

CITY OF MARINE CITY
PLANNING COMMISSION MEETING
AGENDA

Regular Meeting: Monday, March 9, 2015; 7:00PM

**Marine City Fire Hall
200 South Parker Street, Marine City, Michigan**

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL:** Chairperson Rebecca Lepley; Commissioners Linda Gabler, Keith Jenken, Rudolofo Menchaca, Rosalie Skwiers, and Thomas McKenzie; City Commissioner David Simpson; Building Official Brian Bayly; and, Acting City Manager Donald Tillery
- 4. APPROVE AGENDA**
- 5. APPROVE MINUTES**
 - A. Planning Commission Minutes ~ February 9, 2015
- 6. COMMUNICATIONS**
 - A. Charter Township of East China
 - B. Stephen R. Saph, Jr. ~ Board Member's Insurance Coverage
- 7. PUBLIC COMMENT** *Residents are welcome to address the Planning Commission. Please state name and address. Limit comments to five (5) minutes.*
- 8. UNFINISHED BUSINESS**
 - A. Non-Motorized Transportation Plan
- 9. NEW BUSINESS**
 - A. Site Plan Review – Jet's Pizza & Future Retail ~ (Chartier Street)
- 10. OTHER BUSINESS**
- 11. ADJOURNMENT**

**City of Marine City
Planning Commission Meeting
February 9, 2015**

A regular meeting of the Marine City Planning Commission was held on Monday, February 9, 2015, in the Fire Hall, 200 South Parker Street, Marine City, Michigan, and was called to order by Chairperson Rebecca Lepley at 7:00 pm.

After observing a moment of silence, the Pledge of Allegiance was led by Chairperson Lepley.

Present: Chairperson Lepley; Commissioners Jenken, McKenzie, Menchaca, and, Skwiars; City Commissioner Simpson; Acting City Manager Tillery; and, City Clerk Baxter

Absent: Commissioner Gabler

Motion by Commissioner Menchaca, seconded by Commissioner Simpson, to excuse Commissioner Gabler from the meeting. All Ayes. Motion Carried.

Approve Agenda

Motion by Commissioner Menchaca, seconded by Commissioner Simpson, to approve the Agenda, as amended. All Ayes. Motion Carried.

Approve Minutes

Motion by Commissioner Simpson, seconded by Commissioner Menchaca, to approve the August 11, 2014 Minutes of the Planning Commission, as presented. All Ayes. Motion Carried.

Communications

The following Communication was presented:

- ❖ Michigan Citizen Planner ~ Conflict of Interest Legal Precedents

Motion by Commissioner Menchaca, seconded by City Commissioner Simpson, to accept and file the Communication.

Commissioners McKenzie and Skwiers stated that in order to vote in favor of the communication, they needed clarification from our City Attorney.

Ayes: Lepley, Jenken, Menchaca, Simpson. Nays: McKenzie, Skwiers. Motion Carried.

Public Comment

No residents addressed the Commission.

Unfinished Business

Marine City Master Plan

A copy of Marine City's Master Plan (updated in 2011) was provided to each Commissioner. Chairperson Lepley reminded Board members that all decisions made by the Board must be based on the plan. Due to the plan expiring in 2016, City Commissioner Simpson said the Board is responsible for revisiting the plan, but they do not have to bring someone in from the outside to do so. A simple review may be completed by the Planning Commission to determine if any changes are needed.

Non-Motorized Transportation Plan

City Commissioner Simpson said a request came from the City Commission in October, 2013 for the Planning Commission to create a Non-Motorized Transportation Plan (under Complete Streets) for adoption by the City Commission. The plan was to determine all modes of transportation for the city and provide appropriate accommodations for bicyclists, pedestrians, transit users and persons of all ages and abilities.

Mr. Simpson felt it was time to get the plan back on the radar and take a look at the non-motorized options in the city and explore how the Board would like to move forward.

Adjournment

Motion by City Commissioner Simpson, seconded by Commissioner Menchaca, to adjourn at 7:26 pm. All Ayes. Motion Carried.

Respectfully submitted,

Kristen Baxter



Charter Township of East China

OFFICES AT 5111 RIVER ROAD ♦ EAST CHINA, MI 48054 ♦ 810-765-8879 ♦ FAX 810-765-1408

6-A

February 5, 2015

RECEIVED
FEB 09 2015

City of Marine City

City of Marine City
Planning Commission
303 South Water Street
Marine City MI 48039

Dear Sirs and Madams;

Pursuant to Public Act 33 of 2008, the Michigan Planning Enabling Act, this letter is to notify you that East China Township, St. Clair County, Michigan, is preparing an update to its Master Plan.

The Township is asking for your cooperation and assistance in this process. Specifically, we welcome any input or concerns which you may have which would allow us to work more cooperatively with you in land use planning for our region. Such input may be shared at the regular meetings of our Planning Commission and at other scheduled Master Plan meetings held at the East China Township Hall located at 5111 River Road, East China, Michigan, 48054. Such input may also be shared by United States Postal Service (USPS) to the address above, attention Planning Commission Chairman, Walter Street, or by email to sande@eastchinatownship.org, also to the attention of the Planning Commission Chairman, Walter Street. Further, we plan to submit all information required under the Act to you electronically, to be posted at the website of our planning consulting firm, Wade Trim. If you prefer, we will submit such information by USPS as provided in the Act, upon your written request.

For further information concerning the Master Plan including upcoming meeting dates and times, please contact Sande Doktor at 810-765-8879.

Sincerely,

Deanna Kramm, Township Clerk
On Behalf of the East China Township Planning Commission

6-B

Kristen Baxter

From: Mary Ellen McDonald
Sent: Tuesday, February 17, 2015 1:57 PM
To: Kristen Baxter
Subject: FW: Board Members Coverage

February 17, 2015

Kris,

Here is the response I received from Steve Saph regarding Board Members coverage.

Thank you,

Mary Ellen

From: Stephen Jr. Saph [mailto:stephenjr@nickelsaph.com]
Sent: Tuesday, February 17, 2015 8:54 AM
To: Mary Ellen McDonald
Subject: RE: Board Members Coverage

The City's insurance policy defines "Who is an Insured" as follows:

- 1) Entity named in the declaration page, the City of Marine City;
- 2) current or previously elected or appointed officials, but only for the conduct of their duties as your elected or appointed officials;
- 3) any authorities, boards, commissions, councils, districts, or other governmental units of the named insured and their employees, which you control and which is funded and operated as part of your total operating budget, and for which no other similar insurance is available;
- 4) your "employee" or "volunteer workers" but only for acts within the course and scope of their employment or volunteer activities by or for you;
- 5) any person or organization providing services to you under any mutual aid or similar agreement, but only within the scope of the mutual aid or agreement;
- 6) upon death of an insured, their legal representative, but only with respect to duties as such. That representative will have all the rights and duties of such insured.

Number three reflects coverage for the board or commission and number four reflects coverage for the volunteers (board or committee members).

If additional questions, just call. Many thanks.

Stephen R. Saph Jr.
Nickel & Saph, Inc. Insurance Agency
586-463-4573
586-463-3135 - FAX



CITY OF MARINE CITY

303 S. Water Street
MARINE CITY, MICHIGAN 48039
(810) 765-8846 • Fax (810) 765-4010

9-A

To: Chairman and Members of the Marine City Planning Commission

From: Brian W. Bayly, Building Official

Date: February 9, 2015

Subject: Special Use Approval and Site Plan Review for a proposed Jets Pizza Restaurant and future retail at vacant Chartier Rd. #74-02-900-0005-000, Marine City

REVIEW

Zoning

Current zoning is W-M, Waterfront Recreation and Marina District.

Proposed Use

Complies with the special use conditions listed in section 160.112(B) W-M Waterfront Recreation and Marina District.

ZONING ORDINANCE REQUIREMENTS

Building Setback, height

The proposed buildings meet the current setback and building height requirements.

Parking

The parking calculations are listed on the plan and appear to adequately address the required number of spaces and the handicap requirements as listed in section 160.214 & 160.215.

Off-street loading and unloading

The loading and unloading calculations are listed on the plan and appear to adequately address the required number of spaces as listed in section 160.216.

Landscaping

Landscape plans appear to be in compliance with requirements listed in section 160.219.

Signage

Propose signage location and size appears to be in compliance with requirements listed in section 160.220. for pole signs.

Fencing

Dumpster and Transformer enclosure meets the requirements of section 160.221 Obscuring Walls and Fences.

“In the Heart of Blue Water District”

Lighting

Exterior surface mounted lighting on all proposed buildings and parking lot lighting conforms to requirements listed in section 160.225.

Drainage

Drainage to conform to all requirements and standards of City of Marine City and the St. Clair County Road Commission, Drain Commission , and Health Department.

Fire Department Review

A copy of the site plan was sent to the Marine City Fire Department for review.

