

MANISTEE CITY PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660

Special Meeting of Thursday, November 15, 2001
7:00 p.m. - Council Chambers, City Hall

AGENDA

- I Roll Call

- II New Business
 - 1. Jeff Seng, Seng's Crane & Excavating - Site Plan Review/New Office
 - 2.

- III Other Communications

- IV. Adjournment

Receipt # 968

Application for Site Plan Review & Land Use Permit

Location of Project: 51-51-448-735-01

Parcel Code #: 51-51-448-735-09

Name & Address of Applicant: SENG CRANE + Exc. / JEFF SENIG
200 RIVER ST. 538 E KOTT Rd
MANISTEE MI. 49660 MANISTEE MI. 49660

Phone Numbers: Work 723-9508 Home 723-4394

Name & Address of Owner if different: _____

Phone Numbers: Work _____ Home _____

Brief description of work to be done: NEW OFFICE

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 Site Plan, as spelled out in Section 9404, 9405 or 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, (231) 723-2558.

Fee: Land Use Permit/Site Plan Review \$ 20.00 (PUD \$250.00)

WORKSESSION

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street, Manistee, Michigan 49660

Thursday, November 15, 2001
7:00 p.m. - Council Chambers, City Hall

AGENDA

The City of Manistee Planning Commission will hold a worksession on Thursday, November 15, 2001 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

- I Roll Call

- II Public Participation:

- III Unfinished Business and Reports:
Master Plan Update

- IV New Business and Communications:

- V Adjourn.

SITE PLAN REVIEW

NAME: Jeff Seng
Seng's Crane & Excavating
200 River Street
Manistee, MI 49660

PROPOSED USE: Office Building
ZONING DISTRICT: Multiple Use District
(MUD)

PARCEL CODE: 51-51-448-735-09

USE IS: Permitted
 Special
 Not Permitted

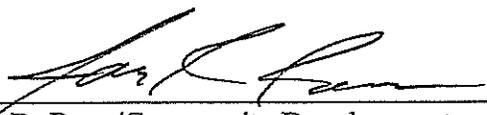
BULK REGULATIONS

	REQUIRED BY ZONING	PROPOSED IN PLAN	COMPLIANCE	
			YES	NO
PARCEL SIZE:	6,000 sq. ft.	6,000 + sq. ft.	X	<input type="checkbox"/>
STREET FRONTAGE:	60 ft.	60 + ft.	X	<input type="checkbox"/>
SETBACKS				
FRONT YARD	25 ft.	27 ft.	X	<input type="checkbox"/>
SIDE YARD	10 ft.	10 + ft.	X	<input type="checkbox"/>
REAR YARD	10 ft.	waterfront	<input type="checkbox"/>	<input type="checkbox"/>
WATERFRONT	100 ft.	100 + ft.	X	<input type="checkbox"/>
HEIGHT:	30 ft.	17 ft.	X	<input type="checkbox"/>
PARKING:	6 spaces	6 spaces	X	<input type="checkbox"/>
BUILDING AREA:	1,000 sq. ft.	1,200 sq. ft.	X	<input type="checkbox"/>

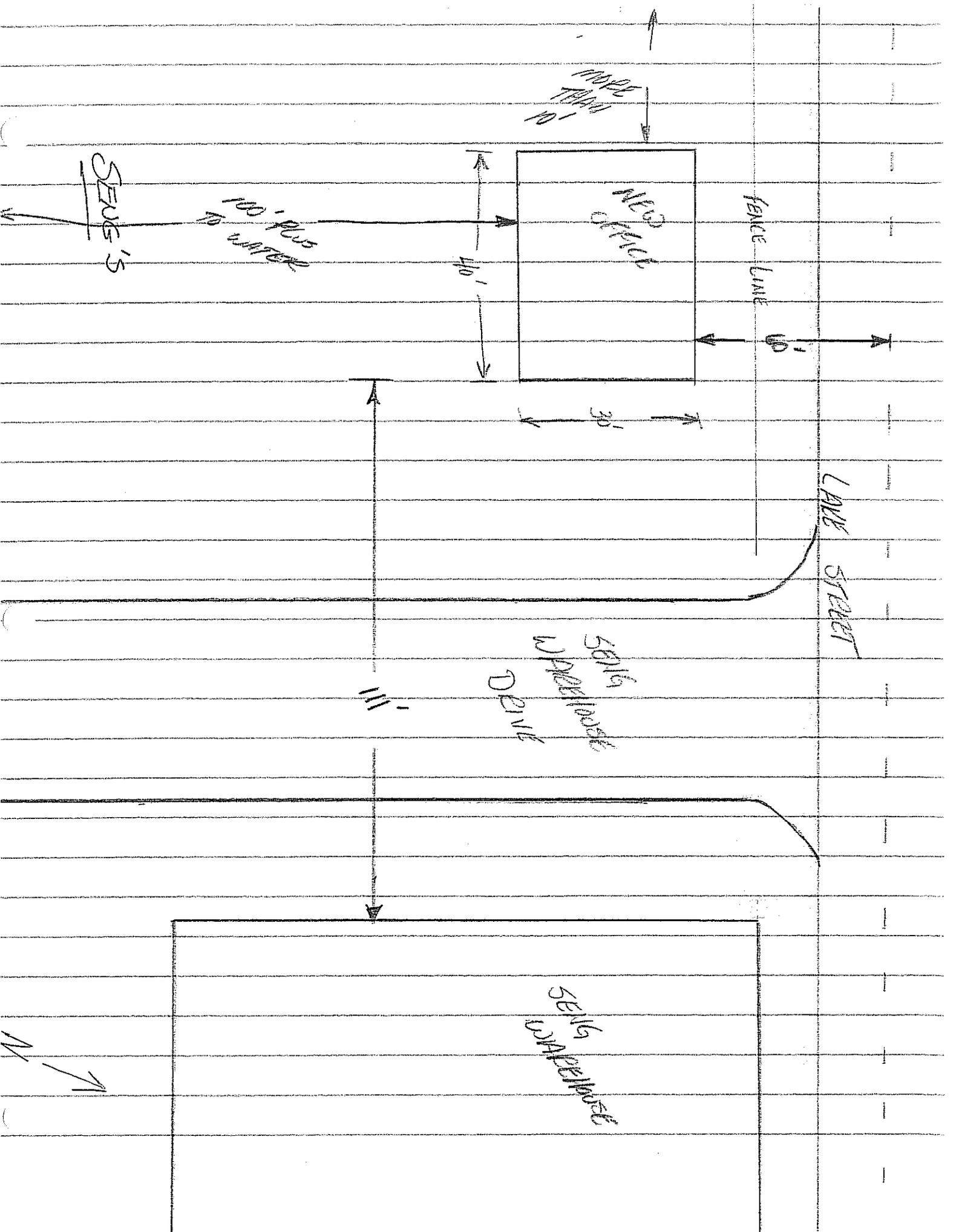
SPECIAL DISTRICTS

	APPLIES?		APPROVED?	
	YES	NO	YES	NO
HISTORIC OVERLAY:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
HIGH RISK EROSION:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
FLOOD PLAIN:	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>
SOIL EROSION:	X	<input type="checkbox"/>	<input type="checkbox"/>	X

OTHER:

REVIEWED BY: 
Jon R. Rose/Community Development

DATE: November 15, 2001



MORE THAN 100'

SEAS'S

100' PLUS TO WATER

NEW POND

FENCE LINE

100'

410'

30'

LAKE STREET

SEAS DRAPERY

111'

SEAS DRAPERY

N

MEMORANDUM

TO: Planning Commission Members

FROM: Denise Mikula, Secretary 
Community Development

DATE: November 9, 2000

RE: Worksession November 15, 2001

The November Worksession has been scheduled for Thursday, November 15, 2001 at 7:00 p.m.

I spoke with Jerry Adams from LSL who will be attending the worksession. Jerry said that we will be reviewing the future land use map. I also faxed the letter we received from Mr. Houk regarding bike paths. Jerry said this will give us an opportunity to discuss possible areas for non motorized corridors to incorporate in the plan.

We will also have the opportunity to meet and welcome Joyce Jeruzal as the newest member to the Planning Commission. City Council made the appointment at their meeting on Wednesday, November 7, 2001.

At the December meeting of the Planning Commission officers for 2002 will be elected. We also schedule time to review the Planning Commission By-Laws. I have enclosed a copy of the By-Laws to give everyone a chance to review them prior to the December Meeting.

If you are unable to attend the worksession please call me at 723-2558. See you at the Worksession!!

cc: City Manager

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,
 - D. Periodically meet with Planning Department Staff,
 - E. Appoint an acting Secretary for a meeting at which the Secretary is absent, and
 - F. Perform such other duties as may be ordered or authorized by the Planning Commission.
- [Annotation: Section 2.1.C was added by amendment on November 4, 1999]

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. Prepare an agenda for each meeting,
- E. Be responsible for all communications, petitions and reports addressed to the Planning Commission,
- 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

- G. Perform such other duties as the Planning Commission may determine.
- H. Maintain an accounting of funds budgeted to the Planning Commission.
[Annotation: Section 2.3 was amended November 4, 1999, by adding "or his or her designee" to 2.3 and adding 2.3.D]

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.
[Annotation: Section 3.2 was amended on November 4, 1999]
- 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 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.
[Annotation: Section 3.3 was amended on November 4, 1999]
- 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 Motions: Motions shall be restated by the Chairman before a vote is taken.
- 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.
- 3.8 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.

- 3.9 Parliamentary Procedure: Parliamentary Procedure in Commission meetings, when needed, shall be governed by Roberts' Rules of Order.
- 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.
- [Annotation: Section 3.0 Meetings was amended on November 4, 1999. The amendment included deleting 3.6 Order of Business]

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. and anything else directed to the Executive Committee by the Planning Commission.

[Annotation: Section 4.1.A was amended on November 4, 1999]
- B. The Executive Committee has limited power to act only on housekeeping matters, budget, office policy, overseeing contracts 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.

[Annotation: Section 4.1B was amended on November 4, 1999]

- 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: Historic Overlay/Site Plan Review Committee, Joint City Ordinance Review Committee, and Zoning Board of Appeals.

[Annotation: Section 4.2 was amended on January 4, 2001, amendment included deletion of Manistee County Plat Review Board and 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. The Planning Commission may consider removal of the individual from the committee.

[Annotation: Section 5.2.D was amended on November 4, 1999]

- 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.
[Annotation: Section 8.1.H was amended on November 4, 1999]
 - 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 Parcel Split and Combination Review Policy:

[Annotation: "Lot" was changed to "Parcel" by amendment on January 4, 2001]

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

Basic Site Plans: shall only be subject to review by the zoning administrator.
[Annotation: "City Code Administrator" was changed to "Zoning Administrator" by amendment on November 4, 1999]

Medium Site Plans:

New Single Family Homes -

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

[Annotation: "City Code Administrator" was changed to "Zoning Administrator" by amendment on November 4, 1999]

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.

[Annotation: "New Multi-Family Homes (less than 4 units)" was added by amendment on November 4, 1999]

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

subject to review by the planning commission.

[Annotation: "(more than 4 units)" was added by amendment on November 4, 1999]

New Non-Residential Structures -

subject to review by the 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.

[Annotation: this paragraph was added by amendment on November 4, 1999]

Major Additions to Non-Residential Structures -

subject to review by the planning commission.

[Annotation: The word "Major" was added by amendment on November 4, 1999]

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.

[Annotation: Section 10.2 was added by amendment on November 4, 1999]

10.3 Plans for Parcel 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 parcel split or combination shall be forwarded by the Zoning Administrator to the Site Plan Review Committee or the Planning Commission, for review. The plan shall be reviewed 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.

If reviewed by the Site Plan Review Committee the Committee is authorized to either:

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

As provided in Section 1242.f.2 of the Manistee City Code of Ordinances, recommendations of the Site Plan Review Committee and/or of the Planning Commission can be made with or without a public hearing.

[Annotation: Section 10.3 added by amendment on December 9, 1993]

[Annotation: "City Code Administrator" was changed to "Zoning Administrator" by amendment on November 4, 1999]

[Annotation: Section 10.3 was changed by amendment on January 4, 2001, included in change was deleting "Lot" and replacing with "Parcel", adding Planning Commission, and updating Section number of Manistee City Code of Ordinance.]

Section 11.0 Staff assigned to Planning Commission:

[Annotation: Section 11.0 was changed by amendment on November 4, 1999]

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

[Annotation: Section 11.1 was changed by amendment on November 4, 1999]

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. His work shall be carried on with the widest degree of professional responsibility under the direction of the City Manager. The Planning Director shall:

[Annotation: Section 11.3 was changed by amendment on November 4, 1999]

- A. Supervise and review the work of professional, technical and nontechnical employees.
[Annotation: Section 11.3.A was changed by amendment on November 4, 1999]
- 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, and Planning Department, at planning conferences, interdepartmental meetings, and to the public and press.
[Annotation: Section 11.3.G was changed by amendment on November 4, 1999]
- 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
[Annotation: Section 11.3.I was changed by amendment on November 4, 1999]

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 - 11/4/99
Amended by Manistee City Planning Commission - 1/4/01

Printed January 5, 2001