

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

February 2, 2017

A meeting of the Manistee City Planning Commission was held on Thursday, February 2, 2017 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

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

ROLL CALL

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

Members Absent: None

Others: Trent Kidder (5024 W. Woodrow, Shelby), Joe Hayes (5150 W. Woodrow, Shelby), Kathy Grabowski (1235 Cornell), Jim Grabowski (1235 Cornell), Paul Swidorski (4786 Red Apple Road), Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Roger Yoder that the agenda be approved as prepared.

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

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

APPROVAL OF MINUTES

Motion by Marlene McBride, seconded by Maureen Barry that the minutes of the January 5, 2017 Planning Commission Meeting be approved as prepared.

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

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

PUBLIC HEARING

Chair Wittlieff opened the Public Hearing at 7:03 pm

PC-2017-01 – Joe Hayes, vacant property NE corner of Cypress and Twelfth Street (behind Goodwill).

A request has been received from Joe Hayes to construct a Mini/Self Storage Facility on the vacant property on the NE corner of Cypress and Twelfth Street (Behind Goodwill).

Trent Kidder and Joe Hayes – reviewed their request to construct a Mini/Self Storage Facility on the vacant property on the NE corner of Cypress and Twelfth Street (Behind Goodwill) with the Commission. They currently have a facility in Ludington and have several people from Manistee who rent from them; they have about 90% occupancy at that facility. They are using the same design, steel storage buildings, concrete foundations, paved access lanes; no electricity in the buildings, no lighting is shown on the current plan, and no office on site. Customers call the number posted onsite and they meet them at the site, the lease states no hazardous materials are permitted. They did not show fencing or a gate on the plan but would like the option to add them later. They are planning to add fencing and a gate with a key pad at their facility in Ludington.

Denise Blakeslee, Planning and Zoning Administrator presented her report to the commission. Review by the Fire Department showed no concerns with the request. The City Engineer and DPW Director had some concerns relating to the request and staff drafted them as conditions for the consideration of the commission. The conditions are as follows:

- The detention pond is designed without an emergency spillway. The City Engineer is requiring the pond to be sized for two 100 year 24 hour storm events or utilize the storm sewer along Cypress St as an emergency outlet. The ditch along the north edge of the project could be used for conveyance and pipe the overflow to Cypress St. A new site plan is to be reviewed and approved by the City Engineer showing the management of stormwater before the Special Use Permit can be issued.
- The plan shows the sidewalk constructed along the right of way. The sidewalk is to be placed one foot inside the outer edge of the right of way.
- Phase 2 sidewalks are to be extended to the east property line.
- Twelfth St will is planned for reconstruction within the next 2-3 years. The developer shall work with the City to have a sidewalk constructed in conjunction with the reconstruction of Twelfth Street. Cost of construction of the sidewalk shall be the Developers, and the payment shall be a condition of the Special Use Permit. Funds for the sidewalk construction shall be either escrowed with the City by Developer, secured through a bond acceptable to the City or payment secured by some other method acceptable to the City.

The Commission could add a condition to the allow the applicant the option to add a gate and fencing at a future date as a minor non-substantive change that could be approved by the Site Plan Review Committee.

Chair Wittlieff opened the hearing for public comments

Kathy Grabowski, 1235 Cornell Street – expressed concerns about the hours, would like to have security now not later. Intent is intent and she would like that requirement in place before construction, she lives within 100 feet of the project.

Jim Grabowski, 1235 Cornell Street – he patrolled the City for over 30 years, and the housing project across the street was supposed to be seniors. This project does not add anything to the neighborhood, there has to be a better place for the project and it is not acceptable.

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

There being no additional comments from the public in attendance, Chair Wittlieff closed the public hearing at 7:35 pm

Public Hearing opened at 7:36 pm

PC-2017-02 –Chemical Bank (Owner) / Paul Swidorski (Operator) - vacant property NE corner of Cypress and Twelfth Street (behind Goodwill). In 2011 the Planning Commission issued a Special Use Permit to Paul Swidorski (operator) for Mine, Sand and Gravel. The Special Use Permits for Mine, Sand and Gravel expire after five years. Mr. Swidorski is requesting to renew his Special Use Permit for Mine, Sand and Gravel.

Paul Swidorski, Swidorski Brothers Excavating LLC –spoke to the commission about his desire to renew his sand mining permit. To his knowledge there have not been any complaints about his operation, as areas are mined they are remediated (top soiled and seeded). He is getting close to completion of the area for mining from the original application.

