MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, November 1, 2007
7:00 p.m. -Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Planing Commission could take action to approve the November 1, 2007 Agenda.

IV Approval of Minutes

At this time Planning Commission could take action to approve the October 4, 2007 meeting Minutes.

V Public Hearing

J. Kevin & Barri T. Marion - Street Vacation Request

J. Kevin & Barri T. Marion are requesting the vacation of the southernmost portion (Approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21.

At this time the Chair shall open the hearing.
The Applicant shall present any comments and explanation of the case.
The City Staff and any consultants serving the City shall present their reports.
The hearing will be opened for public comments
The hearing will be closed

Pegasus Holdings and Land Development

Request to amend the City of Manistee Zoning Ordinance Article 16 Light Industrial District by adding **"Medical or Dental Office"** as a Permitted Use.

At this time the Chair shall open the hearing.
The Applicant shall present any comments and explanation of the case.
The City Staff and any consultants serving the City shall present their reports.
The hearing will be opened for public comments
The hearing will be closed

Rieth- Riley Construction Co., Inc. - Street Vacation Request

Rieth-Riley Construction Co., Inc. are requesting to vacate part of the southern portion of State Street (approximately 113 feet of the Cul-de-sac). The Applicant will be transferring property to the City and will be responsible for the relocation and reconstruction of a new cul-de-sac.

At this time the Chair shall open the hearing.
The Applicant shall present any comments and explanation of the case.
The City Staff and any consultants serving the City shall present their reports.
The hearing will be opened for public comments
The hearing will be closed

VI New Business

J. Kevin & Barri T. Marion - Street Vacation Request

A public hearing was held earlier in response to the request from J. Kevin & Barri T. Marion to vacate the southernmost portion (Approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21.

At this time the Planning Commission could make recommendation to City Council to (approve/deny) the request from J. Kevin & Barri T. Marion to vacate the southernmost portion (Approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21.

Pegasus Holdings and Land Development

A public hearing was held earlier in response to the request from Pegasus Holdings and Land Development to amend the City of Manistee Zoning Ordinance Article 16 Light Industrial District by adding **"Medical or Dental Office"** as a Permitted Use.

At this time the Planning Commission could make a recommendation to City Council to (approve/deny) the request from Pegasus Holdings and Land Development to amend the City of Manistee Zoning Ordinance Article 16 Light Industrial District by adding **"Medical or Dental Office"** as a Permitted Use

Rieth- Riley Construction Co., Inc. - Street Vacation Request

A public hearing was held earlier in response to the request from Rieth-Riley Construction Co., Inc. to vacate part of the southern portion of State Street (approximately 113 feet of the cul-de-sac). The Applicant will be transferring property to the City and will be responsible for the relocation and reconstruction of a new cul-de-sac.

At this time the Planning Commission could make a recommendation to City Council to (approve/deny) the request from Rieth-Riley Construction Co., Inc. to vacate part of the southern portion of State Street (approximately 113 feet of the Cul-de-sac). Included with the request is the transfer of property to the City and Rieth Riley Construction Co. Inc. will be responsible for the relocation and reconstruction of a new Cul-de-sac.

Rieth-Riley Construction Co., Inc. - Site Plan Review

A request has been received from Rieth-Riley Construction Co., Inc. for a Site Plan Review of a proposed Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer Facility.

At this time the Planning Commission could take action to (approve/deny) the request from Rieth-Riely Construction Co., Inc. for Site Plan Review for a Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer Facility as shown on Site Plan prepared by Wilcox Professional Services Project #21595.00294 dated 11/1/07 for Planning Commission Review. Conditioned upon City Council approval of the request to vacate part of the southern portion of State Street.

Charter Township of Filer - Master Plan Proposed Amendments

The Charter Township of Filer is proposing amendments to their Master Plan. A copy of the proposed Amendments has been forwarded to the City in accordance with MCL 125.327a of the Township Planning Act, Public Act 168 of 1959 as amended.

At this time Planning Commission will review the proposed changes to the Charter Township of Filer's Master Plan.

VII Old Business

None

VIII Public Comments and Communications

At this time the Chair will ask if there are any public comments.

IX Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

Letter from Team Elmer's Construction Engineering
RE: Question about the benchmark for the Good Shepherd Project.

Letter from Guardian Angels Church
RE: Guardian Angels Convent Zoning and Real Estate Tax Status (Address: 401 Michael Street, Tax Number: 51-51-646-702-01)

X Staff Reports

At this time the Chair will ask Staff for their report.

XI Members Discussion

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

XII Adjournment

City of Manistee

PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Denise Blakeslee

DATE: October 25, 2007

RE: November 1, 2007 Meeting

Commissioners, the next meeting of the Planning Commission will be on Thursday, November 1, 2007 at 7:00 p.m. in the Council Chambers. The following items are on the agenda:

- **J. Kevin & Barri T. Marion - Street Vacation Request**. J. Kevin & Barri T. Marion are requesting the vacation of the southernmost portion (Approximately 153,27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21.

- **Pegasus Holdings and Land Development** - Request to amend the City of Manistee Zoning Ordinance Article 16 Light Industrial District by adding **"Medical or Dental Office"** as a Permitted Use.

  A letter of support has been received in response to this request from Robert & Jane Gunia

- **Rieth- Riley Construction Co., Inc. - Street Vacation Request** - Rieth-Riley Construction Co., Inc. has submitted a request to vacate part of the southern portion of State Street (approximately 113 feet of the Cul-de-sac). The Applicant will be responsible for the relocation and reconstruction of the Cul-de-sac on property they provide to the City. This relocation makes it possible to meet the required front yard setbacks.

- **Rieth-Riley Construction Co., Inc. - Site Plan Review** - A request has been received from Rieth-Riley Construction Co., Inc. for a Site Plan Review of a proposed Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer Facility.

- **Charter Township of Filer - Master Plan Proposed Amendments**. The Charter Township of Filer is proposing amendments to their Master Plan. A copy of the proposed Amendments has been forwarded to the City in accordance with MCL 125.327a of the Township Planning Act, Public Act 168 of 1959 as amended.

If you are unable to attend the meeting please call me at 398-2805. See you Thursday!

:djb

City of Manistee

PLANNING AND ZONING
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231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose
Community Development Director

DATE: October 9, 2007

RE: J. Kevin & Barri T. Marion - Street Vacation Request

Commissioners, attached is a request from J. Kevin & Barri T. Marion to vacate the Southernmost portion (approximately 153.27') of Sweetnam Drive adjoining parcel 51-51-373-703-09 and 51-51-373-704-21.

Staff review of the request shows no conflicts with the Zoning Ordinance.

JRR:djb

J. KEVIN AND BARRI T. MARION
800 Old Elm Road
Highland Park, IL 60035

September 5, 2007

Planning and Zoning Department
City of Manistee
P.O. Box 358, 70 Maple Street
Manistee, MI 49660

RE: REQUEST FOR STREET VACATION

PARCELS INVOLVED IN VACATION: Parcel No. 515137370421; Parcel No. 515137370309

Per enclosed Certificate of Survey, we request that Platted Sweetnam Drive be vacated south from a line drawn between the north boundary of Lot 8, Sweetnams Lake Bluff connecting to the north line of Lot 5, Sweetnams Lake Bluff to a line drawn between the south boundary of Lot 9 Sweetnams Lake Bluff and the south boundary of Lot 5, Sweetnams Lake Bluff.

Enclosed is our check in the amount of $250.00 as payment of the fee for a public right-of-way vacation.

Any questions regarding this request should be directed to our local agent, Suzanne C. Stevens, Associate Broker, HARBOUR REAL ESTATE, 259 River Street, Manistee, MI 49660. Suzanne can be reached by telephone at 231-723-6534 ext. 3137 or by e-mail at sustevens@manistee.com.

Thank you for your consideration of this request.

Best regards,

J. Kevin Marion

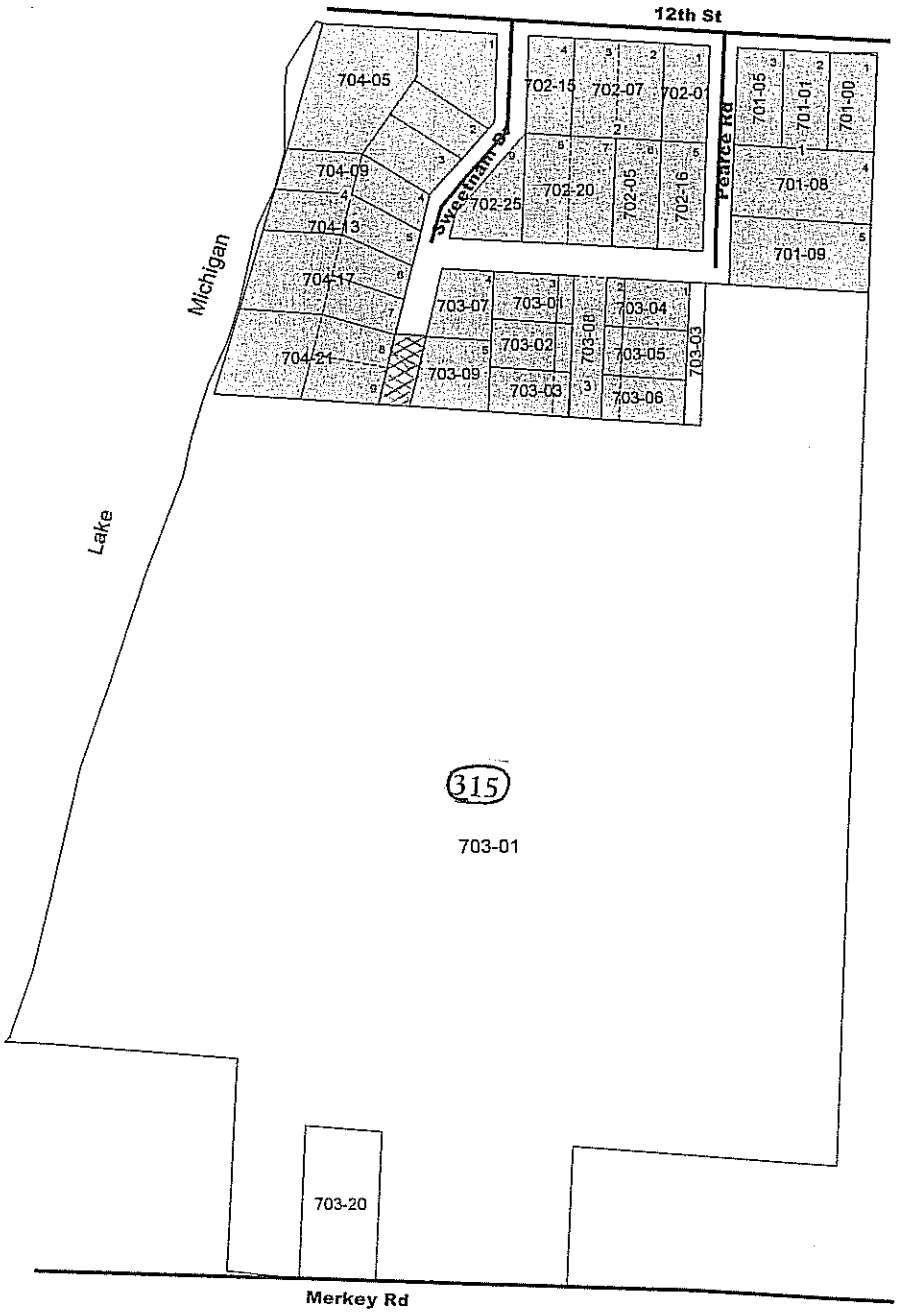
Enclosures

COMMUNITY DEVELOPMENT
BUILDING DEPT.
SEP 17 2007
CITY OF MANISTEE

Reciept #
14552

Manistee County

City of Manistee
Sec 15
51-51-315
51-51-373



Subdivisions

373_Sweetnam

1 inch equals 400 feet
12/2005

2007

CERTIFICATE OF SURVEY

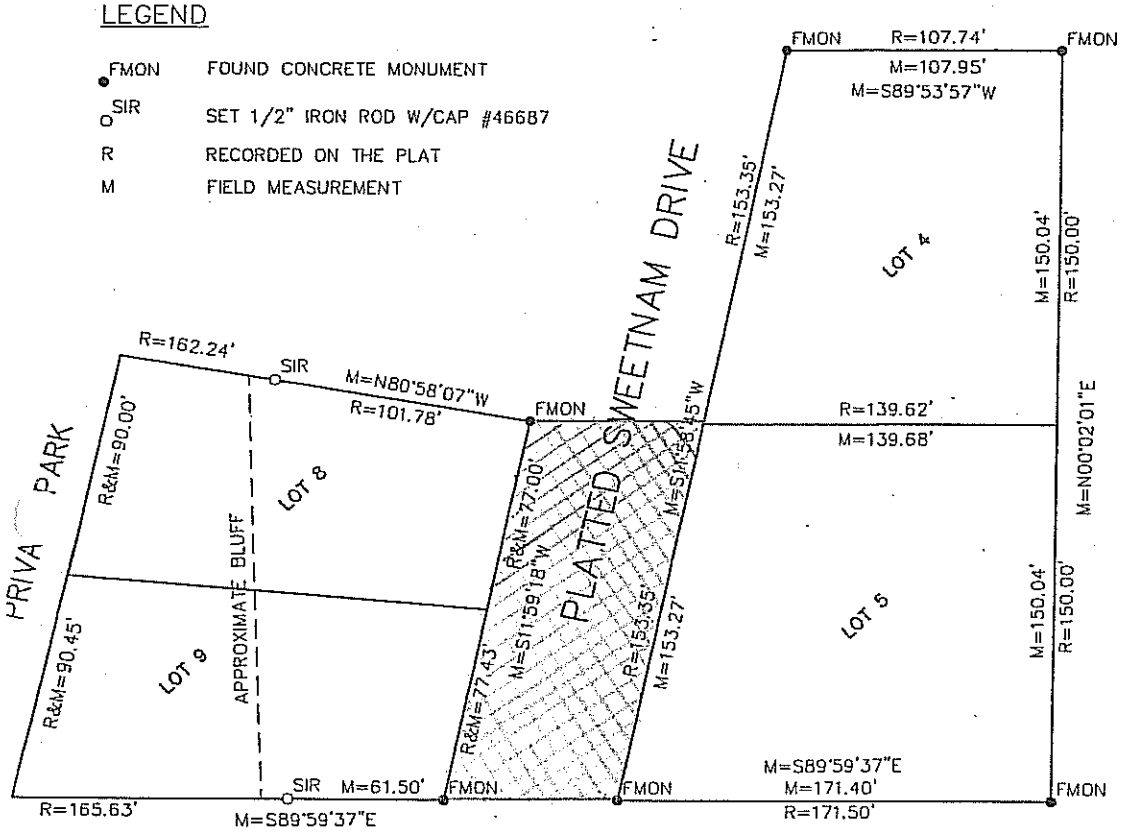
I, CRAIG R. STAPLEY, LICENSED PROFESSIONAL SURVEYOR NO. 46687 IN MICHIGAN, CERTIFY THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND

LEGAL DESCRIPTION AS PROVIDED

LOTS 4, 5, 8 & 9, SWEETNAMS LAKE BLUFF, FILER TOWNSHIP, MANISTEE COUNTY, MICHIGAN ACCORDING TO THE PLAT THEREOF AS RECORDED.

LEGEND

FMON	FOUND CONCRETE MONUMENT
SIR	SET 1/2" IRON ROD W/CAP #46687
R	RECORDED ON THE PLAT
M	FIELD MEASUREMENT



STATE OF MICHIGAN
CRAIG R. STAPLEY
PROFESSIONAL SURVEYOR
No. 46687
LICENSED PROFESSIONAL SURVEYOR

Craig Stapley

CRAIG R. STAPLEY
LICENSED PROFESSIONAL SURVEYOR No. 46687
ABONMARCHE CONSULTANTS, INC.

8/17/07

DATE OF CERTIFICATE

LAT OF SURVEY FOR:

HARBOR REAL ESTATE

ABONMARCHE CONSULTANTS, INC.
361 First Street
Manistee, Michigan 49660
231-723-1198
FAX: 231-723-1194
95 West Main Street
Benton Harbor, Michigan 49022
616-927-2295
FAX: 616-927-4639
ARCHITECTS / ENGINEERS / SURVEYORS / PLANNERS

DATE: AUG. 17, 2007	DRAWN BY: CRS
SCALE: 1"=60'	SEC. 15 T. 21N R. 17W

JOB NO. M7-0781

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City of Manistee

PLANNING AND ZONING
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231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose
Community Development Director

DATE: October 10, 2007

RE: Pegasus Holdings and Land Development - Petition for Zoning Amendment

Commissioners, enclosed is a Petition for Zoning Amendment from Pegasus Holdings and Land Development. The request is to add "Medical or Dental Office" to Permitted Uses in the L-I Light Industrial District.

This request has been noticed and a review copy has been available for review on the City's web page and at the City Clerk's Office.

While the ordinance was re-written only two years ago I do not recall any reason why Medical or Dental Office was not included as a use in the Light Industrial District. The use seem consistent with several other permitted uses in the district. Without a specific reason as to why a Medical or Dental Office should not be allowed, the request seems reasonable.

JRR:djb

City of Manistee

City Hall, 70 Maple Street, Manistee, MI 49660
Phone 231.398-2805, Fax 231.723-1546

Petition for Zoning Amendment

Pegaoua Holdings and Land Development
Applicant

12935 S. West Bay Shore Dr. Suite 230
Address

Traverse City MI 49684
City, State, Zip Code

Phone Numbers (Work) 231-932-9140

(Home) 231-218-4379

FOR OFFICE USE ONLY:

Case number PC-2007-14
Date Received 10.10.07
Fee Received $250.00
Receipt Number
Hearing Date ~~October~~ November 1, 2007

FEE $250.00

Please Note: All questions must be answered completely. If additional space is needed, number and attach additional sheets.

I. ACTION REQUESTED:

I (we), the undersigned to hereby request that the City of Manistee approve the following petition for Zoning Amendment:

A. Text Amendment: Amend Article 16 Section 1601 to (delete, supplement or clarify) the Manistee City Zoning Ordinance by making the following change(s): (Attach additional sheets if necessary - state proposed ordinance language) Supplement the uses permitted by Right to include - "Medical and dental offices."

B. Re-zone from _____ to _____ the property(s) described in II Property Information (below), for the following purpose: (State proposed use of the land) _____

A previous application for a variance, special use permit or re-zoning on this land (has/has not) been made with respect to these premises in the last _____ years. If a previous appeal, re-zoning or special use permit was made, state the action requested: _____
Decision: ☐ approved ☐ denied

II. PROPERTY INFORMATION:

A. Legal Description of Property affected: Light industrial zone

Tax Roll Parcel Code Number: 51-51- —

Address of Property: —

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. ~~WHF Sub Lake~~ NA

D. This area is ☐ un-platted, ☒ platted, ☐ will be platted.
If platted, name of plat Manistee Industrial Park

E. Attach a site plan drawn to the scale of one (1) inch equals (10) feet, showing all existing structures on the property, all proposed structures and marking those structures that will be removed or razed. Also, the general shape, size and location of all existing structures within 100 feet of the property along with their uses shall be depicted on the site plan, along with all abutting roads, streets alleys or easements.

F. Present use of the property is: ~~Vacant~~ VARIOUS

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

A. State specifically the reason for this Amendment request at this time Based upon the Compatible other uses of Right such as financial institutions, Professional office, Prof. service establishment etc. We believe this was an oversight and should have been included

B. If the Amendment is a propose re-zoning, please answer the following questions.

1. Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? ☐ yes ☐ no and Manistee County? ☐ yes ☐ no

2. If the proposed zone does not conform to the(se) plan(s), why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed change, or that specific changes or changing conditions in the immediate area make the re-zoning necessary to promotion of public health, safety and general welfare.

3. What do you anticipate the impacts of the proposed zone change on the adjacent property to be? What steps do you propose to take to mitigate any negative impacts associated with the proposed change?

IV. AFFIDAVIT

The undersigned affirms that he/she or they is (are)the (owner, lessee, authorized agent of owner) involved in the petition and that the answers and statements herein contained and the information submitted are in all respects true and correct to the best of his, her or their knowledge and belief.

Signature (s) of Applicant (s):

LIONEL A. THOMAS II

Dated 10/8/07

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

Rev. 8/16/05

Ordinance 07 - __

AN ORDINANCE TO AMEND IN PART AN ORDINANCE ENTITLED "MANISTEE CITY ZONING ORDINANCE" WHICH WAS ADOPTED FEBRUARY 21, 2006,

To Amend the Manistee City Zoning Ordinance
Article 16: L-I - Light Industrial District
Section 1601 Uses Permitted by Right
ADD: MEDICAL OR DENTAL OFFICE

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

1. That Article 16: LI-Light Industrial District, Section 1061 Uses Permitted by Right by ADDING Medical or Dental Office be amended as follows:

   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. Automobile Repair Facility

   E. Financial Institution

   F. Greenhouse and Nursery

   G. Laundry or Dry-Cleaning Establishment

   H. Medical or Dental Office

   ~~H.~~ I. Mini/Self-Storage Facility

   ~~I.~~ J. Outdoor Recreation, Park

   ~~J.~~ K. Professional Office

   ~~K.~~ L. Professional Service Establishment

   ~~L.~~ M. Research, Testing and Laboratory

   ~~M.~~ N. Subdivision, plat or condominium of permitted uses

   ~~N.~~ O. Uses similar to Uses Permitted by Right, subject to **Section 530**

   ~~O.~~ P. Veterinary Clinic

   ~~P.~~ Q. Warehouse, Public

   ~~Q.~~ R. Wholesale Facility

2. CONFLICTING ORDINANCES: that any and all ordinances of City of Manistee which may conflict with the provisions of this ordinance as amended, be and are hereby rescinded.

3. EFFECTIVE DATE: This Ordinance shall take effect seven days after publication in the Manistee News Advocate.

_____

Cynthia A. Fuller, Mayor Dated

ATTEST:

_____

Michelle Wright Dated
City Clerk/Deputy Treasure

To John Rose:

10-18-07

Thank you so much for your letter.

As a property owner in the Light Industrial District we support adding Medical and Dental offices as a permitted use.

Robert R. Gurnia
Jane F. Gurnia

MANISTEE-BENZIE COMMUNITY MENTAL HEALTH SERVICES

Administrative Services
310 North Glocheski Drive
P.O. Box 335
Manistee, MI 49660
231.723.1506

Fax Number
231.723.1504

Toll Free
877.398.2013

October 31, 2007

Mr. Jon R. Rose, Community Development Director
City of Manistee
P.O. Box 358
Manistee, MI 49660-0358

Dear Jon,

I am in receipt of your letter of October 9, 2007 wherein you noted that a request for a Zoning Amendment to Article 16 Light Industrial District allowing "Medical or Dental Office" will be reviewed at a public hearing for Thursday, November 1, 2007 at 7:00 p.m.

I am aware of the party making the request and of their desire to establish a Dental office near our administrative offices in the industrial park.

I strongly endorse the request to add Medical or Dental Office as a permitted use within this district for the following reasons:

1. The Dental Offices in question serve significant numbers of low-income persons that are served by Manistee Benzie Community Mental Health. Prior to their opening a Dental Clinic Office in Manistee we were transporting persons we serve literally hundreds of miles for services. The site in the industrial park will allow the Offices to expand their capacity beyond what their current offices will allow. This will not only enable them to expand their services to more low-income persons in our community, but to provide more timely access.
2. I believe that a Dental or Medical Office makes sense in this zoning district, and will be a good neighbor not placing any unreasonable demands on the infrastructure or neighbors.
3. Manistee Benzie Community Mental Health may at some point in the not too distant future wish to provide some services here in the industrial park. As you know we struggle with issues of traffic congestion and parking at our Third Street Offices. We have been in communication with Manistee County Officials regarding that issue and are committed to working with them to provide the most cost effective and efficient services to the people we serve. The requested Zoning Amendment would provide Manistee Benzie Community Mental Health with additional options in providing services.

Thank you for the opportunity to provide input in this matter.

I regret that I have a prior commitment and will be unable to attend the hearing, but welcome any questions that you or other City officials may have of me in this matter. Please don't hesitate to call me at 1-231-309-1721.

Sincerely,

Jeff Rose

Jeff Rose, CAO/Interim CEO
Manistee-Benzie CMH

City of Manistee

PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose, Community Development Director

DATE: October 22, 2007

RE: Rieth-Riley Construction Co., Inc.
Street Vacation Request & Site Plan Review

Commissioners, we have received two requests from Rieth-Riley Construction Co., Inc. They are proposing a Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer Facility at the end of State Street on Manistee Lake. This request requires both a Street Vacation Request and Site Plan Review.

Street Vacation Request:

If the Planning Commission were to make a recommendation to City Council regarding the request to vacate part of the southern portion of State Street (approximately 113 feet of the cul-de-sac). The recommendation would need to be conditional upon the Applicant transferring property to the City for the relocation of the cul-de-sac. The applicant would also be responsible for the relocation and reconstruction of a new cul-de-sac.

Site Plan Review:

One item about this request is unique to the facility. The ordinance requires a principle structure be 4,000 square feet of building area. After review of the request I have deemed the tanks to be the principle structure while the office is an accessory structure. This would be similar to a factory where the manufacturing portion of the plant may be 8,000 square feet in area and the office would be 150 square feet in area.

The proposed plan has been forwarded to the City Engineer, Fire Chief, DPW Director and WWTP Director for their review.

Staff review of the request shows that the requirements of the ordinance have been met. The request could be approved contingent on City Council approval of the State Street Vacation.

JRR:djb

Wilcox

An ISO 9001:2000
Certified Company

One Madison Avenue
Cadillac, MI 49601
231-775-7755
Fax: 231-775-3135
www.wilcox.us

Built on Quality - continuously improving our quality of service to meet and exceed our clients' expectations.

October 10, 2007

Planning and Zoning Department
City of Manistee
Attn: Jon R. Rose, Community Dev. Director
Attn: Denise J. Blakeslee, Planning and Zoning
P.O. Box 358
70 Maple Street
Manistee, MI 49660

RE: Proposed Rieth-Riley Project

Dear Mr. Rose and Ms. Blakeslee:

The purpose of this letter is to request the vacation of a portion of State Street in conjunction with the proposed Rieth-Riley Construction Co., Inc. project at the Seng Docks 2 and 3.

The parcel identification numbers for all parcels that will be involved in the vacation are as follows:

Seng Dock & Trucking Inc. Parcels #51-51-713-175-10 and #51-51-718-200-05.

The adjoining parcels and property to be vacated are shown on the attached Exhibit A.

While this portion of the road will be terminated and the use given over for the purposes of the development, the road will be rebuilt and a new cul-de-sac constructed to city specifications by Rieth-Riley.

The property to be dedicated to the City for Right-of-way purposes for the improvement of State Street is shown on the attached Exhibit B.

The vacation of this short portion of State Street is essential to the planning for and completion of the proposed Rieth-Riley construction and development of the site. As noted in the project narrative accompanying the site plan, the project will have a number of significant economic impacts and benefits, including the creation of significant revenue and business activity in the Manistee area and the State of Michigan . It will preserve existing jobs (approximately 8) at a higher rate of pay, create new jobs (approximately 7.5) at a high rate of pay and will create ancillary business activity.

The applicant is requesting the recommendation for approval of the Planning Commission to the City Council and approval by the City Council upon the condition that approval be subject to final approval of the final drawings by the city staff, final approval by the city attorney and attorneys for the applicant of the vacation process for the Exhibit A property and dedication process for the Exhibit B property, as well as being subject to the final closing of the Rieth-Riley/Seng asset purchase agreement.

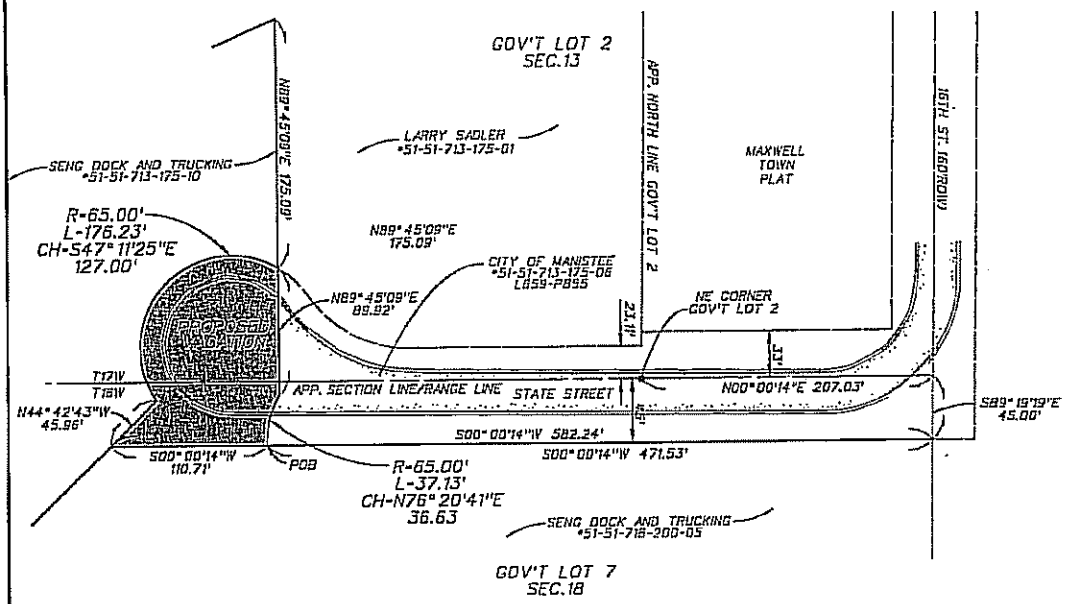
Very truly yours,
RIETH-RILEY CONSTRUCTION CO., INC.

J. Dean Geers, P.S.
Wilcox Professional Services, LLC

Enclosures

Exhibit "A"

PRELIMINARY



A PARCEL OF LAND SITUATED IN THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN, AND DESCRIBED AS FOLLOWS TO-WIT:

PART OF GOVERNMENT LOT 2 OF SECTION 13 T21N-R17W AND PART OF GOVERNMENT LOT 7 OF SECTION 18 T21N-R16W, DESCRIBED AS COMMENCING AT THE NE CORNER OF SAID GOVERNMENT LOT 2, T21N-R17W, THENCE N00°00'14"E 207.03 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2 TO THE CENTER LINE OF 16TH STREET; THENCE S89°19'19"E 45.00 FEET ALONG SAID CENTER LINE EXTENDED TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE STREET; THENCE S00°00'14"W 471.53' ALONG SAID EAST RIGHT-OF-WAY LINE PARALLEL WITH THE EAST LINE OF SAID GOVERNMENT LOT 2 TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES, S00°00'14"W 110.71 FEET, THENCE N44°42'43"W 45.96' TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS IS 65.00 FEET, NORTHWESTERLY 127.00 FEET (CHORD BEARING N47°11'25"W 127.00 FEET) TO A POINT ON THE NORTH LINE OF THE SUBJECT PARCEL; THENCE N89°45'09"E 89.82 FEET ALONG SAID NORTH LINE TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 65.00 FEET, SOUTHEASTERLY 37.13 FEET (CHORD BEARING S76°20'41"E 36.63 FEET) TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE STREET AND THE POINT OF BEGINNING. CONTAINING 0.28 ACRES, MORE OR LESS.

LEGEND
- IRON FOUND
- SET IRON & CAP *33977
- FD. CONC. MON.

(R) - RECORDED
(M) - MEASURED
(P) - PLAT

PART OF SECTIONS 13 T21N-R17W AND 18, T21N-R16W
CITY OF MANISTEE
MANISTEE COUNTY, MICHIGAN

CLIENT: RIETH-RILEY CONSTRUCTION CO., INC.

DATE 10/09/07
DRN L.K.D
CHD J.D.G.
SCALE 1"=100'

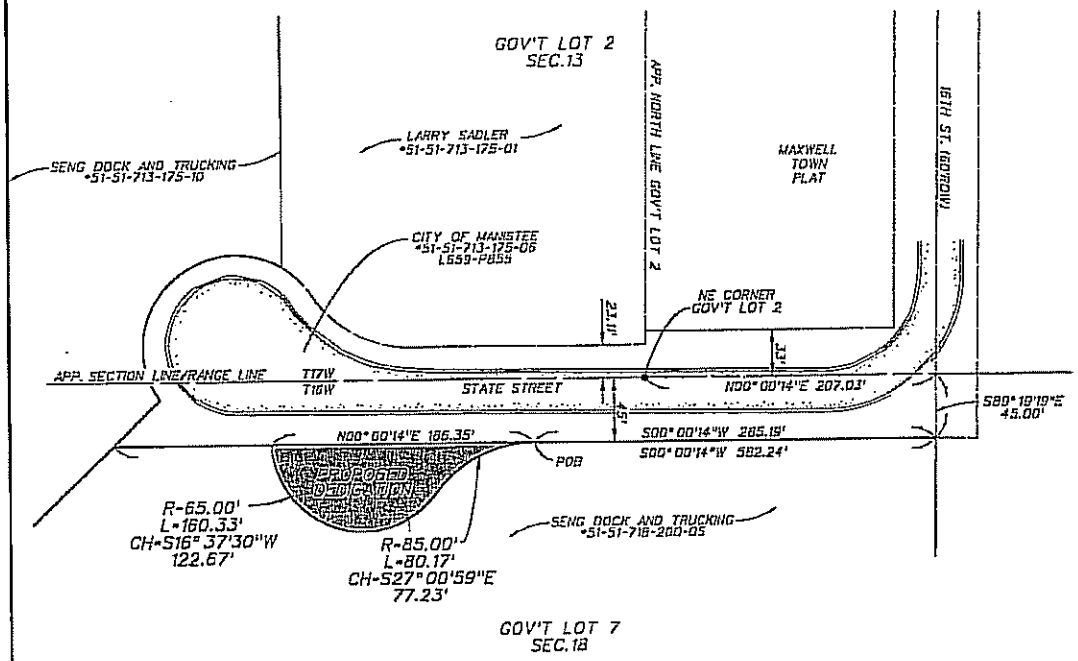
Wilcox Professional Services
One Madison Ave., Cadillac, MI 49601 (231)-775-7755

JOB NO. 21595.00294

P:\projects\21595\00294\dgn's\Rieth-Riley ExA.dgn 10/10/2007 12:58:20 PM

Exhibit "B"

PRELIMINARY



A PARCEL OF LAND SITUATED IN THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN, AND DESCRIBED AS FOLLOWS TO-WIT:

PART OF GOVERNMENT LOT 7 OF SECTION 18 T21N-R16W, DESCRIBED AS COMMENCING AT THE NE CORNER OF GOVERNMENT LOT 2, T21N-R17W; THENCE N00°00'14"E 207.03 FEET ALONG THE EAST LINE OF SAID GOVERNMENT LOT 2 TO THE CENTER LINE OF 16TH STREET, THENCE S89°19'19"E 45.00 FEET ALONG SAID CENTER LINE EXTENDED TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF STATE STREET; THENCE S00°00'14"W 285.19' ALONG SAID EAST RIGHT-OF-WAY LINE PARALLEL WITH THE EAST LINE OF SAID GOVERNMENT LOT 2 TO A POINT OF CURVATURE AND THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS IS 85.00 FEET, SOUTHEASTERLY 80.17 FEET (CHORD BEARING S27°00'59"E 77.23 FEET); THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS IS 65.00 FEET, SOUTHWESTERLY 160.33 FEET (CHORD BEARING S16°37'30"W 122.67 FEET) TO A POINT ON SAID EAST RIGHT-OF-WAY LINE; THENCE N00°00'14"E 186.35 FEET ALONG SAID RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 0.15 ACRES, MORE OR LESS.

LEGEND O - IRON FOUND ● - SET IRON & CAP *33977 ⊙ - FD. CONC. MON. (R) - RECORDED (M) - MEASURED (P) - PLAT	PART OF SECTION 18, T21N-R16W CITY OF MANISTEE MANISTEE COUNTY, MICHIGAN	DATE 10/09/07 DRN L.K.D CHD J.D.G.	Wilcox Professional Services One Madison Ave., Cadillac, MI 49601 (231)-775-7755
	CLIENT: RIETH-RILEY CONSTRUCTION CO., INC.	SCALE 1"=100'	JOB NO. 21595.00294

P:\projects\21595\00294\dgn's\Rieth-Riley ExB.dgn 10/10/2007 12:58:04 PM

michcon
Michigan Consolidated Gas Company
2230 West U.S. 10, Ludington, Michigan 49431

October 25, 2007

CITY OF MANISTEE
JOHN ROSE
PO BOX 358
MANISTEE MI 49660

RE: STATE ST ROAD RELOCATION:

DEAR MR ROSE;

THIS IS TO INFORM YOU THAT MICHCON GAS HAS A 2" 60PSI GAS MAIN IN STATE STREET THAT WILL BE AFFECTED BY THE ABANDONMENT OF THIS SECTION OF ROAD.

IF YOU NEED MORE INFORMATION PLEASE FEEL FREE TO CONTACT ME AT 231 757 3703.

SINCERELY:

Mary Jo Miller

MARY JO MILLER/MARKETING

City of Manistee

P. O. Box 358 • Manistee, Michigan 49660-0358 • www.ci.manistee.mi.us

CITY HALL
70 Maple Street

CITY MANAGER
231.398.2801

CITY ASSESSOR
231.398.2802

BUILDING INSPECTOR
231.398.2806

PLANNING, ZONING & COMMUNITY DEV.
231.398.2805

CITY CLERK
231.398.2803

CITY TREASURER
231.398.2804

WATER BILLING
231.723.2559

ADMINISTRATION
FAX 231.723.1546

CLERK/TREASURER
FAX 231.723.5410

POLICE DEPARTMENT
70 Maple Street
231.723.2533
FAX 231.398.2012

FIRE DEPARTMENT
281 First Street
231.723.1549
FAX 231.723.3519

PUBLIC WORKS
280 Washington St.
231.723.7132
FAX 231.723.1803

PARKS DEPARTMENT
231.723.4051

WATER MAINTENANCE
231.723.3641

WASTEWATER PLANT
50 Ninth St.
231.723.1553

October 11, 2007

To Whom it May Concern:

The Manistee City Planning Commission will hold a public hearing on Thursday, November 1, 2007 at 7:00 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, MI 49660.

The Hearing is being held in response to a request from:

NAME:	Reith Riley Construction Co., Inc.
ADDRESS:	3626 Elkhart Road, Goshen, IN 46526
LOCATION OF REQUEST:	Southern portion of the State Street
HEARING PURPOSE:	Request to vacate part of the southern portion of the State Street (approximately 113 feet of the Cul-de-sac). The Applicant will be transferring property to the City and will be responsible for the relocation and reconstruction of a new cul-de-sac.

Interested parties are welcome to attend the hearing, or written comments with signature can be submitted to: Jon Rose, Community Development, City of Manistee, P.O. Box 358, Manistee, MI 49660, (231) 398-2805.

Sincerely,

CITY OF MANISTEE

Jon R. Rose
Community Development

JRR:djb

COOL CITY Neighborhood

Land Use Permit Application
Detailed Site Plan - Fee $20.00

One copy of the completed application form for site plan review which shall contain at a minimum the following information (a narrative attachment is recommended in addition to the application form to sufficiently address all of the following items):

1. Name, address and signature of applicant and property owner:
   Name: Rieth-Riley Construction Co., Inc.
   Address: 3626 Elkhart Road, Goshen, IN 46526
   Daytime Phone Number: 574-875-5183

2. Legal description, property parcel number and street address of the subject parcel of property:
   Legal description: Part of Gov't Lot 2, Section 13, T21N, R17W and Gov't Lots 3 & 7 Section T21N, R16W
   Address of Project: 1513 State Street Parcel Code # 51-51-713-175-20, 713-175-15, 713-715-10, 718-200-05

3. Area of the subject parcel of property stated in acres, or if less than one (1) acre, in square feet.
   ± 20 Acres

4. Present zoning classification on parcel and on adjacent parcels: GI-General Industrial

5. Present and proposed land use: Shipping Facility

6. Applicant's statement of the expected effect on emergency service requirements, schools, storm water systems, automobile and truck circulation patterns and local traffic volume.
   No significant effects on existing services.

