# MANISTEE CITY PLANNING COMMISSION

70 Maple Street
P.O. Box 358
Manistee, Michigan 49660

MEETING OF OCTOBER 2, 1997

There will be a meeting of the Manistee City Planning Commission to be held on Thursday, October 2, 1997 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

## AGENDA

I. Roll Call
II. Matters Pertaining to the General Citizenry:
  A. Public Hearing:
    1.
    2.
  B. Site Plan Reviews:
    1. J. B. Publication * David Weed
    2. Ronald Muszynski - Lot Split * Jack Rengo - Lot Split & Combination
    3. L.E. Sweebe - Mancino's
    4.
  C. Questions, Concerns and Consideration of Matters Pertaining to Citizens in Attendance:
    1.
    2.
III. Business Session:
  A. Approval of Minutes from Last Meeting (9/4/97)
  B. Unfinished Business:
    5. C-1 Commercial, Access Road
    6.
  C. Other Communications:
    1. City Update
    2.
  D. Reports:
    1. D.D.A. Update
    2. Zoning Board of Appeals
    3. Site Plan Review/Historic Overlay Committees
    4. Joint City Review/Ordinance Committee
  E. New Business:
    1.
    2.
IV. Work/Study Session:
V. Adjournment

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, Community Development Officer
Lori Donnan, Administrative Assistant
Kurt Schindler, County Planner
Manistee News Advocate
Manistee Observer
WMTE Radio
WXYQ Radio
Jeff Mikula, Abonmarche
Julie Beardslee, Assessor

10.2.97

# CITY OF MANISTEE

# MEMORANDUM

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TO: Planning Commission Members

FROM: Denise Mikula

DATE: September 26, 1997

RE: October 2, 1997 Planning Commission Meeting

Enclosed is the Agenda for the October 2, 1997 Planning Commission Meeting and attachments. On the agenda is a request for a site plan review from J. B. Publications for a proposed truck dock. A site plan review has been done on the proposal and is enclosed for your review.

Ron Muszynski and his siblings have inherited his parent's home located at 712 & 714 High Street. There are two houses located on one parcel. They have a buyer for one of the homes and received variances from the Zoning Board of Appeals on September 22, 1997 for side-yard and rear-yard set-backs. They are requesting a lot split from the Planning Commission so that they will be able to sell the home. Enclosed is a site plan of the property showing the locations of the buildings on the property.

L.E. Sweebe from Mancino's has requested a site plan review for 34 Arthur Street the former Victorian Port City Bakery and Deli. Enclosed is the plans for the project. Jon was at the MML Convention Wednesday thru Friday this week so a Site Plan Review will be done when he returns on Monday and handed out at the Meeting on Thursday.

Jon has worked on language to amend the C-1 Commercial District in regards to access drives. Enclosed is a copy of the entire C-1 District. The language that will be deleted has been ~~struck out~~ and the new language has been added is highlighted in the copy. We will continue our discussion on access drives at the meeting in the hopes of making a recommendation to City Council.

Minutes from the September 4, 1997 meeting are enclosed for your review.

If you have any questions or are unable to attend the meeting, please call me at 723-2558. We will see you at the meeting.

:djm

10.2.97

# SITE PLAN REVIEW

NAME: J.B. Publications
75 Maple Street
Manistee, MI 49660

PROPOSED USE: Newspaper Office
ZONING DISTRICT: C-4

PARCEL CODE: 51-51-453-703-07

USE IS:
- X Permitted
- ☐ Special
- ☐ Not Permitted

BULK REGULATIONS

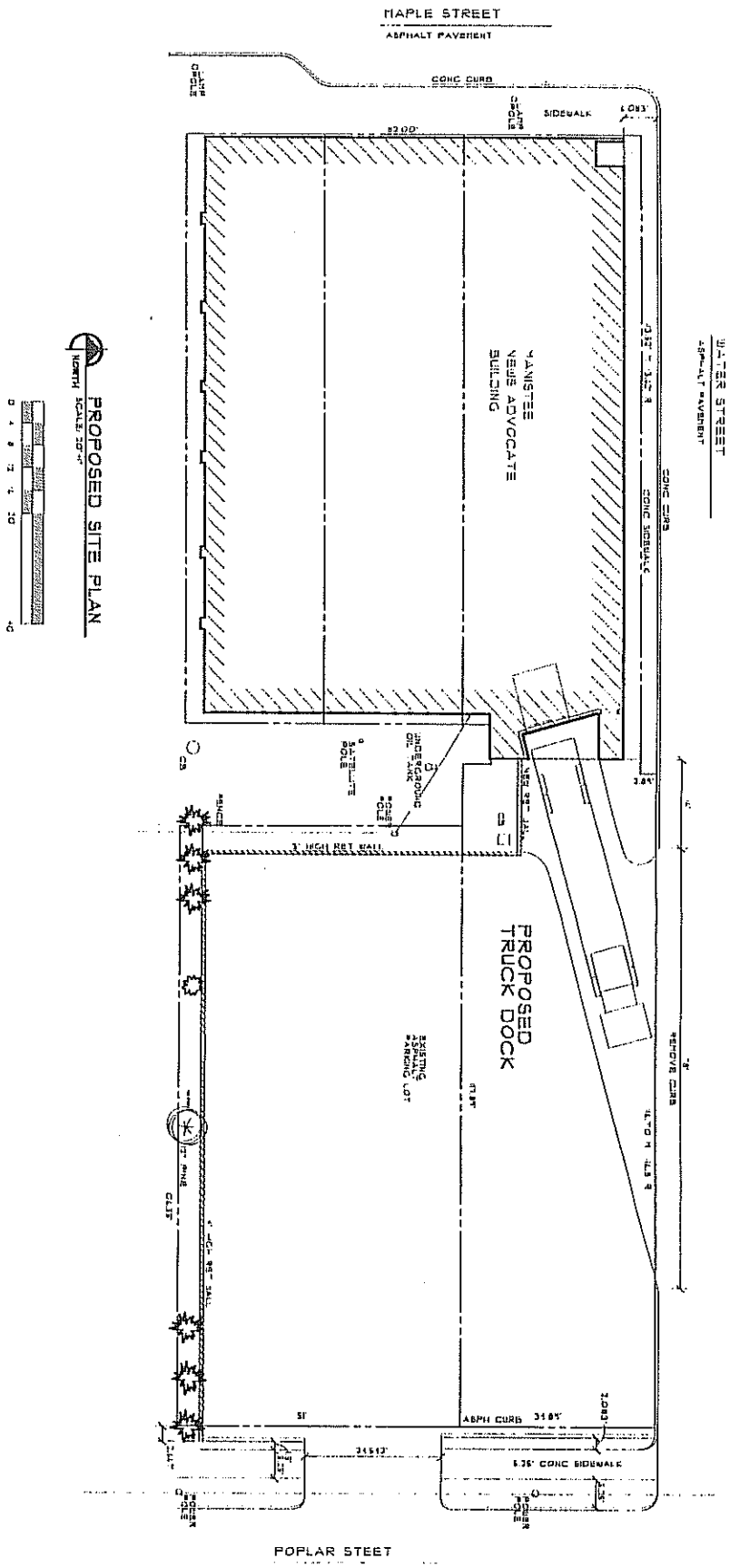
| | REQUIRED BY ZONING | PROPOSED IN PLAN | COMPLIANCE YES | COMPLIANCE NO |
|---|---|---|---|---|
| PARCEL SIZE: | n/a | n/a | ☐ | ☐ |
| STREET FRONTAGE: | n/a | n/a | ☐ | ☐ |
| SETBACKS | | | | |
| FRONT YARD | 0 | 0 | X | ☐ |
| SIDE YARD | n/a | n/a | ☐ | ☐ |
| REAR YARD | n/a | n/a | ☐ | ☐ |
| WATERFRONT | n/a | n/a | ☐ | ☐ |
| HEIGHT: | n/a | n/a | ☐ | ☐ |
| PARKING: | n/a | n/a | ☐ | ☐ |
| BUILDING AREA: | n/a | n/a | ☐ | ☐ |

SPECIAL DISTRICTS

| | APPLIES? YES | APPLIES? NO | APPROVED? YES | APPROVED? NO |
|---|---|---|---|---|
| HISTORIC OVERLAY: | X | ☐ | ☐ | X |
| HIGH RISK EROSION: | ☐ | X | ☐ | ☐ |
| FLOOD PLAIN: | ☐ | X | ☐ | ☐ |
| SOIL EROSION: | ☐ | X | ☐ | ☐ |

OTHER:

REVIEWED BY: _____ DATE: September 23, 1997
Jon R. Rose/Community Development Officer




1 OF 1

X/X/X

M961128

ROY | ASSOCIATES - ARCHITECTS - AIA

RENOVATIONS TO MANISTEE NEWS ADVOCATE
75 MAPLE STREET
MANISTEE, MICHIGAN

10.2.97

Mr. Jon R. Rose
Community Development Officer
City of Manistee
P.O. Box 358
70 Maple Street
Manistee, MI 49660

Dear Mr. Rose,

I am requesting a lot split on property at 712 and 714 High street. The property identification number is 51-51748-713-08. The purpose of the lot split is for sale of the parcels because the original owners, my parents, have died.

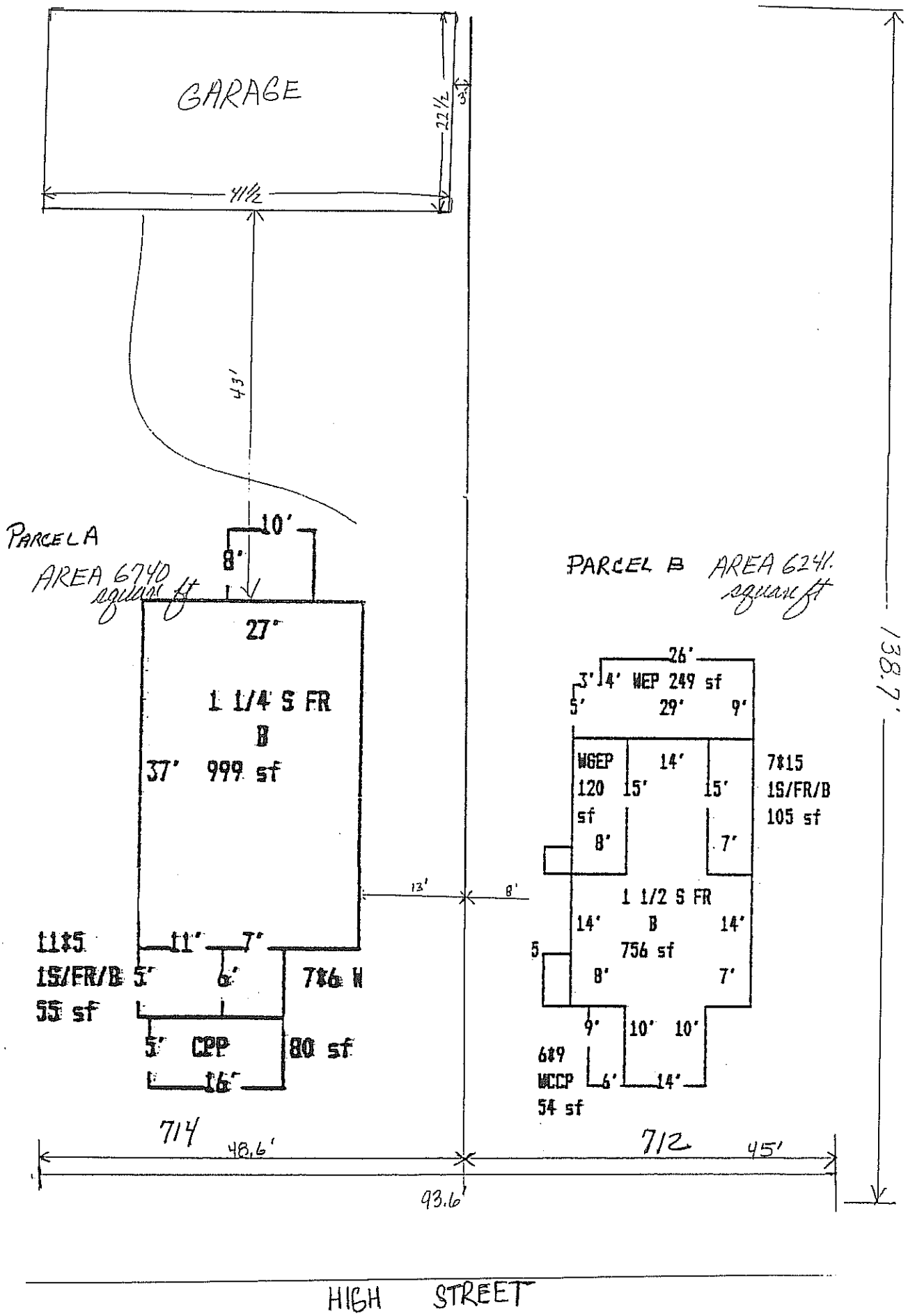
Please note the side back requirements have already been approved by the Zoning Board of Appeals on September 22.

Thank you for your consideration in this matter.

Yours truly,

Ronald L. Muszynski
115 Sibben Street
Manistee, Michigan
49660

616 723-6715


GARAGE
22½
3'
41½
43'
PARCEL A
AREA 6740 square ft
10'
8'
27'
1 1/4 S FR
B
37' 999 sf
11'
7'
11*5
1S/FR/B 5'
55 sf
6'
7*6 W
5' CPP
80 sf
16'
13'
8'
PARCEL B AREA 6241. square ft
26'
3' 4' WEP 249 sf
5' 29' 9'
WGEP
120
sf
14'
15'
15'
7*15
1S/FR/B
105 sf
8'
7'
1 1/2 S FR
B
756 sf
14'
14'
5
8'
7'
9'
10'
10'
6*9
WCCP
54 sf
6'
14'
714
48.6'
712
45'
93.6'
138.7'
HIGH STREET

10-2-97

# *Application for*
# *Site Plan Review & Land Use Permit*

Location of Project: 84 ARTHUR ST US 31

Parcel Code #: 51-51-101-250-08

Name & Address of Applicant: L. E. SWEEBE
3800 JAMES SAVAGE
MIDLAND MI 48642

Phone Numbers: Work 517-496-3480 Home 517-832-8639

Name & Address of Owner if different: _____

Phone Numbers: Work _____ Home _____

Brief description of work to be done: CONST AT 24x40 ADDITION TO EAST SIDE, 6x28 ADDITION TO WEST, NEW ROOF, NEW INTERIORS

Site Plan Reviews need to go before the City of Manistee Planning Commission. They must be received 10 days prior to the meeting. Regularly scheduled meetings are the first Thursday of the Month at 7:00 p.m. in the Council Chambers, City Hall.

A detailed Site Plan, as spelled out in Section 9406 of this ordinance, is needed with the application. Specifications on the back of this sheet.

Once completed the form should be returned to:

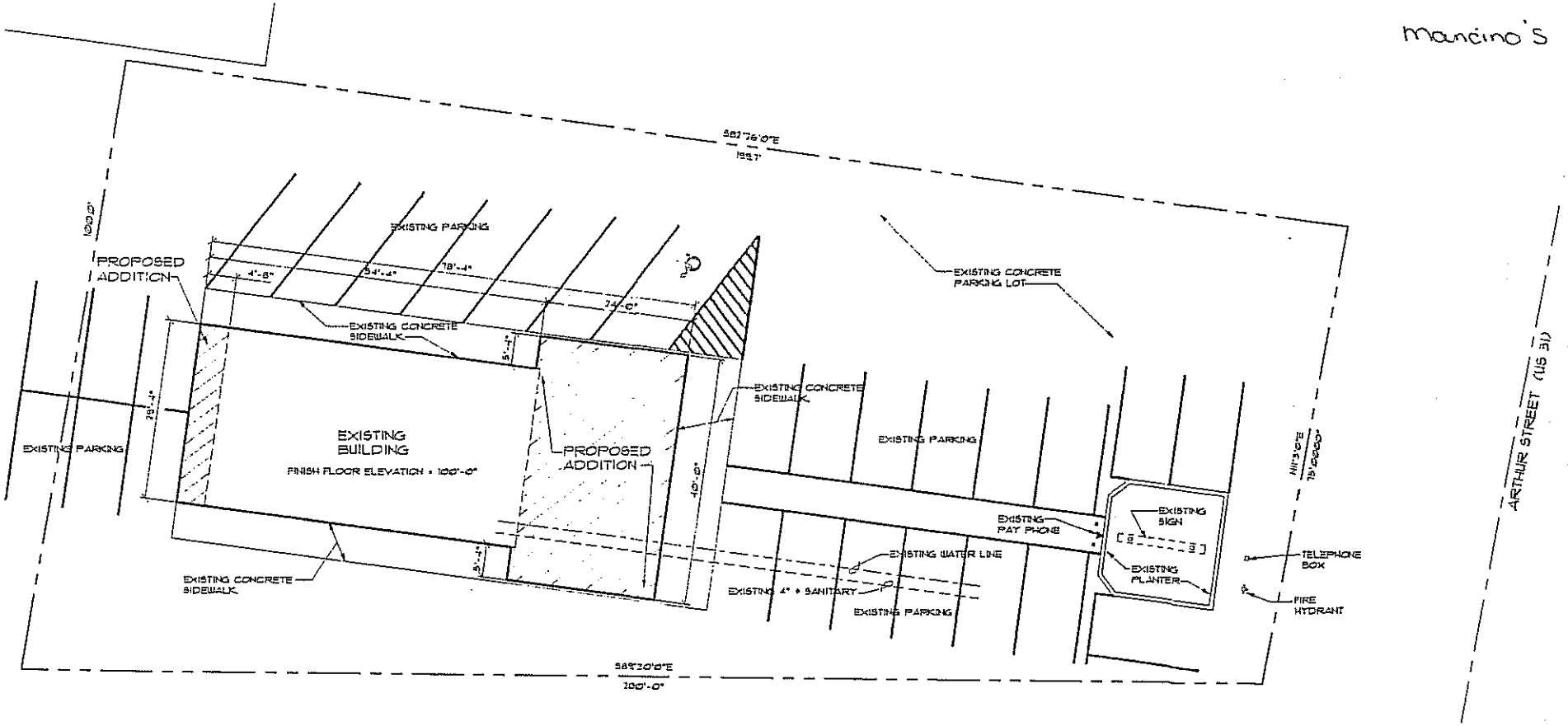
Jon Rose
Community Development Officer
City of Manistee
P.O. Box 358, 70 Maple Street
Manistee, MI 49660

For Questions call Jon Rose, (616) 723-2558.

Fee: Land Use Permit/Site Plan Review $ _____

10-2-46

Mancino's




SITE PLAN

1" = 10'-0"

N

SQUARE FOOTAGE OF BUILDING = 2550 SQ. FT.

HEIGHT OF BUILDING [illegible] AFF

10-2-97

# ARTICLE 50: C-1 COMMERCIAL DISTRICT

## 5001. Purpose

It is the intent of this District to provide for commercial areas along highway U.S.-31 in certain parts of the *City*, while at the same time requiring certain physical, ~~access drive~~, curb cut, pedestrian, parking, loading/unloading area, landscaping, *sign*, and architectural regulations and standards; to mitigate the negative impacts of lineal development along highway U.S.-31; commercial development next to residential districts; because these elements are essential for quality *use* of land and for economic development efforts, and to be consistent with the provisions of Manistee *City* Master Plan. Further, it is the intent of this district to recognize residential areas along U.S.-31 will convert to commercial; but that transition should take place incrementally by gradual extension, or expansion, of this district along U.S.-31 upon consideration of an application for zoning amendment on a case by case basis so if it is desirable, commercial development does not occur along U.S.-31 in a location where neighboring land uses on the sides are residential.

## 5002. Permitted Uses

Only the following uses shall be permitted, by permit, as specified in section 8401 *et. seq.* of this Ordinance:

A. *Apartment Building*
B. Wholesale Trade [F: 50-5199]
C. *Outdoor Recreation-Parks*
D. Retail Trade [G: 52-5999]
E. Finance, Insurance and Real Estate [H:60-6799]
F. Services [I: 70-8748], EXCEPT
   1. Camps & Recreational Vehicle Parks [703]
   2. Top & body repair & paint shops [7532]
   3. Tire retreading & repair shops [7534]
   4. Drive-in motion picture theater [7833]
G. Public Administration [J:91-9721]
H. *Accessory Buildings and uses* to the above

[Annotation: This section changed by amendment, effective March 19, 1993]

## 5003. Special Uses

Only the following uses shall be permitted, by Special *Use* Permit, as specified in section 8601 *et. seq.* of this Ordinance:

A. *Signs*

B. *Mini/Self Storage Facility* (for Special *Use* Standards, see Section 1612)

C. *Public Warehouse* (for Special *Use* Standards, see Section 1613)

[Annotation: This section changed by amendment, effective March 19, 1993 and March 7, 1995]

## 5004. Regulations and Standards

The following regulations shall apply to permitted uses and special uses in this District.

A. Parcel Area - No *building* or *structure*, except *apartment buildings*, shall be established on any *parcel* less than twenty thousand (20,000) square feet. No *apartment building* shall be established on any *parcel* less than six hundred (600) square feet per each living unit.

B. Parcel Width - The minimum *parcel width* shall be one hundred twenty (120) feet and it shall front on highway U.S.-31.
[Annotation: This subsection changed by amendment, effective April 17, 1992.]

C. *Yard* and Setback Requirements

1. The following requirements shall apply to every *parcel*, *building* or *structure*.
   a. The *Rear Yard*, at the opposite side of the lot from highway U.S.-31: The minimum *setback* shall not be less than twenty (20) feet.
   b. The *Front Yard*, contiguous to the highway U.S.-31 *right-of-way*: The minimum *setback* shall not be less than thirty (30) feet from front *property line*, or sixty three (63) feet from centerline of highway U.S.-31, whichever is greater.
   c. All other (side) yards: The minimum *setback* shall not be less than ten (10) feet;
2. When a proposed *commercial establishment use* is contiguous to a *dwelling* or *duplex*, a *buffer area* measured from the *parcel* boundary on which the *dwelling* or *duplex* is located shall be maintained which includes one of the following, at the *Commission*'s consent:
   a. fifty (50) feet from the *parcel* boundary on which the *dwelling* or *duplex* is located, or
   b. a berm four (4) feet or more high, or
   c. a solid wall four (4) feet or more high.

d. a proportionate combination of the above.

D. In addition to Site Plan requirements in Section 9401 of this Ordinance, a site plan in this District for a commercial enterprise along highway U.S.-31 shall also show and/or comply with the following:

1. ~~An access drive running parallel to and along highway U.S.-31 on which the commercial enterprise has frontage. The design of the access drive shall meet the following standards:~~

   ~~a. No parking areas shall be located between highway U.S.-31 and access drive;~~

   ~~b. The access drive shall be;~~

   ~~(1) adjacent to highway U.S.-31 *right-of-way* and shall be at least twenty-four (24) feet wide, or~~

   ~~(2) if the entire side of the block fronting on U.S.-31 (all U.S.-31 frontage between two side streets) is proposed for development under one site plan, then the access drive and its *easement* may be located anywhere on the parcel(s) so long as it continues to serve as access between *commercial establishments* and the respective side streets.~~

   ~~The access drive shall be in an *easement* which will permit the *use* of the access drive for traffic circulation from one property to another. The *easement* shall be in recordable form, acceptable to the *City*;~~

   ~~c. The access drive shall be equal or greater, in length, as the *width* of the *parcel* and built to the side *parcel* lines and designed to be attached to an existing or future access drive on adjacent parcels;~~

   ~~d. The access drive shall be paved, twenty-four (24) feet, or more, wide. Each property owner shall be responsible for the maintenance of the access drive and its *easement* so it remains usable as a means of getting from one (1) property to another; and~~

   ~~e. The pavement of the access drive shall be located at least thirty (30) feet from the *right-of-way* line of highway U.S.-31.~~

   ~~f. The access drive shall extend to a road which is perpendicular to highway U.S.-31. The access drive shall intersect at seventy (70) feet, or more, from the intersection of the road~~

~~and highway U.S.-31. The access drive shall travel at a right angle to the intersecting road for a minimum of twenty (20) feet.~~

~~2. There shall not be any driveways between the access drive and highway U.S.-31, and shall not be any curb cuts onto highway U.S.-31.~~ Existing drives, ~~*alleys*~~, curb cuts onto U.S. 31 shall be removed and new access must be from a cross street or alley unless an exception is granted by the Planning Commission.

3. Parking shall comply with Section 1054 of this Ordinance and, in addition, shall meet the following standards:
   a. Parking shall ~~be located between the access drive and *commercial establishment* or in the side or *rear yard* of the *commercial establishment*.~~ not be allowed within the *front yard* setback
   ~~b. Backing from parking spaces onto the access drive shall not be permitted, except on a temporary basis. No permanent *structures*, including, for example, but not limited to curbs placed perpendicular to the line of travel of the access drive shall be permitted within the access drive area.~~
   ~~c. The *Commission* may permit parking in the access drive *easement* area on a temporary basis provided the layout is such the parking can be removed at a later date when the access drive is needed for access to adjacent properties. For temporary basis parking, the *Commission* may allow temporary features such as wheel stops. Any parking spaces in an access drive *easement* area shall not be counted for purposes of meeting minimum number of parking spaces required by this Ordinance.~~

4. Loading and solid waste storage areas shall be located in the side or rear of the *commercial establishment*.
   a. Solid waste container(s) shall be screened from all four (4) sides with an opaque *fence* or wall with a gate(s) at least as high as the tallest solid waste container. The *fence*, wall, and/or gate shall be constructed of material which is compatible with the architectural materials used in the site.
   b. The location of the solid waste container(s) shall be adjacent to a *building*, unless specifically waived by the *Commission*.

c. Loading/unloading docks and areas (including solid waste containers) shall be situated so that trucks loading and unloading do not park in parking lot areas; ~~, or on the access drive.~~

5. *Yard*, median, and all grounds areas shall be maintained and shall meet the following standards:

a. The *front yard* setback area ~~between the access drive surface and highway U.S.-31 surface~~:

(1) shall be a landscaped lawn and shrub area. The *Commission* may require manicured lawn covered berm, *fence*s, walls, and other screening and the same shall be provided and maintained as a condition of the establishment and continued maintenance of any *use* to which they are appurtenant.

(2) ~~The area between the access drive and *commercial establishment* shall provide walkways for pedestrian movement which are separated from roads, access drives, parking areas.~~ The *City* may require walkways for pedestrian and non-motorized vehicles; ~~between the highway U.S.-31 and access drive.~~

b. All utilities (electric, gas, water, sewer, cable television, and other similar services) shall be located underground. This requirement applies to service to individual *commercial establishment*s and to any utilities necessary to travel between the rear wall of the principle *commercial establishment building* and the centerline of highway U.S.-31. All utility pad fixtures, meters, shall be shown on the site plan and integrated with the architectural elements of the site plan.

c. All exterior lights shall be arranged and installed so the direct illumination is shielded from direct view at, or further from, the *parcel* line of any adjoining non-*commercial establishment parcel*.

d. All ~~access drive~~s, service drives, driveways, parking areas, sidewalks, shall be paved with concrete, bituminous asphalt or other similar material.

e. Landscaping of the *yard* and grounds area of the *parcel* shall meet the following standards:

(1) All open *yard* and grounds areas in front and on the sides and the rear 20 feet (closest to the *building*) of the *parcel* shall be maintained as:
   (a) manicured lawn, and/or
   (b) formal garden.

(2) The owner shall be responsible for maintenance of all landscaping. Plant materials (including grass) shall be kept in a healthy growing condition and free from refuse and debris, except for continuous watering during periods of water shortage or drought.

(3) The site plan shall show *use* of trees, bushes, shrubs, on each side, front and *rear yard*, either by preserving such plants which exist prior to development or by planting them upon completing construction.

* f. *Signs* shall comply with the following standards:

(1) *Signs* to identify the business, sales, or special events shall only be located on one (1) front facade of the principal *commercial establishment building*.

(2) At each ~~access drive~~ entrance one (1) group *sign* may be placed to identify the *commercial establishment*(s) located close to that entrance and their respective address number. Any one (1) *commercial establishment* shall be limited to being included on not more than two (2) group *signs*. The order of the placement of *commercial establishment*s on the group *sign*, from top to bottom, shall be in the same order as the respective *commercial establishment*'s address number.

6. All *buildings*, *fence*s, walls, gates, shall meet the following architectural standards:

a. No *building* exterior (whether front, side, or rear) will consist of architectural materials inferior in quality, appearance, or detail to any other exterior of the same *building*. Nothing in this section shall prevent using different *building* exteriors which would be acceptable as representative of good architectural design and does not involve *use* of inferior materials on sides which face adjoining property and thus

might adversely impact existing or future development.

b. The *building* shall be constructed and finished in such a manner that its color and appearance will be aestheticly complimentary to the other *buildings* in the area. It shall be subject to prior site plan and construction approval by the Planning Commission.
(Annotation: This section changed by amendment, effective March 7, 1995)

c. Mechanical equipment, whether ground-level or rooftop, shall be shielded and screened from public view and designed to be perceived as an integral part of the *building*.

d. For all *commercial establishments*, servicing or processing shall be conducted within completely enclosed *buildings*, except for off-road parking, loading, unloading, and open air uses which are specifically approved by the *Commission*.

E. In addition to any requirements of Manistee *City* Subdivision Ordinance, a division of a *parcel* of land, in or outside of an existing subdivision, which results in one or more parcels which do not have public highway U.S.-31 frontage as required in Section 5004.B, shall be required to have an approved access to a public highway U.S.-31 prior to the division of the *parcel* or issuing a zoning permit.

## 5005. Existing Commercial Establishments and Dwellings.

A. A *commercial establishment* which exists prior to the effective date of this Article shall continue as a non-conforming *use* pursuant to Section 8003 of this Ordinance.

B. A *dwelling* and *duplex* which exists prior to the effective date of this Article shall continue as a non-conforming *use* pursuant to Section 8003.B of this Ordinance. However, in no case, shall the *dwelling* or *duplex structure* be converted into a *commercial establishment use*. If a *parcel* is changed to a *commercial establishment use*, the conversion shall include construction of a new *building* in compliance with this Ordinance.

10-2-97

# CITY OF MANISTEE

# MEMORANDUM

---

TO: Roger Yoder

FROM: Jon Rose

DATE: September 26, 1997

RE: October 2, 1997 Planning Commission Meeting

Roger, attached is a letter that Ben sent to Mathew McShane after not attending the September meeting creating a vacancy on the commission. John Lakos, Kristie, and Rich's have terms which are up in November and they will need to re-apply if they wish to remain on the Commission. With winter approaching Tony's leave and Tony will be leaving to go to Florida shortly.

Just to make things more interesting, Duane Jones has expressed his concern over his workload and ability to attend meetings. So he is considering resigning due to work constraints. This has posed a problem not only for Planning Commission Meetings but also the Zoning Board of Appeals since he serves as the Planning Commission Representative on the ZBA.

We will need to get togther before October 2, 1997 meeting discuss these items along with the Agenda items. Please give me a call at your convenience. Thanks!!

:djm

City of Manistee
70 Maple Street • P.O. Box 358 • Manistee, Michigan 49660

616-723-2558
FAX 616-723-1546

September 8, 1997

Mathew McShane
818 Kosciusko Street
Manistee, Michigan 49660

Dear Mr. McShane:

Your resignation by absence from the Planning Commission is hereby accepted with regret. Please feel free to reapply in the future when your schedule permits. Thank you.

Sincerely,

CITY OF MANISTEE

R. Ben Bifoss, City Manager

RBB:cl

cc. Denise Mikula, Secretary-Planning Commission

10-2-97

**David R. Weed**

270 5th Street
Manistee, MI 49660
(616)723-2107

October 2, 1997

Manistee City Planning Commission
Manistee, MI 49660

City Planning Commission

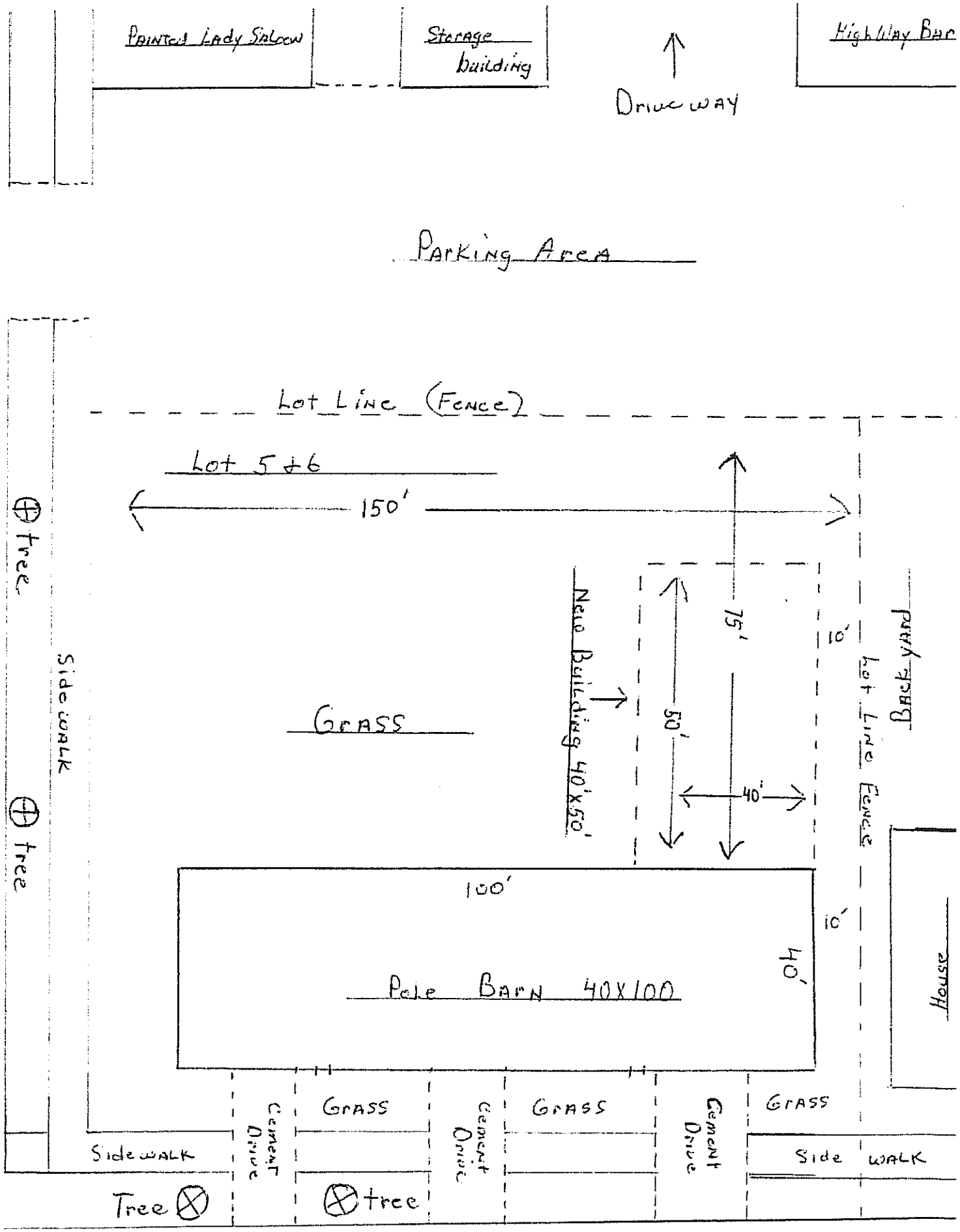
If it is possible, would you please put me on the agenda, to consider reviewing my request, for a building permit at 720 Engleman Street. My understanding is, that it may be possible to build a building that is no larger than half the size of my existing building, which is 100' x 40'. My request is to attach a 50' x 40' building to my existing building.
Enclosed is a drawing of the building site.
I would appreciate your answer, as I would like to get going on this as soon as possible, due to the fact, that it is already late in the season for building .

Sincerely,

David R Weed

David R. Weed

DAVID WEED


Painted Lady Saloon
Storage building
Driveway
Highway Bar
Parking Area
Lot Line (Fence)
Lot 5 & 6
150'
tree
tree
Sidewalk
Grass
New Building 40' x 50'
75'
50'
40'
10'
Back yard
Lot Line Fence
100'
10'
40'
Pole Barn 40X100
House
Grass
Grass
Grass
Cement Drive
Cement Drive
Cement Drive
Sidewalk
Side walk
Tree
tree

10-2-97

October 2, 1997

Planning Commission
City of Manistee
70 Maple Street
Manistee MI 49660

Dear Planning Commission:

RE: 210 Fifth Avenue

I am requesting a lot split to relieve an encroachment on the above property. Parcel numbers are listed on the attached survey.

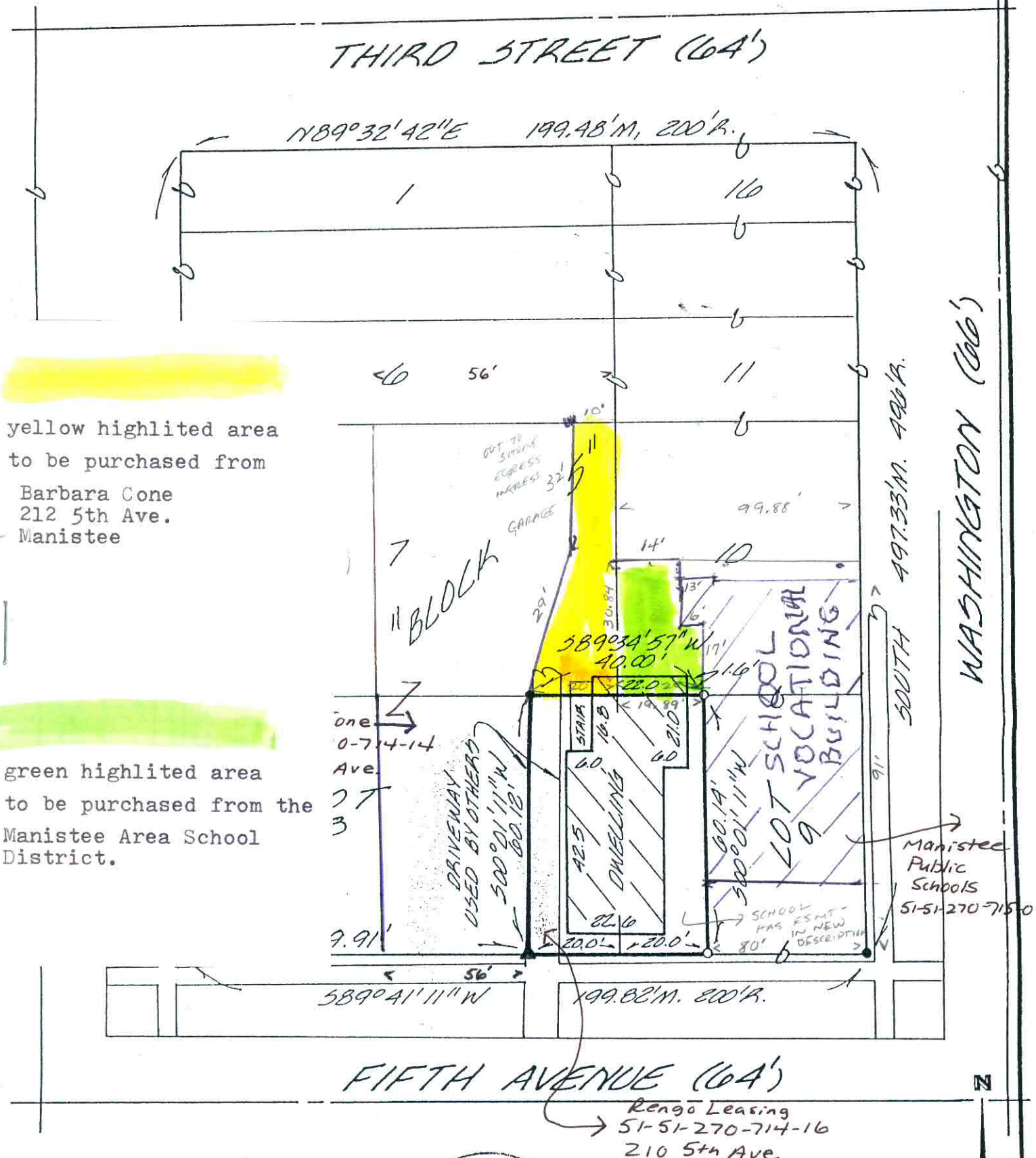
Sincerely,

Jack Rengo

Jack Rengo

# CERTIFICATE OF SURVEY

DESCRIPTION: The East 20 ft. of Lot 8 and the West 20 ft. of Lot 9, Block 5, Ramsdell & Benedict's North Addition to the City of Manistee, Manistee County, Michigan.




yellow highlited area to be purchased from

Barbara Cone
212 5th Ave.
Manistee

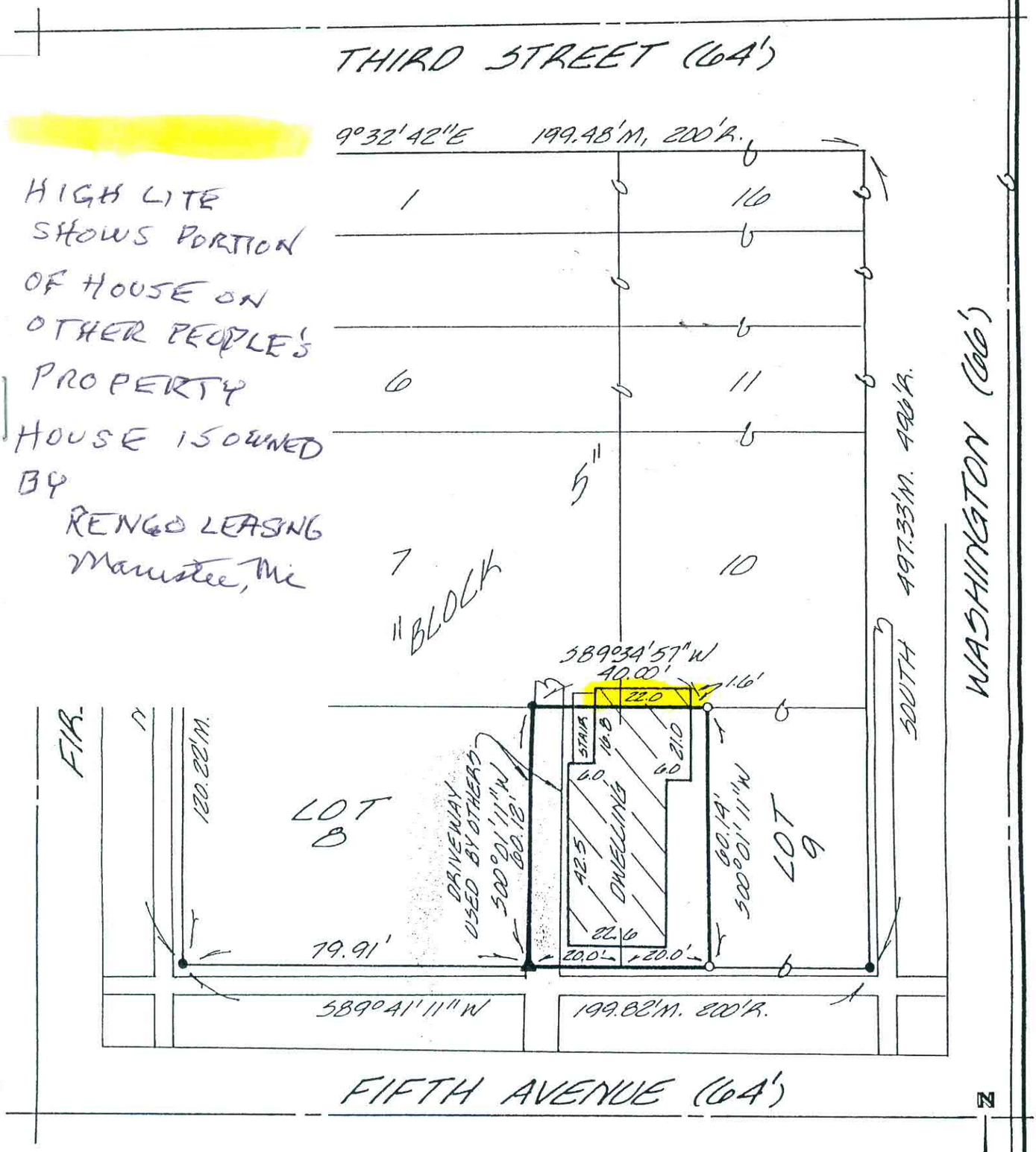
green highlited area to be purchased from the Manistee Area School District.

STATE OF MICHIGAN
BRUCE J.

LEGEND

# CERTIFICATE OF SURVEY

DESCRIPTION: The East 20 ft. of Lot 8 and the West 20 ft. of Lot 9, Block 5, Ramsdell & Benedict's North Addition to the City of Manistee, Manistee County, Michigan.




LEGEND

| | |
|---|---|
| ● IRON FND | ◐ MONUMENT FND. |
| ○ IRON SET | ⊕ MONUMENT SET |
| ▲ P.K. FND. | (R) RECORD |
| △ P.K. SET | (M) MEASURED |

STATE OF MICHIGAN
BRUCE J. JENEMA
LAND SURVEYOR
NO. 25850
PROFESSIONAL LAND SURVEYOR

SCALE 1"=30'
0 15 30 60

I, the undersigned, being a Registered Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the unadjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended.
The basis for bearings is:

Error of Closure is 1'/

Bruce J. Jenema R.L.S. No. 25850


Jenema Land Surveys
50 Clay Street
Manistee, MI 49660
616-723-7930
Fax 616-723-5761


FOR: DAVE VAVRA
State Savings Bank

| | | |
|---|---|---|
| DATE: 6-9-1997 | | SHEET 1 OF 1 |
| DWN. JCM | CHK. B.J.J. | FILE NO. 97313 |