

**CITY OF MANISTEE PLANNING COMMISSION**

70 Maple Street  
Manistee, MI 49660

**MEETING MINUTES**

August 1, 2019

A meeting of the Manistee City Planning Commission was held on Thursday, August 1, 2019 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Wittlieff followed by the Pledge of Allegiance.

**ROLL CALL**

Members Present: Michael Szymanski, Bob Slawinski, Rochelle Thomas, Marlene McBride, Pamela Weiner, Roger Yoder and Mark Wittlieff

Members Absent: None

Others: Kyle Storey (City Zoning Administrator), Mike Szokola (GIS/Planner 1), Rob Carson (County Planning Director) and Nancy Baker (Recording Secretary)

**APPROVAL OF AGENDA**

Motion by Commissioner Slawinski, second by Commissioner Thomas to approve the August 1, 2019 Agenda as printed.

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

Yes: Slawinski, Szymanski, Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

**APPROVAL OF MINUTES**

Motion by Commissioner McBride, seconded by Commissioner Yoder to approve the July 11, 2019 Planning Commission Meeting minutes as prepared.

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

Yes: Slawinski, Szymanski, Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

**PUBLIC HEARING**

168 Harrison Street, Vacation Request

Joe Hollander, Hollander Corporation authorized agent, requesting a street vacation for the unpaved portion of Van Buren and Jefferson Street. Hollander Development has attained the Olson Lumberyard site. The developer is aware of the need for a secondary access to Van Buren Street. A secondary Van Buren street access to the north connecting to Jackson Street is proposed, constructed at the expense of the developer.

Mr. Olson accepted the developer's proposed street vacation route.

Mr. Carson explained the street vacation process. The proposed connection would provide a secondary access for property owners.

**PUBLIC COMMENT ON AGENDA RELATED ITEMS**

Chair Wittlieff asked the public to comment on only the street vacation.

Eric Smejkal, 163 Van Buren Street, around 1979 the city completed a study approving Van Buren Street entering onto Jackson Street to Washington Street. Another exist was needed as drivers were having difficulties entering

onto US 31 due to buildings, poles, trees etc. on the streets edge. Snow removal is an issue.

Manistee Housing Commission Executive Director, 273 Sixth Avenue, the City of Manistee Housing Commission has issued a notice of termination to Hollander Corporation. This is due to receiving letters of protest.

Judy Stocki, 161 Harrison Street, the street vacation seems to be for a multi-housing unit in the area. The concern is for the possible cause of increase traffic and decrease of property value.

Gini Pelton, Century 21 Realtor, this project is not mentioned by the Housing Commission or City Council. About 13 listings in and around the city have space for the proposed development. A city chosen listing would put the property on the tax roll. The Housing Commission is known to have maintenance issues with their existing buildings. There are concerns with having the same issues in this area.

Thomas Opalka, 166 Van Buren Street, an exit point through Olson Lumber to Harrison Street was used until it was barricaded. Entering onto US 31 is difficult with the buildings and poles at the streets edge. Snow removal has been an issue. An alternate route for neighborhood residents would be needed. This development should consider relocating to a place with more space such as the Industrial Park area.

Susan Meyers, 212 Second Avenue, this affordable housing development plus the other development on the town's north side will be too much in one area. The definition of affordable housing should be more defined. The city's great historical history is well protected and should continue to be.

Joy Smith, 164 Harrison Street, an alternate vacation route was offered, a development for smaller income workers is needed and public input regarding the development's plan is essential.

Julie Loeweke, 158 Jefferson Street, Manistee has many unoccupied housing. Selling a home in low-income areas can sometimes be a hard sell. There is a concern this area will become like other troublesome areas in the city.

Amy Eckholm, 240 Sixth Avenue located across from Century Terrace. Houses in the area do not seem to sell at a fair price. Century Terrace is once again senior living housing. There is great concern of public housing having residents disrespect the property and possible drug usage in the area.

Sam Miller, customers of the 2 businesses in this area use Van Buren Street. This street has been used for over 40 years. The closing of this street should be given serious thought before a decision is made.

Linda Vidas, 165 Quincy Street, expressed dislike for the housing development project. History shows concentrating this many people in this small space does not work.

Mike Duffy, 210 Washington Street, vacating Van Buren would eliminate the ability to access the back side of his property along with everyone on his block having the inability to access the back of their property.

Sharon Marsh, 231 First Avenue, the city has done a huge disturbance to its senior citizens housing. The former senior development was a great place until it was changed into low-income housing.

