

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

August 3, 2023

A meeting of the Manistee City Planning Commission was held on Thursday, August 3, 2023 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.

ROLL CALL

Members Present: Bob Slawinski, Marlene McBride, Pamela Weiner, Shelly Memberto, Michael Szymanski, and Mark Wittlieff

Members Absent: Roger Yoder

Others: Katie Mehl (County Planner 1 & City Zoning Administrator), Mike Szokola (County Planning Director), Jodie Lynch (County Planner 1) and Nancy Baker (Recording Secretary)

APPROVAL OF AGENDA

Moved by Commissioner Slawinski, seconded by Commissioner McBride, to approve the August 3, 2023 agenda as printed.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

CONFLICT OF INTEREST

Commissioner Memberto disclosed she is an employee of the Little River Casino Resort and not the Tribe. The Tribe does not oversee her E.D.C.

Commissioner McBride disclosed she knows the owner of the repair shop. Grandson and Mr. Alexander Giltz are friends. Have met him on several occasions.

The Planning Commission (PC) did not constitute these as a conflict of interest.

Chair Wittlieff reminded the PC to not allow personal opinions sway their thoughts as part of a decision and to stay with the zoning ordinance as items are presented.

APPROVAL OF MINUTES

Moved by Commissioner McBride, seconded by Commissioner Slawinski to approve the July 6, 2023 minutes as printed.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff
No: None

CORRESPONDENCE

The PC received several correspondences that were provided to members from staff via email prior to the meeting.

PRESENTATION/SPEAKER

None

PUBLIC HEARING

Z23-04

Open 7:04 pm

Ms. Mehl:

- Some city lot properties have more than 1 frontage that are not a corner lot, 2 lots with both having front yards
- Accessory buildings must be in a side or rear yard
- Zoning Amendment: add definition of Established Front Yard and Double-Frontage Lot
- Front yard being the section with the drive and/or address

No correspondence received.

No public comment.

Commissioners' comments: agree with language, will allow the ability to handle these types of lots, drive and address establish front

Closed 7:08 pm

Z23-05

Open 7:04 pm

Ms. Mehl:

- Not only for the address on application, for entirety of R-2 district, key-street frontage
- Request is to amendment language to add automobile repair when property contains key-street frontage
- Currently not allowable use in R-2 district key-street frontage
- Zoning Amendment: add the use of Automobile Repair Facility as a Special Land Use
Alexander Giltz 4673 Caberfae Hwy, applicant:
- Neighbors have no issue with business per verbal communications
- Auto repair, no fuel, possibly do oil changes depending upon needed regulations

No correspondence received.

No public comment.

Commissioners' comments: stay with Special Land Use Permit, hesitant to change R-2 district, amendment must be made to allow Mr. Giltz to move forward

Closed 7:25 pm

Special Land Use Request – PUD: Gateway Development

Open 7:25 pm

Ms. Mehl:

- Planned Unit Development (PUD) for Gateway project
- 90-unit residential condo/hotel complex with amenities
- South building of mixed-use space, residential apartments, parking structure

Two correspondences received.

Representatives: T Eftaxiadis, Mike Corby (Architect) and Shane Brennan (Spicer Group)

T Eftaxiadis:

- Redevelopment of downtown entrance
- Past plans were approved, updated hospitality study and community needs changed original plans to newly submitted plans
- Survey from area major employers; 47 work-live apartments, 8 townhouse units

Mike Corby (Integrated Architecture):

- Reviewed design plans; hotel transient use, heritage venue, amenities, 5 stories, 215 parking spaces, amenities at river level
- Façade: materials predominate of city building materials, colors, window shapes

Shane Brennan (Spicer Group Engineering):

- Confirmed city systems will handle
- Stormwater runoff and water quality

T Eftaxiadis: project plans: buildings done in sequences-not phases to prevent River Street traffic disturbance, need to have staging areas, places for equipment, supplies etc.

Commissioners' comments:

- Stability of land-1-story to 5-story building and riverbank area; environmental assessments, design proper engineering controls from August 14th additional assessments, will need boring-deep foundations once contamination is removed
- Pedestrian concerns- have several crosswalk/high visibility walk areas
- Lighting reflections: curved elements, window designs to prevent reflections onto US 31
- Possible boat slips, riverwalk accessibility
- Project timeline: Brownfield planning process, funding, start spring 2024, completion depending upon construction supplies etc.
- Public—use parking spaces, restaurant/bar
- Property description/combining of parcels

Public comment.

Linda Deordio 82 Lake Street Manistee, Dan Wiersma Oxford Partners Grand Rapids MI, Marc Miller Director Economic Development/Manistee Chamber of Commerce, John Helge 450 Cedar Street Manistee.

Closed 8:35 pm

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Minor Amendment to Special Use Permit—1009 Manistee Street

Ms. Mehl: SUP was approved April 2022, plan changes, development scaled back

Mr. Armour property owner:

- asking for minor amendment, compliant with the city
- making more green space-reduce parking area, change location for internal transport of product
- start project upon approval of amendment

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to approve the minor amendment Special Use Permit for 1009 Manistee Street.

Ms. Mehl: owner requested to be able to have occupancy prior to completion of the parking lot in 60 days, noting the internal transport location is on the north side rather than rear location.

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to amend the motion.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to approve the minor amendment Special Use Permit for 1009 Manistee Street to allow 60 days for the concrete work and to include immediate occupancy.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

Z23-04

Motion by Commissioner Slawinski, seconded by Commissioner Memberto to accept the zoning amendment as provided.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

Z23-05

Ms. Mehl: adding language to the R-2 district for auto business, Special Use Permit requiring key-street frontage.

Motion by Commissioner Slawinski, seconded by Commissioner McBride to add language to the R-2 district to have special land use permits for auto repair on key-street frontage.

With a Roll Call vote this motion passed 4 to 2.

Yes: Slawinski, McBride, Memberto, and Wittlieff

No: Szymanski and Weiner

Special Land Use Request—PUD: Gateway Development

Commissioner comments: Site Plan Review Committee covered details of the plan and found no issues, questioned the waiver of 40% ground floor commercial space.

Master Stipulation List

1. Final renderings and lumen plan for proposed signage shall be presented to and approved by the Planning Commission prior to installation.
Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to accept stipulation #1. With an all yes voice vote, the motion passed.
2. Internal layout of the buildings may be modified in terms of the location of amenities and dimensions of rooms. The number of condo-hotel units, apartments, and live/work units may be modified within 15% of what is presented, provided there are no material changes to the building footprint and exterior. All amenities shown must be incorporated into the development.
Motion by Commissioner Weiner, seconded by Commissioner Memberto to accept stipulation #2. With an all yes voice vote, the motion passed.
3. Pool shown on site plans may be modified in terms of size and location within the proposed Condo-Hotel.
Motion by Commissioner Memberto, seconded by Commissioner Slawinski to accept stipulation #3. With an all yes voice vote, the motion passed.
4. Exterior walkway shown on the east side of the Condo-Hotel may be modified per MDOT proposal for roadwork on US-31 and adjacent MDOT property.
Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to accept stipulation #4. With an all yes voice vote, the motion passed.
5. Waiver for lighting to exceed one (1) candle foot allowance, not to exceed five (5) candle feet, at entrances of parking structure on north side of building facing River Street.
Motion by Commissioner Memberto, seconded by Commissioner t McBride accept the modification to stipulation #5. With an all yes voice vote, the motion passed.
6. Waiver of the following regulation: “Forty (40%) percent of the Street/Ground Floor Accessory Dwelling shall be reserved for commercial space. This reservation of commercial space shall front/align with the public road (not alley) and shall extend into the building for forty (40%) of the Street/Ground Floor area.” Live/work units may have the option to be

entirely residential but shall not be leased or rented for a period of less than 28 consecutive days.

Motion by Commissioner Szymanski, seconded by Commissioner Memberto to accept stipulation #6. With an all yes voice vote, the motion passed.

7. All commercial, office, retail spaces, and ground floor of the live/work units within the southern building may be leased by any business that is a permitted use in the C-3 District under the current Zoning Ordinance (Identified in Attachment A and defined in Attachment 1A). This does not apply to the Condo-Hotel portion of the development.

Motion by Commissioner Slawinski, seconded by Commissioner Weiner to accept stipulation #7. With an all yes voice vote, the motion passed.

8. Commercial, office, and retail spaces proposed may be divided and leased to more than one tenant to meet market demands. This does not apply to the Condo-Hotel portion of the development.

Motion by Commissioner Memberto, seconded by Commissioner Slawinski to accept stipulation #8. With an all yes voice vote, the motion passed.

9. Development may provide up to 10 boat slips as necessary but shall not provide any marina services beyond the berthing of vessels, but no more than what is permitted by EGLE and Army Corp. of Engineers.

Motion by Commissioner Weiner, seconded by Commissioner Memberto to accept stipulation #9. With an all yes voice vote, the motion passed.

10. Development shall provide one (1) parking space per dwelling unit in the Condo-Hotel (building on north-side of River Street). Development shall provide fifty (50) additional parking spaces specifically for staff, banquet rooms, and restaurant within 200 feet of the development. Remaining parking may be designated as appropriate for development.

Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to accept stipulation #10. With an all yes voice vote, the motion passed.

11. Developer shall provide Remediation Plan to Zoning Administrator showing all contamination will be controlled and meet all required local, state, and federal requirements prior to commencing construction.

Motion by Commissioner Slawinski, seconded by Commissioner Memberto to accept stipulation #11. With an all yes voice vote, the motion passed.

12. Developer shall provide final construction plans to Zoning Administrator for interior and exterior of development prior to commencing construction.

Motion by Commissioner Memberto, seconded by Commissioner McBride to accept stipulation #12. With an all yes voice vote, the motion passed.

13. The developer shall provide as built construction plans to the Zoning Administrator prior to certificate of occupancy.

Motion by Commissioner Slawinski, seconded by Commissioner Memberto to accept stipulation #13. With an all yes voice vote, the motion passed.

ADDITIONAL STIPULATIONS

1. Condo-Hotel may receive occupancy when parking structure is complete, prior to east and west portions of parking structure being constructed.

Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to accept the additional stipulation #1. With an all yes voice vote, the motion passed.

2. Developer may convert fourth floor office space on southern building into residential units to meet market demands.

Motion by Commissioner Szymanski, seconded by Commissioner Weiner to accept additional stipulation #2. With an all yes voice vote, the motion passed.

3. Bike Rack(s) shall be installed within development.

Motion by Commissioner Slawinski, seconded by Commissioner Weiner to accept additional stipulation #3. With an all yes voice vote, the motion passed.

4. High visibility crosswalks must be installed to provide safe pedestrian crossing from parking structure to Condo-Hotel.

Motion by Commissioner Szymanski, seconded by Commissioner Slawinski to accept additional stipulation #4. With an all yes voice vote, the motion passed.

Mr. T: property currently has 7 tax parcels, 3 on north side, 4 on south side, plans to combine 3 north side parcels, parking footprint on south side to be its own parcel, 4 south side parcels are not to be combined.

5. Motion by Commissioner Memberto, seconded by Commissioner McBride to add the language to additional stipulation #5 to include the memo from the Site Plan Review Committee and to not include an access road to the south parcels. With an all yes voice vote, the motion passed.

Motion by Commissioner Szymanski, seconded by Commissioner McBride to adopt the resolution to approve PUD with master stipulations list as reviewed and the Site Plan Review Committee memo.

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

Yes: Slawinski, Weiner, McBride, Memberto, Szymanski, and Wittlieff

No: None

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

None

STAFF REPORTS

Ms. Mehl:

- ❖ Presented Land Use and Business Registrations, Sign and HDC permit lists
- ❖ City Manager update: water works building turned over to the city, City Hall steps should be under construction soon, Ramsdell hired new director Laura Ortiz Lavel, several revocable licenses went to the city necessary infrastructure for fire escape and catwalk to connect rear of River Street buildings
- ❖ New marijuana retail business, 240 Arthur Street-add signage not included to originally approval plans, possible August special meeting

MEETINGS AND TRAININGS ATTENDED BY MEMBERS

Planning Commission members had no meetings or training to report.

MEMBERS DISCUSSION

Commissioner McBride: address concerns for property behind the Gateway at the retaining wall location—Ms. Mehl: other agencies will control noise, construction, retaining wall.

Commissioner Weiner: pleased with concessions at 1st Street beach and the progress of the Hampton Inn project

Commissioner Wittlieff: inquired on Citizen Planner training—current budget to be looked at for funds on training. Thanked everyone for attending the meeting, staff and Commissioners for their long hours and hard work.

ADJOURNMENT

Motion by Commissioner Slawinski, seconded by Commissioner Weiner to adjourn the meeting. The meeting was adjourned at 9:46 pm.

MANISTEE PLANNING COMMISSION

Nancy Baker

Nancy Baker, Recording Secretary