a copy for file at City Hall.***

Chair Yoder opened the hearing for public comments.

**Karen Kobeck, 216 Sixth Avenue** – Ms. Kobeck lives on the corner of Sixth Avenue and Short Street and asked for clarification on the retaining wall which Mr. Eftaxiadis and Ms. Blakeslee explained.

Chair Yoder asked if any correspondence had been received in response to the request – No Correspondence was received.

There were no more additional comments; the Public Hearing was closed at 7:55 pm.

## **PUBLIC COMMENT ON AGENDA RELATED ITEMS**

None

## **NEW BUSINESS**

### **PC-2016-05 Edgewater Planned Unit Development (fka River Parc Place II LLC, 80 Washington Street – Special Use Permit for Planned Unit Development**

A public hearing was held earlier in response to a request from Edgewater Planned Unit Development (fka River Parc Place II LLC), 80 Washington Street for a Planned Unit Development for 18 residential units with two tenant commercial spaces utilizing existing structure.

Motion by Gabriel Walker, seconded by Aaron Bennett that the Planning Commission take action to adopt a resolution to approve with conditions the request from Edgewater Planned Unit Development (fka River Parc Place II LLC), 80 Washington Street for a Planned Unit Development for 18 residential units with two tenant commercial spaces utilizing existing structure.

The conditions are as follows:

- ***If needed the applicant will submit an updated site plan that addresses any outstanding items to the City Engineer and DPW Director who must approve the changes before issuance of the Special Use Permit.***
- ***Either an easement or permanent license agreement that is not terminable will be prepared and recorded at the Register of Deeds Office that permits for both the portion of the parking lot and ingress and egress area located on the parcels to the north (51-211-100-02 and 51-211-100-03). Applicant will provide a copy for file at City Hall.***

With a Roll Call vote this motion passed 7 to 0.

Yes: Wittlieff, Walker, Fortier, Barry, Bennett, McBride, Yoder

No: None

## **OLD BUSINESS**

### **Master Plan Update**

The Planning Commission held a Worksession on March 17<sup>th</sup> to go through the draft of the Master Plan. At the meeting corrections were recommended to the plan. The County Planner has made the necessary changes to the document. The commissioners received the plan at the meeting and are being asked to review it to determine if they have any additional changes.

## **PUBLIC COMMENTS AND COMMUNICATIONS**

**T. Eftaxiadis, 815 Cherry Street** – Mr. Eftaxiadis spoke of the damage that the deer cause and that installing a fence does not eliminate the problem. He is asking the commission to consider allowing the installation of electrified fencing that would be set back from the property line with proper signage to be permitted in an attempt to deal with the issue.

## **CORRESPONDENCE**

None

## **STAFF/SUB-COMMITTEE REPORTS**

**Denise Blakeslee, Planning & Zoning Administrator** – There will be a Manistee County Sign Regulation Workshop on May 18, 2016; this training offers Citizen Planner credits.

## **MEMBERS DISCUSSION**

None

The next regular meeting of the Planning Commission will be held on Thursday, May 5, 2016

## **ADJOURNMENT**

Motion by Ray Fortier, seconded by Mark Wittlieff that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 8:10 pm

MANISTEE PLANNING COMMISSION

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Denise J. Blakeslee, Recording Secretary