Randy Pepera, 221 Washington Street, housing on the north side of the city has improved with the residents hard work. Increasing the sewer usage is a huge concern. Concentration on fixing the present low-income areas should take place before more housing is developed.

Dennis Skiera, 1415 Maple Road, City of Manistee rental owner, questioned the vacation of a tax paid public street for a private contractor. Private taxpayers pay higher taxes than PILOT programs. The Century Terrace has been turned back into senior living, but this area continues to be a very large drug usage area.

Jay Marsh, 231 First Avenue, this is about more than just the vacation of the street. A decision should not be made until more information regarding the development is known.

Steven Loreda, 194 Harrison Street, the north side has significantly improved due to home improvements by the residents. The development may not be good for this area. Manistee is an old Victorian town and developments coming in remove this era from their planning.

Rebecca Bennett, 146 Quincy Street, most residents use Van Buren as another exit. Some low-income citizens are self-supportive and have managed to make gradual home improvements to their residents. The development in this area should not occur.

Leah, owner next to Oleson Lumber, neighborhood has seen improvements. Their home is presently a rental, but it is up for sale. Selling has been difficult with offers below the listed price. Finding affordable housing in the Manistee area is difficult but this is not a good location for this development. The developer should think about a senior assistant living development.

Joe Stocki, 169 Harrison Street, is unsure how a 48 multifamily unit development is going to fit in the small parcel space as proposed.

Tonya, 184 Harrison Street, concerned residents from other housing developments will move into this development and be disrespectful and misuse the property. Working taxpayers are not given free housing to live in. Residents are concerned the home values will go down because of this new development.

Mr. Storey read mail correspondences that were received in the office.

Gary Smejkal, 163 Van Buren Street, objects to the Van Buren Street vacation. Access to the west end of Van Buren Street is used to avoid traffic when the bridge is open, a train is crossing or existing onto US 31 is near impossible.

Parkdale Block owners requested the end of Van Buren Street be left open due to customer use.

Ralph Schafer, 159 Van Buren Street, objected to the closing of Van Buren. This section is used by UPS, Fed Ex, other business deliveries and access into the city. The city does not maintain this section very well, but it is used a great deal.

Thomas Opalka, 166 Van Buren Street, for years Van Buren Street has been used as an exit. Entering onto US 31 can be very difficult. If US 31 traffic is backed up, emergency vehicles can access houses in this area by using Van Buren. Closing this section is wrong.

Sam Miller, Miller Bros Iron & Metal Co, business owner at 150 Van Buren St. Many customers and renters use this section of Van Buren to enter or exit this area. Using US 31 during the summer and winter months can be very difficult for customers and the people living in this area. Objects to the vacation of Van Buren Street.

Paul Lytle, employee of 150 Van Buren Street, for over 20 years this section of Van Buren is used daily to and from work. Customers use this section daily.

Mr. Hollander, the housing market has not fully recovered causing the value of some homes to not be where they were years ago. Traffic in the area is down from what it was years ago when the lumberyard was a thriving business. The 48 proposed units are not a fixed number. The plan is for multifamily housing. This is a local housing unit, not for just low-income. It can/does house those working at a lower wage. He has developed many units throughout Michigan and other states that are doing very well. His other developments are being managed correctly. He is working on moving forward, resolving issues, working with the community and having an open mind with all of it.

**SPECIAL PRESENTATION(S)**

There were no Special Presentations.

**NEW BUSINESS**

**168 Harrison Street, Street Vacation request**

Mr. Storey read a vacation request memo. Art Oleson, owner of Oleson Lumber Company, has signed on and is in support of this vacation request.

Planning Commissioners expressed several concerns: the survey documents do not currently have a new connection proposal, it was expressed that many area residents are using what is actually a private driveway and is not in fact a public road, inquired how traffic would be managed with the street vacation, if a PUD was in place the street vacation could be done at the time of the development proposal, discussion regarding the street vacation and the development are 2 separate issues.

Mr. Carson reminded the Planning Commission the only item presented to the Planning Department is the street vacation request. A development proposal has not been submitted to the office. Any discussion regarding proposed development may have been discussed between Mr. Hollander and the Housing Commission but not with the department. If a development proposal is presented to the office, this proposal would be presented with specific recommendations to the Planning Commission.

Motion by Commissioner Slawinski, seconded by Commissioner Thomas to table the street vacation request until a traffic study can be done according to the survey of Van Buren Street to Jackson Street, to include a PUD site plan with the street vacation to be reviewed and act in contingency at that time.

