

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

October 6, 2016

A meeting of the Manistee City Planning Commission was held on Thursday, October 6, 2016 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

Roll Call:

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

Members Absent: Gabriel Walker (excused)

Others: Pete Buurstra (Land and Resource Engineering, Inc), Lynda Beaton (256 Hughes Street), John Goothuis (North Channel Investors, LLC), T. Eftaxiadis (Eftaxiadis Consulting, Inc), Karen Kobeck (216 Sixth Avenue), Bob Slawinski (256 Hughes Street), Kelly Cavanaugh (Nederveld), Cindy Champagne (465 First Street), Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Aaron Bennett that the agenda be approved as prepared.

With a Roll Call vote this motion passed 6 to 0.

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

APPROVAL OF MINUTES

Motion by Aaron Bennett, seconded by Maureen Barry that the minutes of the September 1, 2016 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 6 to 0.

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

PC-2016-10 Retirement Living Management of Manistee, LLC, 1835 Twelfth Street (Green Acres) – Request to Amend existing Planned Unit Development for a Retirement Village

A request has been received from Retirement Living Management of Manistee, LLC (Green Acres) to amend their existing Planned Unit Development for a Retirement Village from 80 units (four buildings/20 units each) to 77 units by adding 12 units to the existing 20 unit building, construction of a maintenance garage and permanent dumpster enclosure (Phase 2), constructing another 20 unit building (Phase 3) with a 12 unit addition (Phase 4), and 13 independent unit condominiums (Phase 5).

Chair Yoder opened the Public Hearing at 7:03 pm

Pete Buurstra, Land and Resource Engineering, Inc - presented the request to the Planning Commission. Mr. Buurstra reviewed the site plan with the Commission and discussed how they are actively working with the City Engineer, DPW Director and Public Safety there are two outstanding items:

- Upsize the watermain from 6" to 8"
- Increase access to the north side of the building with reinforced turf designed to hold the weight of emergency vehicles, this area is required to be plowed and maintained.

Denise Blakeslee, Planning & Zoning Administrator – Review of the application shows compliance with the zoning ordinance and with the update on remaining items from the applicant recommends that the following conditions be placed on the request.

- Minimum Living Area/Dwelling Width is not included for independent unit condominiums (Phase 5). Under a PUD the Planning Commission can approve structures that do not meet the 960 sq. ft. minimum living area and 20 foot minimum dwelling width requirements. The Planning Commission can approve the PUD Amendment with the requirement that the developer will need to bring back building plans/elevations for the independent unit condominiums as a minor non-substantive change.
- Sidewalks, lighting, landscaping are not included in plan for Phase 3, 4, & 5. The Planning Commission can approve the PUD Amendment with the requirement that the developer will need to bring back landscaping, lighting, sidewalks for Phase 3, 4, & 5 as a minor non-substantive change.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued.

Chair Yoder opened the hearing for public comments.

Lynda Beaton, 256 Hughes Street – asked if there would be a buffer between the Green Acres project and the new home that is being constructed.

Denise Blakeslee – said that all owners and occupants within 300 feet of the project were noticed and no correspondence had been received in response to the request.

There were no more additional comments; the Public Hearing was closed at 7:12 pm.

PC-2016-11 North Channel Investors LLC, 84-86 Washington Street – Special Use Permit for Mixed Use

A Request has been received from North Channel Investors LLC, 84-86 Washington Street for a Special Use Permit for Mixed Use that includes Processing and Manufacturing, Eating and Drinking Establishment and Upper Story Dwellings.

Chair Yoder opened the Public Hearing at 7:13 pm

John Goothuis, North Channel Investors, LLC - presented the request to the Planning Commission. This is phase 2 of the South Washington Area Project. The elevations for the project were shown and the site plan was reviewed. The brewery, restaurant and brew pub will be on the first floor with the apartments on the second and third floors. An elevator is being installed that will provide access to the residential units.

Denise Blakeslee, Planning & Zoning Administrator – Review of the application shows compliance with the zoning ordinance and recommends that the following conditions be placed on the request.

- The Applicant shall request to combine both parcels 51-211-100-01, 51-211-100-02 & 51-211-100-03 into one parcel.
- The Applicant shall install a bike rack on the site.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued.

Chair Yoder opened the hearing for public comments.

Karen Kobeck (216 Sixth Avenue) – spoke to the commission about the need to access her driveway, there has been issues with the project; the removal of the trees is a concern because the people in the apartments can now look into her property; how late will the brewery be opened and will there be outdoor seating, she is worried about the noise and impact on her property, will the guard rail be replaced on Short Street.