DPW Review

A copy of the site plan was sent to DPW for review.

SCC Health Department

The applicant needs to contact the Health Department for a review and the issuance of a soil erosion permit prior to the issuance of a building permit.

SUMMARY

Applicant is requesting site plan approval for entire project; however the project will be completed in phases. Site plan appears to meet all requirements and it is the recommendation of this department that approval be granted.

SITE PLAN REVIEW APPLICATION

PAID
FEB 06 2015

CITY OF MARINE CITY, MICHIGAN

City of Marine City

303 S. Water Street, Marine City, Michigan 48039

Regular meetings of the Planning Commission are held on the second Monday of each month. This Application must be submitted with seventeen (17) sets of sealed plans at least thirty (30) days prior to the next regular scheduled meeting. If the proposed development requires landscaping, then a landscape architect seal must also be on the plans. Applicant will reimburse the City of Marine City for all Planning Consultant fees and Engineering Consultant fees associated with this application before being placed on the Agenda.

Application fees:

\$200.00	Single & Multi-Family (up to 3 Units)
\$300.00	Commercial, Industrial, Subdivisions, Condos, Multi-Family (4 or more Units)
\$100.00	Special Use Application

Applicant's Name: Michael J. Morris

Address: 1745 24th St Port Huron MI 48060

Street City State Zip

Phone: 810 300-2668 Fax: 888-788-1548 Email: MichaelJMorris71@yahoo.com

Name of Proposed Development: Cherry Beach Pizza INC.

Location of development:

74-02-900-0005-000

Number	Street	Parcel #
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Copy of Legal Description Attached

Description of Development: New: 1800 SF JETS PIZZA
1185 SF FUTURE RETAIL Addition: _____

Proposed Use: JETS PIZZA AND FUTURE RETAIL

Property Owner: Michael S. Morris

Address: 1345 24th St Port Huron MI 48060
Street City State Zip

Phone: 810 300-2668 Fax: 888-788-1548 Email: Michael.S.Morris71@yahoo.com

Site Plan Preparer: _____
If petitioner is not the owner, state basis for representative (i.e. Attorney, Representative, Option-to-Buy, etc)

Checklist of Required Data to be Included on Site Plan

Site plans shall consist of an overall plan for the entire development. Sheet size shall be at least 24" x 36" with plan view drawn to a minimum scale of 1" = 20' if the subject property is less than three acres, and 1" = 50' if three or more acres. Included on the site plan will be all dimensions and the following:

General:

- Proprietors name, address and telephone number
- Date (month, day, year) including revisions
- Title block
- Scale
- North point
- Location map drawn at a scale of 1" = 2000' with North point indicated
- Architect, engineer, surveyor, landscape architect, or planner's seal
- Existing lot lines, building lines, structures, parking areas, etc. on the parcel, and within 100 feet of the site
- Centerline and existing and proposed right-of-way lines
- Zoning classification of petitioner's parcel and all abutting parcels
- Gross acreage figure
- Proximity to major thoroughfare and/or section corners

Physical Features:

- Proposed locations of access drives, street intersections, driveway locations, sidewalks, signs, curbing, and acceleration, deceleration, and passing lanes
- Location of existing and proposed service facilities above and below ground, including:
 - Storage, loading, and disposal areas for chemicals, hazardous substances, salt, and fuels
 - Water main, hydrants, pump houses, standpipes, and building services and sizes
 - Sanitary sewers and pumping stations
 - Stormwater control facilities and structures including storm sewers, swales, retention and detention basins, drainageways, and other facilities, including calculations for sizes

- Location of all easements
- All buildings with dimensioned floor plans, setback and yard dimensions, and typical elevation views of proposed structures
- Dimensioned parking spaces and calculations, drives, and method of surfacing
- Exterior lighting locations and illumination patterns
- Location and description of all existing and proposed landscaping, berms, fencing, and walls
- Sidewalks and bike paths
- Trash receptacle pad location and method of screening
- Transformer pad location and method of screening
- Dedicated road or service drive locations
- Entrance details including sign locations and size
- Designation of fire lanes
- Any other pertinent physical features

Natural Features

- Existing topography with a maximum contour interval of two feet indicated. Topography on the site and beyond the site for a distance of 100 feet in all directions shall be indicated.
- A grading plan showing finished contours at a maximum interval of two feet, correlated with existing contours so as to clearly indicate required cutting, filling, and grading.
- Location of existing drainage courses, lakes, ponds, wetlands, river and streams, including their water surface elevation, floodplain elevation, and ordinary high water mark.
- Location of other natural resources features, including woodlands.

Additional requirements for Multiple-Family, and PUD Developments:

- Density calculations by type of unit by bedroom count
- Designation of units by type of unit in each building
- Carport locations and details where proposed
- Specific amount of space and locations
- Type of recreation facilities to be provided in recreation space
- If proposed, details of community building and fencing of swimming pool

Additional requirements for commercial and industrial developments:

- Loading / unloading areas
- Gross and useable floor area
- Number of employees in peak usage

OMISSION OF ANY REQUIRED DATA WILL RESULT IN PROCESSING DELAY

I (We) hereby attest that all the information provided in this application, and attachments submitted, are true and correct to the best of my (our) knowledge and belief.

Applicant's Signature: Michael Moe

Dated: 1-29-15

Owner's Signature: Michael Moe

Dated: 1-29-15

Return to: City of Marine City
303 South Water Street
Marine City, Michigan 48039

City of Marine City, Michigan

303 S. Water Marine City MI 48039

Special Land Use Application

(810) 765-8846 Fax (810) 765-4010

There is a \$200.00 Application Fee

Applicant will reimburse the City of Marine City for all Planning Consultant and Engineering Consultant fees before being placed on the Planning Commission agenda.

****Application Information Sheet****

The Planning Commission meets on the second Monday of each month in which there are requests / appeals for consideration.

Applications must be submitted to the City Clerk / Building Inspector a minimum of **20 days** prior to a scheduled meeting date of the Board.

Prior to the meeting, the Board gives notice to all persons on City tax rolls within a radius of 300 feet of property subject to the request / appeal.

Your application will not be considered unless all required information is provided at time of submission, and any required fees are paid before meeting date. Application is to include a sketch or diagram of property depicting measurements, structures, and proposed additions to the property.

The Building Inspector will be available to answer questions, or assist you, in filling out the application.

If your special land use request is approved, you must obtain a building permit within six months of approval.

Marine City -- Application for Special Land Use Permit

TO: The Marine City Planning Commission

FOR OFFICE USE ONLY

BY: Michael S. Morris
(Name of the Applicant)

Case No. _____

1345 24th St
West Huron, MI 48060
(Address of Applicant - Number & Street)

Date Rec'd _____

Tax Parcel No. _____

Fee Rec'd (amt.) \$ _____
(& date) _____

(City, State, ZIP)
(810) 300-2668
(810) 966-0705
(Telephone Numbers: Home, Business, Cell)

Receipt No. _____

Public Hearing Date _____

Date Action Taken _____

Any Add'l Action Date _____

Date by which approved special
land use must be carried out by
applicant _____

Land Owner (If different from the Applicant above)

_____ (If the Same as the Applicant, Please write "Same")
(Name of Land Owner)

_____ (Address of Land Owner - Number & Street)

(City, State, ZIP)

(_____) _____
(_____) _____
(_____) _____
(Telephone Numbers: Home, Business, Cell)

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is _____.

I. ACTION REQUESTED

It is hereby requested that the Marine City Planning Commission approve the issuance of a special land permit under Article XXI of the Marine City Zoning Ordinance on the property described in II. "Property Information" (below) which is located in zoning district W.M for the purpose of (State proposed use of property): _____

1800SF JET'S PIZZA AND 1,185SF
FUTURE RETAIL BUILDING.

Identify any prior zoning actions regarding this property (e.g. rezoning, special land use permit, variance, appeal).

N/A
(Prior zoning action, if any) _____ Date _____ (Approved/Denied) _____

II. PROPERTY INFORMATION

A. Legal description of subject property: LOTS 7, 8 AND 9 "SUPERVISOR CLEMENT ZOLL'S PLAT NO. 1" AS RECORDED IN LIBER 49 OF PLATS, PAGE 15, ST. CLAIR COUNTY RECORDS PARCEL ID: 74.02.900.0005.000

Address of Property: _____

B. List of all deed restrictions (attach additional sheets or copies of recorded documents as necessary) N/A

C. Names and addresses of all other persons, firms, or corporations having a legal or equitable interest in the land.
Rolando Fraschetti - 376 Gratiot Blvd. Marysville, MI 48040
Martha Fraschetti - 602 Prestwick. St. Clair, MI 48079

D. (Please check those that apply.) This area is _____ unplatted, platted, _____ will be platted. If platted, name of plat _____

E. Attach a site plan drawn to the scale of _____ and all other information required under Article XXI of the Marine City Zoning Ordinance.

F. The property is presently used for VACANT

G. Estimated completion date of construction (if applicable): SEPT 2015

III. JUSTIFICATION FOR REQUESTED ACTION

A. State specifically the reason for this special land use permit request at this time. A RESTAURANT IN W-M ZONING IS ALLOWED BY SPECIAL LAND USE

B. Statement of support for the request. Please justify your request for a special land use permit below. The justification should address the following concerns:

1. How does the proposed special land use relate to the special conditions (if any) listed in the zoning district? WM Zoning District, Section 1307 (or if applicable, Section 1307 conditions).

Are any problems expected in meeting the required conditions?

No

2. How does the proposed special land use fit with the Marine City Master Plan? MASTER PLAN IS ZONED WM

3. Are there any impacts or potential impacts on adjacent properties or the neighborhood? No

- a. Will persons' health, safety or enjoyment of property be adversely affected in the neighborhood by the proposed special land use? No

- b. Will the proposed special land use be detrimental to the public welfare or injurious to property or improvements in the neighborhood? No

IV. OTHER INFORMATION AS MAY BE REQUIRED BY THE ZONING ORDINANCE (Insert here or attach and reference by Section Number.)

V. AFFIDAVIT

The undersigned applicant affirms that he/she or we is (are) the Michelle S. Morris
(specify: owner, lessee, buyer, land contract buyer,
or other type of interest in the subject property) involved in the application; and that if
this request is granted, that in accord with Article XXI, Section 2108 of the Marine City
Zoning Ordinance actual construction in accordance with the plan herewith submitted
will be begun within 18 months from the date of the granting of a special land use permit,
and that I or we am (are) able from a legal, financial and physical basis to do so; and that
the answers and statements herein contained and the information herewith submitted are
in all respects true and correct to the best of his, her, or our knowledge and belief.

Michelle S. Morris 1-29-15
(Applicant Signature) (Date) (Applicant Signature) (Date)

If the applicant is different than the property owner, the owner(s) must also sign below.

The undersigned property owner affirms that he/she or we (are) fully aware of the con-
tents of this proposed Special Land Use Application and fully approve of the request.
The owner(s) understand that under the zoning law, the special land use permit, if ap-
proved, runs with the land and will remain in effect regardless of whether any other po-
tentially interested party(ies) (applicant(s) other than the property owner(s)) actually
executes obtaining a legal property interest in the subject land.

Michelle S. Morris 1-29-15
(Owner Signature) (Date) (Owner Signature) (Date)

Optional Permission To Inspect the Subject Property:

I or we hereby grant permission for members of the Marine City Planning Commission,
the Zoning Administrator, and/or the City Planner to enter onto the above described land
for the purposes of gathering information and obtaining a first-hand appreciation of the
subject property and the circumstances relating to the requested Special Land Use appli-
cation. (Note to Applicant: This permission is optional and failure to grant permission
shall not be prejudicial to any decision on the requested application.)

Michelle S. Morris 1-29-15
(Owner Signature) (Date) (Owner Signature) (Date)

City of Marine City
NOTICE OF PUBLIC HEARING

SPECIAL LAND USE APPLICATION

Residents, owners of real property, and other interested persons, please take notice that the City of Marine City Planning Commission will hold a Public Hearing on Monday, March 9, 2015 at 7:00 PM at the Fire Hall, 200 South Parker Street, Marine City, Michigan 48039, to consider an application for special land use, as follows:

SPECIAL LAND USE APPLICATION NO. 01-2015: Applicant, Michael Morris is requesting, per Section 160.112(B) of the Zoning Ordinance, permission for the special land use for Restaurant, Lounge & Clubs on the subject property, which is currently zoned WM, Waterfront, Recreation & Marina District. The legal description of the subject property, is as follows:

**LOTS 7, 8 AND 9, "SUPERVISOR CLEMENT ZOBL'S PLAT NO. 1" AS RECORDED
IN LIBER 49 OF PLATS, PAGE 15, ST. CLAIR COUNTY RECORDS.**

PARCEL NO. 74-02-900-0005-000

Comments regarding this special land use application will be received at the Public Hearing. Written comments will also be received at the Marine City Offices, 303 South Water Street, Marine City, Michigan 48039 until the close of business on March 9, 2015. The application is on file at the City Offices and may be inspected during regular business hours.

Kristen Baxter
City Clerk
February 6, 2015