Mr. Carson stated a traffic study is done by an engineering firm. Staff would review and, if necessary, summarize the report. The developer must provide this study. The traffic study would be on what the traffic impact would be from the number of units proposed in the development. Mr. Carson repeated to the Commission that the subject is regarding the street vacation and not the development.

The motion was rescinded.

Motion by Commissioner Slawinski, seconded by Commissioner Thomas to table the street vacation request until more information can be obtained.

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

Yes: Slawinski, Szymanski, Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

**160 Tenth Street, Special Use Permit**

Special Use Permit #PC-2018-05, parcel 51-51-712-475-10 is requesting transferring ownership of the approved special use permit for usage of Marihuana Facilities.

James Adams, 14934 Pleasanton Hwy, Bear Lake, new owner, they will proceed with the original approved permit. There will be no changes.

Mr. Carson, the Zoning Ordinance Section 18 states a special use permit may be transferred by the owner to a new owner provided the original conditions are followed. A letter from the previous owner authorizing this transfer must be received. To date this letter has not been received.

The time frame for this permit is 1 year, however, there has been no response from the state regarding this license. The Zoning Ordinance states the time frame cannot be enforced until response from the state is received. Once received the time frame starts to take effect.

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to accept the transfer of the special use permit along with the signed letter of the permit transfer from the original owner to the new owner.

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

Yes: Slawinski, Szymanski, Thomas, Weiner, McBride, Yoder and Wittlief

No: None

## **OLD BUSINESS**

### **294 Twelfth Street, Special Use Permit**

Ludington Storage LLC, 5450 West Shelby Road, Shelby, owners of 294 Twelfth Street have applied for a special use permit with substantial change to the existing use. The existing permit is for 4 structures. The request change is for a 5-phase expansion process with additional storage in each phase. The approximate completion of the project is 1 building per year with a date of 4 years.

Discussion concerning the permit ensued regarding the following items: expansion of storage, detention pond, soil erosion maintenance, landscaping, fencing, sidewalks, power to the project and lighting with the units not having power to them. The Planning Commission requested the site plan include all discussed items.

A special hearing is set for September 5<sup>th</sup> with the understanding that the completed plans be submitted to the department in a timely manner.

## **PUBLIC COMMENTS AND COMMUNICATIONS**

James Grabowski, 1235 Cornell Street, is opposed to the storage unit project which is adjacent to his parcel. He has several concerns with this project; fencing, lighting, additional phases etc.

## **CORRESPONDENCE**

There was no Correspondence.

## **STAFF REPORTS**

### Marihuana Special Hearing Meeting

Mr. Storey stated a Marihuana Special Hearing Meeting will be August 15, 2019 at 3 pm in the City Council room. There are 10 applicants that will be presenting. A 30-minute time should be given to each applicant, 15 minutes for their presentation and 15 minutes for questions. The public should be given 2-3 minutes to address the Planning Commission on each applicant. After this process, the PC will forward their findings to the City Council. There will be no decisions made at this meeting. Discussion may occur at the September 5<sup>th</sup> meeting or a mid-September Special Hearing Meeting can be scheduled for discussion. All requirements have been met by the Planning Department. Background checks will be done by the city.

Mr. Carson stated all pertinent documents will be provided in a packet. A recommendation that approving the proposed site plans from the different developers/realtors will be contingent on them building it out.

Mr. Storey stated the presentations will be by the order in which their applications were accepted. Each group will need to have a spokesperson rather than each individual speaking.

### Railroad Relocation

The county and entities around Manistee Lake met to discuss the possible rerouting the railroad over Manistee Lake. The discussed route would go down Stronach Road, across the lake and over to the south end of PCA with a connection going up to Morton Salt. This would eliminate traffic stops, maintenance on the drawbridge etc.

The abandonment of the railroad could be utilized for a trail system within the city.

**MEMBERS DISCUSSION**

Mr. Storey will check on the progress at 900 Vine Street and will report at the next meeting.

**ADJOURNMENT**

Motion by Commissioner Szymanski, seconded by Commissioner Thomas to adjourn the meeting.

MOTION PASSED UNANIMOUSLY. Meeting adjourned at 9:35 pm.

The next regular Planning Commission meeting will be held on September 5, 2019.

MANISTEE PLANNING COMMISSION

A handwritten signature in cursive script, appearing to read "Nancy Baker", is written over a horizontal line.

Nancy Baker, Recording Secretary