T. Eftaxiadis, Eftaxiadis Consulting, Inc - A retaining wall is being constructed to stabilize Short Street, an easement from the property owner to the City is in place since Short Street encroaches into the North Channel property. The developer is extending the retaining wall for appearance. Trees needed to be removed to excavate for the wall. The drive was moved to allow the remaining trees to stay. Reviewed the landscape plan that includes a few trees to be planted between the retaining wall and Short Street. The retaining wall is part of the sewer upgrade that the City is working on and they are behind schedule due to issues with utilities and the City is in the process of designing a water main extension. There will be some outdoor seating on Washington Street during the summer months. The layout for the brewery places the public areas on the Washington Street portion of the building. The overall project includes the 18 Edgewater units as well as the 14 units above the brewery if there was an issue with the brewery/restaurant with noise it would directly impact these residents and there is a noise ordinance that should address Ms. Kobeck's concerns.

Bob Slawinski, 256 Hughes Street – asked for clarification on the street location and easement.

Commissioner McBride - asked if there would be any drainage issues with the road/wall.

Denise Blakeslee - said that the City Engineer prepared the specifications for the design and no correspondence had been received in response to the request.

There were no more additional comments; the Public Hearing was closed at 7:35 pm.

PC-2016-12, Stillwater Investments, 80 Pine Street – Special Use Permit for Alley Vacation Request

A request has been received from Stillwater Investments to vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson’s Addition to the City of Manistee.

AND

PC-2016-13, Stillwater Investments, 80 Pine Street – Special Use Permit for Planned Unit Development

A request has been received from Stillwater Investments for a Special Use Permit for a Planned Unit Development for 11 single family residential units with greenspace and amenities (pool, shuffleboard and volleyball) at the vacant property of the former Hotel Chippewa 80 Pine Street.

Since the two requests are regarding the same parcel and project the public hearing was held jointly to discuss both requests.

Chair Yoder opened the Public Hearing at 7:36 pm

Kelly Cavanaugh, Nederveld - reviewed the site plan with the commission. The project area is about 1.75 acres with 11 home sites, they have used building envelopes to give flexibility for building design, the homes have shared driveways with the ability to park up to 4 vehicles per home between the garage and drive. The utilities will be accessed from the street and they have been in discussion with the DPW to coordinate the installation of the taps with the proposed street resurfacing project. They have been investigating to see if there are any active lines within the alley. The homes will meet building code requirements.

Denise Blakeslee, Planning & Zoning Administrator – The Planning Commission previously had received a request to vacate the portion of the alley from the property owner, at that time the commission denied the request because there was not a site plan for a project demonstrating the need for the alley to be vacated submitted with the request. The current request shows the proposed development of the project. A memo was received from DPW Director Jeff Mikula from the original request to vacate the alley that stated:

Upon your request we have reviewed the request to vacate the alley between Pine St and Spruce St. along the block from Water St. to First St. A review of the City water and sewer Atlas’ does not indicate City water or sewer mains at this location. However, in discussing with Department of Public Works

staff, they recall a sewer manholes located within or adjacent to the alley. It is possible that this sewer flows east to Pine St. The manholes were inspected by the City, but are full or concrete and asphalt debris. The applicant should determine if there are any live connections to the City system.

Should the line only serve the former building, we would consider removal of the line to support future development. We request this to become a condition of the vacation.

The alley is a throughway from Spruce to Pine Streets. An adequate turn around should be provided at the east end of the existing alley prior to the vacated portion.

If the Planning Commission were to recommend approval to vacate the alley, staff recommends that it include the standard language used for all street/alley vacations a request reserving any existing utility easements and the applicant is to determine if there are any live connections to the City system.

Review of the application for a Planned Unit Development shows compliance with the zoning ordinance. The DPW Director noted *"No proposed utilities shown. Should we infer there will be 11 water and sewer connections then? If so, they will be opening up a lot of pavement along First and Pine. Those streets are scheduled to be repaved next spring"*.

The Planning Commission can place a condition on the permit that *"The applicant is to coordinate the installation of the needed water and sewer taps with the Department of Public works before the repaving of First and Pine Street in the spring."* In addition to the two conditions Staff is recommending for the permit as follows:

- The request to vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson's Addition to the City of Manistee be approved by City Council.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety be address before the Special Use Permit can be issued.

Cindy Champagne (465 First Street) – asked how much the buildings will sell for, how the building will look, appearance of the building, if they will be rentals. Concerned if the project fails the impact on her property values.

Kelly Cavanaugh, Nederveld – The homes will be below \$300,000. The homeowner will be able to customize the home for their needs. A spec home will be constructed and the property will be actively marketed. The owner will have the option of one a two story home and they will have a cottage appearance.

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

There were no more additional comments; the Public Hearing was closed at 8:05 pm.

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

PC-2016-10 Retirement Living Management of Manistee, LLC, 1835 Twelfth Street (Green Acres) – Request to amend existing Planned Unit Development for a Retirement Village

A public hearing was held earlier in response to a request from Retirement Living Management of Manistee, LLC to amend their existing Planned Unit Development for a Retirement Village.

Motion by Aaron Bennett, seconded by Mark Wittlieff that the Planning Commission adopts a resolution to approve with conditions the request from Retirement Living Management of Manistee, LLC to amend their existing Planned Unit Development for a Retirement Village from 80 units to 77 units as detailed on Site Plan prepared by Johnson Newhof Associates Inc. Project Number 16-064 dated 8/29/16 with the following conditions:

- Minimum Living Area/Dwelling Width is not included for independent unit condominiums (Phase 5). Under a PUD the Planning Commission can approve structures that do not meet the 960 sq. ft. minimum living area and 20 foot minimum dwelling width requirements. The Planning Commission can approve the PUD Amendment with the requirement that the developer will need to bring back building plans/elevations for the independent unit condominiums as a minor non-substantive change.
- Sidewalks, lighting, landscaping are not included in plan for Phase 3, 4, & 5. The Planning Commission can approve the PUD Amendment with the requirement that the developer will need to bring back landscaping, lighting, sidewalks for Phase 3, 4, & 5 as a minor non-substantive change.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued.

With a Roll Call vote this motion passed 6 to 0.

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

PC-2016-11 North Channel Investors LLC, 84-86 Washington Street – Special Use Permit for Mixed Use

A public hearing was held earlier in response to a request from North Channel Investors LLC, 84-86 Washington Street for a Special Use Permit for Mixed Use that includes Processing and Manufacturing, Eating and Drinking Establishment and Upper Story Dwellings (Brewery/Restaurant and 14 residential units).

Motion by Maureen Barry, seconded by Marlene McBride that the Planning Commission adopts a resolution to approve with conditions the request from North Channel Investors LLC, 84-86 Washington Street for a Special Use Permit for Mixed Use that includes Processing and Manufacturing, Eating and Drinking Establishment and Upper Story Dwellings (Brewery/Restaurant and 14 residential units) as shown on Site Plan prepared by Nordlund and Associates Job #1310-2B, Date 09-01-16 with the following conditions:

- The Applicant shall request to combine both parcels 51-211-100-01, 51-211-100-02 & 51-211-100-03 into one parcel.
- The Applicant shall install a bike rack on the site.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued.

With a Roll Call vote this motion passed 6 to 0.

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

PC-2016-12, Stillwater Investments, 80 Pine Street – Special Use Permit for Alley Vacation Request

A public hearing was held earlier in response to a request from Stillwater Investments to vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson’s Addition to the City of Manistee.

Motion by Aaron Bennett, seconded by Mark Wittlieff that the Planning Commission to recommend to City Council to approve the request from Stillwater Investments vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson’s Addition to the City of Manistee reserving any existing utility easements and the applicant is to determine if there are any live connections to the City system.

With a Roll Call vote this motion passed 6 to 0.

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

PC-2016-13, Stillwater Investments, 80 Pine Street – Special Use Permit for Planned Unit Development

A public hearing was held earlier in response to a request from Stillwater Investments for a Special Use Permit for a Planned Unit Development for 11 single family residential units with greenspace and amenities (pool, shuffleboard and volleyball) at the vacant property of the former Hotel Chippewa 80 Pine Street.

Motion by Maureen Barry, seconded by Mark Wittlieff that the Planning Commission adopts a resolution to approve with conditions the request from Chippewa Cottages and Resort for a Special Use Permit for a Planned Unit Development for 11 single family homes with amenities including a pool, shuffleboard courts, and a tennis court as submitted with site plan prepared by Nederveld, Project No: 16201018 dated 9/28/16 with the following conditions:

- The request to vacate that portion of the alley located between lot 1, 2, 3, 4, including the east 18.75 feet of lot 5 and lot 12, 11, 10, 9 including the east 18.75 feet of lot 8, located in Block 9 of Filer and Tyson’s Addition to the City of Manistee be approved by City Council.
- Any concerns or outstanding items relating to the site plan by the City Engineer, DPW Director or Public Safety be address before the Special Use Permit can be issued.
- The applicant is to coordinate the installation of the needed water and sewer taps with the Department of Public works before the repaving of First and Pine Street in the spring.

With a Roll Call vote this motion passed 6 to 0.

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

PC-2016-14, James & Susan Matthews, 334, 335, 338 River Street – Minor Change to a Detailed Site Plan

James and Susan Matthews were issued a Special Use Permit for Mixed Use (Commercial & Residential) on January 7, 2010. Since that time they have demolished a portion of the building to create an outdoor seating area along with renovating the building at 334, 336 & 338 River Street. Mr. & Mrs. Matthews would like to install a gazebo in the outdoor seating area of their property to provide some screening from the parking lot and ramp to the riverwalk east of their property.

Motion by Aaron Bennett, seconded by Marlene McBride to approve the request to for the installation of a gazebo at 334, 336, 338 River Street as a Minor Change to a Detailed Site Plan as provided under Section 2208.C of the Zoning Ordinance.

With a Roll Call vote this motion passed 6 to 0.

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

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning Administrator – invited the Commissioners to attend the Council Worksession on Tuesday for the potential development of 400 River Street.

MEMBERS DISCUSSION

Commissioner Wittlieff thanked the members the good work at this evenings meeting.

The next regular meeting of the Planning Commission will be held on Thursday, November 3, 2016

ADJOURNMENT

Motion by Ray Fortier, seconded by Maureen Barry that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 8:25pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary