

# MANISTEE CITY PLANNING COMMISSION

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

MEETING OF NOVEMBER 4, 1999

There will be a meeting of the Manistee City Planning Commission to be held on Thursday, November 4, 1999 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

## AGENDA

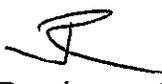
- I. Roll Call
- II. Matters Pertaining to the General Citizenry:
  - A. Public Hearing:
    1. Zoning Amendment - Height & Location of Accessory Buildings and Structures
    - 2.
  - B. Site Plan Reviews:
    1. Ray Kiefer/Seng & Sadler - Lot Split & Combination
    2. Harbor Village - Access Drives Storage/Maintenance Facility
    - 3.
  - C. Questions, Concerns and Consideration of Matters Pertaining to Citizens in Attendance:
    - 1.
    - 2.
- III. Business Session:
  - A. Approval of Minutes from Last Meeting (10/4/99)
  - B. New Business:
    1. Zoning Amendment - Height & Location of Accessory Buildings and Structures
    2. By-Laws - Update
    - 3.
  - C. Unfinished Business:
    1. Lighthouse Landings - Deadline extension
    - 2.
  - D. Other Communications:
    1. Harbor Village - Update on Project
    2. Lighthouse Landings - Update on Project
    - 3.
- IV. Work/Study Session:
  1. Section 1A & 1B - Master Plan
  - 2.
- V. Adjournment

cc: Planning Commission Members  
City Council  
R. Ben Bifoss, City Manager  
Jon Rose, Community Development  
County Planning Department  
Jack Dinsen, Manistee Township Zoning Board  
Don Alfred, Filer Charter Township Planning Commission  
Manistee News Advocate  
WMTE Radio  
WXYQ Radio  
Jeff Mikula, Abonmarche  
Julie Beardslee, Assessor  
Mark Niesen, Building Inspector

# MEMORANDUM

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TO: Planning Commission Members

FROM: Jon R. Rose   
Community Development

DATE: October 29, 1999

RE: Planning Commission Meeting November 4, 1999

First item on the agenda is the Public Hearing for Section 1042.A Height and Section 1070.C.1 Location of Accessory Buildings and Structures. A copy of the changes that were discussed at the Worksession are enclosed for your review.

Second is a request from Ray Kiefer/Seng & Sadler for a Lot Split and Combination. Ray Kiefer is representing Seng's and Sadler Machine & Tool on a proposed Lot Split & Combination. Currently there is a quonset building which is located on two parcels. Plans are to split the remaining property and meet the set-back requirements for the quonset building which currently is split in half and located on two parcels of property. Review of the request shows that the requirements of the Zoning Ordinance have been met. A copy of the request including surveys are attached for your review.

Third is a request from Harbor Village for a Site Plan Review to allow two access drives in and out of the new maintenance/storage facility. The original site plan for the project was approved in March 1999 showed only one access drive. The additional drive requires another Site Plan Review. Staff review shows the requirements of the Zoning Ordinance have been met. A copy of the request is enclosed for your review.

The Planning Commission discussed updating the existing By-Laws at the Worksession. An updated copy of the By-Laws that reflects the proposed changes is enclosed for your review (deletions are shown as ~~strike out~~ and additions shown as highlights).

Lighthouse Landings were given until November 4, 1999 to acquire the necessary property needed to cure their encroachment problem created by the decks on units #23, #24, #25, #26, #27, & #28. A copy of a letter received from the Department of Military and Veterans Affairs regarding Lighthouse Landings has been received and is enclosed for your review. We will discuss this item under Old Business.

Harbor Village and Lighthouse Landings have asked to give the Planning Commission an update on their projects. These two items have been put under Other Communications.

A copy of Section 1A & 1B of the Master Plan is enclosed for your review. This is a short overview of background information on the City and how the Master Plan was developed. We will discuss this during the Work/Study Session of the Agenda.

We will see you at the Meeting!!

JRR:djm

Ordinance 99- \_\_\_\_

AN ORDINANCE TO AMEND IN PART  
AN ORDINANCE ENTITLED "MANISTEE CITY ZONING  
ORDINANCE" WHICH WAS ADOPTED MAY 1, 1990, AS AMENDED,  
TO AMEND THE MANISTEE CITY ZONING ORDINANCE  
SECTION 1042.A HEIGHT  
SECTION 1070.C.1 LOCATION OF ACCESSORY BUILDINGS AND STRUCTURES

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THE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, ORDAINS:

1. That Section 1042. Height be amended to read as follows:

No *building* or *structure* or part thereof shall be *erected* or *altered* to a *height* exceeding thirty (30) feet, except as follows:

- A. Non-*dwelling buildings* or *structures* other than *accessory buildings* or *structures*, shall ~~may~~ be *erected* or *altered* to a *height* not exceeding ~~the height~~ provided for in Section 1070.C of this Ordinance. ~~30 feet~~
- B. *Buildings* or *structures* in the C-4 Commercial and I-2 Lakefront Industrial zoning districts may be *erected* or *altered* to a *height* of 40 feet.
- C. *Buildings* or *structures* in the I-2 Lakefront Industrial zoning district may be *erected* or *altered* to a *height* of 60 feet, provided: a fire lane shall be provide to within 20 feet of the *building* or *structure*. Said fire lane shall be paved and shall have a minimum width of 20 feet.

Any *building* or *structure* or part thereof may be *erected* or *altered* to any *height* if approved by the *Appeals Board*, pursuant to its power to grant variances or the *Commission* in connection with a *Special Use Permit* application approval. This Section does not apply to radio, television antenna systems.

2. That Section 1070. Location of Accessory Buildings and Structures be amended to read as follows:

- A. All *accessory buildings* and *structures* shall be in the *side yard* or *rear yard*, except when built as part of the main *building*.
- B. An *accessory building* attached to the principal *building* of a *parcel* shall be made structurally a part thereof, and shall comply in all respects with the requirements applicable to the principal *building*.
- C. An *accessory building* and *structure*,
  1. shall not be higher than fourteen (14) feet tall ~~unless a higher roof is approved by Historic Overlay Design Review Committee to achieve architectural compatibility with the principal building~~, and side walls shall not be more than ten (10) feet tall, or
  2. in Industrial districts, shall not be higher than seventeen (17) feet tall, and side walls shall not be higher than seventeen (17) feet tall.
- D. No *accessory building* shall be larger than the principal *building*.

3. **CONFLICTING ORDINANCES:** All other ordinances in parts of ordinances, or amendments hereto, of the Manistee city in conflict with the provision of this ordinance are hereby repealed.
4. **EFFECTIVE DATE:** This Ordinance shall take effect on \_\_\_\_\_ upon publication in the Manistee News Advocate

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Dated

ATTEST:

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Kenneth J. Oleniczak  
City Clerk/Treasurer

Dated

*Coldwell Banker ALM Realty & Associates Inc.  
P.O. Box 501  
1121 Parkdale Avenue  
Manistee, Michigan 49660*

October 21, 1999

Mr. John Rose  
Community Development Officer  
City of Manistee  
P.O. Box 358  
70 Maple Street  
Manistee, Michigan 49660

RE: Request for lot split and combination to adjoining property.

Dear sir,

I am requesting a land split and combination of industrial property in the City of Manistee. The parcel numbers involved are 51-51-713-175-01 (Saddler Tool) and 51-51-713-175-10 (Seng Crane). Part of a building occupied by Saddler has been on Seng land. Seng is selling the land under the building and enough land for a legal buffer or set back.

The land has been surveyed by Mr. Jenema and stakes are in place showing the boundary. The proper set back has been observed as indicated on the survey. Parcel A-1 is conveyed to saddler, that parcel can now be combined with parcel A currently owned by Saddler, approximately .79 acres.

Seng is retaining the balance of parcel #2 to the South. Please see attached site plan. I have included a copy of the land survey and legal description for parcel A-1 showing the building involved and the adjoining parcel.

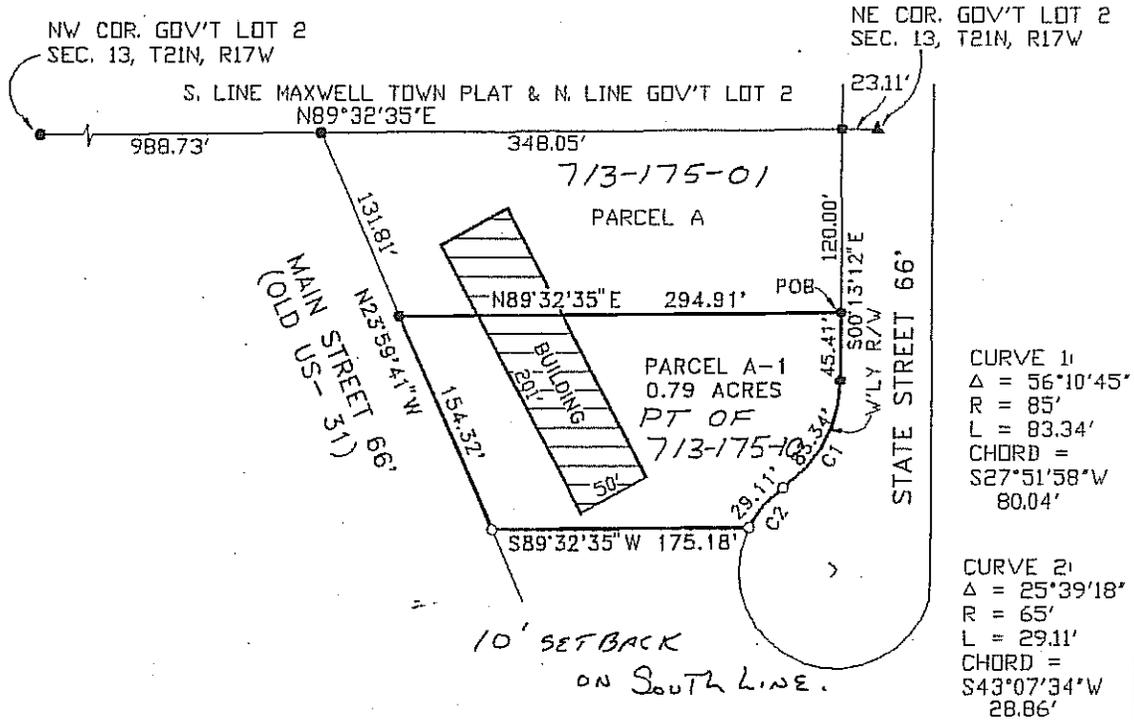
Thank you for your assistance , and please call if I need to supply additional information.

Respectfully,

  
Ray Kieffer  
Broker/Agent

# CERTIFICATE OF SURVEY

PART OF GOV'T LOT 2, SECTION 13, T21N, R17W  
CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

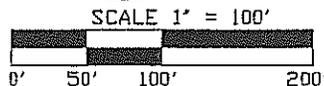


**PARCEL "A-1"**

Part of Government Lot 2, Section 13, T21N, R17W, City of Manistee, Manistee County, Michigan. Described as follows: Commencing at the Northeast corner of said Government Lot, thence N89°32'35"W 23.11 ft. along the North line of said Government Lot to the West right-of-way of State Street, thence along said West right-of-way S00°13'12"E 120.00 ft. parallel with the East line of said Government Lot to the point of beginning; thence continuing along said right-of-way the following three courses: S00°13'12"E 45.41 ft., thence along a curve to the right whose radius is 85.00 ft. a distance of 83.34 ft. (chord bears S27°51'58"W 80.04 ft.), thence along a curve to the left whose radius is 65.00 ft. a distance of 29.11 ft. (chord bears S43°07'34"W 28.86 ft.) thence S89°32'35"W 175.18 ft. parallel with said North line to the East right-of-way of Main Street, thence along said right-of-way N23°59'41"W 154.32 ft., thence N89°32'35"E 294.91 ft. to the point of beginning. Containing 0.79 acres of land more or less, and subject to any easements, restrictions or rights-of-way of record.

**LEGEND**

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

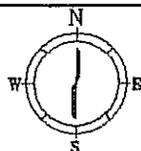


I, THE UNDERSIGNED, BEING A REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL OF LAND, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS NOTED, AND WITHIN LIMITS AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF ACT 132, P.A. 1970 AS AMENDED.  
THE BASIS OF BEARING IS: PREVIOUS SURVEY BY B. JENEMA, DATED 11-13-1997, JOB NO. 97135,

ERROR OF CLOSURE IS 1"/

*Bruce J. Jenema*

R.L.S. No. 25850



**Jenema Land Surveys**  
82 Division St.  
Manistee, MI 49660  
(616) 725-7930  
Fax: (616) 725-5761

FOR: SADLER MACHINE TOOL

DATE: JUNE 18, 1999

SHEET: 1 OF 1

DWN.: WAP

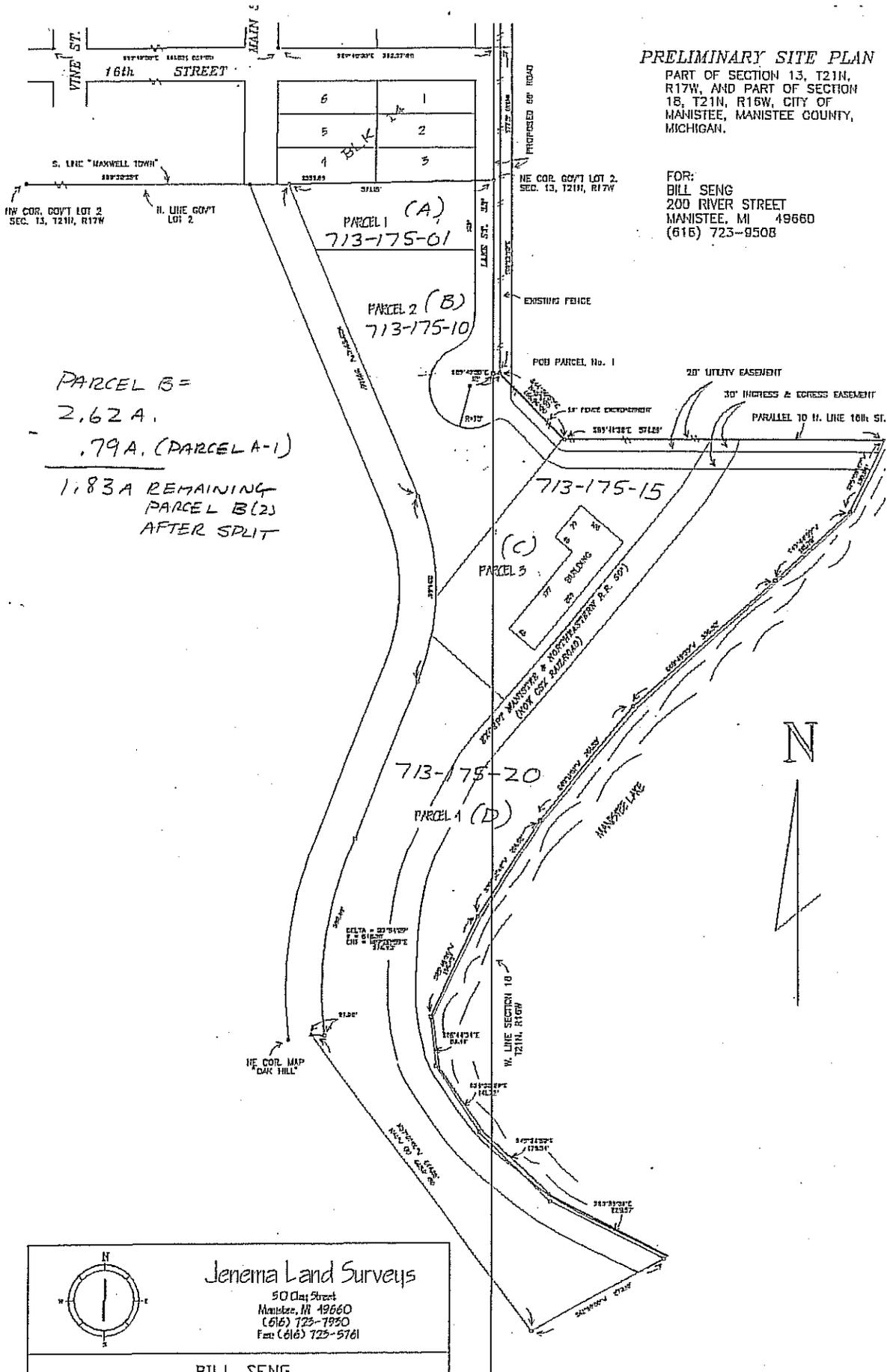
CHK.: BJJ

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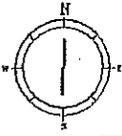
**PRELIMINARY SITE PLAN**

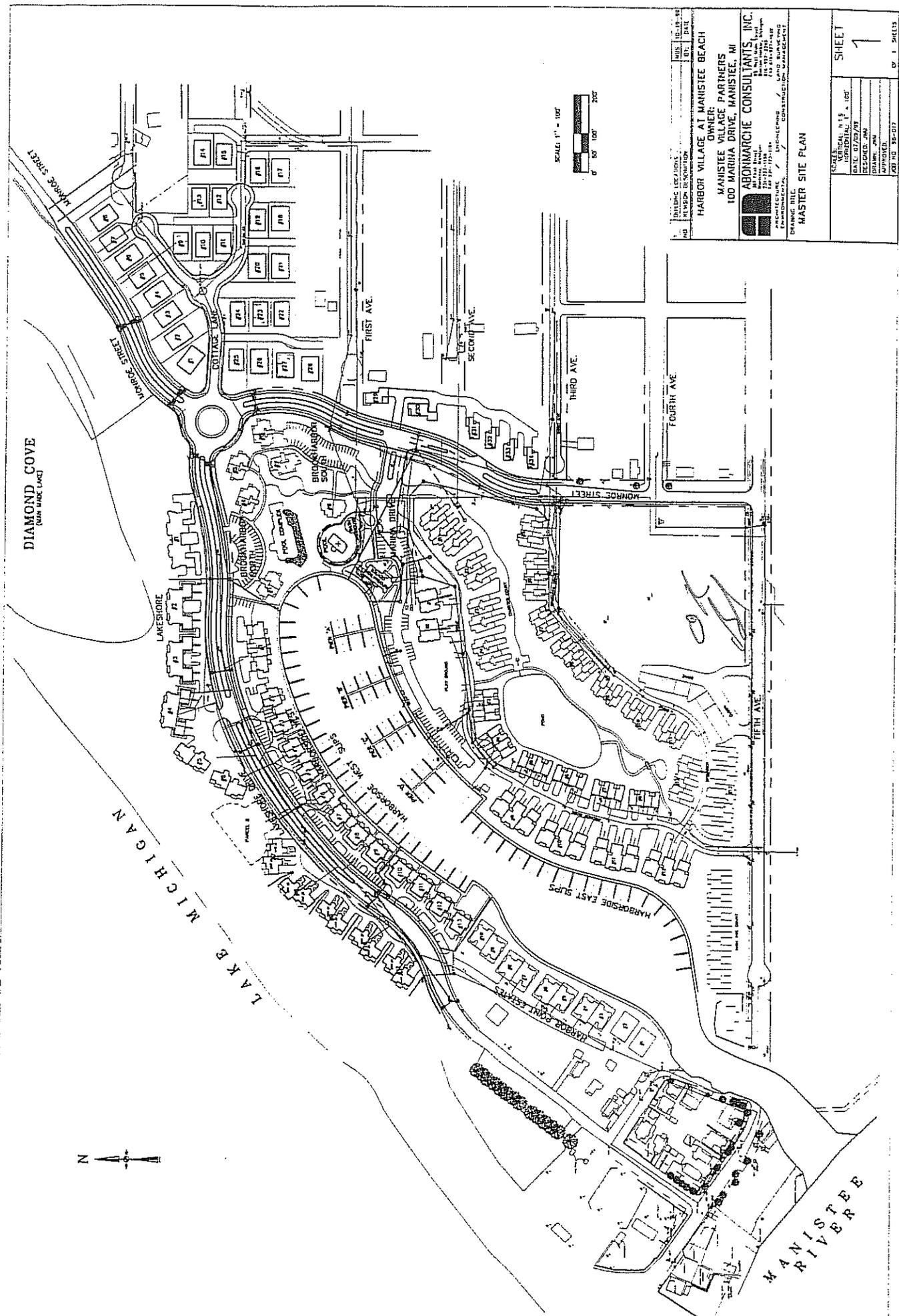
PART OF SECTION 13, T21N,  
R17W, AND PART OF SECTION  
18, T21N, R16W, CITY OF  
MANISTEE, MANISTEE COUNTY,  
MICHIGAN.

FOR:  
BILL SENG  
200 RIVER STREET  
MANISTEE, MI 49660  
(616) 723-9508



PARCEL B =  
2.62 A.  
.79 A. (PARCEL A-1)  
1.83 A REMAINING  
PARCEL B(2)  
AFTER SPLIT

		<p><b>Jenema Land Surveys</b> 50 Day Street Manistee, MI 49660 (616) 723-7950 Fax: (616) 723-5761</p>	
<p><b>BILL SENG</b></p>			
DATE	7-3-1997	94213	DRAWN BY: THIS APPROVED: BJ
<p><b>PRELIMINARY SITE PLAN</b></p>			
<p>PART OF SEC. 13, T21N, R17W &amp; PART OF SEC. 18, T21N, R16W, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.</p>			<p>SHEET: 1 OF 1</p>



DRAWING LOCATION: NO. 10-10-80 REVISION DESCRIPTION: DATE:	HARBOR VILLAGE AT MANISTEE BEACH
	OWNER: MANISTEE VILLAGE PARTNERS 100 MARINA DRIVE, MANISTEE, MI
ARCHITECT: ARONMARCHIE CONSULTANTS, INC. 100 MARINA DRIVE, SUITE 100 MANISTEE, MI 49756-1000 PHONE: (616) 837-4444 FAX: (616) 837-4444 E-MAIL: info@aronmarchie.com	PROJECT NO.: 10-10-80 DRAWING NO.: 10-10-80-010
DRAWING TITLE: MASTER SITE PLAN	SHEET 1 OF 1 SHEETS



DRIV

HARBOR ROAD

POND

10' GREEN SPACE

10' GREEN SPACE

DRIVE

SPINKAKER

RETAINING WALL

RETAINING WALL

FIFTH AVE.

ACCESS

ACCESS

5.00

3.00

2.00

2.00

1.00

# MANISTEE CITY PLANNING COMMISSION

## BY-LAWS and RULES OF PROCEDURE

The following by-laws and rules of procedure are hereby adopted by the Planning Commission to facilitate the performance of its duties as outlined in Act 285, P.A. of 1931, as amended (being M.C.L. 125.34, Municipal Planning).

### Section 1.0 Officers:

- 1.1 Selection: At the regular meeting in December of each year, the Planning Commission shall select from its membership a Chairman, Vice Chairman and Secretary. All officers are eligible for reelection.
- 1.2 Tenure: The officers shall take office at the start of the next regular meeting following their selection and shall hold office for a term of one year, or until their successors are selected and assume office.

### Section 2.0 Officers' Duties:

#### 2.1 Chairman: The Chairman shall:

- A. Preside at all meetings,
- B. Appoint committees,
- C. Sign all Legal Documents authorized by the Planning Commission.
- ~~C.~~ D. Periodically meet with Planning Department Staff,
- ~~D.~~ E. Appoint an acting Secretary for a meeting at which the Secretary is absent, and
- E. F. Perform such other duties as may be ordered or authorized by the Planning Commission.

#### 2.2 Vice Chairman: The Vice-Chairman shall:

- A. Act in the full capacity of the Chairman in the absence of the Chairman, and
- B. In the event the office of the Chairman becomes vacant, shall succeed to the office of Chairman for the unexpired term. The Planning Commission shall select a successor to the office of Vice-Chairman from its membership for the unexpired term.

#### 2.3 Secretary: The Secretary or his or her designee shall:

- A. Execute documents in the name of the Planning Commission,
- B. Be responsible for the minutes of each meeting and shall have them spread in suitable volumes.
- C. Be responsible for copies of the minutes being distributed to each member of the Planning Commission prior to the next meeting of the Planning Commission,
- ~~D.~~ D. Prepare an agenda for each meeting.
- ~~D.~~ E. Be responsible for all communications, petitions and reports addressed to the Planning Commission,

- E. F. Keep attendance records and shall notify the City Council whenever any member of the Planning Commission is absent from three consecutive regularly scheduled meetings so the City Council can take further action pursuant to Section 3.2 of these rules of procedure and by law, and
- F. G. Perform such other duties as the Planning Commission may determine.
- G. H. Maintain an accounting of funds budgeted to the Planning Commission.

### Section 3.0 Meetings:

- 3.1 Regular Meetings: Meetings of the Planning Commission will be held the First Thursday of every month at 7:00 p.m. in the City Council Chambers at City Hall. When the regular meeting day falls on a legal holiday, or if city wide festivities are planned for that date, the Planning Commission shall select a suitable alternate day in the same month. A meeting of the Planning Commission shall only be canceled due to severe weather or when quorum cannot be present. [Annotation: The meeting time was changed from 7:15 p.m. by amendment on December 10, 1992]
- 3.2 Attendance: If any member of the Planning Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the City Council to remove any member from the Planning Commission for nonperformance of duty or misconduct of office, or both, after a public hearing. ~~In the absence of the Secretary, the appointed acting Secretary shall perform the secretary's reporting function to the City Council.~~
- 3.3 Special Meetings: Special meetings shall be called at the request of the Chairman, or by three members of the Planning Commission. Notice of special meetings shall be given by the Secretary to the members of the Planning Commission at least 48 hours prior to such meeting and shall state the purpose and time and place of the meeting. The Chairman may designate special meetings for the exclusive purpose of discussion of long range portions of the master plan or for other single issue discussions.
- 3.4 Public: All regular and special meetings, hearings, records and accounts shall be open to the public.
- 3.5 Quorum: Five members shall constitute a quorum for the transaction of business and the taking of official action for all matters except the adoption of a master plan, or any part of a master plan. The affirmative vote of six members shall be necessary for the adoption of a master plan, or any part of a master plan. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting when a quorum is present by acting to approve the minutes of the meeting at which the quorum is not present.

- ~~3.6 Order of Business: The secretary or his designate shall prepare an agenda for each meeting, and the order of business therein shall be as follows:~~
- ~~A. Call to order and roll call.~~
  - ~~B. Matters pertaining to the general citizenry and citizens present at the meeting, to be heard in the following order:
    - ~~1. Advertisd Public Hearings. The Chairman will declare such a public hearing open and state its purpose. The petitioner, or proponent of the action advertised will be heard first. No action will be taken during a Public Hearing.~~
    - ~~2. Site plan reviews.~~
    - ~~3. Persons requested or requesting to be heard by the Planning Commission for discussion of a local problem, presentation on an issue.~~
    - ~~4. Public Participation.~~~~
  - ~~C. Housekeeping Business.
    - ~~1. Approval of minutes.~~~~
  - ~~D. Unfinished business. Items considered here are to be taken up in the same order considered to be priority by the Commission and/or its staff, with the highest priority taken first.~~
  - ~~E. Other Communications.~~
  - ~~F. Reports~~
  - ~~G. New Business, communications, other.~~
  - ~~H. Work Session~~
  - ~~I. Adjournment.~~

- 3.7 **3.6** Motions: Motions shall be restated by the Chairman before a vote is taken.
- 3.8 **3.7** Voting: Voting shall be by voice or shall be by roll call and each vote recorded in the minutes. Roll call votes shall only be done upon request of a member or by ruling of the Chairman. Members must be present to cast a vote.
- 3.9 **3.8** Commission Action: Action by the Planning Commission on any matter on which a hearing is held shall not be taken until after the hearing has concluded.
- 3.10 **3.9** Parliamentary Procedure: Parliamentary Procedure in Commission meetings, when needed, shall be governed by Roberts' Rules of Order.
- 3.11 **3.10** Conflict of Interest: As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
- A. A commission member issuing, deliberating, voting or reviewing a case concerning himself.

- B. A commission member issuing, deliberating, voting or reviewing a case concerning work on land owned by himself.
- C. A commission member issuing, deliberating, voting or reviewing a case involving a corporation, company, partnership, or other entity in which he is a part owner, or any other relationship where he may stand to have a financial gain or loss.
- D. A commission member issuing, deliberating, voting or reviewing a case which is an action which results in a pecuniary benefit to himself.
- E. A commission member issuing, deliberating, voting or reviewing a case concerning his spouse, children, step-child, grandchildren, parents, brother, sister, grandparents, parents in-law, grandparents in-law or member of his household.
- F. A commission member issuing, deliberating, voting or reviewing a case where he/she is a member of the Manistee City Planning Commission and
  - 1. is an applicant, or
  - 2. has a direct interest in the permit, or
  - 3. chooses to intervene in a permit application case and is done in such a manner that the commissioner feels, in his/her judgement, that his/her job, scope of duties and/or position may be a risk, pending the outcome of the permitting process. A commission member shall, when he/she has a conflict of interest do the following immediately, upon the first review of the case and determining a conflict exists:
    - a) declare a conflict exists at the beginning of the meeting where the case appears on the agenda, or when the topic brought up so such declaration is recorded in the minutes, and
    - b) refrain from participating in the discussion, site inspection or review of the case, except where specific information has been requested by the commission, and
    - c) refrain from casting a vote on any motion having to do with the case.

#### Section 4.0 Committees:

##### 4.1 Executive Committee:

- A. The Executive Committee shall be a standing committee of the Planning Commission. Its membership shall be the elected officers of the Commission, and they shall hold the same offices in the committee. The Executive Committee may deal with recommendations to the Planning Commission on
  - 1. matters of the Planning Commission Budget;
  - ~~2. employment of a Planning Director for the Planning Department;~~
  - ~~3. overseeing the Director's day-to-day administration of the Planning Department;~~
  - ~~2.~~ 4. office and personnel policy; and anything else directed to the Executive Committee by the Planning Commission.

B. The Executive Committee has limited power to act only on housekeeping matters, budget, office policy, and overseeing contracts and personnel when time constraints require action prior to the next regularly scheduled Planning Commission meeting. Such actions shall be reported at the next regularly scheduled Planning Commission meeting and are subject to the Planning Commission's review and veto.

4.2 Ad Hoc Committees: The Planning Commission or Chairman of the Planning Commission may establish and appoint ad hoc committees for special purposes or issues, as deemed necessary. No more than four members of the Planning Commission may serve on an ad hoc committee at any given time.

Committee appointments shall be made at the first regular meeting held in January of each year or at the time the committee is formed. Committees requiring appointments may include, but are not limited to: Site Plan /Historic Overlay District Review Committee, Joint Planning Commission/City Council Review Committee, Ordinance Committee, Zoning Board of Appeals, Manistee County Plat Review Board, DDA Liaison.

4.3 Citizen Committees: The Planning Commission, Chairman of the Planning Commission, and/or the Planning Director may establish and appoint citizen committees with the consent of the Planning Commission. Membership can be any number, so long as no more than four members of the Planning Commission serve on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Planning Commission, to better represent various interest groups.

#### Section 5.0 Rules of Procedure for All Committees:

5.1 Subservient to the Planning Commission: All committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action. A simple majority vote by the Planning Commission can overrule any action of any committee.

5.2 Same Principles: The same principles of these Rules of Procedure for the Planning Commission also apply to all committees of the Planning Commission:

A. Officers of committees are appointed by the Chairman at the time the committee is created or are elected by the committee from its membership at their first meeting. Officers, at a minimum, shall include a chairman and a secretary-vice chairman.

- B. A committee's quorum shall be at least half the total appointed membership of the committee. Only citizen committees can elect to meet without a quorum as provided in section 3.4 of these Rules of Procedure.
- C. Only those appointed members of a committee who are present at the time of a vote shall be eligible to cast a vote.
- D. If any member of a committee is absent from three consecutively scheduled meetings of that committee, than that member shall be considered delinquent. Delinquency shall be grounds for the Planning Commission to remove the member from the committee. The elected committee secretary or acting secretary shall (and the Planning Director may) keep attendance records and notify the Planning Commission of any committee member who has been absent from three consecutively scheduled meetings. ~~to~~ The Planning Commission may consider removal of the individual from the committee.
- E. The secretary of the committee shall keep minutes of the committee meetings in the same format as the minutes of the Planning Commission. Minutes shall be filed in the Planning Department.
- F. Committees have reasonable use of Planning Department staff time and assistance and direction for performing the work of the committee.
- G. All committee meetings, records, etc. are open to the public
- H. Citizen committees may form subcommittees from their own membership or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance, minutes, public participation, Less than one half the committees' members shall be appointed to a single subcommittee.

#### Section 6.0 Per Diem, Expenses and Mileage:

- 6.1 Mileage and Per Diem shall be paid to members of the Planning Commission at rates established by the City Council from time to time for attendance at Commission meetings and Executive Committee meetings and other authorized meetings or trips to represent the Commission, if those members bill the Commission for the same.
- 6.2 The payment of registration fees and/or the reimbursement for expenses to represent the City at planning related meetings, seminars and workshops must be approved by the Planning Commission in regular session prior to any payments being made by the city, provided budgeted funds are available and if those members bill the Commission for the same.

#### Section 7.0 Hearings:

- 7.1 Master Plan Hearings: Before the adoption of any part of the Master Plan as defined in Section 8 of P.A. 285 of 1931, as amended (being M.C.L. 128.38, Municipal Planning) or any amendment to the Master Plan, or recommending approval of an amendment to the governing body, the Planning Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by one publication in each newspaper of general circulation.
- 7.2 Special Hearings: Notice of special hearings for the purposes of presenting preliminary master plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested.
- 7.3 Notice of Decision: A written notice containing the decision of the Planning Commission will be sent to petitioners and originators of a request for the Planning Commission to study a special problem.

Section 8.0 Matters to be considered by the Planning Commission:

- 8.1 The following matters shall be presented for consideration at a meeting of the Planning Commission:
  - A. All preliminary plans and reports for the physical development of the city, including the general location, character and extent of streets and roads, viaducts, bridges, parks and open spaces; the general location and extent of public utilities and terminals.
  - B. The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public right-of-way, grounds, agricultural land, open spaces, buildings or properties.
  - C. The general character, extent and layout of the replanning and redevelopment of blighted districts and slum areas.
  - D. Land subdivision plats.
  - E. All planning reports and plans before publication.
  - F. Capital improvement programs.
  - G. Planning Department and Commission's budget requirements for the fiscal year and requests for appropriations.
  - H. Selection of consultants and determination of basis for compensation, and selection of a Planning Director.
  - I. Plans, zoning ordinances, etc. adopted by municipalities.
  - J. Such other matters as the Planning Director shall find advisable or essential to receive consideration by the Planning Commission.

Section 9.0 Matters to be acted upon by staff on behalf of the Commission:

9.1 The Planning Department Director shall take action or make recommendation in the name of the Planning Commission, in accordance with such plans, policies and procedures as are approved or established by the Planning Commission from time to time. Where there is a serious conflict of interest, public controversy, or uncertainty or doubt as to the plans, policies or procedures approved or established by the Planning Commission, presentation of the matter shall be made at a Planning Commission meeting.

Section 10.0 Site Plan Review and Lot Split and Combination Review Policy:

10.1 Submitted site plans shall be reviewed in the following manner:

**Basic Site Plans:** shall only be subject to review by the city code zoning administrator.

**Medium Site Plans:**

New Single Family Homes -

subject to review by the city code zoning administrator, with his option to refer the plan to the planning commission or site plan review committee.

~~New Multi-Family Homes -~~

~~subject to review by the planning commission.~~

~~New Multi-Family Homes (less than 4 units) -~~

~~subject to review by the zoning administrator, with his option to refer the plan to the planning commission or site plan review committee.~~

~~New Multi-Family Homes (more than 4 units) -~~

~~subject to review by the planning commission.~~

New Non-Residential Structures -

subject to review by the planning commission.

~~Additions to Non-Residential Structures -~~

~~subject to review by the city code administrator and site plan review committee, with option to refer the plan to planning commission.~~

**Minor Additions to Non-Residential Structures -**

subject to review by the zoning administrator, with his option to refer the plan to the planning commission or site plan review committee.

**Major Additions to Non-Residential Structures -**

subject to review by the planning commission.

**Detailed Site Plans:** shall only be subject to review by the planning commission and/or Board of Appeals.

**10.2** The Zoning Administrator shall report monthly on all site plans administratively reviewed.

**10.3** Plans for Lot Splits and Combinations shall be reviewed, as required in Section 151.07(E) of the Manistee City Subdivision Ordinance, in the following manner:

Plans for the proposed lot split or combination shall be forwarded by the ~~City Code Zoning Administrator~~ to the Site Plan Review Committee at a meeting of the committee, for their review. The committee shall review the plan to see that each resulting parcel meets each and every requirement of the City of Manistee Zoning Ordinance for the land use district in which the parcels are located. After reviewing the plan the Committee is authorized to either:

1. Submit recommendations on the plan to the Manistee City Council on behalf of the Planning Commission, or
2. Refer the plan to the full Planning Commission for review and recommendation.

As provided in Section 151.07(E) of the Manistee City Subdivision Ordinance, recommendations of the Site Plan Review Committee and/or of the Planning Commission can be made with or without a public hearing. [Annotation: Section 10.2 added by amendment on December 9, 1993]

**Section 11.0 ~~Planning Commission Staff assigned to Planning Commission:~~**

**11.1 Authorization:** The Planning Commission staff may consist of a Planning Director and such other personnel as may be authorized by ~~the Planning Commission~~ after the budget for the same is approved by the City Council.

11.2 General Responsibility: The Planning Commission Staff is charged with the duty of preparation and administration of such plans as are authorized by the Planning Commission.

11.3 Planning Director's Duties: The Planning Director shall be responsible for the professional and administrative work in directing and coordinating the program of the ~~City Planning Commission~~. His work shall be carried on with the widest degree of professional responsibility ~~under the direction of the City Manager, subject to the policy determinations of the Planning Commission and administrative policies of the City Council~~. The Planning Director shall:

- A. Supervise and review the work of professional, technical and nontechnical employees ~~of the Planning Commission Staff~~.
- B. Prepare a proposed annual budget for the Planning Commission and Department to submit to the Planning Commission.
- C. Be responsible for carrying out the directives of the Planning Commission.
- D. Work with the chairman of the Planning Commission for formulation of staff policy, subject to approval by the Planning Commission.
- E. Recommend to the Planning Commission the process to implement plans and policies such as:
  1. Zoning and subdivision control.
  2. Programs for capital expenditures.
  3. Other actions by the commission or other government agencies.
- F. Officially present the Planning Commission's recommendations to the City Council.
- G. Officially represent the Planning Commission, ~~its staff, the and~~ Planning Department, at planning conferences, interdepartmental meetings, ~~and to~~ the public and press.
- H. Encourage development in harmony with plans, policies and ordinances, supply information, and promote understanding of planning.
- I. Perform other such duties as are contained in a job description adopted by the ~~City Planning Commission~~.

#### Section 12.0 Adoption and Repeal:

12.1 Upon adoption of these by-laws and rules of procedure, they shall become effective and all previous rules of procedure or bylaws shall be repealed.

#### Section 13.0 Amendments:

13.1 These rules may be amended at any regular meeting of the Planning Commission by a two-thirds (2/3) vote of the total membership of the commission.

Adopted by Manistee City Planning Commission - 1/9/92

Amended by Manistee City Planning Commission - 12/10/92

Amended by Manistee City Planning Commission - 12/9/93

Amended by Manistee City Planning Commission - \_\_\_\_\_

Printed November 2, 1999

STATE OF MICHIGAN



JOHN ENGLER, Governor

DEPARTMENT OF MILITARY & VETERANS AFFAIRS

2500 S. WASHINGTON AVENUE, LANSING, MI 48913-5101  
MAJOR GENERAL E. GORDON STUMP  
Director, and The Adjutant General

MITAG-CFO

October 7, 1999

City Planning Commission  
P.O. Box 358  
Manistee, MI 49660

Mr. Niesen

The Michigan Department of Military and Veteran's Affairs is attempting to negotiate the sale of land to Lighthouse Landings to alleviate future legal action involving the development. This memorandum serves as our request that the City extend Mr. Jones' current variance until the Military Board's next scheduled meeting on December 9, 1999.

On September 16, 1999, the Military Board met and discussed Lighthouse Landings' proposal to purchase land from our department. At that time they did not render a decision to sell the property. We are attempting take the necessary actions to determine a reasonable fair market value and establish any contingencies that may facilitate a mutually beneficial solution to this problem.

Please contact me at (517) 483-5645 if you require further information.

FOR THE ADJUTANT GENERAL OF MICHIGAN

  
TIBOR J. LANCZY  
LTC, EN, MIARNG  
Chief, Construction and  
Facilities Management Office

Cf: Maj Gen Stump  
Duane Jones

## PLANNING INITIALIZATION

### General Background:

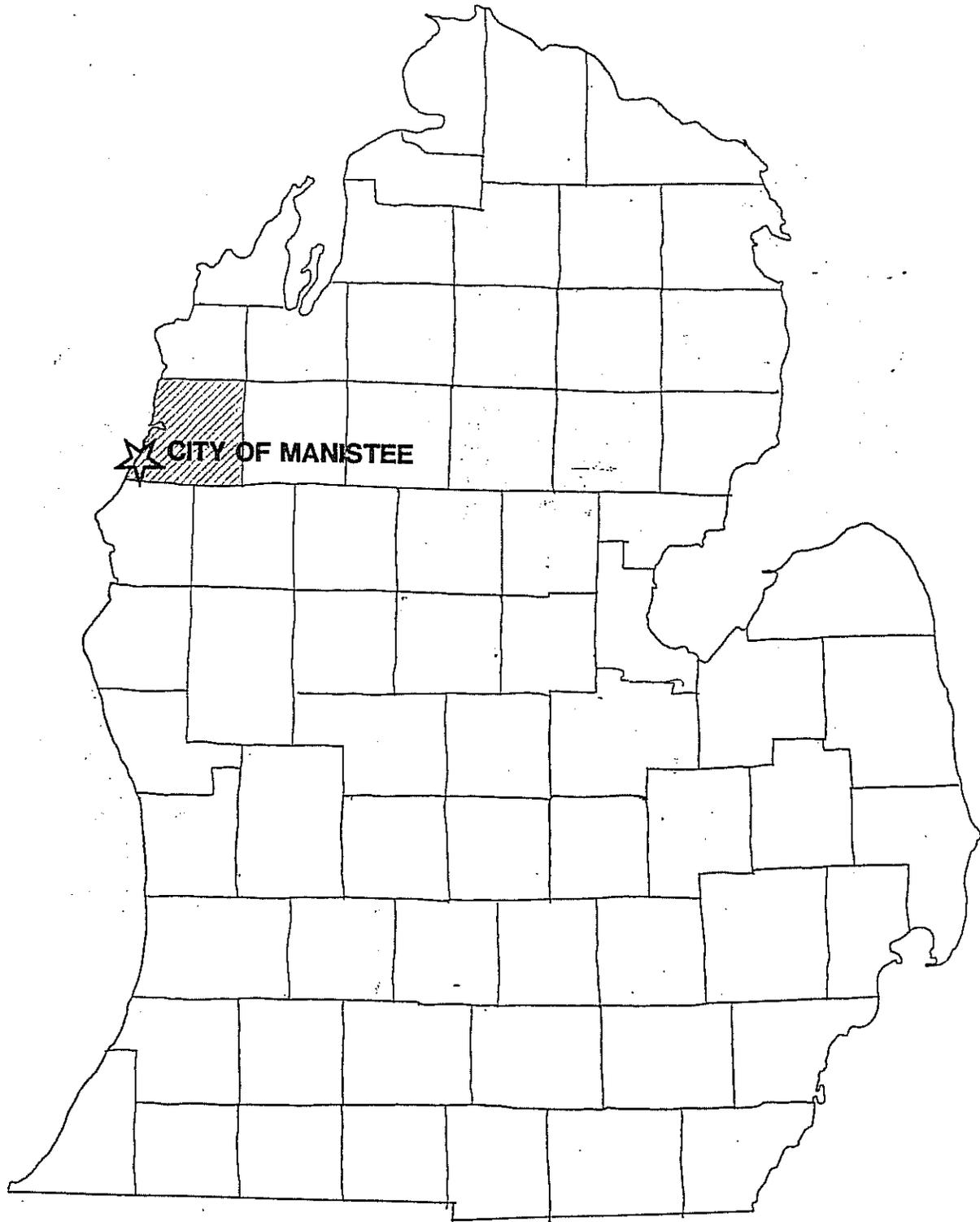
The City of Manistee, as indicated on Map 1A-1, is located near the top of the middle third of Michigan's lower peninsula along the western shoreline. This shoreline is dominated by forested sand dunes and sandy beaches: an environment which is uniquely West Michigan and found nowhere else in the world. It is the shoreline sand dune environment that provides the region with a natural and popular tourist attraction.

The City of Manistee has had many influences in its history. The water resources of the region initially dictated where the city would be located and water continued to play a dominant role in the city's development and prosperity through the turn of the century. It is expected that Lake Michigan, Manistee Lake and the Manistee Rivers will continue to strongly influence the community's future development.

The other natural resources of the region, wood and salt, were also dominant influences in the early development of the community. At the turn of the century, lumbering operations began to dwindle and salt mining alone was not able to sustain the growth which had occurred. Subsequent efforts to expand the industrial base of the community were not successful in sustaining the estimated population of almost 15,000 that the city enjoyed in the late 1800s. The population began to gradually decline at the turn of the century and this decline has never been reversed.

Throughout the colorful and prosperous years, when the community was growing and developing; and, during the more recent period of decline, the City of Manistee has never had the benefit of a city development plan. Manistee has all the environmental assets of other Western Michigan shoreline communities and more. Yet unlike so many other communities, Manistee has thus far avoided pressures from outside developers to exploit these assets and over-build the city in a haphazard and unplanned fashion. As a result, the community is virtually undiscovered and unspoiled by the same well meaning, yet often ill-advised, urban renewal and re-development schemes which have destroyed the historic fabric many other Michigan communities.

The City is anticipating that this situation will rapidly change during the next decade as Northwest Michigan becomes an increasingly popular location for the development of retirement and second homes. Manistee's anticipated growth will be influenced by the development of Michigan's newest and second largest industry: tourism. The City of Manistee is acting now to prepare for orderly and controlled population growth and re-development, while at the same time protecting the quality of life and the unique natural environment that it has always enjoyed. This comprehensive City Development Plan is the first, and most important, step in that process.



# LOCATION MAP

MAP 1A.1

1A-2

## THE DEVELOPMENT PLAN

### What is The Development Plan?

The City of Manistee has recognized the need for a City Development Plan and initiated the Manistee Development Plan planning project to accomplish that end. But what exactly is a Development Plan? Frank Beal and Elizabeth Hollander set forth several qualities of a modern Development Plan in a chapter of one of today's most popular planning manuals: The Practice of Local Government Planning, (So, 1979). They suggest that a City Development Plan should: (1) be a document for the physical layout of the city, (2) be a long-range expression of the best community possible, (3) be a comprehensive document covering all areas and functions of the city, (4) be a statement of city policy and (5) function as a useful guide to city planning officials. The Manistee Development Plan was designed to accomplish these functions, each of which are described in more detail in the paragraphs which follow.

**Physical Layout.** To provide a realistic tool for the Planning Commission and others with a direct interest in city development, the Manistee Development Plan proposes a basic layout for land uses, circulation and community facilities. This is the real heart of the plan since physical layout is shown in concise, easy to interpret, graphic format. However, the role played in planning by physical layout has been increasingly diminished by planners in favor of other less specifically defined components of the plan. This is because a graphically reproduced physical layout can become a static and outdated photograph of the past. To avoid this problem, the Manistee Development Plan must not be interpreted as blue-prints for development, but as "the most current revision" of a continually evolving plan.

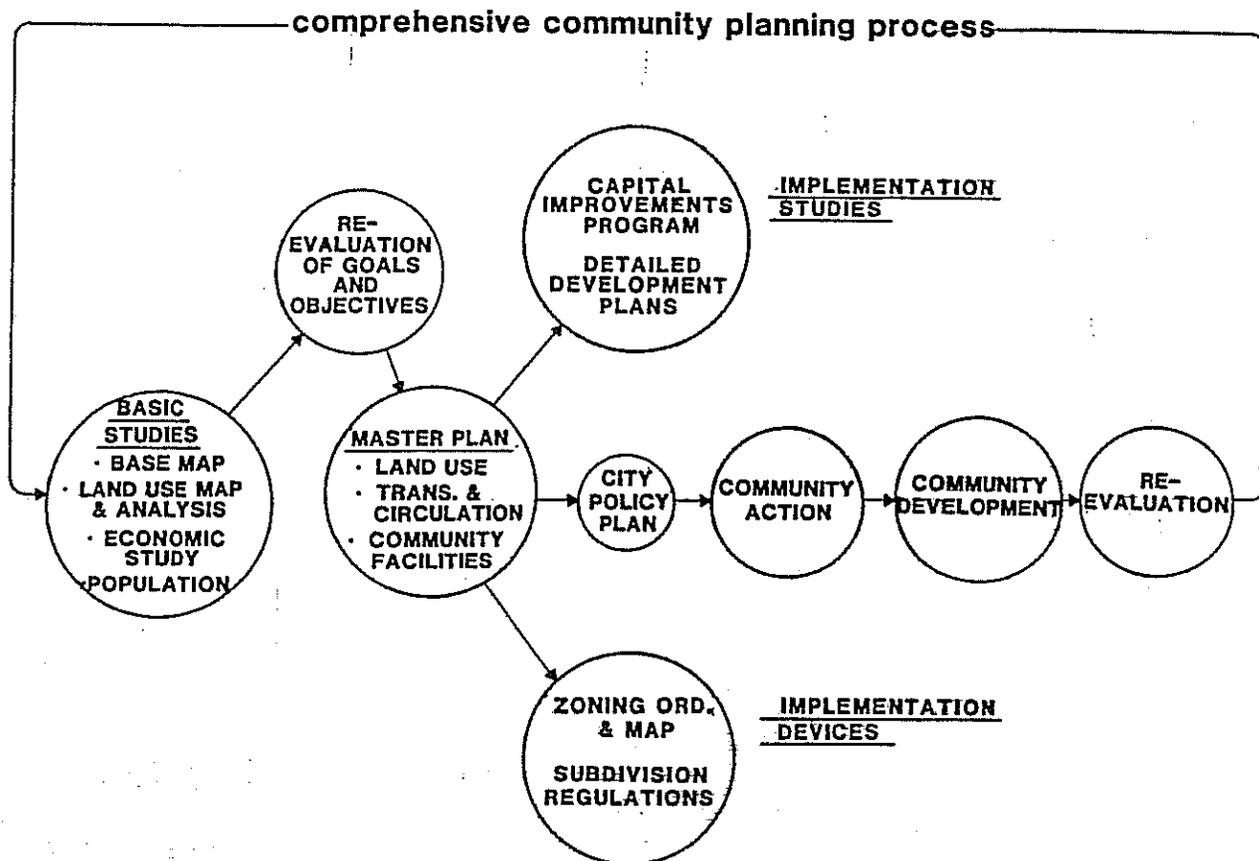
**Long-range.** Since the Manistee Development Plan is not intended to be an exact set of specifications, it can, and will, be used to illustrate a vision of what the community should become. With ideas firmly rooted in today's real-world conditions, the plan is designed to move the community towards a distant, yet clearly desirable future. Even if the direct means of achieving a desirable future are not readily apparent or within easy grasp, the Plan must still provide a target at which all city policy and action can be aimed.

**Comprehensive.** While no plan can cover everything associated with the development and operation of a community, every effort is made to include all pertinent functions of the city in all geographic areas. In this way, the Manistee Development Plan will act to coordinate various development activities thus avoiding duplicative or counter-productive efforts between city departments, neighborhood groups or other governmental agencies.

**Policies.** The Manistee Development Plan provides an excellent vehicle with which to convey city development policy. Just as

the physical layout gives heart to the plan, a set of coherently stated policies gives the plan it's conscience. The greater the number of city and other public officials which agree to a set of policies created through this comprehensive planning process, the greater likelihood that the Manistee Development Plan will be widely and effectively implemented.

Guide for Planning Officials. Above all, the Manistee Development Plan will function as a guide for the Manistee Planning Commission. As required in the Municipal Planning Act, Act 282 of the Michigan Public Acts of 1945, the Planning Commission must make and adopt a plan for the physical development of the municipality. The Manistee Development Plan is designed to meet city's obligation under the state statute and more. With the adoption of a plan as described above, there is little doubt that it will prove to be a useful guide for city development. To retain such utility, the Manistee Development Plan document itself was designed for flexibility. It consists of a three-ring note book with removal sections covering all major components of the plan. In this way, the plan will evolve as does the community. It will be able to express policy shifts as city officials retire and new ones are elected. It will be able to incorporate new ideas and embrace studies which may elaborate on new ways of achieving the desired future. In short, the document itself will be an integral part of a dynamic planning process.



## The Planning Process:

The process by which most Development Plans are formulated can be generalized as shown in the planning process flow-chart above. This graphic illustrates the various steps involved in creating a Development Plan and was generally followed by the Manistee Development Plan project.

The process starts with a collection of basic information including a base map, land use information, economic data, population trends and other information deemed necessary through the planning process. For the Manistee Development Plan, this phase of planning also included a community attitudes surveys and the identification of special problems and issues facing the community. The most important information and data collected in this phase has been included or explained in several Basic Studies found in Section 2 of this document.

Through a process of evaluation and analysis, the basic data is converted into a basic layout or graphic display of the City Development Plan. This analytical process is described in Section 2 as a Suitability Analysis and the graphic layouts are presented in Section 3. In addition to the graphic plan layouts, Section 3 also includes the City Policies Plan.

Finally, available methods for implementing the plan are identified and include a variety of devices such as zoning regulations, subdivision ordinances, detailed development plans, capital improvements program, and any other tools which may be necessary. Section 4 outlines many of these recommendations.

After the plan is adopted, positive community action, and development based upon that action, must be the result. All decisions and programs intended to increase, control or otherwise alter the course of city development should be subject to review for adherence to the Development Plan.

Finally, the flow-chart includes a re-evaluation loop, a step which must be scheduled into the Planning Commission's periodic business activities to determine if the Development Plan is being achieved and, if the community is succeeding in meeting its desired end. Constant monitoring of public opinion, existing development and projected conditions are required to make determinations on when and what needs updating in the Development Plan. A section has been included for note-taking to aid in such monitoring exercises by each Planning Commission member.