Denise Blakeslee, Planning and Zoning Administrator presented her report to the commission. Review by the Fire Department showed no concerns with the request. The City Engineer and DPW Director had expressed concerns relating to the request. Staff used the original conditions for approval from the 2011 Special Use Permit and incorporated the concerns from the DPW Director and City Engineer for consideration by the Commissioners as conditions to be placed on the permit as drafted in the resolution to approve the request. The conditions are as follows:

- This permit shall be conditioned on the issuance of any required soil erosion permit. A copy of the permit is to be provided to the City.
- The applicant is required to grade the Twelfth and Cypress Street rights-of-way adjacent to the applicant's property as shown on the site plan to an elevation approved by the City Engineer that will provide for the installation of a sidewalk.
- The applicant shall meet the requirements of Section 1865.B.3.a.1) as it relates to adjoining Parcel #51-661-001-00 (Address: 282 Twelfth Street).
- In the event the applicant receives approval from the owner of Parcel #51-661-001-00 to excavate a portion of that parcel, the applicant will need to amend the Special Use Permit.
- A snow fence shall be erected around the excavation area prior to excavation.
- Hours of operation shall be limited to: 7:00 am to 7:00 pm Monday – Saturday.

- A minimum performance guarantee of \$3,000.00 plus a minimum \$2,000.00 per excavated acre shall be filed with the City Treasurer before the Special Use Permit will be issued.
- As the site is currently being operated, trucks are sometimes loaded while parked along Twelfth St. The loading/offloading of equipment and materials is required to be on site and not on the roadway.
- Appropriate measures are to be taken so that trucks egressing the current site are not depositing soils along the adjacent roadways. The applicant is to provide a coarse aggregate loading pad (or other SSEC Best Management Practice) to reduce “tracking” of soils onto the City Street system.
- The “loading Driveway” indicated on the plans lacks details. The applicant is to supply a detailed plan to meet the standards of the DPW Director and City Engineer before the Special Use Permit will be issued.
- Should mining continue once Twelfth St is reconstructed (planned for 2-3 years from now), the approach used by mining equipment on to the roadway shall be constructed to commercial driveway standards including HMA (over an aggregate base) or concrete to reduce degradation of the new roadway.
- The documents submitted are not clear on the proposed extents of the mining operation. It appears that the intent is to mine sand for the site preparation of Phase 1 and 2 of the self-storage project. If this is not the intent the applicant is to provide actual limits of mining extents and proposed finish grades.
- The Special Use Permit shall be issued for a period of five years and shall expire on February 2, 2022.

Chair Wittlieff opened the hearing for public comments. No comments from the public.

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

There being no comments from the public in attendance, Chair Wittlieff closed the public hearing at 7:45 pm

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

PC-2017-01 – Joe Hayes, vacant property NE corner of Cypress and Twelfth Street (behind Goodwill).

A public hearing was held earlier in response to the request from Joe Hayes to construct a Mini/Self Storage Facility on the vacant property on the NE corner of Cypress and Twelfth Street (Behind Goodwill).

The commissioners discussed the concerns from the neighbors about security, hours of operation, fencing, the reconstruction of Twelfth Street and landscaping. Resulting in the following conditions being drafted:

- Hours of operation are limited to 7 am – 10 pm
- A gate with a keypad is required to be installed before the facility opens. The key pad will provide a code for customers to access their units only during hours of operation. The Police and Fire Department will be provided an override that allows the gate to be opened in the event of an emergency.
- The installation of fencing around the facility will be considered a minor non substantive change which can be approved by the Site Plan Review Committee.
- In conjunction with the reconstruction of Twelfth Street the applicant is to provide four boulevard trees.

MOTION by Aaron Bennett, seconded by Maureen Barry to adopt a resolution to approve with conditions the request from Joe Hayes for a Special Use Permit for a Mini/Self Storage Facility on the vacant property on the NE corner of Cypress and Twelfth Street (behind Goodwill) as shown on Site Plan prepared by Nordlund and Associates, Inc., Job Number 1319-3, Dated January 9, 2017. The conditions on the permit are as follows:

- The detention pond is designed without an emergency spillway. The City Engineer is requiring the pond to be sized for two 100 year 24 hour storm events or utilize the storm sewer along Cypress St as an emergency outlet. The ditch along the north edge of the project could be used for conveyance and pipe the overflow to Cypress St. A new site plan is to be reviewed and approved by the City Engineer showing the management of stormwater before the Special Use Permit can be issued.
- The plan shows the sidewalk constructed along the right of way. The sidewalk is to be placed one foot inside the outer edge of the right of way.
- Phase 2 sidewalks are to be extended to the east property line.
- Twelfth St will is planned for reconstruction within the next 2-3 years. The developer shall work with the City to have a sidewalk constructed in conjunction with the reconstruction of Twelfth Street. Cost of construction of the sidewalk shall be the Developers, and the payment shall be a condition of the Special Use Permit. Funds for the sidewalk construction shall be either escrowed with the City by Developer, secured through a bond acceptable to the City or payment secured by some other method acceptable to the City.
- Hours of operation are limited to 7 am – 10 pm
- A gate with a keypad is required to be installed before the facility opens. The key pad will provide a code for customers to access their units only during hours of operation. The Police and Fire Department will be provided an override that allows the gate to be opened in the event of an emergency.

- The installation of fencing around the facility will be considered a minor non substantive change which can be approved by the Site Plan Review Committee.
- In conjunction with the reconstruction of Twelfth Street the applicant is to provide four boulevard trees.

