

# MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, May 5, 2005  
7:00 p.m. - Manistee Middle School - Library, 550 Maple Street

## AGENDA

- I Roll Call
- II Public Hearing
  - 1. HHH Investing Co. - Special Use Permit (Planned Unit Development Plan)
  - 2.
- III Approval of Minutes
  - Planning Commission Meeting (4/7/05)
- IV New Business
  - 1. HHH Investing Co. - Special Use Permit (Planned Unit Development Plan)
  - 2. Re-Schedule May Worksession
  - 3.
- 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. Zoning Ordinance Re-Write
- 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

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**TO:** Planning Commissioners

**FROM:** Denise Blakeslee *DB*  
Administrative Assistant - Community Development Department

**DATE:** April 28, 2005

**RE:** May 5, 2005 Meeting

The May Planning Commission Worksession will be held on Thursday, May 5, 2005 at 7:00 p.m. in the Middle School Library. We have the following on the agenda:

HHH Investing Co. - Special Use Permit (Planned Unit Development Plan). An application has been submitted from HHH Investing Co. for a Special Use Permit for a Planned Unit Development. The proposal is to allow for the construction of 65 ranch style condominiums, 71 row house condominiums, 50 site condominium lots for a total of 186 residential single family units for the property on the Northwest Corner of Merkey and Cherry Roads.

*At this time Planning Commission can take action to:*

*Approve a request from HHH Investing Co. for a Special Use Permit for a Planned Unit Development on the Northwest corner of Merkey and Cherry Roads as presented on Proposed P.U.D. Plan for Hunting- Manistee Project No: 980036.1 Dated 4/14/05*

*(with the following conditions):*

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Due to a conflict we will need to re-schedule the May Worksession from May 19<sup>th</sup> to May 26<sup>th</sup>. A motion and vote will be necessary.

We will continue our work on the Zoning Ordinance Re-write. You were mailed information last week that you will need to bring with you for discussion during the worksession portion of the meeting.

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

:djb

cc: Mitch Deisch, City Manager  
City Council



Planning Commission

SPECIAL USE PERMIT APPLICATION

HHH Investing Co.
Applicant
2820 Pioneer Club Road
Address
Grand Rapids, MI 49506
City, State, Zip Code
Phone Numbers (Work) (616)956-6026
(Home)

FOR OFFICE USE ONLY:
Case number PC-2005-09
Date Received 4.13.05
Fee Received \$200.00
Receipt Number 8397
Hearing Date 5.5.05
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 allow for the construction of 65 ranch style condominiums, 71 row house condominiums, 50 site condominium lots for a total of 186 residential single family units.

II. PROPERTY INFORMATION:

- A. Address of Property: Northwest corner, Merkey & Cherry Roads
Tax Roll Parcel Code Number: 51-51-314-255-01
B. List all deed restrictions - cite Liber & Page where found and attach: N/A
C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. HHH Investing Co.
D. Zoning District: R-1
E. Present use of the property: Vacant
F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).
G. Is a Property survey attached? [X] Yes [ ] No. (Included on plan)
H. Estimated completion date of construction (if applicable): Five to eight years

### III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Special Use Permit request at this time \_\_\_\_\_  
Request is for approval of PUD (Planned Unit Development) that allows \_\_\_\_\_  
for flexibility in development design.
- 
- 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:

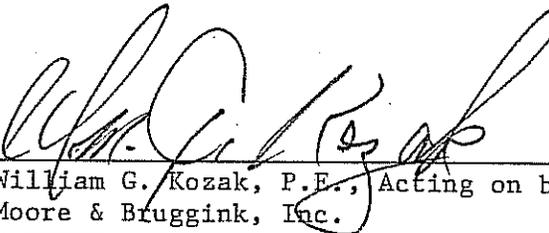
1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil 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):



William G. Kozak, P.E., Acting on behalf of HHH Investing  
Moore & Bruggink, Inc.

2020 Monroe Avenue N.W.  
Grand Rapids, MI 49505

(616) 363-9801

Dated March 31, 2005

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

4/04

Section III. Statement of Justification for Requested Action

B.1 Relationship of the Special Use Permit Conditions to the Special Use proposed. *(The items below related directly to the conditions, limitations and requirements listed in Article 86, Section 8610).*

1. The requested approval of the special land use for the proposed PUD plan will allow for the construction of a new residential community of 186 units and 3 commercial spaces which is reasonable and designed to protect the natural resources and the health, safety and welfare of the public.

The development proposes paved, private streets with sidewalk, and public water and sewer. Stormwater will be collected in catch basins and piped to a stormwater retention pond. All driveways will be directed to internal streets and will eliminate any potential traffic conflicts on Cherry & Merkey Roads, thus protecting the health, safety and welfare of the public.

2. The proposed 186 single family condominium units is consistent with existing and proposed land uses to the north, west, and east.

The proposal to construct the commercial portion of this development may require additional consideration.

3. The proposal to construct 186 single family condominium units, if granted, would be valid approval of a proposed use consistent with a growing urban community. The proposal to construct the commercial portion of this development may require additional consideration.
4. The conditions, limitations, and requirements related to the proposed residential and commercial units should include the proposed infrastructure improvements as outlined herein.

5. The proposed construction of 186 single family condominium units is consistent with ordinance, generally and specifically for the Land Use District. The proposal to construct the commercial portion of this development may require additional consideration.
6. The proposed 186 single family condominium units and commercial development is designed to insure compatibility with adjacent uses of land and the natural environment.
7. The proposed 186 single family condominium units and commercial development is designed to insure that public services and facilities affected by the proposed land use is capable of accommodating increase service and facility loads.

B.2 The proposed use of the property for single family condominium units is consistent with the Development Plans of Manistee County and the City of Manistee. The proposal to construct the commercial portion of this development may require additional consideration.

B.3 Impacts of the adjacent property and neighborhood. The proposed use will not adversely affect the health, safety, or enjoyment of property of persons residing or working in the neighborhood. In addition, the proposed use will not be detrimental to the public welfare or injurious to property in the neighborhood. The preceding statements have been made because the development has been designed to minimize traffic conflicts, provide public utilities, and has anticipated not only on-site, but off-site stormwater management needs.

#### Section IV. Information Required in Application

A.1 Eleven copies of the site plan are included.

A.2. Specific Statement and Supporting Information

- a. The proposed use is reasonable and design to protect the health, safety, and welfare of the community.

- b. The proposed use is consistent with the intent and purpose of the Land Use District.
- c. The proposed use is compatible with adjacent land uses.
- d. The proposed use is design to insure that public services and facilities are capable of accommodating increased loads.
- e. The proposed use complies with all applicable regulations of the Ordinance.
- f. The proposed use complies with all specific standards.

A.3 Proposed location of Open Spaces, etc.

The proposed 186 single family condominium units will have a Master Deed and by laws which will address the minimum front, rear, and sideyard setbacks as required by the Ordinance, and also address minimum architectural standards, landscaping, etc.

**Hunting - Manistee**  
**Project #980036.1**  
**City of Manistee, Manistee County, Michigan**  
**Retention Pond Calculations**

**Retention Pond**

Design retention pond to store storm water runoff from back-to-back 100 year rainfall events.

Volume required for retention of 92.23 acres:

**Impervious Area**

Roads/Driveways/Alleys = 11.08 acres (C = 0.90)

Sidewalks/Walking Paths = 2.61 acres (C = 0.90)

Houses/ Buildings = 7.48 acres (C = 0.90)

Total Impervious Area = **21.17 acres (C = 0.90)**

**Pond Area** = **2.50 acres (C = 1.00)**

**Grass area** = **66.06 acres (C = 0.20)**

**Required Retention Volume**

*\*Design retention pond (dry) volume for a back to back 100-yr storm event*

Rainfall for a 100-yr, 24 hour storm = 6.07 in of rain

back to back 100-yr storms = 6.07(2) = 12.14 in

= 12.14 in / 48 hr

= 0.25 in/hr rainfall = 0.0208 ft/hr rainfall

Volumetric flow rate from the drainage area = 0.0208 ft/hr x 4,017,539 sft (drainage area)

= 83,699 cft/hr

Rate of water approaching the retention pond:

= 83,699 cft/hr / 108,900 sft (pond area)

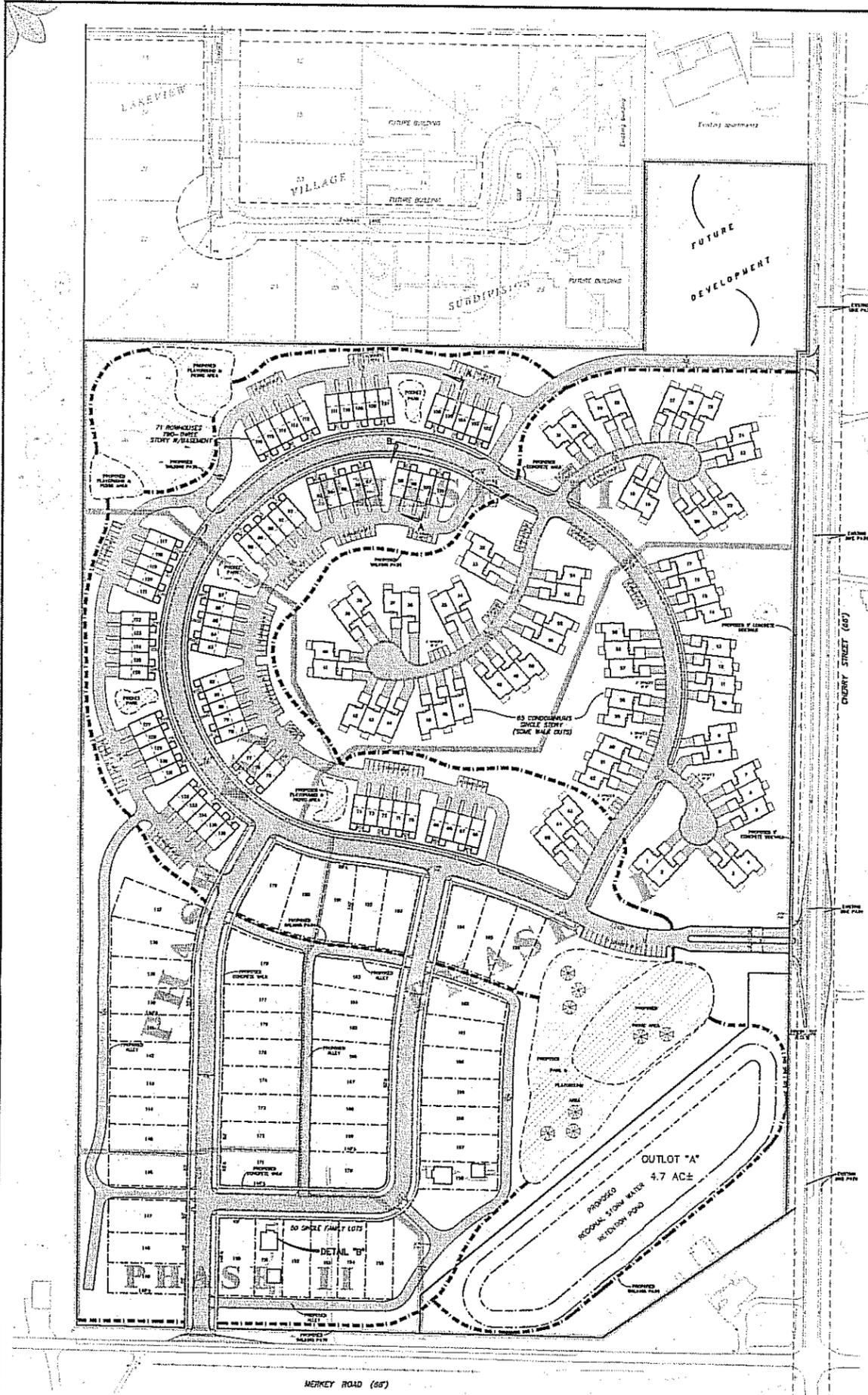
= 0.77 ft / hr = **9.25 in / hr**

Tested existing soil infiltration rate  $i = 0.08$  cm / sec

= **113.39 in / hr**

113 in/hr infiltration rate > 9.25 in / hr rainfall rate

**OK**



N  
SCALE: 1" = 100'

**PROPERTY DESCRIPTION:**  
Part of the W/2 of the NW 1/4 of Section 14, T21N, R17W, City of Manistee, Manistee County, Michigan. Described as: Beginning at the West one-quarter corner of said Section, thence N00°04'10"E 1005.39 ft. (also recorded as N00°05'27"E) along the West line of said Section to the South line of Lakelane Village Subdivision, thence along said South line S89°43'00"E 1005.36 ft. (also recorded as S89°42'E) to the Southwest corner of said Subdivision, thence N00°04'49"E 338.05 ft. (also recorded as N00°05'E) along the East line of Subdivision, thence S82°42'00"E 328.94 ft. (also recorded as S89°47'54"E, 328.71 ft.) to the East line of said W/2 of the NW 1/4, thence along said East line of the W/2 of the NW 1/4 S00°00'00"W 1055.33 ft. (also recorded as S00°20'24"W), thence S55°33'37"W 318.40 ft. to the East-West one-quarter line of said Section, thence along said East-West one-quarter line N89°14'13"W 900.12 ft. to the point of beginning.

2,363,768.7137 sq. ft. (including right of way)  
54.2847 acres (including right of way)  
2,433,852.2880 sq. ft. (including right of way)  
56.3786 acres (including right of way)

- GENERAL DEVELOPMENT NOTES**
1. ALL STREETS AND ALLEYS ARE PRIVATE, AND WILL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.
  2. ALL RESIDENTIAL UNITS ARE CONDOMINIUMS, AND ALL LOTS ARE SITE CONDOMINIUMS.
  3. OUTLOT "A" WILL BE DEEDED TO THE CITY OF MANISTEE FOR THE PURPOSE OF A REGIONAL STORM WATER RETENTION POND AND FOR PUBLIC UTILITY INFRASTRUCTURE.
  4. THE CONDOMINIUM WILL CONSTRUCT AND MAINTAIN ALL PARK AND PATH AREAS SHOWN ON THE PLAN.
  5. 2" CONCRETE CURB & GUTTER SHALL BE PLACED ON ALL RADII AND TURN AROUNDS.

**DEVELOPMENT INFORMATION**

OVERALL PROJECT AREA ~ 2,453,852 SFT (INCL. R.O.W.)  
RANCH STYLE CONDOMINIUMS FOOTPRINT ~ 121880 SFT COVERAGE  
ROWHOUSE CONDOMINIUMS FOOTPRINT ~ 98832 SFT COVERAGE  
SINGLE FAMILY HOME, SITE CONDOMINIUMS FOOTPRINT ~ 105314 SFT COVERAGE  
TOTAL BUILDING FOOTPRINT COVERAGE ~ 325,826 SFT  
TOTAL ROAD/DRIVE/ALLEY COVERAGE ~ 482,722 SFT  
TOTAL SIDEWALK/WALKING PATH COVERAGE ~ 113,631

**DEVELOPMENT INTENSITY**  
325,826 + 482,722 + 113,631 / 2,453,852 = 0.329 X 100 = 32.9%

**OPEN SPACE**  
100% - 32.9% = 67.1%

**GREEN SPACE**  
325,826 + 482,722 + 113,631 / 2,453,852 = 0.3755 X 100 = 37.6%  
100.0% - 37.6% = 62.4% GREEN

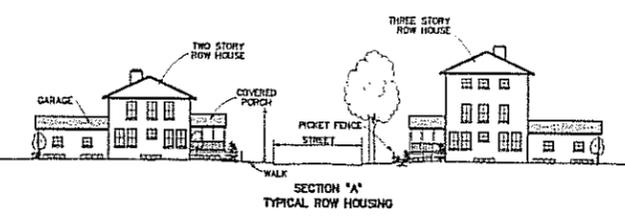
RANCH STYLE CONDOMINIUMS ~ 65 UNITS  
ROWHOUSE CONDOMINIUMS ~ 71 UNITS  
SINGLE FAMILY SITE CONDOMINIUMS ~ 50 UNITS  
TOTAL UNITS PROPOSED ~ 186

**PHASE I**  
RANCH STYLE CONDOMINIUMS ~ 28 UNITS  
ROWHOUSE CONDOMINIUMS ~ 3 UNITS  
SINGLE FAMILY SITE CONDOMINIUMS ~ 21 UNITS  
TOTAL UNITS PROPOSED IN PHASE I ~ 52

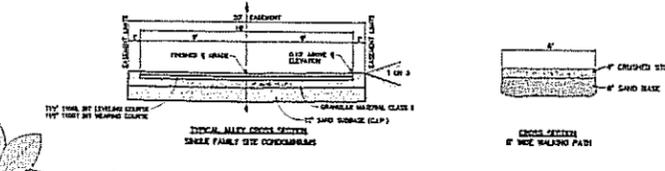
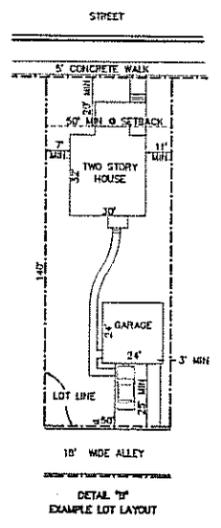
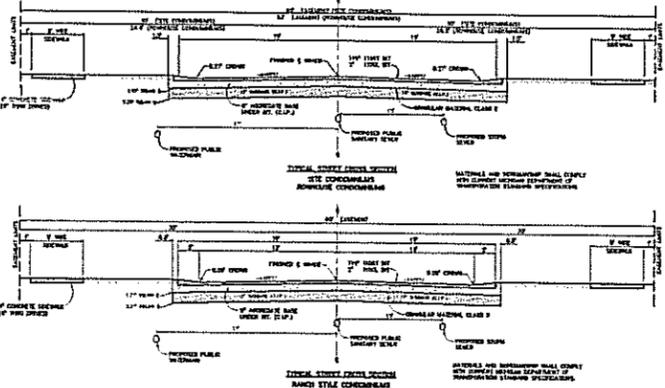
**PHASE II**  
RANCH STYLE CONDOMINIUMS ~ 37 UNITS  
ROWHOUSE CONDOMINIUMS ~ 28 UNITS  
SINGLE FAMILY SITE CONDOMINIUMS ~ 29 UNITS  
TOTAL UNITS PROPOSED IN PHASE II ~ 94

**PHASE III**  
RANCH STYLE CONDOMINIUMS ~ 0 UNITS  
ROWHOUSE CONDOMINIUMS ~ 33 UNITS  
SINGLE FAMILY SITE CONDOMINIUMS ~ 18 UNITS  
TOTAL UNITS PROPOSED IN PHASE III ~ 51

**DEVELOPMENT DENSITY**  
186 UNITS / 56.33 AC (2,453,852 SFT) = 3.30 UNITS/ACRE

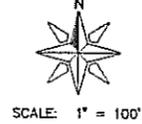
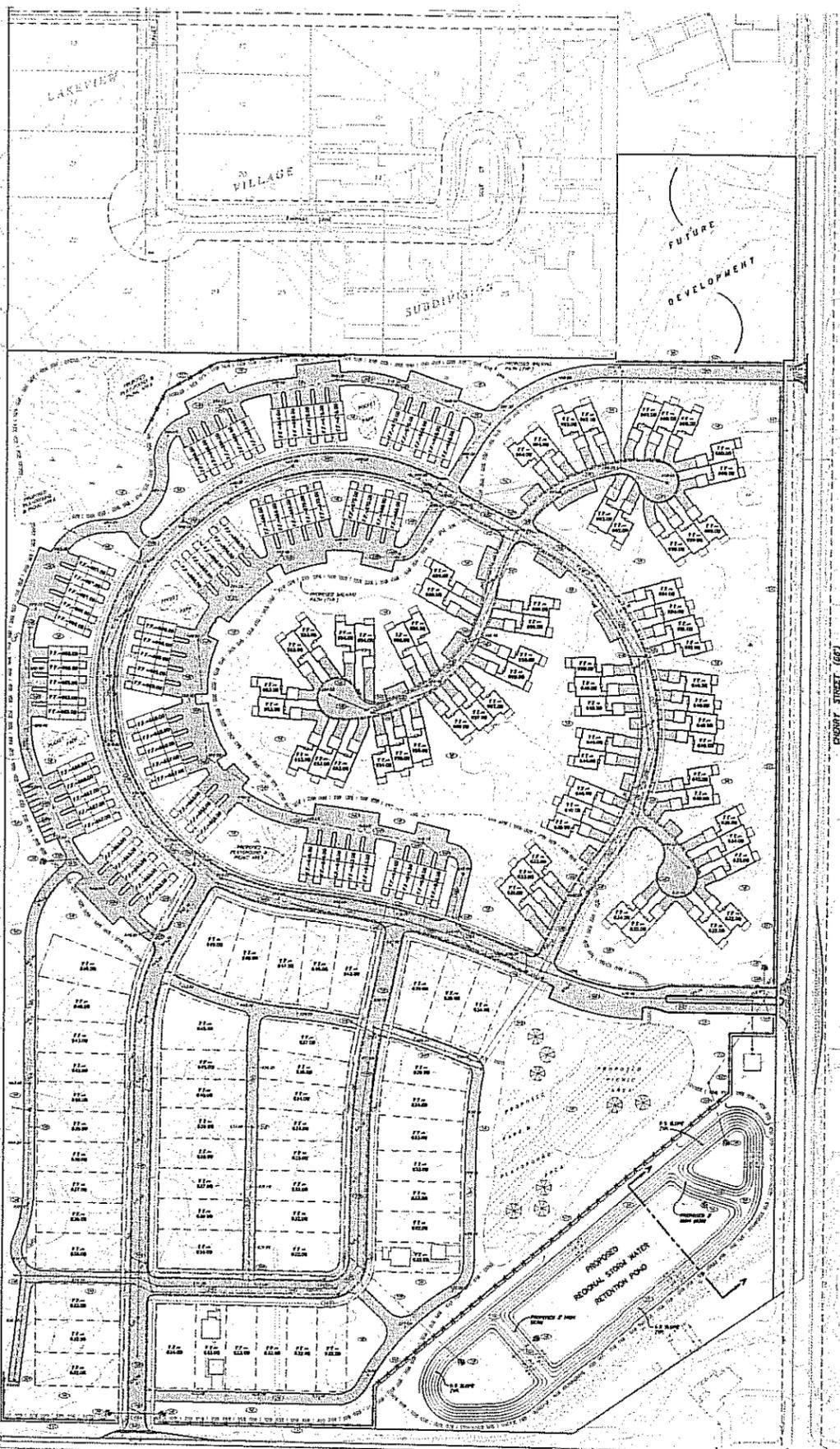


SHEET NO.	DESCRIPTION
1 OF 4	PROPOSED P.U.D. PLAN
2 OF 4	PROPOSED GRADING & SOIL EROSION CONTROL PLAN
3 OF 4	PROPOSED UTILITIES PLAN
4 OF 4	PROPOSED LIGHTING, LANDSCAPING & SIGNAGE PLAN



PREPARED FOR:  
HWA INVESTING CO.  
2820 PIONEER CLUB  
GRAND RAPIDS, MI 49506

PLAN ISSUED	PROPOSED P.U.D. PLAN FOR HUNTING - MANISTEE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN	FIELD SURVEY BY: [blank] DRAWN BY: JET/T-P DESIGNED BY: WCA CHECKED BY: WCA DATE: 04/27/05 PROJECT NO: 052025.1
	<b>MOORE &amp; BRUGGINK, INC.</b> Consulting Engineers 2070 Monroe Avenue N.W. Grand Rapids, Michigan 49505-6296 Phone: (616) 363-9801	
	1 OF 4	
	<p>MOORE &amp; BRUGGINK, INC. is an Equal Opportunity Employer. Minorities and women are encouraged to apply.</p>	



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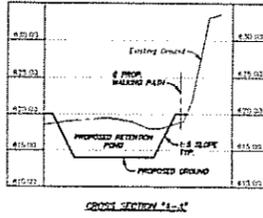
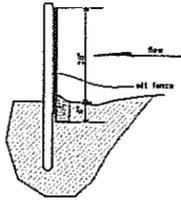
2,363,768.7137 sq. ft. (excluding right of way)  
 54,284.7 acres (excluding right of way)  
 2,425,852.2800 sq. ft. (including right of way)  
 56,378.8 acres (including right of way)

**SOIL EROSION CONTROL LEGEND**

- 3 SEEDING
- 8 SEEDING w/ MULCH
- 13 RE-SEED
- 15 PAVING
- 16 CURBING
- 33 SEDIMENT TRAP
- 35 STORM SEWER
- 36 CATCH BASIN
- 63 SALT FENCE
- P PERMANENT
- T TEMPORARY
- M MODIFIED

**CONSTRUCTION SCHEDULE**

ITEM	P	M	A	M	J	J	A	S	O	O	D
TEMP. EROSION CONTROL											
TOPSOIL STRIPPING											
SITE GRADING											
SITE UTILITIES											
RETENTION POND											
BUILDING CONSTRUCTION											
PERM. EROSION CONTROL											
LANDSCAPING											
PAVING											



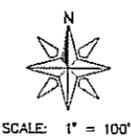
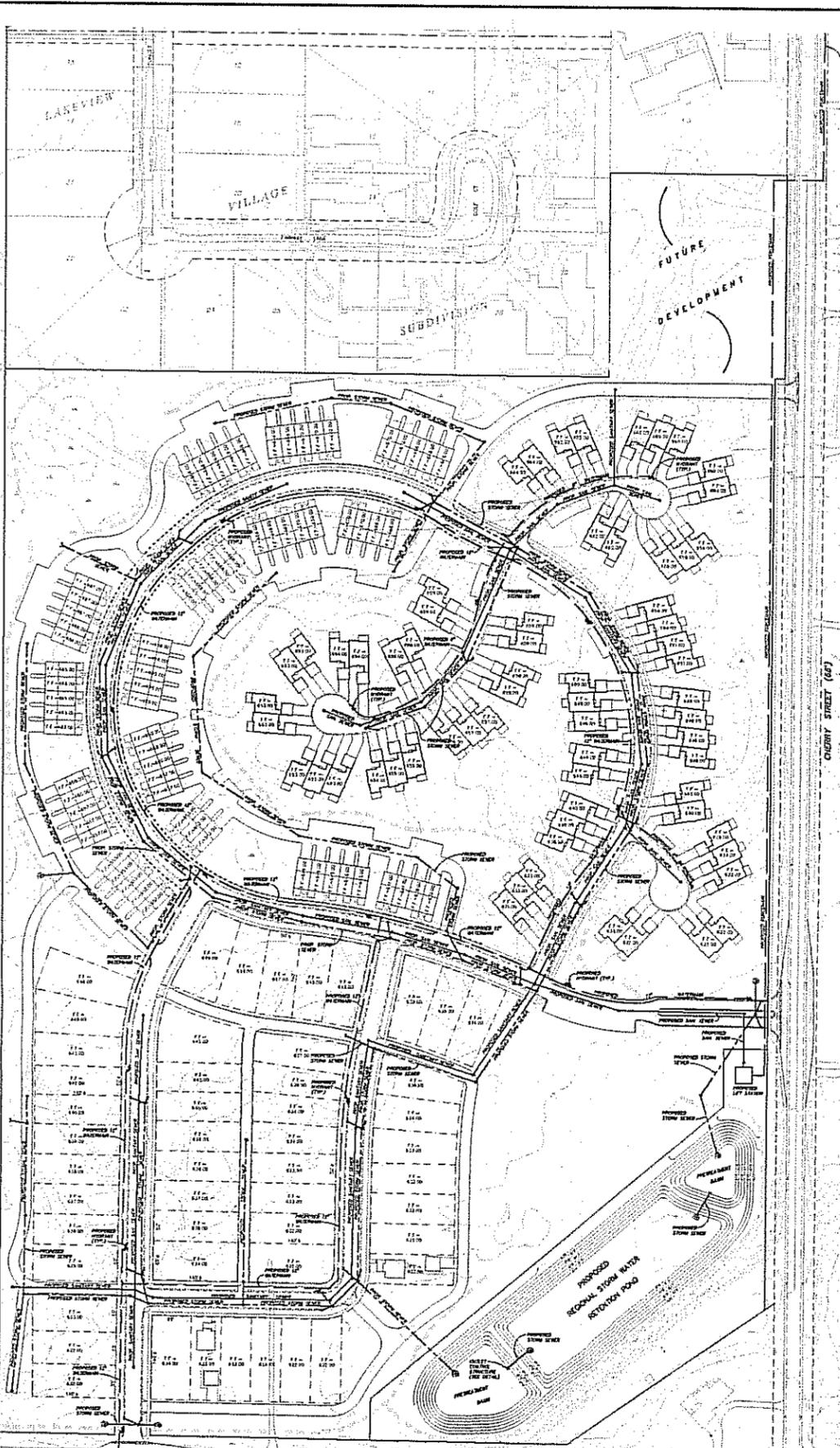
- GENERAL NOTES**
- The contractor shall obtain all permits and surety as part of this work.
  - The contractor shall call MISS DIG 3 working days prior to the start of construction.
  - The contractor shall furnish and place the drive approach within the public right of way in accordance with the City of Manistee Standard Construction Specifications.
  - All other paved areas shall be constructed with:  
 12" MS97 CL-2 sand subbase (C1P)  
 6" 22-A gravel base (C1P)  
 2" 100% 20/40 sieve course  
 1 1/2" 100% 20/40 sieve course
  - This site plan shall not be used to stake the location of proposed building column lines. The surveyors are to use the building foundation plans.
  - The contractor shall place and compact fill under the proposed building area to a minimum of 95% maximum dry density per ASTM-1557. All other areas shall be compacted to a minimum of 90% maximum dry density.
  - All soil erosion control measures shall comply with 401 of Public Acts of 1997, Soil Erosion and Sedimentation Control, Natural Resources and Environmental Protection Act.
  - North American Green 3-100 Erosion Control Blanket shall be placed on all slopes 1:3 or greater. Secure blanket to slope per manufacturer's specifications.
  - All salt fencing shall be trenched in prior to commencement of earthwork activities.
  - The contractor shall request construction staking by fax using the Moore & Bruggink, Inc. Contractors Construction Staking Request Form. Only completed requests will be scheduled. Note the project owner will pay the surveyor to place stakes only once. All lost and damaged stakes are the contractor's responsibility.

MORLEY ROAD (667)  
 1/4 ACRES IN  
 LOTS 114, 115, 116 & LOTS 121, 122, 123 IN  
 NW 1/4 CORNER SECTION 14 - T21N

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PLAN ISSUED	PROPOSED GRADING & SOIL EROSION CONTROL PLAN FOR HUNTING - MANISTEE CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN	FIELD SURVEY BY: [Signature]
	<b>MOORE &amp; BRUGGINK, INC.</b> Consulting Engineers 2020 Moore Avenue N.W. Grand Rapids, Michigan 49505-6298 Phone: (616) 363-9801	DRAWN BY: FEF/TDP
		CHECKED BY: WGR
		DATE: 04/27/03
		PROJECT NO.: 990036.1

PREPARED FOR:  
 HHH INVESTING CO.  
 2920 PIONEER CLUB  
 GRAND RAPIDS, MI 49506



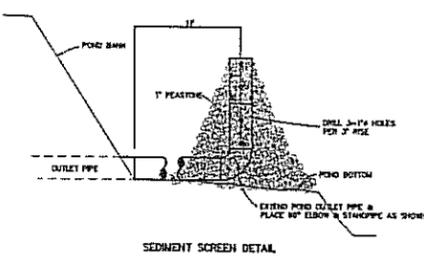
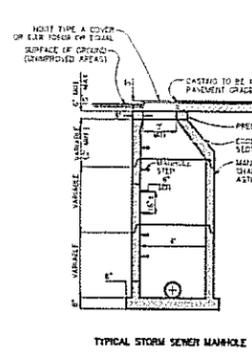
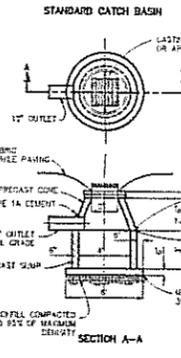
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2,363,788.7137 sft. (excluding right of way)  
 54,2847 acres (excluding right of way)  
 2,435,832.2580 sft. (including right of way)  
 56,3788 acres (including right of way)

- GENERAL DEVELOPMENT NOTES**
1. ALL RESIDENTIAL UNITS ARE TO BE SERVED BY PUBLIC SANITARY SEWER AND WATERMAIN.
  5. THE PROPOSED SANITARY SEWER FORCEMAIN AND LIFT STATION WILL BE PUBLIC.
  6. ALL PUBLIC UTILITIES ARE TO BE IN PUBLIC EASEMENTS.
  7. OUTLOT "A" WILL BE DEEDED TO THE CITY OF MANISTEE FOR THE PURPOSE OF A REGIONAL STORM WATER RETENTION POND AND FOR PUBLIC UTILITY INFRASTRUCTURE.

- GENERAL NOTES**
1. The contractor shall obtain all permits and surety as part of this work.
  2. The contractor shall call MISS 811 3 working days prior to the start of construction.
  3. All storm sewer pipe shall be 12" or 18" reinforced concrete pipe with 50# fabric wrap joint unless otherwise specified.
  4. All catch basins and manholes shall be minimum 4' diameter precast concrete, unless noted otherwise.
  5. The contractor shall bed and backfill all underground piping with MDOT CL-2 sand to a minimum of 95% maximum dry density per ASTM-1557.
  6. The contractor shall pipe all building roof water to the storm water detention pond as shown and specified.
  7. The contractor shall request construction staking by fax using the Moore & Bruggink, Inc. Contractors Construction Staking Request Form. Only completed requests will be scheduled. Note the project owner will pay the surveyor to place stakes only once. All lost and damaged stakes are the contractor's responsibility.

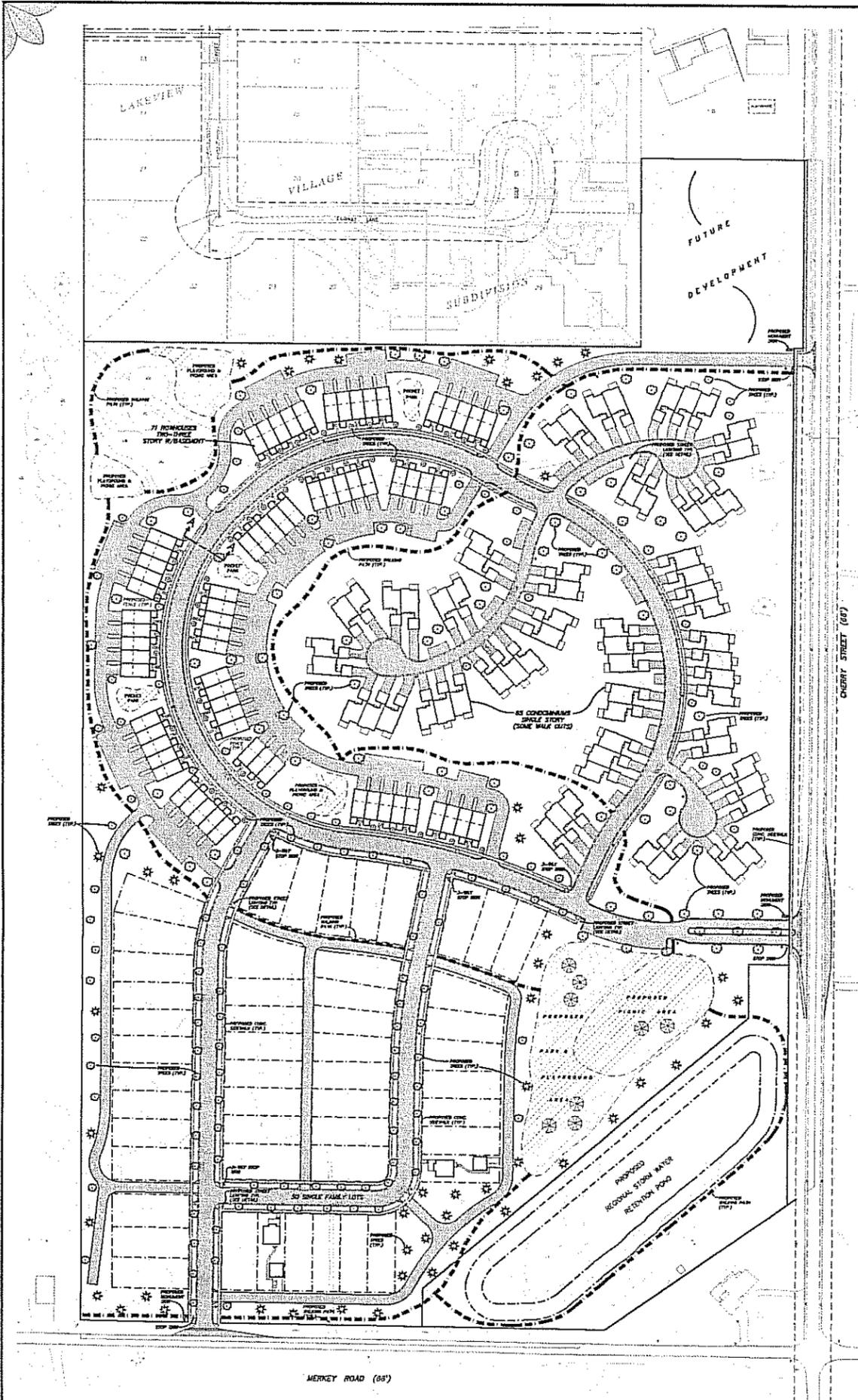
**NOTE #1**  
 LOTS 147 & 148 TO BE LOTS 149 & 150 FOR THE ALLEGED (FORM 2003) - E-1232



SHEET NO.	DESCRIPTION
1 OF 4	PROPOSED P.U.D. PLAN
2 OF 4	PROPOSED GRADING & SOIL EROSION CONTROL PLAN
3 OF 4	PROPOSED UTILITIES PLAN
4 OF 4	PROPOSED LIGHTING, LANDSCAPING & SIGNAGE PLAN

PLAN ISSUED	<b>PROPOSED UTILITIES PLAN</b> FOR <b>HUNTING - MANISTEE</b> CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN	FIELD SURVEY BY: [Signature]
		DRAWN BY: FLS/EXP
		DESIGNED BY: WGR
		CHECKED BY: WGR
		DATE: 04/27/05
		PROJECT NO.: 950035.1
	<b>MOORE &amp; BRUGGIN, INC.</b> Consulting Engineers 2020 Moore Avenue N.W. Grand Rapids, Michigan 49505-6298 Phone: (616) 363-9801	3 of 4

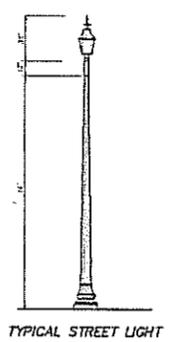
PREPARED FOR:  
 HHH INVESTING CO.  
 2820 PIONEER CLUB  
 GRAND RAPIDS, MI 49506



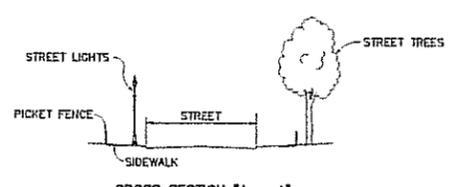
**PROPERTY DESCRIPTION:**  
 Part of the W/2 of the NW 1/4 of Section 14, T21N, R17W, City of Manistee, Manistee County, Michigan. Described as: Beginning of the West one-quarter corner of said Section, thence N00°01'10"E 1829.39 ft. (also recorded as N00°05'21"E) along the West line of said Section to the South line of Lakeview Village Subdivision, thence along said South line S29°13'00"E 1006.30 ft. (also recorded as S29°42'E) to the Southeast corner of said Subdivision, thence N00°01'43"E 332.05 ft. (also recorded as N00°02'E) along the East line of Subdivision, thence S29°42'00"E 322.54 ft. (also recorded as S29°41'34"E 322.71 ft.) to the East line of said W/2 of the NW 1/4, thence along said East line of the W/2 of the NW 1/4 S00°20'22"W 519.40 ft. to the East-West one-quarter line of said Section, thence along said East-West one-quarter line N89°14'33"W 900.12 ft. to the point of beginning.

2,383,788.7127 sq. ft. (excluding right of way)  
 54.2847 acres (excluding right of way)  
 2,433,032.2800 sq. ft. (including right of way)  
 56.3706 acres (including right of way)

NOTE: THE CONDOMINIUM WILL PROVIDE STREET LIGHTING AND STREET TREES.



TYPICAL STREET LIGHT



CROSS SECTION "A - A"

SHEET NO.	DESCRIPTION
1 OF 4	PROPOSED P.U.D. PLAN
2 OF 4	PROPOSED GRADING & SOIL EROSION CONTROL PLAN
3 OF 4	PROPOSED UTILITIES PLAN
4 OF 4	PROPOSED LIGHTING, LANDSCAPING & SIGNAGE PLAN

PLAN ISSUED	PROPOSED LIGHTING, LANDSCAPING & SIGNAGE PLAN	FIELD SURVEY BY: [blank]
	FOR	DRAWN BY: EFL/ETP
	HUNTING - MANISTEE	DESIGNED BY: WCA
	CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN	CHECKED BY: WCA
	<b>MOORE &amp; BRUGGINK, INC.</b>	DATE: 04/27/05
	Consulting Engineers	PROJECT NO.: 040026.1
	2020 Monroe Avenue N.W.	
	Grand Rapids, Michigan 49505-6298	
	Phone: (616) 363-9801	
		4 OF 4

PREPARED FOR:  
 HWH INVESTING CO.  
 2820 PIONEER CLUB  
 GRAND RAPIDS, MI 49506

MOORE & BRUGGINK, INC. (Professional Seal) 04-27-2005 (100)

## Staff Site Review

HH Investing Co.  
12 Pioneer Club Road  
(and Rapids, MI 49506)

Project:  
Zoning District:  
Parcel Code #

Proposed PUD  
R-1  
51-51-314-255-01

### ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: To allow for the construction of 65 ranch style condominiums, 71 row house condominiums, 50 site condominium lots for a total of 186 residential single family units.

For the purpose of this proposed Planned Unit Development we will be dividing the review into four sections:

### Overall Project Review:

The following concerns/questions were identified during the Overall Project Review:

1. Does the City want to accept responsibility for Outlot "A" (Regional Storm Water Retention Pond and for Public Utility Infrastructure)?
2. The Roads within the project are proposed to be private. They allow for a 60 foot road right-of-way. Should the development be required to have a 66 foot road right-of-way as required under Section 1052.a of the Zoning Ordinance?
3. There are no sidewalks proposed on the plan for the Central Streets Cal-de-sacs. Should sidewalks be required?
4. Should streetlights be required at streets/alley intersections?
5. The landscape Plan does not indicate a caliper/height of propose trees. Should there be a requirement? Should type of trees be specified? For example pine trees can create a visual problem if they are too close to a drive/alley/or intersection.
6. The landscape Plan does not indicate any existing trees that will remain. If any existing trees are maintained, should they be indicated on the plan?
7. What type of landscaping is proposed for the pocket parks? Should playground equipment be specified? Will structures constructed in the park areas impact the density of the project?
8. Signage is indicated at three entrances to the project. Design, size and lighting information is needed.

9. Should a 10 foot green belt area be required around the project as provided for in Section 8804.b.3? If so, it appears that the parking spaces on the north part of the project would encroach into that green belt area. What type of landscaping requirements should apply to the green belt area, if any? If a 10 foot green belt area is required around the project can the walking path be included in the green belt area?
10. Is the "Future Development Area" included in the calculations? If so, how would it change the calculations if it were developed? The Master Plan Future Land Use Plan for that area has a Density Range of: *2 - 3.5 units/acre, with potential allowances for additional density on "large acreage planned sites."*
11. The proposed width of the North entrance (near "Future Development" area) is 22 feet. Since this is an entrance to the project should it be required to be a minimum of 31 feet which they use for the main streets in the rest of the project?
12. Will storage sheds be allowed? If so, how will their placement be regulated? Will they impact the density of the project?
13. Will fences be allowed in the single family site condos? If so, will there be deed restrictions that regulate the placement/height of fences? If Planning Commission allows a reduction in the front yard set back for the project would this effect the placement of fencing?
14. Will decks be allowed in the single family site condos? If so, will that effect the density of the project?
15. How will garbage service be handled within the project? Harbor Village constructed central collection areas for garbage pickup for buildings without garages? Their master association provides a trash bin for owners that leave during the week to eliminate garbage being set out prior to pickup? Should the Developer provide this type of service? If required should the appearance of the structure be approved by Planning Commission?
16. How will maintenance equipment be handled? Will there be a need for a storage building for equipment (i.e. lawnmowers, snow removal etc)?
17. With a project of this size should a sales office/information office be needed?
18. What impact will the topography of the project area have on the heights of proposed buildings? How will the height be measured?
19. There are parking areas within the project. What are the dimensions of these parking areas? Do they comply with our parking requirements?
20. The Planning Commission required Historic Overlay Review Approval for both the Harbor Village and Lighthouse Landings Condominium projects. Should this project also have to receive approval from a Design Review Committee of the Planning Commission (building designs, windows, doors, porches, colors etc.).

21. Should all of the buildings be required to use the same type of numbering e.g. brass numbers 5' in height located over front porch?

**Ranch Style Condominiums Review:**

	<u>R-1 (non PUD)</u>	<u>Proposed</u>	<u>Comments</u>
Setbacks			
Front Yard	30 ft	5 feet	Should a condition of approval be: No building shall be closer than 15 feet from another building, and there shall be at least 20 feet of building separation on three sides of each building. (Requirement of Harbor Village PUD)
Side Yard	10 ft	15 feet	
Rear Yard	n/a	n/a	Need height elevations Plan does not indicate if they are one or two car garages. Some of the approaches are very short. But the plan provides 50 additional parking spaces in the vicinity of these condominiums.
Height	30 ft	?	
Parking	2 per unit.	?	
Building Area	1,300 sq ft	1,872 sq ft	

**Row House Condominium Review:**

	<u>R-1 (non PUD)</u>	<u>Proposed</u>	<u>Comments</u>
Setbacks			
Front Yard	30 ft	less than 5 feet	Should a condition of approval be: No building shall be closer than 15 feet from another building, and there shall be at least 20 feet of building separation on three sides of each building. (Requirement of Harbor Village PUD)
Side Yard	10 ft	10 feet	
Rear Yard	n/a	n/a	Need height elevations Does not indicate if garages are one or two car garages. There are 71 units which would require 142 spaces. There are 128 spaces in addition to the garages, even with a one car garage there appears to be sufficient parking for this area.
Height	30 ft	?	
Parking	2 per unit.		
Building Area	1,300 sq ft	1,350 sq ft	

**Site Condominium Lots for Single Family Units Review:**

	<u>R-1 (non PUD)</u>	<u>Proposed</u>	<u>Comments</u>
Parcel Size	18,000 sq ft	7,000 sq ft	
Street Frontage:	100 ft	50 ft	Indicates smallest lot. Also concerns about how set-backs should be handled for corner lots (two front yards)?
Setbacks			
Front Yard	30 ft	?	Plan does not clearly indicate what the front yard set back is.
Side Yard	10 ft	7feet/11 feet	Planning Commission needs to establish how the set-backs will be applied to this portion of the development. With these lots being sold for the owners to construct homes on these dimensions must be defined.
Rear Yard	10ft /3ft	25 ft	Shown on plan. Will this be a requirement for all building?
Height	30 ft/14 ft	?	Need height elevations for primary structure and accessory structure.
Parking	2 per unit.	2 + garage	
Building Area	1,300 sq ft	1,160 sq ft	This is the foundation/covered porch area as shown on the plan. Should there be a minimum foundation area or living area? (If we want two story homes, any square footage minimums should apply to floor area rater than foundation area.)

Will there be Deed Restrictions placed on this portion of the project that indicates the setback requirements, style of homes, requirement and placement of garage, etc?



281 First Street • Manistee, Michigan 49660-1755

**FIRE DEPARTMENT**

Phone 231-723-1549

FAX 231-723-3519

E-Mail [city-fire@manistee.com](mailto:city-fire@manistee.com)

May 4, 2005

To: Jon Rose  
Community Development Officer

Re: Hunting - Manistee PUD

Dear Jon,

In regards to the review of the PUD with proposed location west of Cherry St. and between Twelfth and Merkey, the Fire Department offers the following comments:

Given the degree of detail in the plans we were provided and the time available for review, it was not possible to determine whether all of the requirements of the International Fire Code (IFC) have been addressed. We do expect that the development will comply with all aspects of the IFC unless specifically exempted.

The Cul-de-sacs will be required to meet the 96' diameter dimension as per Appendix D of the IFC.

Per the IFC, all streets that have hydrants on them must be a minimum of 26 feet. This would include two of the three Cul-de-sacs. This does not appear to be the case.

It was difficult to determine the location of all hydrants on the plans provided. Plans that more clearly indicate the location of all fire hydrants need to be reviewed by the fire department and approved prior to construction.

The road in the northeast portion of Phase I would appear to leave a dead end without an approved turn around. This situation should be addressed as part of the approval process.

I look forward to working with your office and the developer to address the fire protection needs for this project.

Sincerely,

Sid Scrimger  
Fire Chief

SS:cw

**MANISTEE CITY PLANNING COMMISSION  
PUBLIC HEARING – May 5, 2005**

Re: HHH Investment Co.  
Planned Unit Development  
(Northwest Corner of Merkey and Cherry Roads)

Submission of Dana Schindler  
2005 Merkey Rd., Manistee MI 49660  
(231) 723-9766

Roger Yoder, Chairman  
City Planning Commission  
Manistee, Michigan 49660

Please consider the following in your decision regarding the 55 acre PUD project proposed for the northwest corner of Merkey and Cherry Roads on the boundary between the City of Manistee and the Charter Township of Filer.

While mixed-use communities, as in the current proposal, are promoted in an effort to curtail sprawl and create walkable communities, four factors might be considered in making such a designation adjacent to the existing residential areas.

- 1). Will the commercial proposals (in this case a convenience store, restaurant and medical office), truly promote a walkable community with sufficient clientele that supports economically self-sustaining businesses? Or, in order for the businesses to survive, will it be necessary to import clientele from outside the project increasing neighborhood traffic and thereby: a). defeat or minimize the privacy benefit of the walkable community and b). actually promote sprawl of the Manistee/Filer commercial districts into a residential area?
- 2). Will the mixed use proposal be located in an area that is compatible with commercial/residential, or has the existing development of the City and border community of Filer Township attracted residents that rely on the established pattern of less density and less traffic?

The area proposed for development which borders Filer has acted as a buffer between the city's dense residential area and the township's larger acreage, which continues to attract residents who have purposely selected a more rural environment with abundant wildlife away from traffic imposed by residential/commercial development. Is upzoning compatible with the existing use or does it short-change those residents who have specifically chosen a quiet area

Has consideration been taken and recognition given to that part of the existing resident population which is the wetland and grassland wildlife? Direct encounter with mammals and reptiles, meeting them eye to eye on their own ground, evokes wonder and respect. Without such encounters we risk losing that part of ourselves which most deeply resonates with nature. If our greatest loss with the animals has been to lose touch with the reality of their existence, our second loss has been to banish them from our minds. We assume they have nothing to teach us about our existence and we no longer know how to listen to their wisdom. Have the development plans ethically and responsibly incorporated the protection and preservation of these existing residents?

## MEMO

TO: Planning Commissioners

FROM: Denise J. Blakeslee   
Administrative Assistant

DATE: April 22, 2005

RE: Worksession

Members, enclosed is a copy of the notes from the April 21, 2005 Worksession. Jay has a conflict with the May 19<sup>th</sup> Worksession. I was able to get a consensus from the members in attendance and we will be changing the May Worksession to 6:00 p.m. Thursday, May 26, 2005. Please mark this date on your calendar.

Representatives from Amor Sign Studios, Inc. and Lamar Advertising were in attendance and a copy of comments from Amor's is attached to the minutes. We will continue our discussion on signs during the Worksession portion of the May Meeting.

Jay brought us copies of the Waterfront District, Light Industrial District, General Industrial District, and Special Use Standards Section 1861 Wells, Extraction (language for extraction wells has been removed from Section 1837 Mine, Sand and Gravel). These copies are enclosed to allow you extra review time before the discussion during the Worksession portion of the May Meeting (please remember to bring these copies with you).

Jon and I want to take a moment to thank all of you for the time you have been dedicating to the Zoning Ordinance Re-write. We hope to have a complete Draft that includes all of the changes for the May Worksession. After the May Worksession we will hold another Citizen Meeting.

cc: City Council  
Mitch Deisch, City Manager  
Dave Carlson, DDA Member  
Lee Trucks, DDA Member

## ARTICLE TWELVE W-F -- WATERFRONT DISTRICT

### SECTION 1200      PURPOSE AND INTENT

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the Manistee Lake shoreline. This district is intended to encourage and promote sustainable, environmentally and aesthetically compatible developments that use or compliment the shoreline while promoting expanded use of the shoreline by the public. While the W-F District will host a variety of land uses including, but not limited to, residential, commercial, entertainment and recreational, service and industrial uses, it is expected that an overall pattern of lakeshore residential, commercial and recreational uses will emerge.

#### PERMITTED USES

- ◆ Accessory building with footprint less than or equal to the footprint of the principal structure
- ◆ Accessory use to uses permitted by right.
- ◆ Duplex
- ◆ Dwelling, Single unit
- ◆ Gallery or Museum
- ◆ Home Occupation, Minor subject to Section 1831, B, 1
- ◆ Outdoor Recreation, Park Facility
- ◆ Personal Service Establishment
- ◆ Places of Public Assembly, Small
- ◆ Professional Office
- ◆ Professional Service Establishment
- ◆ Retail Business
- ◆ Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance.
- ◆ Uses similar to uses permitted by right, subject to Section 530.

#### SPECIAL USES

- ◆ Accessory building with footprint greater than the footprint of the principal structure
- ◆ Accessory uses to a permitted special use

#### SPECIAL USES (CONT'D)

- ◆ Adaptive Reuse
- ◆ Assembly Operation
- ◆ Bed & Breakfast
- ◆ Communication Tower
- ◆ Convenience Store, w/o fuel pumps
- ◆ Day Care, Commercial and Group
- ◆ Dwelling - Multiple unit
- ◆ Eating and Drinking Establishment
- ◆ Financial Institution
- ◆ Home Based Business
- ◆ Home Occupation, Major
- ◆ Hotels and Motels
- ◆ Marina
- ◆ Mixed-Use Development
- ◆ Parking Facility
- ◆ Places of Public Assembly, Large
- ◆ Planned Unit Development
- ◆ Sports and Recreation Club
- ◆ Studio for performing and graphic arts
- ◆ Theater
- ◆ Uses similar to permitted special use
- ◆ Warehouse, Public

### ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 2203
- ◆ Parking and Loading requirements subject to Section 514.
- ◆ Landscaping requirements subject to Section 531
- ◆ Signage requirements subject to Article 21
- ◆ Lighting requirements, subject to Section 525

### DISTRICT REGULATIONS

<b>Minimum Lot Area:</b>		<b>Minimum Lot Width:</b>	
Single Family Detached	6,000 sq. ft.		60 ft.
Duplex, or Commercial Use	10,000 sq. ft.		80 ft.
Multiple Unit <sup>(a)</sup>	10,000 sq. ft. min.		80 ft.
<b>Maximum Dwelling Units/Acre</b>	<b>17</b>	<b>Max. Building Height</b>	<b>2½ stories, or 35<sup>(b)</sup></b>
<b>Minimum Building Setbacks</b>		<b>Maximum Lot Coverage</b>	<b>60%</b>
Front <sup>(c)</sup>	25 ft.	<b>Minimum Building Area</b>	<b>1,200 sq. ft.</b>
Side	10 ft. (each side)	<b>Minimum Dwelling Width</b>	<b>20 ft.</b>
Rear <sup>(d)</sup>	10 ft.	<b>Accessory Building Minimum Setbacks:</b>	
Waterfront	25 ft. <sup>(e)</sup>	Side	3 ft.
		Rear	3 ft. <sup>(b)</sup>

<sup>(a)</sup> For multiple unit buildings, a minimum of 10,000 square feet shall be provided, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.

<sup>(b)</sup> Except as may be permitted pursuant to Section 1847, Planned Unit Development.

<sup>(c)</sup> Subject to Section 502, F

<sup>(d)</sup> Provided that garages fronting on platted alleys shall be set back the greater of 3 feet from the rear property line or 20 feet from property line on the opposite side of the alley.

<sup>(e)</sup> Provided that this standard shall not apply to walkways, decks, boat docks, boat slips, boat houses and boat launches.

### SECTION 1201      USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the W-F District subject to the provisions of Article 22, Site Plan.

- A. Accessory building with footprint less than or equal to the footprint of the principal structure
- B. Accessory use to uses permitted by right.

- C. Duplex
- D. Dwelling, single unit
- E. Gallery or Museum
- F. Home Occupation, Minor, subject to Section 1831, B, 1.
- G. Outdoor Recreation, Park Facility
- H. Personal Service Establishment
- I. Places of Public Assembly, Small
- J. Professional Office
- K. Professional Service Establishment
- L. Retail Business
- J. Subdivision, and condominium subdivision consisting of permitted uses, clustered or traditional subject to the Subdivision Control Ordinance.
- M. Uses similar to uses permitted by right

**SECTION 1202 USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the W-F District, as special land uses subject to the provisions of Article 18, special land use approval.

- A. Accessory building with footprint greater than the footprint of the principal structure, subject to Section 1803.
- B. Accessory uses to a permitted special use, subject to Section 1804.
- C. Adaptive reuse, subject to Section 1805.
- D. Assembly Operation, subject to Section 1848
- E. Communication Tower, subject to Section 1813.
- F. Convenience Store, without fuel pumps, subject to Section 1816.
- G. Day Care, Commercial, subject to Section 1817.
- H. Day Care, Group, subject to Section 1818.
- I. Dwelling, multiple unit, subject to Section 1821.
- J. Eating and Drinking Establishment, subject to Section 1823.
- K. Financial Institution, subject to Section 1825.
- L. Home Based Business, subject to Section 1830.
- M. Major Home Occupation, subject to Section 1831.

- N. Hotel, subject to Section 1832.
- O. Marina, subject to Section 1834.
- P. Mixed-Use Development, subject to Section 1838.
- Q. Motel, subject to Section 1840.
- R. Parking Facility, subject to Section 1843.
- S. Places of Public Assembly, Large, subject to Section 1846
- T. Planned Unit Development, subject to Section 1847.
- U. Sports and Recreation Club, subject to Section 1853.
- V. Studio for performing and graphic arts, subject to Section 1854.
- W. Theater, subject to Section 1856.
- X. Uses similar to permitted special use, subject to Section 1857.
- Y. Warehouse, Public, subject to Section 1859.

## **SECTION 1203      DIMENSIONAL STANDARDS**

Within the W-F District, the following dimensional standards shall apply:

- A. Parcel Area - No single family dwelling building or structure shall be established on any parcel less than six thousand (6,000) square feet in area. No duplex, multiple unit or commercial structure shall be established on any parcel less than ten thousand (10,000) square feet in area. Provided that for multiple unit buildings, in addition to ten thousand (10,000) square feet in minimum parcel area, two thousand (2,000) square feet of parcel area shall be provided for each dwelling unit up to twenty (20) and two thousand five hundred (2,500) square feet of parcel area shall be provided for each additional dwelling unit in excess of twenty (20).
- B. Parcel Width - For a single family detached dwelling, the minimum parcel width shall be sixty (60) feet and for all other uses the minimum parcel width shall be eighty (80) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
  - 1. Front Yard: The minimum setback shall not be less than twenty-five (25) feet from front property line. In established neighborhoods, where a majority of the buildings do not meet the required front yard setback, the Administrator may establish an alternate setback, pursuant to Section 502, G.
  - 2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setback shall be three (3) feet;
  - 3. Rear Yard: The minimum setback shall not be less than ten (10) feet. For accessory buildings, the minimum rear yard and side yard setbacks shall be three (3) feet, excepting garages which front on a platted alley. Such garages shall be set back a minimum of twenty

(20) feet from the property line on the opposite side of the alley, to provide a minimal turning radius for vehicles, but at no time shall the structure be closer than three (3) feet to the rear property line. The side yard for such garage shall be the same as for other accessory structures, as outlined above.

4. Waterfront Yards: The minimum setback from the ordinary high watermark of Manistee Lake shall be twenty-five (25) feet. Provided that this provision shall not apply to walkways, decks, boat docks, boat slips, boat houses and boat launches.
- D. Building Area: No dwelling shall be constructed in the W-F District which is less than one thousand three hundred (1,200) square feet of building area, or is less than twenty (20) feet wide.
- E. Living Area: No dwelling unit shall be constructed in the W-F District which has less than five hundred (500) square feet of living area.
- E. Lot Coverage: Not more than sixty percent (60%) of the parcel area shall be covered by buildings.
- F. Height: The maximum height of principal buildings in the W-F district shall be the lesser of thirty-five (35) feet or two and one-half (2½) stories. The maximum height of accessory buildings shall be eighteen (18) feet with side walls not to exceed twelve (12) feet in height.

# ARTICLE SIXTEEN

## LI -- LIGHT INDUSTRIAL

### SECTION 1600 PURPOSE AND INTENT

It is the intent of this District to protect adjacent residential areas from the negative effects of the Industrial District by using this District as a transition by providing a buffer and attempting to keep industrial development to the formal industrial park; while at the same time allowing industries which traditionally do not cause excessive noise, vibration, odors, visual blight, pollution, use hazardous processes; and to be compatible with the City's Master Plan.

#### PERMITTED USES

- ◆ Accessory buildings
- ◆ Accessory uses related to uses permitted by right, subject to Section 516
- ◆ Assembly Operation
- ◆ Auto Repair Service
- ◆ Financial Institution
- ◆ Greenhouse and Nursery
- ◆ Laundry and Dry Cleaning Establishment
- ◆ Mini/Self-Storage Facility
- ◆ Outdoor Recreation, Park facility
- ◆ Professional Office
- ◆ Professional Service Establishment
- ◆ Research, Testing and Laboratory Facility
- ◆ Subdivision, Plat or Condo (of permitted uses)
- ◆ Uses similar to uses permitted by right, subject to Section 530.
- ◆ Warehouse, Public
- ◆ Wholesale Facility

#### SPECIAL USES

- ◆ Accessory uses related to special uses, subject to Section 516
- ◆ Adaptive Reuse
- ◆ Cemetery
- ◆ Communication Tower
- ◆ Contractor's Facility
- ◆ Educational Facility
- ◆ Mine, Sand and Gravel
- ◆ Research, Laboratory and Testing
- ◆ Planned Unit Development
- ◆ Processing and Manufacturing Facility
- ◆ Sports and Recreation Club
- ◆ Uses similar to permitted special uses
- ◆ Wind Energy Conservation System
- ◆ Wells, Extraction

### ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 2203
- ◆ Parking and Loading requirements subject to Section 514.
- ◆ Landscaping requirements subject to Section 531
- ◆ Signage requirements subject to Article 21
- ◆ Lighting requirements, subject to Section 525

### DISTRICT REGULATIONS

Minimum Lot Area:	12,000 sq. ft.	Minimum Lot Width:	120 ft.
Max. Building Height:	4 stories, or 50' <sup>(a)</sup>	Maximum Lot Coverage	90%
Minimum Building Setbacks		Minimum Building Floor Area	4,000 sq. ft
Front <sup>(b)</sup>	25 ft.		
Side <sup>(c)</sup>	10 ft. (each side)		
Rear <sup>(c)</sup>	10 ft.		

<sup>(a)</sup> Except as may be permitted pursuant to Section 1847, Planned Unit Development.

<sup>(b)</sup> Subject to Section 502, G

<sup>(c)</sup> When a proposed industrial use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a twenty-five (25) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to six (4) feet in height, or any combination thereof.

### SECTION 1601 USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the L-I District subject to the provisions of Article 22, Site Plan Approval.

- A. Accessory buildings regardless of floor area.
- B. Accessory uses related to uses permitted by right, subject to Section 516
- C. Assembly Operation
- D. Auto Repair Facility
- E. Financial Institution
- F. Greenhouse and Nursery
- G. Laundry or Dry-Cleaning Establishment
- H. Mini/Self-Storage Facility
- I. Outdoor Recreation, Park Facility

- J. Professional Office
- K. Professional Service Establishment
- L. Research, Testing and Laboratory
- M. Subdivision, plat or condominium of permitted uses.
- N. Uses similar to Uses Permitted by Right, subject to Section 530
- O. Warehouse, Public
- P. Wholesale Facility

## **SECTION 1602      USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the L-I District, as special land uses subject to the provisions of Article 18, special land use approval.

- A. Accessory uses related to special uses, subject to Section 516
- B. Adaptive Reuse, subject to Section 1805
- C. Cemetery, subject to Section 1812.
- D. Communication Tower, subject to Section 1813.
- E. Contractor's Facility, subject to Section 1814.
- F. Educational Facility, subject to Section 1824.
- G. Mine, Sand and Gravel, subject to Section 1837.
- H. Planned Unit Development, subject to Section 1847.
- I. Processing and Manufacturing Facility, subject to Section 1848.
- J. Sports and Recreation Club, subject to Section 1853.
- K. Uses similar to Uses Permitted by Special Land Use, subject to Section 1857
- L. Wind Energy Conservation System, subject to Section 1860.
- M. Wells, Extraction, subject to Section 1861.

## **SECTION 1603      DIMENSIONAL STANDARDS**

Within the L-I District, the following dimensional standards shall apply:

- A. Parcel Area - No building or structure shall be established on any parcel less than twelve thousand (12,000) square feet in area.
- B. Parcel Width - For all uses the minimum parcel width shall be one hundred twenty (120) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.

1. Front Yard: The minimum setback shall not be less than twenty-five (25) feet from front property line.
  2. Side Yards: The minimum width of either yard shall not be less than ten (10) feet.
  3. Rear: The minimum rear setback shall not be less than ten (10) feet.
  4. When a proposed nonresidential use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a fifty (25) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to four (4) feet in height, or any combination thereof.
- E. Building Height. Except as a part of a Planned Unit Development, no structure in the LI District shall exceed the lesser of four (4) stories or fifty (50) feet in height. Provided that the Planning Commission may permit structures up to sixty (60) feet in height if an approved fire lane twenty (20) feet wide is provided.
- F. Area: No principle structure shall be constructed in the District which is less than four thousand (4,000) square feet of building area, and is less than twenty feet wide.
- G. Lot Coverage: Not more than seventy percent (70%) of the parcel area shall be covered by buildings.

# ARTICLE SEVENTEEN

## GI -- GENERAL INDUSTRIAL

### SECTION 1700 PURPOSE AND INTENT

It is the intent of this District to protect adjacent residential areas from the negative effects of the General Industrial District by using this District as a transition by providing a buffer and attempting to keep industrial development to the formal industrial park; while at the same time allowing industries which traditionally heavier and more intense in the nature of their uses; to provide protection to Manistee Lake, its water quality, to protect its shoreline from erosion or instability or other negative effects; and to be compatible with the City's Master Plan.

#### PERMITTED USES

- ◆ Accessory buildings
- ◆ Accessory uses related to uses permitted by right, subject to Section 516
- ◆ Assembly Operation
- ◆ Contractor's Facility
- ◆ Mini/Self-Storage Facility
- ◆ Outdoor Recreation, Park facility
- ◆ Processing and Manufacturing Facility
- ◆ Professional Office
- ◆ Professional Service Establishment
- ◆ Research, Laboratory and Testing
- ◆ Shipping Facility
- ◆ Subdivision, Plat or Condo (of permitted uses)
- ◆ Uses similar to Uses Permitted by Right, subject to Section 530
- ◆ Warehouse, Public

#### SPECIAL USES

- ◆ Accessory uses related to special uses, subject to Section 516
- ◆ Adaptive Reuse
- ◆ Educational Institution
- ◆ Marina
- ◆ Mine, Sand and Gravel
- ◆ Planned Unit Development
- ◆ Uses similar to Used Permitted by Special Land Use, subject to Section 530
- ◆ Wind Energy Conservation System
- ◆ Wells, Extraction

### ADDITIONAL STANDARDS

- ◆ Site Plan requirements subject to Section 2203.
- ◆ Parking and Loading requirements subject to Section 514.
- ◆ Signage requirements subject to Article 21
- ◆ Lighting requirements, subject to Section 525
- ◆ Landscaping and Buffering requirements, subject to Section 531.

### DISTRICT REGULATIONS

Minimum Lot Area:	12,000 sq. ft. <sup>(a)</sup>	Minimum Lot Width:	120 ft.
Maximum Dwelling Units/Acre	17	Max. Building Height:	4 stories, or 50' <sup>(b)</sup>
Minimum Building Setbacks		Maximum Lot Coverage	90%
Front <sup>(c)</sup>	45 ft.		
Side <sup>(d) (e)</sup>	10 ft. (each side)		
Rear <sup>(e)</sup>	45 ft.		

- <sup>(a)</sup> For multiple unit buildings, a minimum of 10,000 square feet shall be provided, plus 2,000 square feet for each additional dwelling unit up to twenty (20), plus 2,500 square feet for each additional dwelling unit in excess of 20.
- <sup>(b)</sup> Except as may be permitted pursuant to Section 1847, Planned Unit Development.
- <sup>(c)</sup> Or 78 feet from the centerline of the street, whichever is greater and subject to Section 502, F
- <sup>(d)</sup> The Planning Commission may approve the location of a building in the G-I district on one or both side lot lines when both the proposed structure and the adjoining structure are designed to accommodate zero-lot line construction.
- <sup>(e)</sup> When a proposed industrial use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a twenty-five (25) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to four (4) feet in height, or any combination thereof.

### SECTION 1701      USES PERMITTED BY RIGHT

The following uses of buildings and land shall be permitted within the G-I District subject to the provisions of Article 22, Site Plan Approval.

- A. Accessory buildings, regardless of floor area.
- B. Accessory uses related to uses permitted by right, subject to Section 516
- C. Assembly Operations
- D. Contractor's Facility
- E. Mini/Self-Storage Facility

- F. Outdoor Recreation or Park Facility
- G. Processing and Manufacturing
- H. Professional Office
- I. Professional Service Establishment
- J. Research, Laboratory and Testing
- K. Shipping Facility
- L. Subdivision, plat or condominium of permitted uses.
- M. Uses similar to Uses Permitted by Right, subject to Section 530
- N. Warehouse, Public

### **SECTION 1702 USES PERMITTED BY SPECIAL LAND USE PERMIT**

The following uses of buildings and land may be permitted within the G-I District, as special land uses subject to the provisions of Article 18, Special Use approval.

- A. Accessory uses related to special uses, subject to Section 516
- B. Adaptive Reuse, subject to Section 1805.
- C. Educational Institution, subject to Section 1824.
- D. Marina, subject to Section 1834.
- E. Mine, Sand and Gravel, subject to Section 1837
- F. Planned Unit Development, subject to Section 1847
- G. Uses similar to Uses Permitted by Special Land Use, subject to Section 1857
- H. Wind Energy Conservation System, subject to Section 1860.
- I. Wells, Extraction, subject to Section 1861.

### **SECTION 1703 DIMENSIONAL STANDARDS.**

Within the G-I District, the following dimensional standards shall apply:

- A. Parcel Area - No building or structure shall be established on any parcel less than twelve thousand (12,000) square feet in area.
- B. Parcel Width - For all uses the minimum parcel width shall be one hundred twenty (120) feet.
- C. Yard and Setback Requirements - The following requirements shall apply to every parcel, building or structure.
  1. Front Yard: The minimum setback shall not be less than four (45) feet from front property line, or seventy-eight (78) feet from centerline of a street, whichever is greater.
  2. Side Yards: The minimum width of either side yard shall not be less than ten (10) feet.

3. Rear Yard: Except as provided in subparagraph 4 below, the minimum rear setback shall not be less than forty-five (45) feet.
4. When a proposed commercial use is contiguous to an existing single-unit or duplex dwelling, the Planning Commission may require an additional buffer consisting of a twenty-five (25) foot side and/or rear setback, a four (4) foot high landscaped berm or solid fence up to four (4) feet in height, or any combination thereof.
- E. Building Height. Except as a part of a Planned Unit Development, no structure in the G-I District shall exceed two and one-half (2½) stories in height or thirty-five (35) feet in height.
- F. Area: No principle structure shall be constructed in the District which is less than four thousand (4,000) square feet of building area, and is less than twenty feet wide.
- G. Lot Coverage: Not more than ninety percent (90%) of the parcel area shall be covered by buildings.

## **SECTION 1861 WELLS, EXTRACTION**

- A. **Definition.** Wells installed for the commercial extraction of ground water, crude oil, brine, natural gas, sour gas or similar products. This definition may include any surface or subsurface pumping or processing equipment or facilities.
- B. **Regulations and Conditions.** The following standards shall apply to all Extraction Wells.
1. **Intent:** The activity of drilling and exploring for, producing, processing, transporting and storing oil, gas, brine or other products extracted from subterranean deposits within the City of Manistee involves, or may involve, hazardous and/or toxic substances and practices and the intent of this section is to provide for the protection of citizens, workers and property from dangerous and nuisance conditions associated with extraction wells.
  2. All Extraction Wells shall be established, operated and maintained in conformity with all state and federal statutes and regulations pertaining thereto.
  3. No new Extraction Well shall be located nearer than three hundred (300) feet from an adjoining property line, unless such adjoining property shall contain an existing extraction well.
  4. A new Extraction Well for the purpose of exploring for or producing oil, natural gas or hydrocarbons shall be considered a principal use, regardless of other activities carried out on the site. Extraction Wells for the purpose of exploring for or producing ground water, brine, salt water or related products, may be considered an accessory use pursuant to **Section 516**, providing such Extraction Wells include facilities for storage, processing, transporting, refining, combining, packing or other activities.
  5. An existing Extraction Well located in the LI or GI districts may be reworked, deepened or otherwise operated as an existing use without reference to this section, whether it is currently working or not; provided all State and Federal statutes and regulations are fully met.
  6. A new Extraction Well site shall be completely fenced to prohibit unauthorized entry at all times.
  7. A new Extraction Well shall include measures or controls satisfactory to the Planning Commission to minimize any objectionable dust, fumes, or odors at any property line.
  8. All exterior lighting shall be in accordance with **Section 525** hereof.
  9. Height limitations set forth in **Sections 1600 and 1700** shall apply to derricks and other drilling equipment, unless specifically waived by the Planning Commission. In considering a request for such a waiver, the Planning Commission may require site improvements, screening, increased setbacks or other measures to mitigate the imposing nature of tall structures.
  10. A new Extraction Well shall include measures or controls satisfactory to the City Engineer to prevent any discharge of any hazardous materials to the City of Manistee sanitary sewer system, stormwater system or any natural or man-made stream or lake. There shall be no off-site discharge of storm water except to an approved drainage system in accord with the City's engineering requirements.

11. Noise generated on site from any source shall not exceed 50 decibels measured at any property line.
12. Any hazardous materials proposed to be stored, used or handled on site shall be disclosed by the applicant and all such storage, use and handling shall be conducted in accordance with the City of Manistee Groundwater Protection Ordinance and any applicable State or Federal requirements.
13. All signs shall be in accordance with Article 21 of this Zoning Ordinance.
14. All parking shall be in accordance with Section 514 of this Zoning Ordinance.
15. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.