

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday February 3, 2005
7:00 p.m. - Manistee Middle School - Library, 550 Maple Street

AGENDA

- I Roll Call
- II Public Hearing
 - 1. Francis W. Johnston - Special Use Permit
 - 2.
- III Approval of Minutes
 - Planning Commission Meeting (1/6/05)
- IV New Business
 - 1. Francis W. Johnston - Special Use Permit
 - 2. Seng Dock & Trucking, Inc/General Chemical Industrial Products - Parcel Split
 - 3. Election of Secretary
 - 4. Committee Appointments
 - 5.
- V Unfinished Business
 - None
- VI Other Communications
 - 1.
 - 2.
- VII Citizen Questions, Concerns and Consideration
(Public Comment Procedures on the Reverse Side)
- VIII Work/Study Session
 - 1.
 - 2.
- IX. Adjournment

Public Comment Procedures

The City of Manistee Planning Commission welcomes public comment in support of its decision-making process. To assure an orderly, fair and balanced process, the Planning Commission asks that participants at all public hearings and during the Public Comment portion of the meeting observe the following rule of procedure:

1. The Chairperson will recognize each speaker. When a speaker has the floor, he/she is not to be interrupted unless time has expired. Persons speaking without being recognized shall be out of order.
2. Each speaker shall state their name and address for the record and may present written comments for the record.
3. Speakers shall address all comments and questions to the Planning Commission.
4. Unless waived by the Planning Commission for a specific meeting or a specific speaker, public comment shall be limited to five (5) minutes per speaker, one time only. If a group of people wish to be heard on one subject, a spokesperson may be designated who may request that more than five (5) minutes be permitted for the collective comments of the group as presented by that speaker.
5. The Chairperson may request that repetitive comments be limited or abbreviated in the interest of saving time and allowing others to speak.
6. The Chairperson may establish additional rules of procedure for particular hearings as he/she determines appropriate.
7. Normal civil discourse and decorum is expected at all times. Applause, shouting, outbursts, demonstrations, name-calling or other provocative speech or behavior is not helpful to the decision-making process and may result in removal from the hearing or an adjournment.

Thank you for your interest in the work of the City of Manistee Planning Commission and for your cooperation with these rules of procedure.

MEMORANDUM

TO: Planning Commissioners

FROM: Denise Blakeslee 
Administrative Assistant - Community Development Department

DATE: January 28, 2005

RE: February Meeting

The February Planning Commission Meeting will be held Thursday, February 3, 2005 at 7:00 p.m. in the Middle School Library. We have the following Items on the Agenda:

1. Francis W. Johnston - Special Use Permit. A request has been received from Francis W. Johnston, 388 First Street for a Special Use Permit. Mr. Johnston would like to convert the building from first floor commercial with second floor residential to a duplex.

At this time the city of Manistee Planning Commission can take action: *to approve a request from Francis W. Johnston for a Special Use Permit to allow the building at 388 First Street to be converted to a duplex.*

2. Seng Dock & Trucking, Inc./General Chemical Industrial Products, Inc - Parcel Split. A request has been received from Seng Dock & Trucking, Inc. and General Chemical Industrial Products, Inc. for a Parcel Split. This request is would split "Parcel B" from Parcel #51-51-712-475-04 (as shown on the attached site plan).

At this time the City of Manistee Planning Commission can take action: *to recommend to City Council the approval of a request from Seng Dock & Trucking, Inc. and General Chemical Industrial Products, Inc. to split "Parcel B" from parcel #51-51-712-475-04.*

3. Election of Secretary. Due to Cyndy Fuller being appointed to City Council the members of the Planning Commission need to elect a Secretary for the remaining 2005 term.

Chairman Yoder will take nominations for Secretary for the remaining 2005 term.

4. Committee Appointments. The Planning Commission tabled Committee Appointments until the February meeting because there was a vacancy on the board. City Council is expected to appoint a New member of the Planning Commission at their meeting of February 1, 2005. Chairman Yoder will appoint members of the Planning Commission to serve on the following committees:

NON-MOTORIZED TRANSPORTATION COMMITTEE - *Citizen Committee formed to develop recommendations for non-motorized transportation routes through the City of Manistee.*

Citizen Committee with up to four appointed members of the Planning Commission.

HISTORIC OVERLAY/SITE PLAN REVIEW COMMITTEE - *5 member committee including DDA Representative and Museum Representative to oversee building modifications in the Historic Overlay District (Downtown) - Site Plan Review Committee assists the Zoning Administrator with Site Plan Reviews.*

Appointment of three Planning Commissioners and one alternate - Meetings are held as needed at 4:00 p.m. at the Museum, 425 River Street, Manistee for Historic Overlay.

Site Plan Review Committee Meetings are held as needed at City Hall.

JOINT CITY ORDINANCE REVIEW COMMITTEE - *Members of the Executive Committee of the Planning Commission review Ordinance Amendments with members of the City Council.*

Executive Committee Members serve on this Committee , 2005 members will be Chairman Roger Yoder, Vice-Chair Ray Fortier and Secretary _____

MASTER PLAN REVIEW COMMITTEE *Members of this committee will be responsible to keep current with new trends/changes that are going on in the community that could impact the Master Plan. This Committee will meet as they feel it is necessary.*

Up to four appointed members of the Planning Commission serve on this sub-committee.

ORDINANCE RE-WRITE COMMITTEE *Members of this committee will assist in reviewing the Zoning Ordinance for areas that need to be changed and/or updated. The committee will also review copies of the variance requests that the Zoning Board of Appeals has voted on over the past several years for needed changes to the ordinance.*

Up to four appointed members of the Planning Commission serve on this sub-committee.

SUBDIVISION COMMITTEE *This committee is required under section 1242.03 of the Code of Ordinances.*

Three members of the Planning Commission serve on this sub-committee.

ZONING BOARD OF APPEALS *One member of the Planning Commission also serves on the Zoning Board of Appeals*

One appointed member of the Planning Commission serves on the Zoning Board of Appeals. Meetings are held as needed, meeting time is 5:30 p.m., at City Hall.

If you are unable to attend the meeting **please call me** at 723-2558.

MEMO

TO: Planning Commissioners
FROM: Jon R. Rose *JR*
Community Development Director
DATE: January 19, 2005
RE: Francis W. Johnston - Special Use Permit

Commissioners, enclosed is a copy of a request from Francis W. Johnston for a Special Use Permit. Mr. Johnston purchased the building at 388 First Street and would like to convert it to a duplex. Duplexes are allowed in the C-4 Commercial District as a Special Use. The previous use of the building was Commercial (Doctor's Office)/Residential.

There are no Parking Requirements in the C-4 Commercial District for Duplexes. There is an existing two car garage on the parcel along with more than sufficient parking to provide four parking spaces as required in most other districts.

Included with the application are letters of support from adjoining property owners.



Planning Commission

SPECIAL USE PERMIT APPLICATION

Applicant: FRANCIS W. JOHNSTON
Address: 388 First Street
City, State, Zip Code: MANISTEE, MI 49660
Phone Numbers (Work): 231-398-9909
(Home): n/a

FOR OFFICE USE ONLY:
Case number: PC 2005-06
Date Received: 1-12-05
Fee Received: 250.00
Receipt Number: 1703
Hearing Date: 2.3.05
Action Taken:
Expiration Date of Permit:

FEE FOR SPECIAL USE PERMIT \$250.00

I. ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: TO CHANGE MY PROPERTY FROM A COMMERCIAL USE TO A DUPLEX.

II. PROPERTY INFORMATION:

- A. Address of Property: 388 First Street
Tax Roll Parcel Code Number: 51-51-476-701-11
B. List all deed restrictions - cite Liber & Page where found and attach:
C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. n/a
D. Zoning District: C-4
E. Present use of the property: OFFICE & APARTMENT
F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).
G. Is a Property survey attached? [] Yes [] No.
H. Estimated completion date of construction (if applicable): MAY 2005

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

A. State specifically the reason for this Special Use Permit request at this time CHANGE
BUILDING FROM OFFICE & APARTMENT TO A DUPLEX

B. Statement of support for the request. Please justify your request for a Special Use Permit below. The justification should address the following concerns: (Attach additional sheets if necessary)

1. The relationship of the Special Use Permit conditions (Article 86, Section 8610 and if applicable, Article 16) to the particular Special Use proposed. Do they pose any unusual problems for compliance?
2. Relationship of the proposed use to the development plans of Manistee County and the City of Manistee.
3. Impacts of the adjacent property and neighborhood. Indicate what impacts of the proposed use on the adjacent property are anticipated and what steps will be taken to mitigate any negative impacts. Consider the following:
 - a. Will the proposed use adversely affect the health, safety or enjoyment of property of persons residing or working in the neighborhood?
 - b. Will proposed use be detrimental to the public welfare or injurious to property in the neighborhood?

IV. INFORMATION REQUIRED IN APPLICATION:

A. An Application for Special Use shall include:

1. A detailed Site Plan, as spelled out in Section 9406 of this ordinance, a copy of which is attached.
2. A specific statement and supporting information regarding the required findings for the Special Use Permit, as stated in Section 8609 (as follows).
 - a. *Is the use reasonable and designed to protect the health, safety and welfare of the community,*
 - b. *Is the use consistent with the intent and purpose of the Land Use District,*
 - c. *Is the use compatible with adjacent land uses,*
 - d. *Is the use designed to insure that public services and facilities are capable of accommodating increased loads caused by the land use or activity, and*
 - e. *Does the use comply with all applicable regulations of this Ordinance.*
 - f. *Does the use comply with all specific standards found in the respective Land Use District, Section 1601 et. seq., and Section 101 et. seq. of this Ordinance.*

3. Proposed location of any open spaces, landscaping and buffering features such as greenbelts, fences, etc.

B. In Addition, the applicant may be required to furnish:

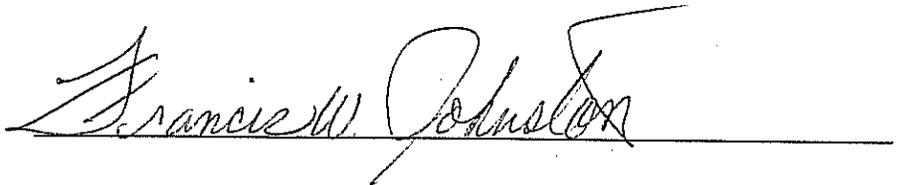
1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties.

V. CERTIFICATION AND AFFIDAVIT:

The undersigned affirm(s) that he/she/they is/are the owner, leasee, owner's representative, contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion.

The undersigned, by signing the Application, agrees to pay any and all fees incurred by the City or the Planning Commission, associated with the Application or the processing of the Application, in addition to the minimum \$250.00 base fee, including but not limited to: fees and costs of special consultants, engineers, planners, attorneys, air & water quality technicians and consultants, economists and/or financial analysis. The Application shall not be deemed complete nor will it be processed without such costs being fully paid for or provided for in advance.

Signature (s) of Applicant (s):



Dated

1-11-2005

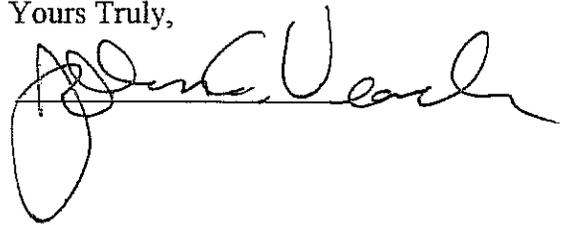
By checking this box permission is given for Planning Commission Members to make a site inspection if necessary.

1/13/2005

To Manistee Planning Commission

Mr. Johnston has informed me of his intentions regarding the change of
His property use from office to a duplex, I have no objections regarding this matter.

Yours Truly,

A handwritten signature in black ink, appearing to read "Dr. John Veatch". The signature is written in a cursive style with a large, prominent initial "D" and "V".

DR. JOHN VEATCH
384 1st. St.

1/13/2005

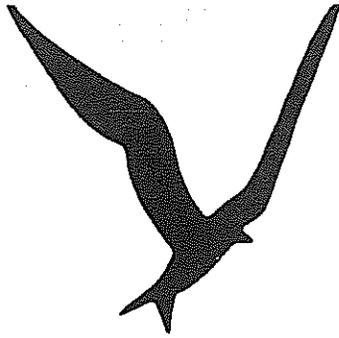
To Manistee Planning Commission

Mr. Johnston has informed me of his intentions regarding the change of
His property use from office to a duplex, I have no objections regarding this matter.

Yours Truly,

Theron T. Collins, Jr.

TEX COLLINS
92 POPLAR ST.



MANISTEE
COUNTY
LIBRARY

95 Maple Street • Manistee, Michigan 49660 • (616) 723-2519

January 26, 2005

Mr. Jon Rose, Community Development
City of Manistee
P.O. Box 358
Manistee, MI 49660

Dear Mr. Rose:

At their regular meeting on Tuesday, January 25, 2005, the Manistee County Library Board discussed the intentions of Mr. Francis W. Johnston to change his property from Commercial/Residential Use to Duplex.

The Manistee County Library Board has no objections to the change in zoning of Mr. Johnston's property.

Sincerely,

MANISTEE COUNTY LIBRARY BOARD

Sue L. Wilson
Board President

1/13/2005

To Manistee Planning Commission

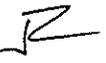
Mr. Johnston has informed me of his of his intentions regarding the change of
His property use from office to a duplex, I have no objections regarding this matter.

Yours Truly,

Mary L. Kooch
William R. Kooch
403 FIRST STREET
MANISTEE, MI 49660

MEMO

TO: Planning Commissioners

FROM: Jon R. Rose 
Community Development Director

DATE: January 19, 2005

RE: Seng/General Chemical - Parcel Split and Combination Request

Commissioners, We have reviewed the request from Seng Dock & Trucking, Inc. and General Chemical Industrial Products, Inc. for a parcel split. This request would allow Seng Dock and Trucking Inc. to purchase the south portion of parcel #51-51-712-475-04 labeled "Parcel B" on the enclosed site plan.

Review of the request shows that the split would meet the requirements of the Zoning Ordinance.

JRR:djb

Request to Split a Parcel

Name and Address of Applicant: Seng Dock & Trucking, Inc.
200 E. River Street, Manistee, MI 49660

Signature *[Handwritten Signature]* President

Phone Numbers: Home _____ Work 723-5691

Name and Address of other parties who have an interest: General Chemical Industrial
Products, Inc., 90 E. Halsey Road, Parsippany, NJ 07054

Signature _____

Phone Numbers: Home _____ Work (404) 378-8333

Parcel Identification Numbers for all parcels involved: 51-51-712-475-04

Reason for request: ~~Sale of Parcel "B" and combine with Parcel #51-51-713-175-20~~ *ELS*

Attach a sketch or site plan of all parcels involved in the request. The sketch must include the location of buildings and/or structures, building set-backs, streets, street names and lot dimensions.

Fee: \$50.00 for first split + \$25.00 for each additional split. Receipt # 7666
PC-2005-05

Request to Split a Parcel

Name and Address of Applicant: Seng Dock & Trucking, Inc.
200 E. River Street, Manistee, MI 49660

Signature _____

Phone Numbers: Home _____ Work 723-5691

Name and Address of other parties who have an interest: General Chemical Industrial
Products, Inc., 90-E. Halsey Road, Parsippany, NJ 07054

Signature General Chemical Industrial Products Inc.
[Signature]

Phone Numbers: Home _____ Work (404) 378-8333 973-599-5520

Parcel Identification Numbers for all parcels involved: 51-51-712-475-04

Reason for request: Sale of Parcel "R" and combine with Parcel # [Signature]

Attach a sketch or site plan of all parcels involved in the request. The sketch must include the location of buildings and/or structures, building set-backs, streets, street names and lot dimensions.

Fee: \$50.00 for first split + \$25.00 for each additional split. Receipt # _____