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

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

PC-2017-02 –Chemical Bank (Owner) / Paul Swidorski (Operator) - vacant property NE corner of Cypress and Twelfth Street (behind Goodwill).

A public hearing was held earlier in response to the request from Paul Swidorski (operator) to renew his Special Use Permit for Mine, Sand and Gravel.

MOTION by Maureen Barry, seconded by Marleen McBride to adopt a resolution to approve with conditions the renewal of a Mine, Sand and Gravel Special Use Permit from Chemical Bank, Owner/Paul Swidorski, Swidorski Bros. Excavating, LLC, Operator as submitted with application and Original Site Plan prepared by Abonmarche, ACI Job #110098 Dated March 9, 2011, and area of excavation as required for buildings on Site Plan prepared by Nordlund and Associates, Job Number 1319-3, Dated January 9, 2017 for proposed development for a Mini/Self Storage Facility. The conditions on the permit are as follows:

- This permit shall be conditioned on the issuance of any required soil erosion permit. A copy of the permit is to be provided to the City.
- The applicant is required to grade the Twelfth and Cypress Street rights-of-way adjacent to the applicant’s property as shown on the site plan to an elevation approved by the City Engineer that will provide for the installation of a sidewalk.
- The applicant shall meet the requirements of Section 1865.B.3.a.1) as it relates to adjoining Parcel #51-661-001-00 (Address: 282 Twelfth Street).
- In the event the applicant receives approval from the owner of Parcel #51-661-001-00 to excavate a portion of that parcel, the applicant will need to amend the Special Use Permit.
- A snow fence shall be erected around the excavation area prior to excavation.
- Hours of operation shall be limited to: 7:00 am to 7:00 pm Monday – Saturday.
- A minimum performance guarantee of \$3,000.00 plus a minimum \$2,000.00 per excavated acre shall be filed with the City Treasurer before the Special Use Permit will be issued.
- As the site is currently being operated, trucks are sometimes loaded while parked along Twelfth St. The loading/offloading of equipment and materials is required to be on site and not on the roadway.

- Appropriate measures are to be taken so that trucks egressing the current site are not depositing soils along the adjacent roadways. The applicant is to provide a coarse aggregate loading pad (or other SSEC Best Management Practice) to reduce “tracking” of soils onto the City Street system.
- The “loading Driveway” indicated on the plans lacks details. The applicant is to supply a detailed plan to meet the standards of the DPW Director and City Engineer before the Special Use Permit will be issued.
- Should mining continue once Twelfth St is reconstructed (planned for 2-3 years from now), the approach used by mining equipment on to the roadway shall be constructed to commercial driveway standards including HMA (over an aggregate base) or concrete to reduce degradation of the new roadway.
- The documents submitted are not clear on the proposed extents of the mining operation. It appears that the intent is to mine sand for the site preparation of Phase 1 and 2 of the self-storage project. If this is not the intent the applicant is to provide actual limits of mining extents and proposed finish grades.
- The Special Use Permit shall be issued for a period of five years and shall expire on February 2, 2022.

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

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

OLD BUSINESS

Sub-Committee Appointments

According to the By-Laws of the City of Manistee Planning Commission the Chair will appoint members of the Planning Commission to serve on Sub-Committees of the Planning Commission and one member who shall serve on the Zoning Board of Appeals.

Executive Committee (Chair, Vice Chair, Secretary)/ Ordinance Re-Write Committee - Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated and if needed review Zoning Ordinance Amendments with the City Council Ordinance Review Committee. Chair Wittlieff appointed: ***Maureen Barry - Vice Chair, Marlene McBride – Secretary, Mark Wittlieff - Chair***

Master Plan Review Committee/Green Initiative - Ad Hoc Committee – The Commission has eliminated this committee, noting that it can be reinstated if needed at a later date.

Site Plan Review/ Subdivision Committee - Site Plan Review Committee – Needed for Medium Site Plans for new construction; the Zoning Administrator has the option to forward requests to the Committee. Committee Review required for Planned Unit Developments. Subdivision Committee - This committee is required under section 1242.03 of the Code of Ordinances. Chair Wittlieff appointed: ***Marlene McBride, Mark Wittlieff, and Roger Yoder*** - Chair Wittlieff appointed 2 Alternates: ***Maureen Barry and Bob Slawinski***

Zoning Board of Appeals - One member of the Planning Commission will be appointed as the Planning Commission Representative on the Zoning Board of Appeals. Chair Wittlieff appointed **Ray Fortier**

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF REPORTS

Denise Blakeslee, Planning & Zoning Administrator – A Site Plan Review Committee meeting needs to be scheduled. After discussion with the Sub-Committee members a meeting was scheduled for Thursday, February 9, 2017 at 3:30 pm

MEMBERS DISCUSSION

Commissioner Yoder spoke about taxes and training for certification.

The next regular meeting of the Planning Commission will be held on Thursday, March 2, 2017

ADJOURNMENT

Motion by Ray Fortier, seconded by Marlene McBride that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 8:23pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary