

# MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday June 2, 2005  
7:00 p.m. - Manistee Middle School - Library, 550 Maple Street

## AGENDA

- I Roll Call
- II Public Hearing
  - 1. C. Gerry Seyferth. - Special Use Permit
  - 2. Jane A. Tughan - Special Use Permit
  - 3.
- III Approval of Minutes
  - Planning Commission Meeting (5/5/05)
- IV New Business
  - 1. C. Gerry Seyferth - Special Use Permit
  - 2. Jane A. Tughan - Special Use Permit
  - 3.
- V Unfinished Business
  - 1. HHH Investing Co. - Special Use Permit
- VI Other Communications
  - 1.
  - 2.
  - 3.
- 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 *DB*  
Administrative Assistant - Community Development Department

**DATE:** May 27, 2005

**RE:** June 2, 2005 Meeting

The June Planning Commission Worksession will be held on Thursday, June 2, 2005 at 7:00 p.m. in the Middle School Library. We have the following items on the agenda:

1. C. Gerry Seyferth - Special Use Permit (Multiple Unit Dwelling). An application has been submitted from Gerry Seyferth for a Special Use Permit for a Multiple Unit Dwelling. Mr. Seyferth received approval from the Planning Commission and City Council for a Zoning Amendment that would allow the construction of a Multiple Unit Dwelling in the C-4 Zoning District under a Special Use Permit. Mr. Seyferth is requesting a Special Use Permit to allow the construction of a multiple unit dwelling (10 Condominiums) with garages.

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

*Approve a request from C. Gerry Seyferth for a Special Use Permit to allow a Multiple Dwelling Unit (10 Condominiums with 10 two car garages) on Parcel #51-51-211-100-02 as presented on site plan "River Parc Place Washington Street and Manistee River, Manistee Michigan" Dated May 27, 2005.*

\*\*\*\*\*

*And approval be conditional upon the following:* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Jane A. Tughan - Special Use Permit (Bed and Breakfast). An application has been received from Jane A. Tughan for a Bed and Breakfast (Four Rooms) at 355 Second Street.

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

*Approve a request from Jane A. Tughan for a Special Use Permit to allow a Four Room Bed and Breakfast at 355 Second Street.*

\*\*\*\*\*

*And approval be conditional upon the following:* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. HHH Investing Co. - Special Use Permit (Planned Unit Development Plan). An application was submitted from HHH Investing Co. for a Special Use Permit for a Planned Unit Development at the May Planning Commission Meeting. The Planning Commission tabled deliberation on the request until the June Meeting. A Special Worksession was held on May 19<sup>th</sup> for Planning Commissioners to further review the request.

*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 Parcel Code #51-51-314-255-01 as presented on "Proposed P.U.D. Plan for Hunting- Manistee Project No: 980036.1 Dated 4/27/05", with the conditions contained in the Memorandum from the developer dated May 20, 2005 which will become an attachment to the Special Use Permit.*

\*\*\*\*\*

*And approval be conditional upon the following:* \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

:djb

cc: Mitch Deisch, City Manager  
City Council

## Staff Site Plan Review

C. Gerry Seyferth  
6180 Murray Road  
Whitehall, MI 49461

Project: Multiple Unit Dwelling  
Zoning District: C-4/Historic Overlay  
Parcel Code #: 51-51-211-100-05

### ACTION REQUESTED:

A Special Use Permit to allow for the construction of a 10 Condominium Unit Building.

### DWELLING, MULTIPLE UNIT SPECIAL USE STANDARDS:

- A. Parking areas intended for the use of residents of Multiple Unit Dwellings shall be located within one hundred fifty (150) feet of the building. Two spaces shall be provided per dwelling. *The Project includes a two car garage for each unit.*
- B. All exterior lighting shall be designed so that there is no direct illumination or glare beyond the property lines. *The developer is aware of this requirement and will go back to Historic Overlay Review for approval for any exterior light fixtures.*
- C. No multiple unit structure shall be located closer than twenty (20) feet from any other multiple unit structure located on the same parcel. *There is only one multiple unit structure proposed in this plan.*
- D. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate, so that any refuse or dumpster shall not be visible from any building, dwelling, adjacent property, or street. *The site plan includes a screen wall that encloses the dumpster and meets this requirement.*
- E. Safe pedestrian and vehicular circulation patterns shall be established in group building developments, as determined by the Planning Commission. *The proposed project will have safe pedestrian and vehicular circulation patterns and will meet the requirements of the Fire Department.*
- F. All signs shall be in compliance with the provisions of Article 14 of this Ordinance. *Signage is not included in this plan, the developer will go back to Historic Overlay Review for signage approval.*
- G. Landscaping and Buffering shall be provided and be compatible with the neighborhood. *The developer is aware of this requirement and has provided for some landscaping on the west side of the Motorcourt.*

**PRIMARY STRUCTURE REVIEW:**

	<u>C-4 Requirements</u>	<u>Proposed</u>
Parcel Area	1 unit per/1,500 sq ft of parcel area	1 unit per/ +1,800 sq ft of parcel area
Parcel Width	25 ft	142 ft
Setbacks		
Front Yard	0 ft	4 ft
Side Yard	0 ft	49 ft
Rear Yard	6 ft	6 ft
Waterfront	20 ft	22 ft
Height	40 ft	51 ft
Parking	2 per unit	2 per unit

Comments: The inclusion of the Turrets and Gable Cornice which are aesthetic elements that were added during the preliminary Historic Overlay Review process . The height of the building was increased from 39 feet 10 inches to 51 feet.

**Section 1042 Height reads in part:**

- b. Buildings or structures in the C-4 Commercial and I-2 Lakefront Industrial zoning districts may be erected or altered to a height of 40 feet.

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

**ACCESSORY STRUCTURE REVIEW:**

	<u>C-4 Requirements</u>	<u>Proposed</u>
Setbacks		
Front Yard	0 ft	4 ft
Side Yard	0 ft	0 ft
Rear Yard	6 ft	6 ft
Waterfront	20 ft	n/a
Height	14 ft	*26 ft 5 in / 29 ft 6 in
Sidewall Height	10 ft	*13 ft 11 in / 17 ft 7 in

\* There are two numbers indicated in the review of the Height of the Accessory Structure. The first number indicates the height from the adjacent ground level the roadway and the second indicates the height from Grade. GRADE means an elevation which is a product of first calculating the difference between the highest and lowest natural elevations on the *parcel*, and then by taking the lowest natural elevation plus 2/3 of the difference (see April 8, 1991 *Appeals Board* minutes).

**HISTORIC OVERLAY REVIEW:**

This project is located within the Historic Overlay Review District. A meeting of the Committee was held on May 18, 2005. The Historic Overlay Review Committee approved the plan as presented. The meeting minutes are attached along with a Memo from Steve Harold.

**STAFF COMMENTS:**

The attached Memo from Steve Harold supports the increase in height for the project. Planning Commission can approve the increases in height by approving the site plan as submitted.

Mr. Seyferth has met with the City of Manistee Fire Department and has made adjustments to the plan as they requested.

**Historic Overlay Review Committee Meeting  
May 18, 2005**

Members of the Historic Overlay Review Committee held a meeting at 4:00 p.m. at the Manistee County Historical Museum, 425 River Street, Manistee, Michigan.

Present: Tamara Buswinka, Steve Harold, Dennis terHorst, Tony Slawinski, Roger Yoder and Sara Bizon (Alternate)

Others: Jon Rose, Denise Blakeslee and C. Gerry Seyferth

**CITY MARINA - GAS DOCK KIOSK**

The members of the Committee were informed about the project and reviewed the plan presented. While the building is outside of the district, they understand the City's desire to be historically compatible because of the close proximity.

They had several comments as follows:

- ▶ Exterior of building (including trim) should be stained a weathered color that looks unpainted.
- ▶ Roof should be constructed out of asphalt shingles or metal. Color should try to mimic a tin color.
- ▶ Recommend double hung windows.
- ▶ Recommend a panel door.
- ▶ Any lighting should be indirect.

They understand that bids may already be out on the building but, appreciated the opportunity to have input.

If signage is planned they would like to review.

Jon Rose will prepare a Memo to the Harbor Master that includes the comments from the Committee.

**C. GERRY SEYFERTH - VACANT PROPERTY SOUTH OF 86 WASHINGTON STREET**

Gerry Seyferth presented a plan for the construction of a building (122 feet) that contains 10 Condominium Units on the Manistee River Channel. This plan includes a two car garage for each unit, there will be four garages attached to the primary structure and six garages on the north end of the property. The garages on the north end of the property will include storage.

Elements of the project include:

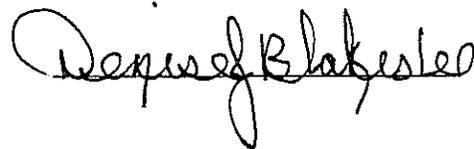
- ▶ Building will be mostly brick.
- ▶ Some of the brick will have a criss/cross detail.
- ▶ The lower level will resemble limestone.
- ▶ Metal Balconies overlooking the river.
- ▶ Arched entrance to motorcourt.

MOTION by Steve Harold, seconded by Roger Yoder to approve as presented (on file at City Hall).

MOTION PASSED UNANIMOUSLY

There being no further discussion the meeting adjourned at 4:38 p.m.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "Dennis J. Blakeslee". The signature is written in a cursive, flowing style.

## MEMO FOR FILE (C. Gerry Seyferth)

FROM: Steve Harold, Director Manistee County Historical Museum  
DATE: May 24, 2005   
RE: C. Gerry Seyferth - Proposed Condominium Project

The Historic Overlay Review Committee approved request from C. Gerry Seyferth for a 10 unit Condominium Project on the Manistee River Channel at their meeting on May 18, 2005. Prior to the meeting on May 18<sup>th</sup> Mr. Seyferth met with me on several occasions for preliminary review of the project.

These preliminary reviews resulted in the incorporation of the following elements in the final project plan:

- ▶ The six car garage structure would be constructed so the roof would match typical Victorian Out buildings. This resulted in a height that exceeded the 14 foot accessory structure requirement.

*The accessory structure has been approved by the Historic Overlay Review Committee.*

- ▶ There are two turrets located on the corners of the south side of the building facing the River Channel (similar to the turret on the Ramsdell Building). These aesthetic elements were encouraged during preliminary review of the project and included in the final plan.
- ▶ A gable cornice was added to the center of the building facing the River Channel (similar to the gable cornice on the Russell Building, Haley Sisters Building, and Ramsdell Building). The addition of a gable cornice is for aesthetic purposes and was included in the final plan.

*The incorporation of the turrets and gable cornice effected the height of the primary structure, but did not create any additional living space.*

- ▶ The inclusion of the brick screen wall and entry arch provides separation from the public sidewalk and allows screening for the dumpster and motor court.



# SPECIAL USE PERMIT APPLICATION

C. Gerry Seyferth  
 Applicant  
6180 Murray Road  
 Address  
Whitehall, MI 49461  
 City, State, Zip Code  
 Phone Numbers (Work) (231) 638-0356  
 (Home) (231) 894-2731

FOR OFFICE USE ONLY:  
 Case number PC-2005-10  
 Date Received 5-11-05  
 Fee Received \$250.00  
 Receipt Number 7575  
 Hearing Date 6-2-05  
 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: \_\_\_\_\_  
River Parc Place Condominiums

## II. PROPERTY INFORMATION:

- Vacant Parcel South of
- A. Address of Property: 86 Washington, Manistee, MI 49660  
 Tax Roll Parcel Code Number: 51-51- 211-100-02
- B. List all deed restrictions - cite Liber & Page where found and attach: \_\_\_\_\_  
See attached Legal
- C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. Susan Seyferth, 6180 Murray Road, Whitehall, MI 49461
- D. Zoning District: C-4/Historic Overlay
- 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?  Yes  No.
- H. Estimated completion date of construction (if applicable): 2006

## **LEGAL DESCRIPTION**

The land referred to in this Request is situated in the City of Manistee in the County of Manistee, State of Michigan, and is described as follows:

Parcel "B": Part of Government Lot 1, Section 11, Town 21 North, Range 17 West, commencing at the Northeast corner of said Section, thence S 89°54' 09" W 33.00 feet along the North line of said Section to the West right-of-way of Washington Street, thence along said West right-of-way S 00°00'00" W 212.62 feet to the point of beginning, thence continuing S 00° 00' 00" W 132.61 feet to an intermediate traverse line along the bank of the Manistee River, thence along said intermediate traverse line N 87°55' 28" W 137.09 feet, thence N 00° 00' 00" E 127.41 feet parallel with Short Street extended, thence N 89°54' 09" E 137.00 feet to the point of beginning.

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:

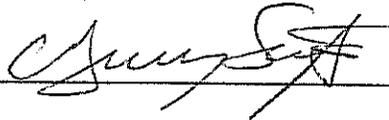
1. Elevations on all buildings, including accessory buildings.
2. An Environmental assessment.
3. Evidence of having received or having an agreement for concurrent approval for any other necessary permits required prior to a construction code permit.
4. Measures which will be undertaken to control soil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



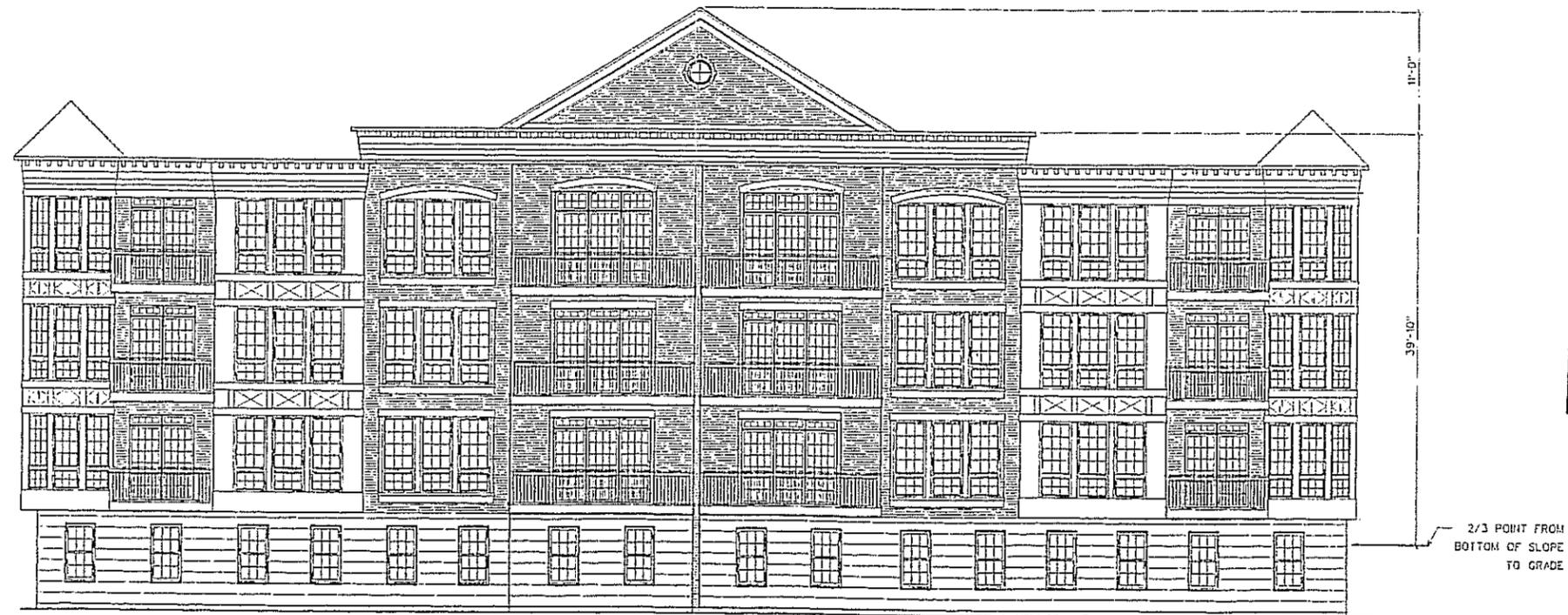
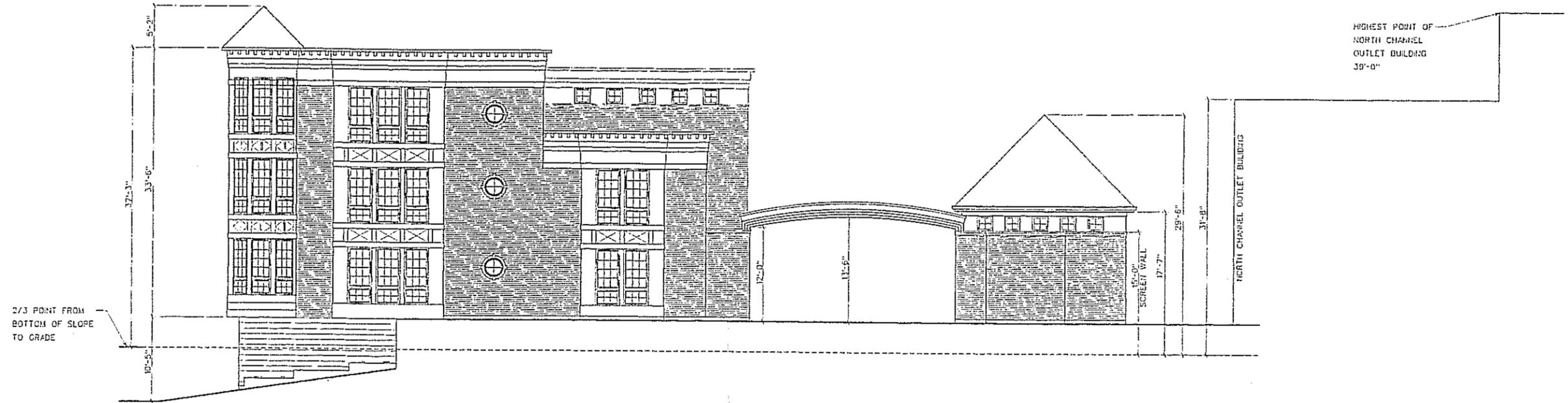
Dated

5-10-05

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

4/04





COMMUNITY DEVELOPMENT  
BUILDING DEPT.

MAY 27 2005

CITY OF MANISTEE

## Staff Review

Jane A. Tughan  
355 Second Street  
Manistee, MI 49660

Project: Bed and Breakfast  
Zoning District: R-4 Residential  
Parcel Code #: 51-51-574-709-03

### ACTION REQUESTED:

A Special Use Permit is hereby requested for the following purpose: To open a Bed and Breakfast (Four Rooms)

### BED AND BREAKFAST SPECIAL USE STANDARDS:

- A. Shall be located in a converted single *family dwelling* which does not alter the exterior of the *building*.
- B. The *dwelling* shall be owned by the resident who lives in the *dwelling* on a full time basis.
- C. The activities of the bed and breakfast shall be operated in such a manner that other residents of the area, under normal circumstances, would not be aware of the existence of the bed and breakfast.
- D. There shall be a minimum of one *parking space* per sleeping unit, plus two parking spaces for the property owner, all of which will be hard surfaced and marked, according to code.
- E. The permit holder shall secure and maintain all required permits, which include, but not limited to, those issued by the health department.
- F. No conference/meeting rooms/facilities will be permitted.
- G. No meals shall be prepared for and/or served to paying guests of the facility, except for a traditional continental breakfast.
- H. The bed and breakfast shall employ no more than two persons at the residence except those who live there.

**Ms. Tughan was provided a copy of the Bed and Breakfast Special Use Permit Standards and Parking Standards on May 11, 2005. Ms. Tughan purchased the building on May 20, 2005 .**

**STAFF REVIEW:**

- Parking: Ms. Tughan proposes four rooms which would require a total of six (6) hard surfaced and marked off street parking spaces. Ms. Tughan is working on a parking plan and/or trying to make arrangements for off street parking off site. **Prior to approval this requirement must be met.**
- Signage: Signage was not included in the Special Use Permit Application. Under the Standards of Article 14 Signs. Ms. Tughan would be allowed one 4 sq. ft. sign. The sign could be either a ground mount, wall sign or window sign.



Planning Commission

SPECIAL USE PERMIT APPLICATION

JANE A. TUGHAN
Applicant
355 SECOND ST (AS OF 5-20-05)
Address
MANISTEE MI 49660
City, State, Zip Code
Phone Numbers (Work) (734) 676-4744
cell 313-204-0608
(Home)

FOR OFFICE USE ONLY:
Case number PC-2005-11
Date Received 5-13-05
Fee Received
Receipt Number
Hearing Date 10-2-05
Action Taken
Expiration Date of Permit

FEE FOR SPECIAL USE PERMIT \$250.00

I. ACTION REQUESTED:
NO HOME # YET

A Special Use Permit is hereby requested for the following purpose: TO OPEN A
BED + BREAKFAST AT THIS LOCATION

II. PROPERTY INFORMATION:

- A. Address of Property: 355 SECOND ST
Tax Roll Parcel Code Number: 51-51-574-709-03
LEGAL: TYSON T66 ADD W 7 2/3 FT OF LOT 1 + E 24 1/3 OF LOT 2 Block 5
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: R-4
E. Present use of the property: PRIVATE HOME RESIDENCE
F. Attach a Site Plan which meets the requirements of the Special Use Permit Ordinance (see attached).
G. Is a Property survey attached? [ ] Yes [X] No.
H. Estimated completion date of construction (if applicable):

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

A. State specifically the reason for this Special Use Permit request at this time TO OPEN  
A BED + BREAKFAST 4 ROOMS AVAILABLE  
TO PUBLIC (THIS IS A 5 BED ROOM HOUSE)

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 5-11-05

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

Manistee City Zoning Ordinance

Sp. Uses Standards/Regulations; Art. 16

1609. Bed and Breakfast Special Use Standards

[Annotation: This Section added by amendments, effective April 17, 1992 and May 18, 1998.]

- A. Shall be located in a converted single family dwelling which does not alter the exterior of the building.
- B. The dwelling shall be owned by the resident who lives in the dwelling on a full time basis.
- C. The activities of the bed and breakfast shall be operated in such a manner that other residents of the area, under normal circumstances, would not be aware of the existence of the bed and breakfast.
- D. There shall be a minimum of one parking space per sleeping unit, plus two parking spaces for the property owner, all of which will be hard surfaced and marked, according to code.
- E. The permit holder shall secure and maintain all required permits, which include, but not limited to, those issued by the health department.
- F. No conference/meeting rooms/facilities will be permitted.
- G. No meals shall be prepared for and/or served to paying guests of the facility, except for a traditional continental breakfast.
- H. The bed and breakfast shall employ no more than two persons at the residence except those who live there.

As Estimate put As phat surface is scheduled

1610. Marina Special Use Standards

[Annotation: This Section added by amendment, effective April 17, 1992]

- A. Only if located on parcel which has direct or contiguous access to navigable water;
- B. The facility does not unreasonably affect the public trust or riparian interests;
- C. Ingress and egress are within the riparian owner's interest area or written authorization is secured from the adjacent owner whose riparian or property interest is or may be affected.
- D. The facility is not aesthetically displeasing and conforms to similar structures and activities in the area.
- E. The body of water upon which the marina is located is not unsafe or hazardous and the increased use attributable to the marina will not create congestion or safety problems or aggravate existing recognized congestion or safety problems.
- F. The facility will provide water craft sanitary holding tank pump out services as required under Section 5 of Act 167 of the PA of 1970, as amended, being 323.335 et seq. of the Michigan Compiled Laws.
- G. The facility will provide a minimum of 0.75 off street parking places for each boat slip.
- H. The facility does not constitute a safety or navigational hazard and maintained in good repair.
- I. There will be no on shore boat storage.
- J. All plans must be properly prepared and submitted to the City in a timely manner and must be approved by the appropriate city departments and commission(s), and all state and federal permits must also be obtained prior to the start of construction.
- K. Apply for, receive and maintain all permits, as required by local and State agencies.

1611. Residential Care Facility Special Use Standards

[Annotation: This section changed by amendments, effective March 19, 1993 and May 18, 1998.]

Residential care facilities shall include Adult Foster Care (AFC) Facilities that are not exempted by law from zoning regulations and shall meet the following standards, to wit:

- A. No facility shall be located closer than Fifteen Hundred (1500) feet from another licensed residential care facility.
- B. A minimum of one (1) off street parking space shall be provided for the principle

# MOORE & BRUGGINK, INC.

Consulting Engineers  
2020 Monroe Avenue, N.W.  
Grand Rapids, Michigan 49505-6298

## MEMORANDUM

TO: Jon Rose, Community Development Director

FROM: Bill Kozak, P.E.

DATE: May 20, 2005

RE: HHH - Cherry & Merkey PUD  
Project No. 980036.1

In response to comments from various departments, we address the following.

Staff Site Plan Review comments (addressed in the order of the subject item number)

1. The development will set up an assessment district to fund the perpetual maintenance of the stormwater retention pond. This district may include property to the west if it develops.
2. We propose a 66 foot wide private easement for right-of-way.
3. We propose no sidewalks on the dead end drives.
4. We propose street lights at all street / street and street / alley intersections. Street lights and condominium lighting will meet Dark Sky criteria.
5. The size and type of trees are shown on the landscape plan.
6. We propose saving the existing birch trees south of the main entry as site grading will allow.
7. We propose a detailed landscape plan be prepared for each of the park areas.
8. We propose a separate signage design package for the main entrance on Cherry Street and the secondary entrance on Merkey Street.

9. We propose a minimum 10 foot wide green belt with a landscape plan.
10. We propose that the area on the PUD plan labeled Future Development be part of this PUD. That this area labeled Future Development require an amendment to this PUD in a format as described herein for the purpose of developing additional residential up to a maximum of 56.4 acres x 3.5 units = 197 units. Or that said amendment be consistent with approved future ordinances.
11. We propose the north drive entrance remains a secondary access and be 26 foot wide to control vehicle speed.
12. Storage sheds will be allowed only in the site condominium portion of the development with placement only in the building envelope and they must be approved by the Architectural Committee.
13. Fencing types, style, location, and height will be in the Condominium Bylaws, and must be approved by the Architectural Committee.
14. Decks would be allowed in read yards, and must be approved by the Architectural Committee.
15. The Condominium Association will contract with a waste hauler for alley pickup of trash.
16. The Condominium Association will contract with local companies to provide all maintenance services, such as trash, lawn care, etc.
17. The sales office will be in one of the units.
18. The proposed maximum building height will vary from 30 feet to 40 feet as measured from the crown of the main road at the midpoint of the unit to the roof peak.
19. Parking spaces are proposed at 9 feet x 18 feet with 24 feet of drive.

20. The Historical Review and the Design Review will be by the Condominium Association Architectural Review Committee.
21. There will be 5 inch house numbers facing the main street in a consistent location on all living units.

#### Ranch style condominiums

20 foot minimum: 3 sides of building to building.  
Minimum 15 feet, 4<sup>th</sup> side.

Minimum setback: 5 feet with 66 foot right-of-way

Maximum Height: 30 feet

Parking: 2 in garage and 2 on approach.

Building Area: 1,764 square feet, plus 2 stall garage.

#### Row House Condominiums

20 foot minimum: 3 sides of building to building.  
Minimum 15 feet, 4<sup>th</sup> side.

Minimum setback: 5 feet with 66 foot right-of-way

Maximum Height: 40 feet

Parking: 2 in garage and 2 on approach.

Building Area: 720 square feet per floor, two story  
minimum (1,440 square feet), plus 2 stall garage.

#### Site Condominium Lots

Minimum lot size: 7,000 square feet

Minimum frontage: 50 feet with 60 foot minimum  
corner lot.

Minimum setback: 5 feet with 66 foot wide right-of-way. 20 feet building to building on 3 sides, 15 feet minimum on 4th. Plans to show building envelopes.

Rear: 25 feet with corner lot 25 feet and 15 feet along the side.

Maximum Height: 35 feet

Parking: 2 in garage and 2 on approach.

Building Area: 960 square feet main floor  
Two story  
 $960 + 600 = 1,560$  square foot minimum,  
Plus 2 stall garage

Note: All units and site condominiums are to have two stall garages.

The Bylaws of the Condominium will address architectural requirements, setbacks, etc. Exhibit "B" of the Condominium documents will show building envelopes.

The following is in response to the Fire Chief's comments.

The final plans will show 96 foot diameter cul-de-sacs, and 26 foot wide streets with fire hydrants, hydrant spacing, etc.

The following is in response to the Engineer's comments.

Easement and Access:

We propose a 66 foot wide private right-of-way easement for the main roads, and 20 foot easement for alleys.

We will add a decel lane to the north drive.

Roads (directly corresponds with Engineer's bullet items):

- 8" aggregate base
- Temporary turn-arounds
- Fire chief review
- Road grades and vertical curbs will be shown on the construction documents.

Storm Water System:

The Condominium Association will own and maintain the stormwater system and retention pond.

Final design calculations will be submitted.

Soil information is complete and will be submitted.

Storm sewer design to be submitted.

A maintenance plan will be submitted for the retention pond.

Relationship between the existing City wells and retention basin will be provided.

Water System:

We propose a watermain extension south on Cherry to the City limits, loop north drive internal to the main drive, and stub to Merkey at south drive.

The watermain will be sized for fire flows and calculations will be submitted.

The City of Manistee has determined a potential future need for an additional municipal water well. The City may construct the well as future potable water quality and quantity issues arise. The developer shall provide a site for the well adjacent and west of Cherry and south of the north access drive. The City agrees that the Condominium Association's Architectural Review Committee shall approved the future well head enclosure.

Watermain:

- Pipe material: Ductile Iron
- Six foot cover (minimum)
- Hydrants at high and low points
- Flow calculations
- MDEQ permit.

Sanitary Sewer:

The construction plans and profiles will show:

- Calculations
- Laterals
- Lift station and forcemain
- MDEQ permit
- Directionally drill forcemain under Cherry Street
- This will be a public lift station. Once the city accepts ownership as required by the MDEQ permit, the sanitary sewer operation and maintenance account funded by hookup fees and services charges will pay this. No escrow.

Site Grading:

- Final grading plan will show all elevations.
- Shown on plans now.

Construction:

An Escrow Account for construction inspection is acceptable.

Based on the approved PUD plan, the developer will prepare the following preliminary site plans, documents, and calculations for approval by the Planning Commission.

1. Site plans by phase at 50 scale.
2. Site grading, surface drainage, stormwater management, and soil erosion plan by phase at 50 scale.

3. Site utility plan for sanitary sewer, lift station, and forcemain, watermain, storm sewer, sanitary laterals, and water services. Also this plan will show the proposed private utilities such as electric, gas, and phone. Plans will be at 50 scale by phase.
4. Landscaping, lighting, and signage plans by phase will be at 50 scale or larger, and will include greenbelts, parks, and streetscapes.
5. Building elevations showing architectural style, materials, and heights for each unit type.
6. Engineering calculations for sanitary sewer, watermain, and stormwater management.
7. Draft of Master Deed, Bylaws, Architectural Standards, Review Committee, etc. for the proposed Condominium development.

Upon approval of the above described documents, or a portion thereof, the developer will proceed with final design of the roads, utilities, and grading for Phase I, more specifically described as:

1. Construction plan and profile drawings and specifications for Phase I, including drives, alleys, storm sewer, watermain, sanitary sewer, lift station, forcemain, etc. for approval and permitting by the Michigan Department of Environmental Quality and the City of Manistee staff.
2. Construction plans and specifications for Phase I grading, soil erosion controls, landscaping, parks, sidewalks along Cherry Street, lighting, signage, etc. for approval and permitting by City staff.

This same procedure will be used for Phase II and Phase III of the project.

WGK/clt