7. A description of the proposed development and the land use proposed. Liquid Asphalt Terminal and Aggregate Materials Storage/Transfer

Finished Height of Project: 48 ft.

By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms 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.
Signature: [signature] Wilcox Professional Service Date: 10-10-07

OFFICE USE ONLY

Zoning District: G-1 Set Back Requirements: Height 50' Front 45'
Date of Application: 10.11.07 Water Front ~~45'~~ 50' Rear 10' Side 10'
Fee/Receipt # $20.00 Notes:
Approval: Date:

Reciept 14580

Site Plan Information required in Application:

A Detailed Site Plan. A detailed site plan shall be required for all uses other than those that may submit a basic site plan. Detailed site plan shall include twelve (12) copies of all required information and twenty-five (25) copies of any documents rendered in color. It shall be prepared by an Engineer, Architect, Landscape Architect or Planner licensed to work in Michigan and shall include and illustrate at a minimum the following information:

1. A scale drawing of the site and proposed development thereon, including the date, name, address and professional seal of the preparer. In no instance shall the scale of the drawing be greater than one inch equals 20 feet nor less than one inch equals 200 feet. One copy shall be submitted in a photo-reduced form on 17" x 11" paper.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
2. The scale of the drawing and north arrow.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
3. A vicinity map illustrating the property in relation to the surrounding street system.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
4. Topography of the site and its relationship to adjoining land illustrated at 2-foot contours and including an area extending 100 feet from the parcel boundary.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
5. Existing man-made features, including buildings, fences, landscaping, parking, screening and the locations, heights and footprint of each.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
6. Illustration of all proposed improvements and buildings, fences, landscaping, parking and screening, including location, height, footprint of each.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
7. Setback lines and their dimensions.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
8. Percentage of land covered by buildings and impervious surfaces and that reserved for open space.
   ☒ Included
   ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]
9. Dwelling unit density where pertinent; including a density schedule demonstrating number of each dwelling

type, if applicable.
☐ Included
☐ Waived by N/A [Planning Commission reserves the right to require the information at a later date]

10. Project phasing, if applicable.
☐ Included
☐ Waived by N/A [Planning Commission reserves the right to require the information at a later date]

11. Location of public and private rights-of-way and easements contiguous to and within the proposed development which are planned to be continued, created, relocated or abandoned, including grades and types of construction of those upon the site.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

12. Curb-cuts, driving lanes, parking and loading areas, including the number of parking spaces and parking calculations; vehicular circulation patterns and features, location and size of all parking spaces and the identification of service lanes and parking.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

13. Curb-cuts and driveways on adjacent properties.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

14. Location and type of drainage, sanitary sewers, storm sewers and other facilities, including surface and subsurface drainage for all impermeable surfaces on the site and all drainage calculations.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

15. Existing and proposed water main, sanitary and storm sewer, natural gas, electric, telephone, cable television and other utilities, the proposed location of connections to existing utilities and any proposed extensions thereof.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

16. Proposed changes to the topography of the site illustrated at no greater than two (2) foot contours.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

17. Soil erosion and sediment control measures which shall include preventative soil erosion devices or measures, both during and after any site work related to the development.
☒ Included
☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

18. Detail on proposed signage including an illustration of all proposed signs, their surface area, height and nature of illumination, in accordance with **Article 21.**
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

19. A lighting plan in conformance with **Section 525.**
    - ☒ Included
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

20. A written and illustrated landscape plan prepared in accord with **Section 531** of this Zoning Ordinance.
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

21. If the parcel is a result of a parcel division undertaken after the adoption of this Ordinance, the site plan shall illustrate all structures and buildings, drawn to scale located on the previously undivided property.
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

22. Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be requested by the Zoning Administrator or the Planning Commission.
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

23. Any required approvals, permits, changes or modifications required by any applicable regulatory agency.
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

24. Special Groundwater Protection shall be subject to **Section 2203.D.24**
    - ☐ Included N/A
    - ☐ Waived by _____ [Planning Commission reserves the right to require the information at a later date]

The Zoning Administrator may, with the approval of the Planning Commission, waive the submission of materials outlined in this Section if such materials are determined to be not applicable to the proposed Special Use or relevant to the consideration of the Planning Commission.

For further information contact:

Planning and Zoning
City of Manistee
70 Maple Street
P.O. Box 358
Manistee, MI 49660

(231) 398-2805 (231) 723-1546 - FAX

(Printed March 2006)

RIETH-RILEY CONSTRUCTION CO., INC.

APPLICATION FOR SITE PLAN APPROVAL AND LAND USE PERMIT

APPLICANT: Rieth-Riley Construction Co., Inc.

PROJECT LOCATION: City of Manistee - 1513 State Street (Commonly known as Seng Docks 2 and 3; excluding that portion located in Filer Township). Detailed description on site plan.

PROJECT NARRATIVE

Rieth-Riley Construction Co., Inc., the applicant for site plan approval and land use permit, is a 100% employee owned company with a presence throughout Michigan and with a proven interest and reputation in investing and reinvesting in both the local market and its people. The proposed project is consistent with that reputation in that Rieth-Riley proposes to make a significant investment of financial capital as well as in human capital for its proposed operation.

The proposed project is located in the GI - General Industrial zoning district and the proposed use is a Use of Right consistent with the current zoning. The proposed project is designed to be a material depot/transfer station for liquid asphalt and aggregate materials which are utilized in the construction of public and private infrastructure projects. Liquid asphalt will be delivered to the site by both water and rail, where it will be transferred and stored in above ground tanks. The liquid will then be transferred to tanker trucks and hauled to bituminous asphalt paving plants throughout the State of Michigan. Aggregate materials (limestone, trappe rock, granite, slag, salt, coke, etc.) will be delivered to the project site by water, stockpiled and reloaded onto delivery trucks for use throughout the State of Michigan.

The accompanying site plan details the liquid asphalt storage tanks and related facilities (barge unloading location, rail unloading sidings, truck loading area, service roads and similar information). Also shown on the site plan are stockpile locations for aggregate materials, separate weigh scales for the aggregate operations and a joint office for the oversight of all operations. The site plan and land use permit application contain all of the detail required by the City of Manistee Zoning Ordinance.

The proposed use and operations are consistent with existing uses of the parcel and adjacent parcels.

There will be no significant adverse effects or impact upon city services, emergency service requirements, traffic volumes and patterns, or schools. While there will be some increase in traffic volume along the truck route, the volume increase will not significantly or adversely impact traffic flow or wait times.

At the same time, the project will provide a number of enhancements and benefits. First, the project will enhance the immediate area by turning a vacant and undeveloped property into a modern,

revitalized facility. It will enhance the value of the adjacent parcels (particularly the old Allied Chemical site) and make those parcels more attractive for future industrial development.

Because the operation will require an increase in lake barge activity, there will be an added impetus for the Corps of Engineers to adequately maintain the Manistee Lake channel depths. The addition of two new rail sidings and the shipment of materials by rail onto the site will increase rail traffic on the Marquette rail system and provide an added incentive for the rail to be properly serviced and maintained well into the future.

The project will have positive economic impacts and benefits, including the creation of business activity within and around the Manistee area, as well as the relocation of business to Manistee that currently takes place outside the State of Michigan. Currently, liquid asphalt that is supplied to the businesses that the proposed operation would service comes from multiple sources, many of which are located outside the state (Chicago, South Bend, Toledo). The revenue currently generated by those out-of-state sources would be immediately relocated to Manistee . The trucking associated with importing liquid asphalt from the current out-of-state sources would be replaced by rail traffic, barge traffic and more localized trucking. As noted earlier, this would create several positive outcomes. All of the economic activity associated with supply and transport of liquid asphalt would remain within the State of Michigan. The number of truck miles in moving these needed materials would be reduced by shortening the supply lines, creating both an economical and environmental benefit. The ancillary business associated with trucking, rail and barge activities (fuel supply, maintenance activities, employee expenses, etc.) would be concentrated in and around the Manistee area.

In addition to the positive economic impacts and benefits noted above, the project will permit the Seng aggregate operation located on the peninsula at the end of River Street (Dock #1) to be relocated to this site. As a result, additional opportunities will be created by opening the peninsula site for economic renovation and development consistent with the city's redevelopment plan, while preserving the existing jobs now located on that site.

Finally, the proposed project will bring significant revenue and business activity into the Manistee area and the State of Michigan. It will preserve existing jobs (approximately 8) at a higher rate of pay, create new jobs (approximately 7.5) at a high rate of pay and would create significant ancillary business activity. Overall, it will provide for the improvement and revitalization of a currently nonproductive, vacant industrial site, and it would provide a significant impact on infrastructure components (roads, bridges, rail, water and transit) by providing a reliable, local supply of raw materials at competitive pricing.

Respectfully submitted,

RIETH-RILEY CONSTRUCTION CO., INC.

C:\U\LS300\GPS\RIETH-RILEY\MANISTEE SITE PLAN NARRATIVE.WPD

Jon Rose

From: Jeff Mikula [jmikula@abonmarche.com]
Sent: Wednesday, October 17, 2007 10:42 AM
To: Denise Blakeslee; Jon Rose
Subject: MEMO Rieth Riley 10-17

If you need anything else, please let me know

MEMORANDUM

DATE: October 17, 2007

TO: Mr. Jon Rose

FROM: Jeff Mikula

RE: Proposed Asphalt Terminal

Abonmarche has reviewed the preliminary submittal for the Reith Riley project as submitted to the City of Manistee on October 10, 2007 by Wilcox Professional Services, LLC.

We note the following for your consideration.

1. The CSX/Marquette rail property is noted as an exception. As such should the zoning setbacks apply to this exception as well?
2. On sheet numbers 4 and 6 of 8, a fire hydrant is proposed outside of the proposed right of way at the cul-de-sac. This hydrant should be relocated within the right of way of State Street and the 8" main removed up to the hydrant lead.
3. Sheet 5 of 8 shows three separate drainage areas. The first is the north area proposed to be paved. We recommend the developer provide a basis of design including drainage calculations for the drainage area. This basin is labeled "detention basin", however there is no outlet identified. The second area is the tank containment area. This shows a line (presumed to be an outlet pipe) near the south corner and is labeled "outlet to basin". We do not see any basin information in this area, nor a basis of design. The third area is the aggregate storage area south and west of the rail line. A swale and a berm have been proposed, presumably to collect storm water run off and transport surface flows to the south west portion of the property. The discharge point to this area is fairly flat but does slope toward Manistee Lake. All of this area is with the FEMA Flood Plain. Additional information and a basis of design should be requested.

MEMO TO: Jon Rose, Community Development Director

FROM: Sid Scrimger, Fire Chief

DATE: October 19, 2007

SUBJECT: Proposed Reith-Riley Project

I have reviewed the site plans for the proposed Reith-Riley development and would make the following comments:

The 24 foot gravel surfaced road is intended to meet the requirements for apparatus access. The code calls for a 26 foot apparatus road for an occupancy of this nature. I believe 24 feet will be acceptable providing the road is maintained at not less than 24 feet regardless of erosion or snow removal and meets all other requirements of Appendix D of the Fire Code (attached).

The gate to the service road must allow for rapid access and must be at least 24 feet in width.

The greatest distance from a fire hydrant to any point in the facility appears to be well over 400 feet. In accordance with Section 508.5.1 of the Fire Code additional hydrants will be required to bring the maximum distance from a fire hydrant under 400 feet.

I have not seen an engineer's fire flow calculation for this occupancy. As part of the site development the City must be assured that the fire flow requirement does not exceed the available supply at this location.

I have not found any other issues with the proposed development.

new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 507
HAZARDS TO FIRE FIGHTERS

507.1 Trapdoors to be closed. Trapdoors and scuttle covers, other than those that are within a dwelling unit or automatically operated, shall be kept closed at all times except when in use.

507.2 Shaftway markings. Vertical shafts shall be identified as required by this section.

507.2.1 Exterior access to shaftways. Outside openings accessible to the fire department and which open directly on a hoistway or shaftway communicating between two or more floors in a building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible from the outside of the building.

507.2.2 Interior access to shaftways. Door or window openings to a hoistway or shaftway from the interior of the building shall be plainly marked with the word SHAFTWAY in red letters at least 6 inches (152 mm) high on a white background. Such warning signs shall be placed so as to be readily discernible.

Exception: Marking shall not be required on shaftway openings which are readily discernible as openings onto a shaftway by the construction or arrangement.

507.3 Pitfalls. The intentional design or alteration of buildings to disable, injure, maim or kill intruders is prohibited. No person shall install and use firearms, sharp or pointed objects, razor wire, explosives, flammable or combustible liquid containers, or dispensers containing highly toxic, toxic, irritant or other hazardous materials in a manner which may passively or actively disable, injure, maim or kill a fire fighter who forcibly enters a building for the purpose of controlling or extinguishing a fire, rescuing trapped occupants or rendering other emergency assistance.

SECTION 508
FIRE PROTECTION WATER SUPPLIES

508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

508.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

508.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

508.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

508.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method.

508.4 Water supply test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

508.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6.

508.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

508.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

508.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every 5 years.
3. Fire service main piping strainers: Inspection and maintenance after each use.

508.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

508.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

508.5.6 Physical protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

PROPOSED ASPHALT TERMINAL - MANISTEE

CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

DEVELOPER

RIETH-RILEY CONSTRUCTION COMPANY, INC.
3626 ELKHART ROAD, P.O. BOX 477
GOSHEN, IN 46527-0477
547-875-5183

OPERATOR

AMERICAN MATERIALS, LLC
1713 MAIN (LAKE) STREET
MANISTEE, MICHIGAN 49660

CIVIL ENGINEERS

RIDGE & ASSOCIATES, INC.
CONSULTING ENGINEERS
P.O. BOX 1091
FINDLAY, OHIO 45839
419-423-3641

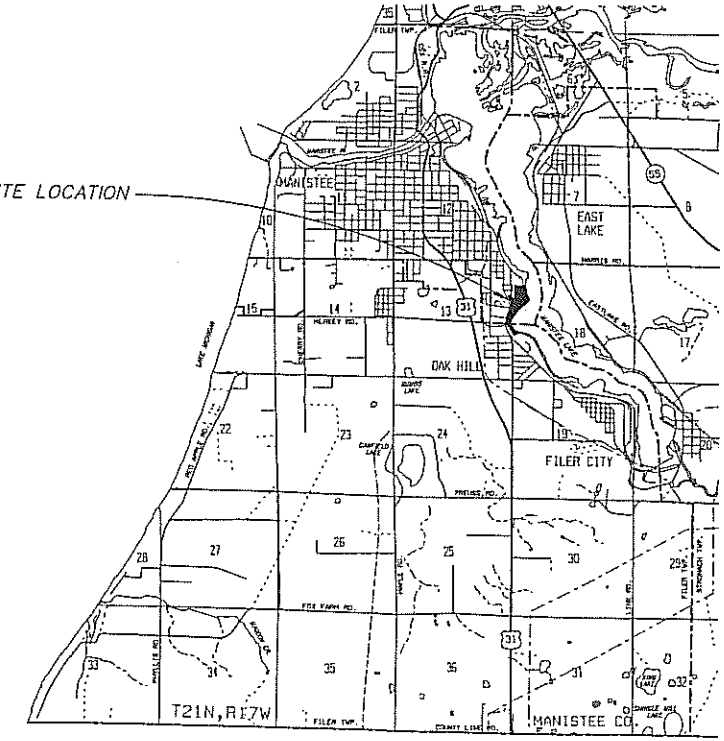
Wilcox Professional Services
AN ISO 9001:2000 CERTIFIED COMPANY

Wilcox Professional Services
One Madison Avenue
Cadillac, Michigan 49601
231-775-7755

City of Manistee

City of Manistee
70 Maple Street, P.O. Box 358
Manistee, MI 49660-0358
231-723-2558

SITE LOCATION



SHEET INDEX

1	COVER SHEET
2	BOUNDARY AND TOPOGRAPHY
3	REMOVAL PLAN
4	SITE LAYOUT PLAN
5	GRADING PLAN
6	UTILITY PLAN
7	LANDSCAPING AND LIGHTING PLAN
8	RAILROAD PLAN

COVER

PROPOSED IMPROVEMENTS ARE CONCEPTUAL, SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS

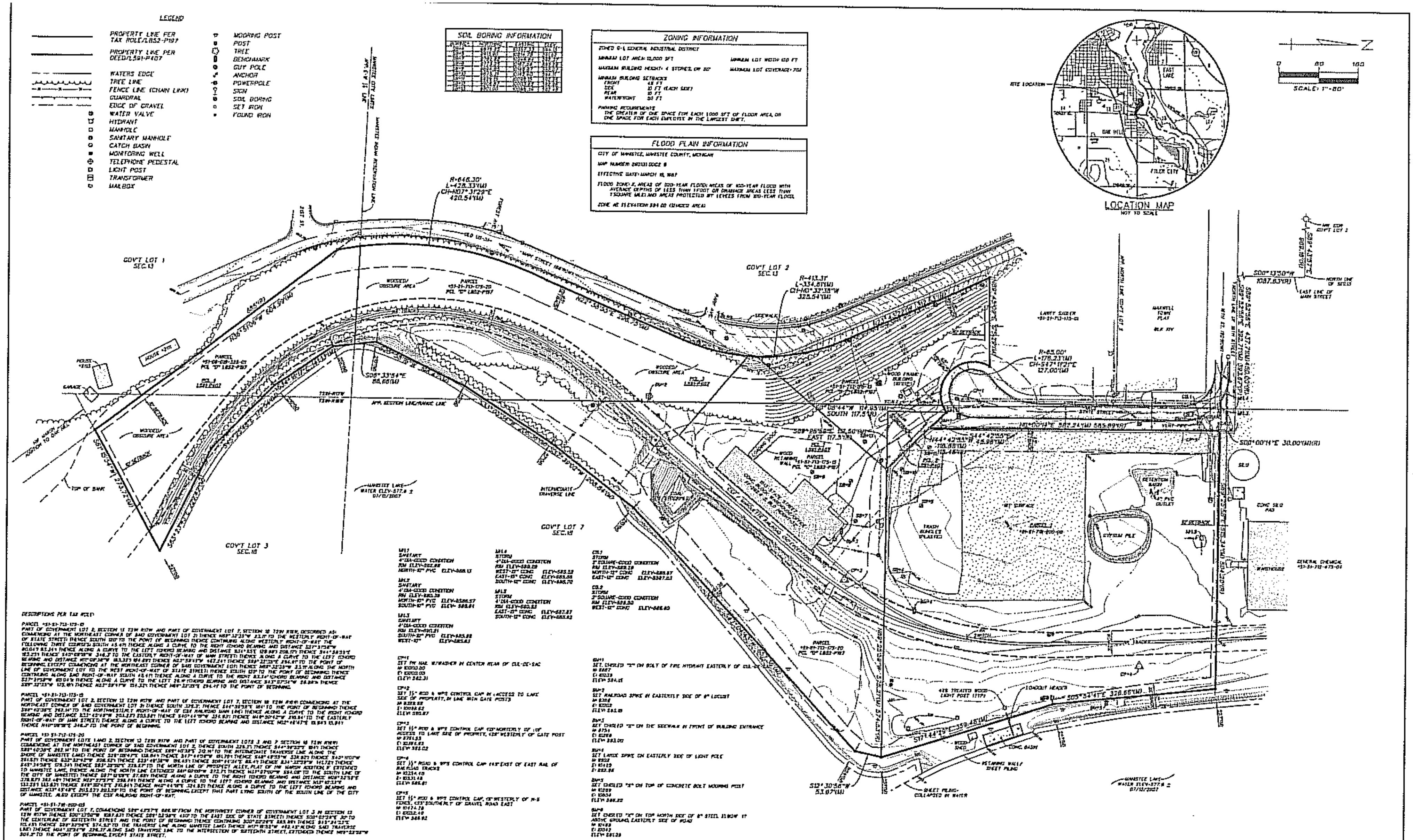
NO.	REVISION	BY	CHKD	DATE	APP	APP
A	PLANNING COMMISSION REVIEW			9/06/07		
				/ /		
				/ /		
				/ /		
				/ /		

Wilcox Professional Services
ONE MADISON AVE, CADILLAC, MI 231-775-7755
AN ISO 9001:2000 CERTIFIED COMPANY

ENGINEER			
SURVEY	GDS	07/16/2007	FB 1175 PG 1-3
DRAWN	LKD	09/14/2007	
CHECKED	JDG	10/10/2007	
APP'D		/ /	
SCALE	N/A		

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 | SHEET 1 OF 8 | A



LEGEND

PROPERTY LINE PER TAX ROLE/L852-P197	MOORING POST
PROPERTY LINE PER DEED/L591-P407	POST
WATERS EDGE	TREE
TREE LINE	BENCHMARK
FENCE LINE (CHAIN LINK)	GUY POLE
GUARDRAIL	ANCHOR
EDGE OF GRAVEL	POWERPOLE
WATER VALVE	SIGN
HYDRANT	SOIL BORING
MANHOLE	SET IRON
SANITARY MANHOLE	FOUND IRON
CATCH BASIN	
MONITORING WELL	
TELEPHONE PEDESTAL	
LIGHT POST	
TRANSFORMER	
MAILBOX	

SOIL BORING INFORMATION

ZONING INFORMATION

ZONED G-I, GENERAL INDUSTRIAL DISTRICT

MINIMUM LOT AREA: 12,000 SFT — MINIMUM LOT WIDTH: 120 FT

MAXIMUM BUILDING HEIGHT: 4 STORIES OR 50' — MAXIMUM LOT COVERAGE: 75%

MINIMUM BUILDING SETBACKS
- FRONT 45 FT
- SIDE 10 FT (EACH SIDE)
- REAR 10 FT
- WATERFRONT 50 FT

PARKING REQUIREMENTS
THE GREATER OF ONE SPACE FOR EACH 1000 SFT OF FLOOR AREA, OR ONE SPACE FOR EACH EMPLOYEE IN THE LARGEST SHIFT.

FLOOD PLAIN INFORMATION

CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN

MAP NUMBER: 260131 0002 B

EFFECTIVE DATE: MARCH 16, 1987

FLOOD ZONE X, AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

ZONE AE ELEVATION 584.00 (SHADED AREA)

DESCRIPTIONS PER TAX ROLL

NOTES:
- HORIZONTAL DATUM IS BASED UPON ASSUMED LOCAL DATUM.
- VERTICAL DATUM IS BASED UPON THE NAVD88 DATUM.
- THE PROPERTY LINES AS SHOWN ARE ONLY APPROXIMATE AND BASED UPON THE TAX DESCRIPTIONS AND BOUNDARY SURVEY DONE BY JENEMA LAND SURVEYS AS PROVIDED.
- ONLY SURFACE EVIDENCE OF UTILITIES WAS LOCATED AS PART OF THIS SURVEY.

NO.	REVISION	BY	CHKD	DATE	APP	APP
A	PLANNING COMMISSION REVIEW			11/01/07		
				/ /		
				/ /		
				/ /		
				/ /		

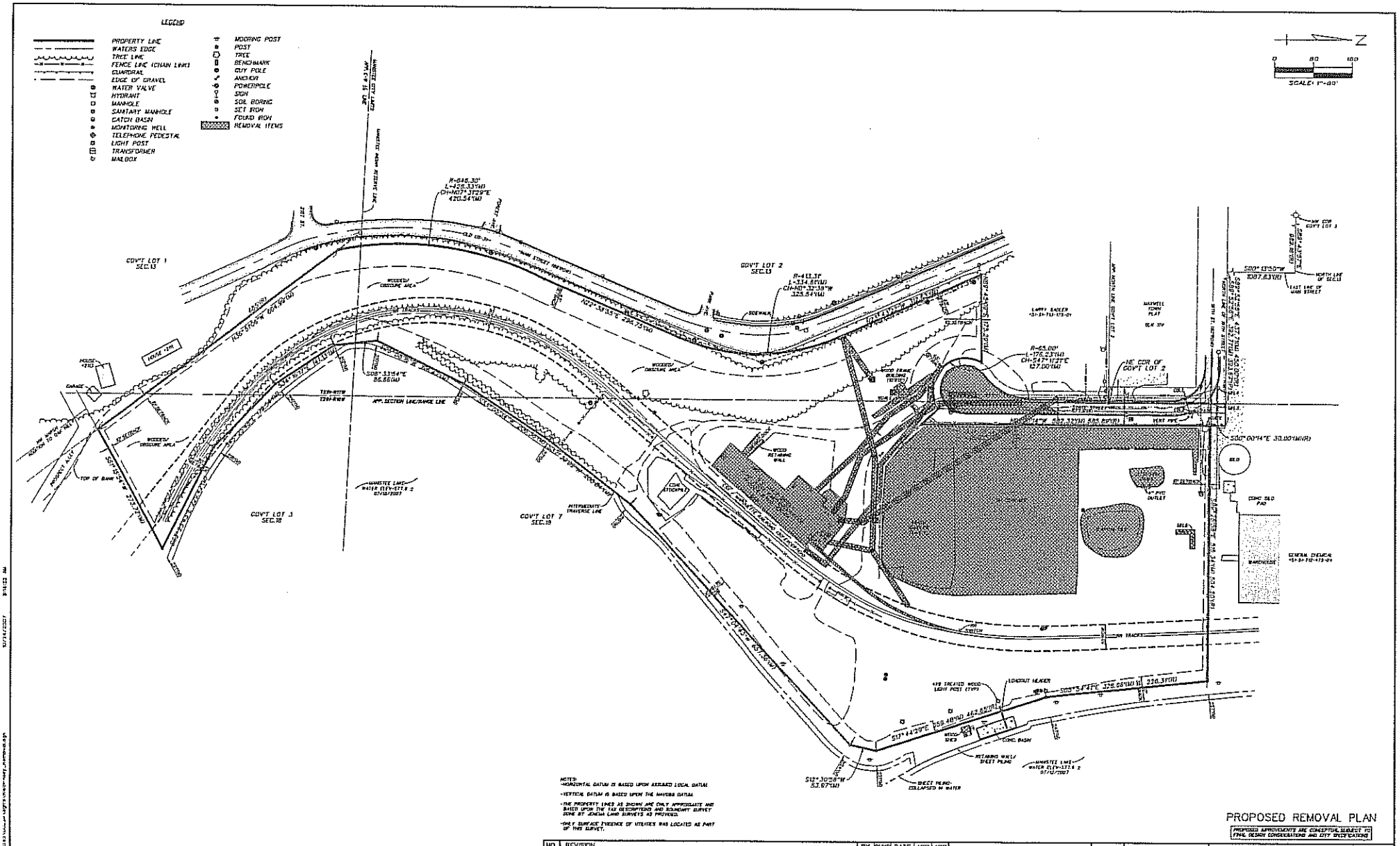
Wilcox Professional Services
ONE MADISON AVE, CADILLAC, MI
231-775-7759
AN ISO 9001:2000 CERTIFIED COMPANY

ENGINEER			
SURVEY	GDS	07/16/2007	
DRAWN	LKD	10/04/2007	
CHECKED	JDG	10/10/2007	
APPD		/ /	
SCALE	1"=80'		

BOUNDARY AND TOPOGRAPHY

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 — SHEET 2 OF 6 — A



PROPOSED REMOVAL PLAN

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS

NO.	REVISION	BY	CHKD	DATE	APP	APP
1	PLANNING COMMISSION REVIEW			10/01/07		
2				/ /		
3				/ /		
4				/ /		
5				/ /		

Wilcox Professional Services
ONE MADISON AVE, CADILLAC, MI 231-775-7755
AN ISO 9001:2008 CERTIFIED COMPANY

ENGINEER			
SURVEY	GDS	07/18/2007	FIG 1075 SHEET
DRAWN	LKD	10/04/2007	
CHECKED	JDG	10/10/2007	
APP'D		/ /	
SCALE	1"=80'		

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T20N-R17W & SEC. 18, T20N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 | SHEET 3 OF 8 | A

LEGEND

- PROPERTY LINE
- WATERS EDGE
- TREE LINE
- FENCE LINE (CHAIN LINK)
- GUARDRAIL
- EDGE OF GRAVEL
- WATER VALVE
- HYDRANT
- MANHOLE
- SANITARY MANHOLE
- CATCH BASIN
- MONITORING WELL
- TELEPHONE PEDESTAL
- LIGHT POST
- TRANSFORMER
- MAILBOX
- MOORING POST
- POST
- TREE
- BENCHMARK
- GUY POLE
- ANCHOR
- POWERPOLE
- SIGN
- SOIL BORING
- EX RR TRACK
- PROP RR TRACK
- PROP TRAFFIC FLOW

ZONING INFORMATION

ZONED G-1 GENERAL INDUSTRIAL DISTRICT

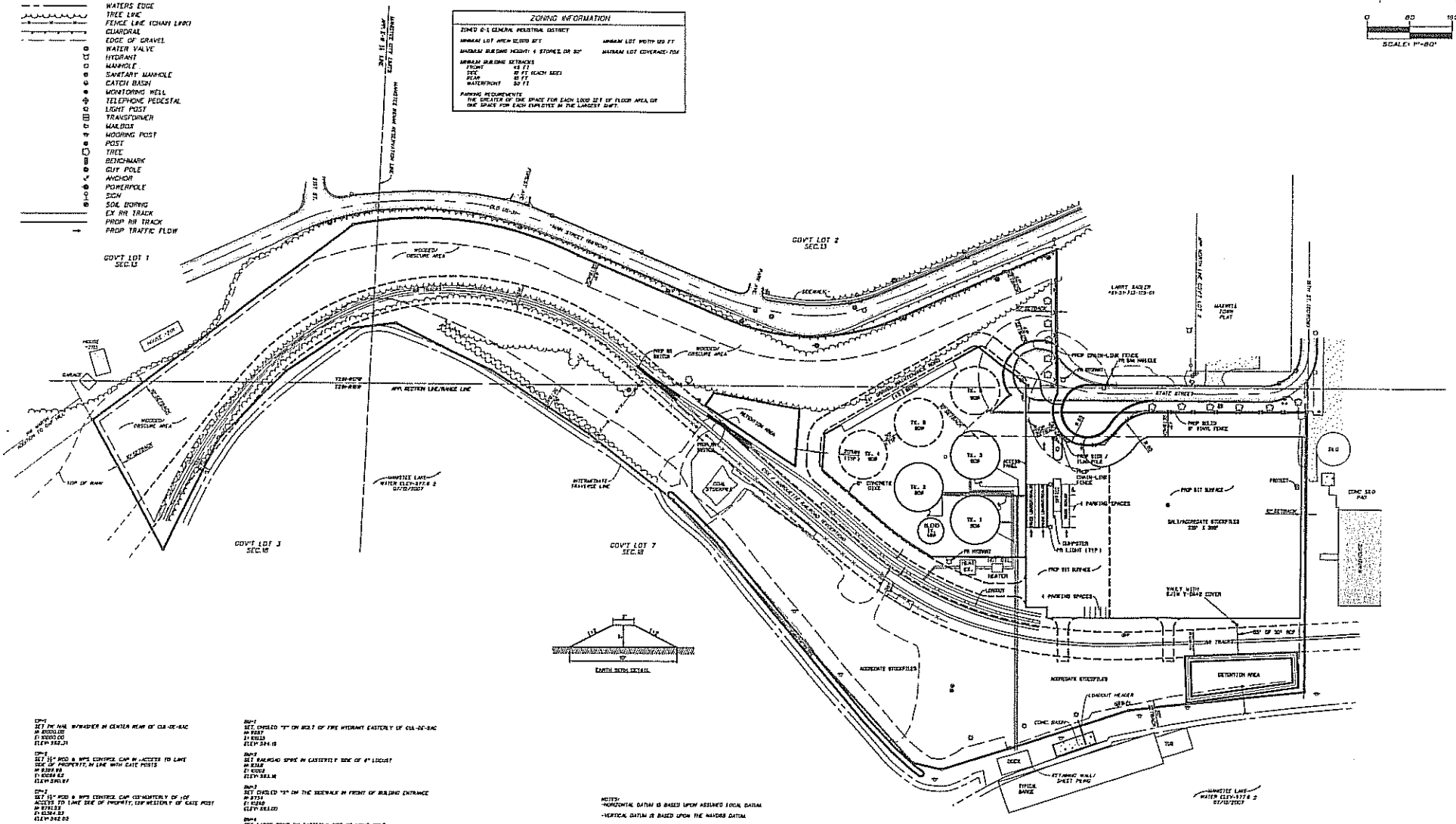
MINIMUM LOT AREA 12,000 SF.T — MINIMUM LOT WIDTH 100 FT

MAXIMUM BUILDING HEIGHT: 4 STORIES OR 50' — MAXIMUM LOT COVERAGE: 70%

MINIMUM BUILDING SETBACKS

FRONT	25 FT
SIDE	20 FT (EACH SIDE)
REAR	25 FT
WATERFRONT	50 FT

PARKING REQUIREMENTS:
THE GREATER OF ONE SPACE FOR EACH 1,000 SF.T OF FLOOR AREA, OR ONE SPACE FOR EACH EMPLOYEE IN THE LARGEST SHIFT.



NOTES:
- HORIZONTAL DATUM IS BASED UPON ASSUMED LOCAL DATUM.
- VERTICAL DATUM IS BASED UPON THE NAVD88 DATUM.
- THE PROPERTY LINES AS SHOWN ARE ONLY APPROXIMATE AND BASED UPON THE TAX DESCRIPTIONS AND BOUNDARY SURVEY DONE BY JENEMA LAND SURVEYS AS PROVIDED.
- ONLY SURFACE EVIDENCE OF UTILITIES WAS LOCATED AS PART OF THIS SURVEY.

CP#1
SET 75" NAIL W/WASHER IN CENTER REAR OF CLA-DE-SAC
N 80000.00
E 90000.00
ELEV 352.31

CP#2
SET 15" PCD & WPS CONTROL CAP IN ACCESS TO LAKE SIDE OF PROPERTY, IN LINE WITH GATE POSTS
N 8309.83
E 8088.63
ELEV 374.87

CP#3
SET 15" PCD & WPS CONTROL CAP 125'WESTERLY OF 10' ACCESS TO LAKE SIDE OF PROPERTY, 120' WESTERLY OF GATE POST
N 8296.23
E 8284.83
ELEV 362.03

CP#4
SET 15" PCAD & WPS CONTROL CAP 410' EAST OF EAST RAIL OF RAILROAD TRACKS
N 8334.40
E 8331.48
ELEV 388.81

CP#5
SET 15" PCD & WPS CONTROL CAP, 10' WESTERLY OF W-8 FENCE, 125' SOUTHERLY OF GRAVEL ROAD EAST
N 8347.78
E 8053.40
ELEV 388.82

BM#1
SET, CHISELED "T" ON BOLT OF FIRE HYDRANT EASTERLY OF CLA-DE-SAC
N 8287
E 8323
ELEV 384.18

BM#2
SET RAILROAD SPIKE IN EASTERLY SIDE OF 6" LOCUST
N 8348
E 8000
ELEV 383.18

BM#3
SET CHISELED "T" ON THE SIDEWALK IN FRONT OF BUILDING ENTRANCE
N 8331
E 8280
ELEV 383.00

BM#4
SET LARGE SPIKE ON EASTERLY SIDE OF LIGHT POLE
N 8300
E 8345
E 382.88

BM#5
SET CHISELED "T" ON TOP OF CONCRETE BOLT MOORING POST
N 8288
E 8401
ELEV 386.20

BM#6
SET CHISELED "X" ON TOP NORTH SIDE OF 6" STEEL ELBOW IN WASTE GROUND, EASTERLY SIDE OF ROAD
N 8348
E 8442
ELEV 381.28

NO.	REVISION	BY	CHKD	DATE	APP	APP
1	PLANNING COMMISSION REVIEW			7/06/07		
2				/ /		
3				/ /		
4				/ /		
5				/ /		

Wilcox Professional Services
ONE MADISON AVE. CADILLAC, MI
231-775-7755
AN ISO 9001:2000 CERTIFIED COMPANY

ENGINEER			
SURVEY	GDS	07/18/2007	FB 615 & 1394
DRAWN	LKD	10/04/2007	
CHECKED	JDG	10/10/2007	
APP'D		/ /	
SCALE	1"=80'		

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 — SHEET 4 OF 8

PROPOSED SITE LAYOUT

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATION AND CITY SPECIFICATIONS

LEGEND

- PROPERTY LINE
- WATERS EDGE
- TREE LINE
- FENCE LINE (CHAIN LINK)
- GUARDRAIL
- EDGE OF GRAVEL
- WATER VALVE
- HYDRANT
- MANHOLE
- SANITARY MANHOLE
- CATCH BASIN
- MONITORING WELL
- TELEPHONE PEDESTAL
- LIGHT POST
- TRANSFORMER
- MAILBOX
- MOOPAC POST
- POST
- TREE
- BENCHMARK
- GUY POLE
- ANCHOR
- POWERPOLE
- SIGN
- SOIL BORING
- EX RR TRACK
- PROP RR TRACK
- PROP TRAFFIC FLOW
- 000.0 PROP SPOT ELEVATION

ZONING INFORMATION

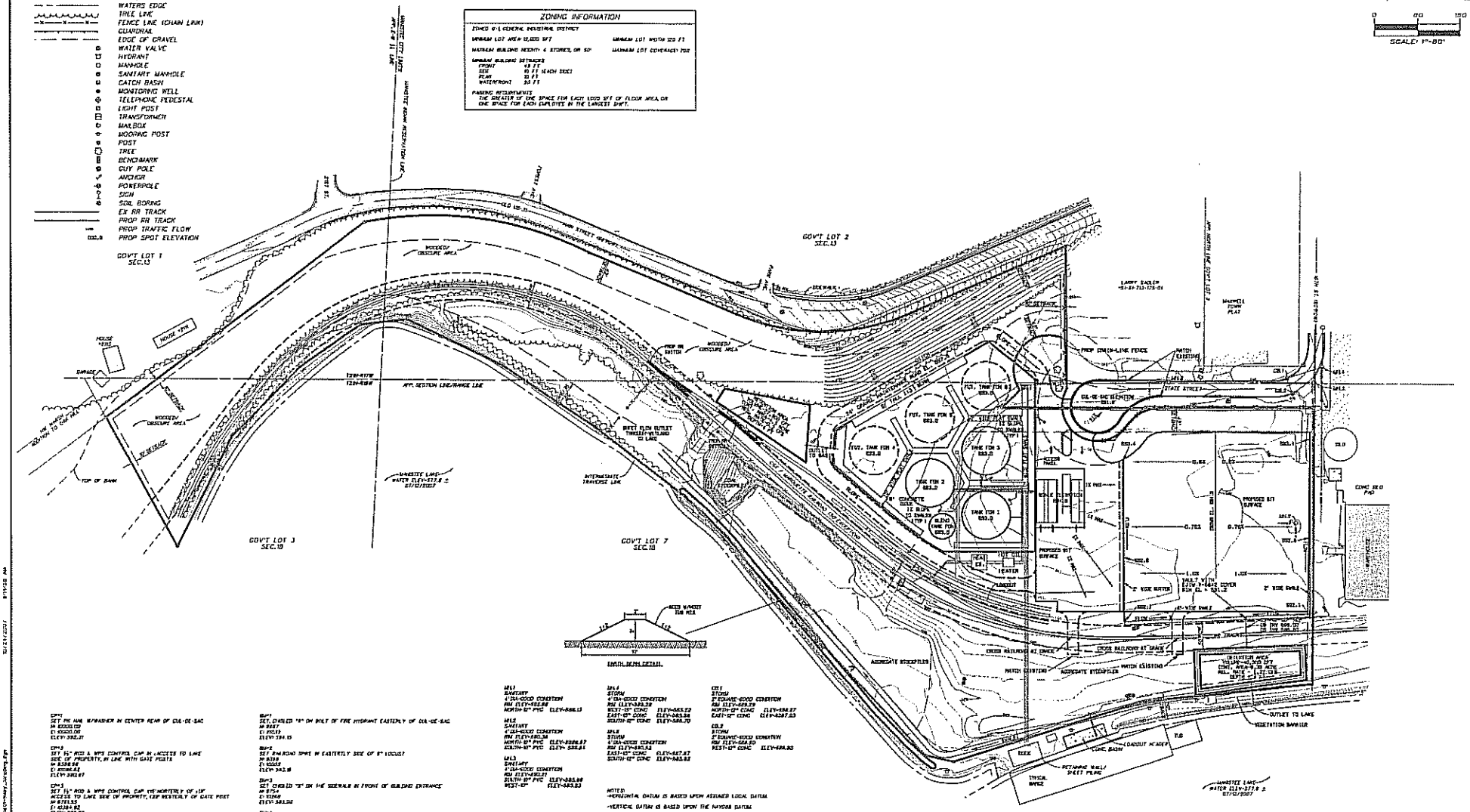
ZONED G-1 GENERAL INDUSTRIAL DISTRICT

MINIMUM LOT AREA 12,000 SFT — MINIMUM LOT WIDTH 100 FT

MAXIMUM BUILDING HEIGHT 4 STORIES, OR 50' — MAXIMUM LOT COVERAGE 75%

MINIMUM BUILDING SETBACKS
FRONT 10 FT
SIDE 10 FT (EACH SIDE)
REAR 10 FT
WATERFRONT 30 FT

PARKING REQUIREMENTS
THE GREATER OF ONE SPACE FOR EACH 1,000 SFT OF FLOOR AREA, OR ONE SPACE FOR EACH EMPLOYEE IN THE LARGEST SHIFT.



CP#1
SET PK NAIL W/WASHER IN CENTER REAR OF CUL-DE-SAC
N: 100000.00
E: 100000.00
ELEV: 592.21

CP#2
SET 15" ROD & WPS CONTROL CAP IN ACCESS TO LAKE SIDE OF PROPERTY, IN LINE WITH GATE POSTS
N: 9588.56
E: 10088.82
ELEV: 592.07

CP#3
SET 15" ROD & WPS CONTROL CAP 10' NORTERLY OF 18" ACCESS TO LAKE SIDE OF PROPERTY, 120' WESTERLY OF GATE POST
N: 9781.93
E: 10184.92
ELEV: 592.02

CP#4
SET 15" ROD & WPS CONTROL CAP 110' EAST OF EAST RAIL OF RAILROAD TRACKS
N: 10334.40
E: 10311.64
ELEV: 596.01

CP#5
SET 15" ROD & WPS CONTROL CAP 10' WESTERLY OF N-S FENCE, 25' SOUTHERLY OF GRAVEL ROAD EAST
N: 10476.78
E: 10032.40
ELEV: 588.92

BM#1
SET, CHISELED "X" ON BOLT OF FIRE HYDRANT EASTERLY OF CUL-DE-SAC
N: 9987
E: 10019
ELEV: 594.15

BM#2
SET RAILROAD SPIKE IN EASTERLY SIDE OF 8" LOCUST
N: 9358
E: 10025
ELEV: 592.18

BM#3
SET CHISELED "X" ON THE SIDEWALK IN FRONT OF BUILDING ENTRANCE
N: 9 [illegible]
E: 10040
ELEV: 596.50

BM#4
SET LARGE SPIKE ON EASTERLY SIDE OF LIGHT POLE
N: 9952
E: 10420
ELEV: 592.98

BM#5
SET CHISELED "X" ON TOP OF CONCRETE BOLT MOORING POST
N: 10299
E: 10809
ELEV: 588.20

BM#6
SET CHISELED "X" ON TOP NORTH SIDE OF 8" STEEL ELBOW 1' ABOVE GROUND, EASTERLY SIDE OF ROAD
N: 10142
E: 10313
ELEV: 591.28

MH1
SANITARY
4'DIA-GOOD CONDITION
RIM ELEV=592.84
NORTH-8" PVC ELEV=586.13

MH2
SANITARY
4'DIA-GOOD CONDITION
RIM ELEV=591.34
NORTH-8" PVC ELEV=586.37
SOUTH-8" PVC ELEV=586.61

MH3
SANITARY
4'DIA-GOOD CONDITION
RIM ELEV=590.29
WEST-8" ELEV=583.83

DI#4
STORM
4'DIA-GOOD CONDITION
RIM ELEV=589.38
WEST-12" CONC ELEV=583.22
EAST-12" CONC ELEV=583.34
SOUTH-12" CONC ELEV=586.70

DI#5
STORM
4'DIA-GOOD CONDITION
RIM ELEV=588.70
EAST-12" CONC ELEV=587.87
SOUTH-12" CONC ELEV=583.83

DI#6
STORM
4'DIA-GOOD CONDITION
RIM ELEV=588.20
WEST-12" CONC ELEV=586.85

DI#7
STORM
2'SQUARE-GOOD CONDITION
RIM ELEV=588.29
NORTH-12" CONC ELEV=584.87
EAST-12" CONC ELEV=587.83

DI#8
STORM
2'SQUARE-GOOD CONDITION
RIM ELEV=588.50
WEST-12" CONC ELEV=584.85

NOTES:
-HORIZONTAL DATUM IS BASED UPON ASSUMED LOCAL DATUM
-VERTICAL DATUM IS BASED UPON THE NAVD88 DATUM
-THE PROPERTY LINES AS SHOWN ARE ONLY APPROXIMATE AND BASED UPON TAX DESCRIPTIONS AND BOUNDARY SURVEY DONE BY JENSEN LAND SURVEYS AS PROVIDED.
-ONLY SURFACE EVIDENCE OF UTILITIES WAS LOCATED AS PART OF THIS SURVEY.

PROPOSED GRADING PLAN

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS

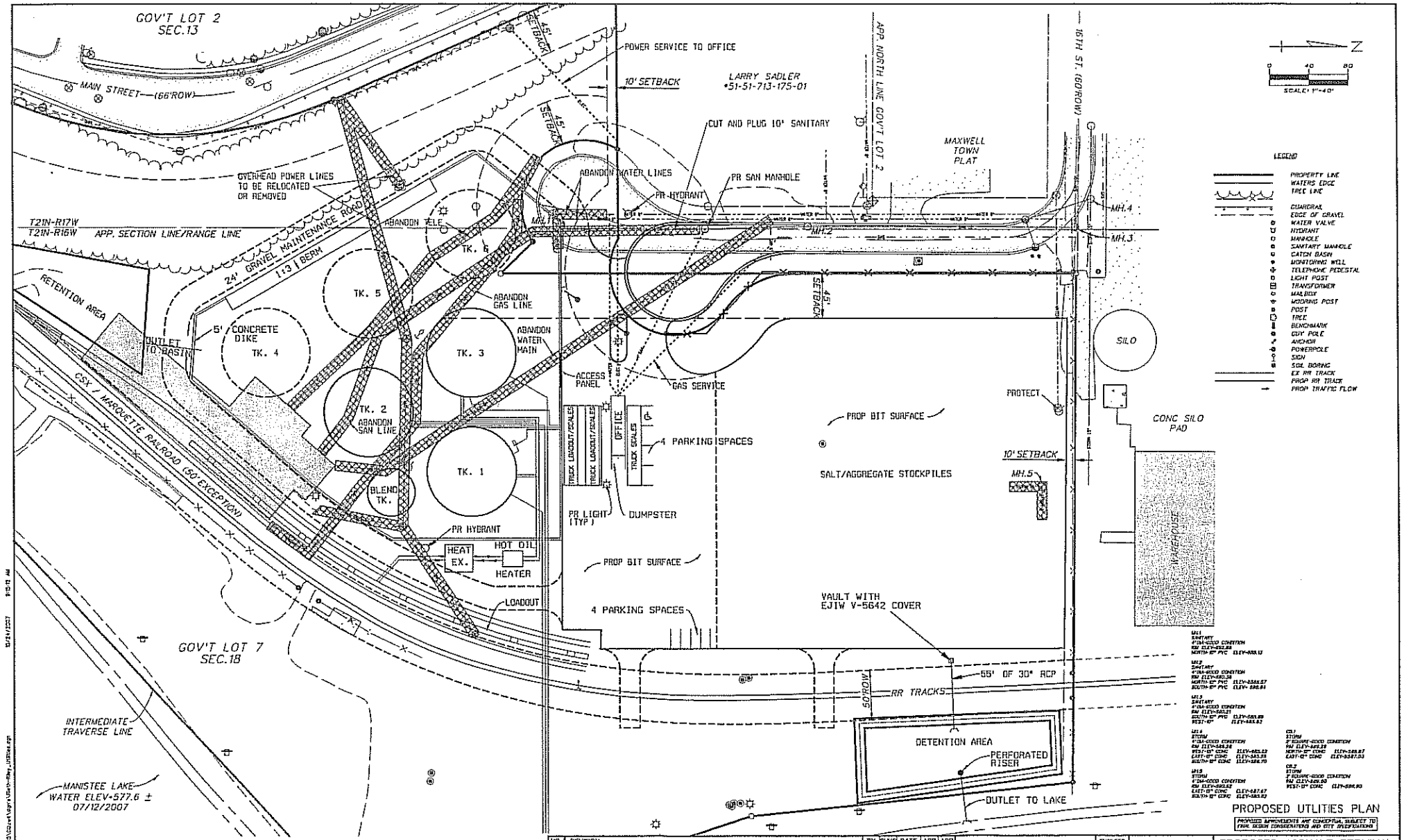
NO.	REVISION	BY	CHK'D	DATE	APP	APP
A	PLANNING COMMISSION REVIEW			9/07/07		
				/ /		
				/ /		
				/ /		
				/ /		

Wilcox Professional Services
ONE MADISON AVE. CADILLAC, MI 231-779-7751
AN ISO 9001:2000 CERTIFIED COMPANY

ENGINEER			
SURVEY	GDS	07/16/2007	FB 878 & PG.
DRAWN	LKD	10/04/2007	
CHECKED	JDG	10/10/2007	
APPD	/ /		
SCALE	1"=80'		

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R15W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 — SHEET 5 OF 8



PROPOSED UTLITIES PLAN

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS

NO.	REVISION	BY	CHKD	DATE	APP	APP
A	PLANNING COMMISSION REVIEW			10/30/07		
				/ /		
				/ /		
				/ /		
				/ /		

Wilcox Professional Services
ONE MADISON AVE, SADILLAC, MI 231-775-7783
AN ISO 9001:2008 CERTIFIED COMPANY

ENGINEER		
SURVEY	GDS	07/16/2007
DRAWN	EES	10/04/2007
CHECKED	JDG	10/10/2007
APP'D		/ /
SCALE	1"=40'	

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 SHEET 6 OF 8 A

LEGEND

- PROPERTY LINE
- WATERS EDGE
- TREE LINE
- FENCE LINE (CHAIN LINK)
- GUARDRAIL
- EDGE OF GRAVEL
- WATER VALVE
- HYDRANT
- MANHOLE
- SANITARY MANHOLE
- CATCH BASIN
- MONITORING WELL
- TELEPHONE PEDESTAL
- LIGHT POST
- TRANSFORMER
- MAILBOX
- MOORING POST
- POST
- TREE
- BENCHMARK
- GUY POLE
- ANCHOR
- POWERPOLE
- SIGN
- SOIL BORING
- EX RR TRACK
- PROP RR TRACK
- PROP TRAFFIC FLOW

ZONING INFORMATION

ZONED G-L GENERAL INDUSTRIAL DISTRICT

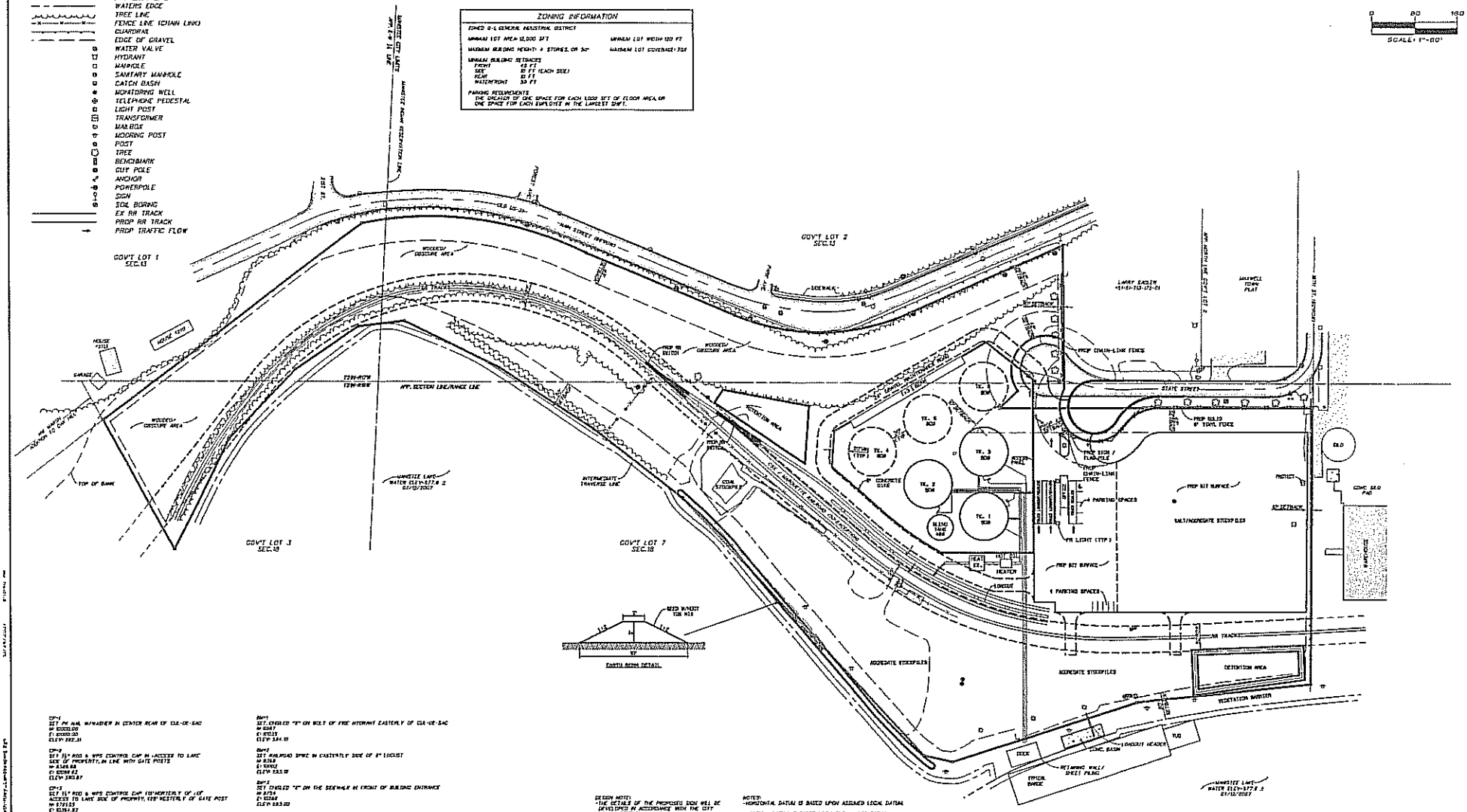
MINIMUM LOT AREA: 12,000 SF'T — MINIMUM LOT WIDTH: 100 FT

MAXIMUM BUILDING HEIGHT: 4 STORIES, OR 50' — MAXIMUM LOT COVERAGE: 75%

MINIMUM BUILDING SETBACKS

FRONT	40 FT
SIDE	10 FT (EACH SIDE)
REAR	20 FT
WATERFRONT	50 FT

PARKING REQUIREMENTS
ONE SPACE FOR EACH 1,000 SFT OF FLOOR AREA, OR ONE SPACE FOR EACH EMPLOYEE IN THE LARGEST SHIFT.



CP#1
SET PK NAIL W/WASHER IN CENTER REAR OF CLE-DE-SAC
N: 1000000.00
E: 1000000.00
ELEV: 000.00

CP#2
SET 1½" ROD & WPS CONTROL CAP IN ACCESS TO LAKE SIDE OF PROPERTY, IN LINE WITH GATE POSTS
N: 1346.88
E: 10000.82
ELEV: 580.87

CP#3
SET 1½" ROD & WPS CONTROL CAP 100'NORTHERLY OF LOT ACCESS TO LAKE SIDE OF PROPERTY, 120' WESTERLY OF GATE POST
N: 1781.55
E: 10194.82
ELEV: 588.82

CP#4
SET 1½" ROD & WPS CONTROL CAP 100'EAST OF EAST RAIL OF RAILROAD TRACKS
N: 10234.40
E: 10520.48
ELEV: 588.81

CP#5
SET 1½" ROD & WPS CONTROL CAP, 10' WESTERLY OF N-S FENCE, 22' SOUTHERLY OF GRAVEL ROAD EAST
N: 10474.78
E: 10652.40
ELEV: 589.83

BM#1
SET CHISELED "X" ON BOLT OF FIRE HYDRANT EASTERLY OF CUL-DE-SAC
N: 10347
E: 10535
ELEV: 594.15

BM#2
SET RAILROAD SPIKE IN EASTERLY SIDE OF 8" LOCUST
N: 8358
E: 10402
ELEV: 583.10

BM#3
SET CHISELED "X" ON THE SIDEWALK IN FRONT OF BUILDING ENTRANCE
N: 8734
E: 10268
ELEV: 583.22

BM#4
SET LARGE SPIKE ON EASTERLY SIDE OF LIGHT POLE
N: 8907
E: 10125
E: 292.36

BM#5
SET CHISELED "X" ON TOP OF CONCRETE BOLT MOORING POST
N: 10289
E: 10604
ELEV: 588.23

BM#6
SET CHISELED "X" ON TOP NORTH SIDE OF 8" STEEL ELBOW 1ft ABOVE GROUND EASTERLY SIDE OF ROAD
N: 10242
E: 10047
ELEV: 591.28

DESIGN NOTES:
- THE DETAILS OF THE PROPOSED SIGN WILL BE DEVELOPED IN ACCORDANCE WITH THE CITY OF MANISTEE SPECIFICATION
- LIGHTING FIXTURES WILL BE IN ACCORDANCE WITH THE CITY OF MANISTEE SPECIFICATION

NOTES:
- HORIZONTAL DATUM IS BASED UPON ASSUMED LOCAL DATUM.
- VERTICAL DATUM IS BASED UPON THE MAYORS DATUM.
- THE PROPERTY LINES AS SHOWN ARE ONLY APPROXIMATE AND BASED UPON THE TAX DESCRIPTIONS AND RECORDED SURVEY SPIKE BY VENEMA LAND SURVEYS AS PROVIDED
- ONLY SURFACE EVIDENCE OF UTILITIES WAS LOCATED AS PART OF THIS SURVEY.

NO.	REVISION	BY	CHKD	DATE	APP	APP
1	PLANNING COMMISSION REVIEW			10/01/07		
2				/ /		
3				/ /		
4				/ /		
5				/ /		

Wilcox Professional Services
LAND SURVEYING
1342 MORGAN AVE. CADILLAC, MI
231-779-7766
AN ISO 9001:2000 CERTIFIED COMPANY

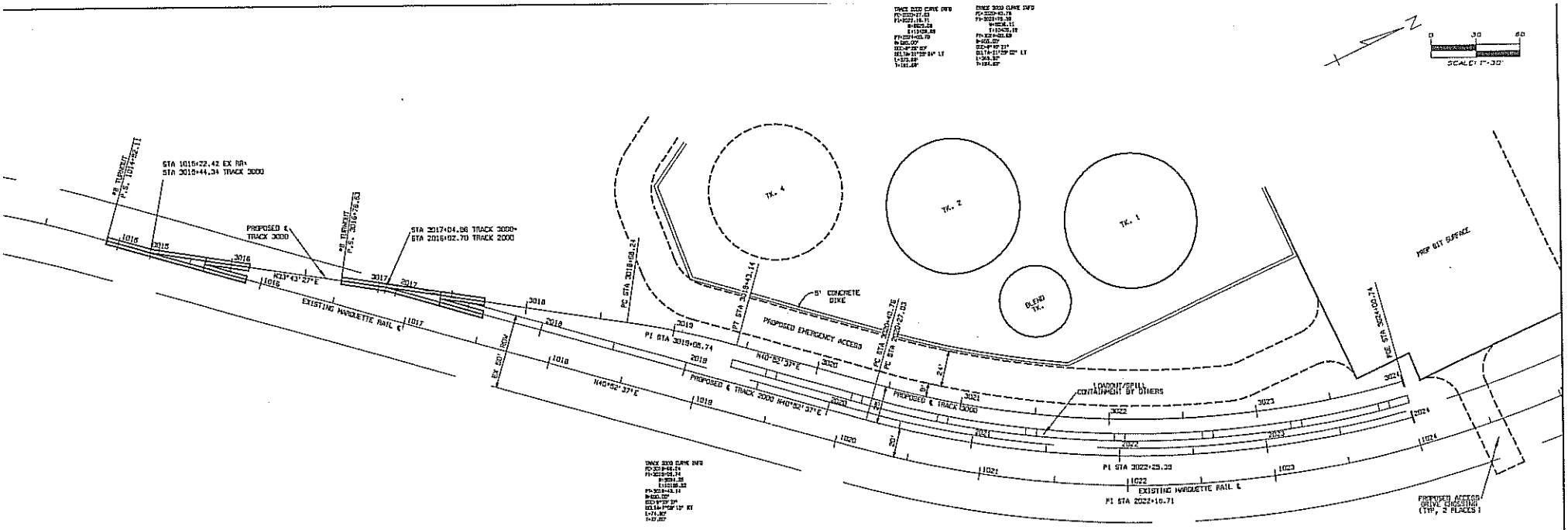
ENGINEER			
SURVEY	GDS	07/15/2007	FB 1175 & 1198
DRAWN	LKD	10/04/2007	
CHECKED	JDG	10/10/2007	
APPD		/ /	
SCALE	1"=80'		

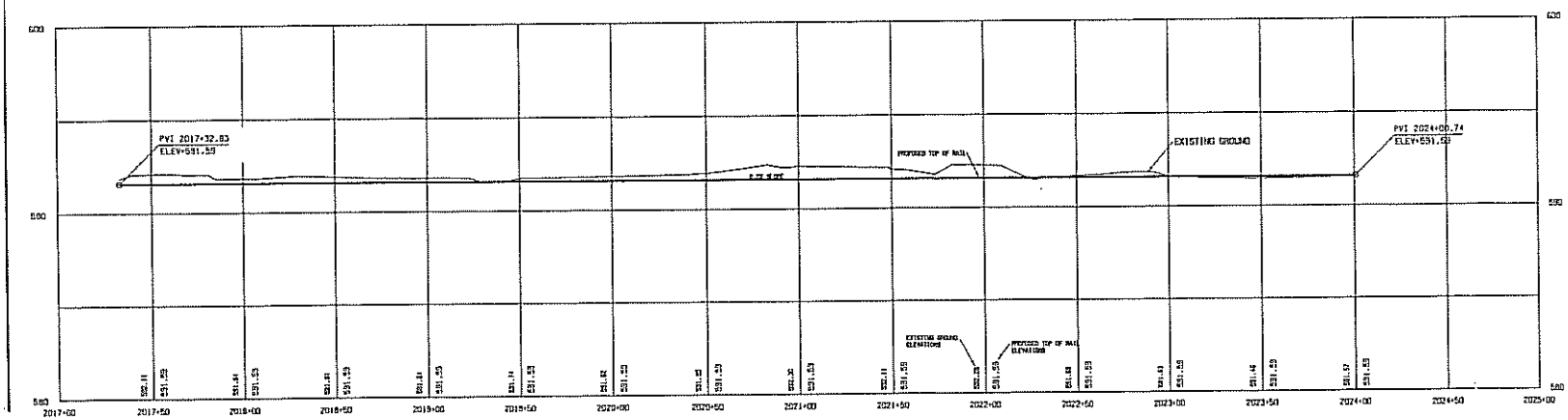
PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T29N-R17W & SEC. 19, T29N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 — SHEET 7 OF 8

PROPOSED LANDSCAPING AND LIGHTING

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS





PROPOSED RAILROAD PLAN

PROPOSED IMPROVEMENTS ARE CONCEPTUAL SUBJECT TO FINAL DESIGN CONSIDERATIONS AND CITY SPECIFICATIONS

NO.	REVISION	BY	CHKD	DATE	APP	APP
A	PLANNING COMMISSION REVIEW			11/06/07		
				/ /		
				/ /		
				/ /		
				/ /		

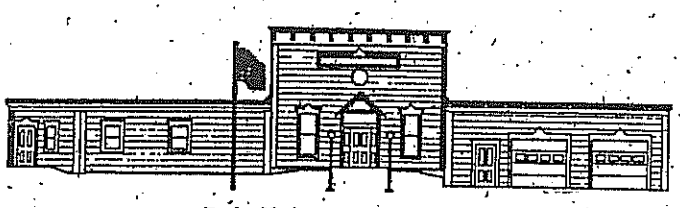
Wilcox Professional Services
ONE MADISON AVE, CADILLAC, MI 231-775-7755
AN ISO 9001:2000 CERTIFIED COMPANY

ENGINEER		
SURVEY	GDS	07/16/2007
DRAWN	LKD	10/04/2007
CHECKED	JDG	10/10/2007
APP'D		/ /
SCALE		1"=30'

PROPOSED ASPHALT TERMINAL
1513 STATE ST., MANISTEE, MI 49660
SEC. 13, T21N-R17W & SEC. 18, T21N-R16W
CITY OF MANISTEE & FILER TWP., MANISTEE CO., MI

PROJECT NUMBER 21595.00294 SHEET 8 OF 8 A

CHARTER TOWNSHIP OF FILER



James Espvik, Supervisor
Shirley Ball, Clerk
Melissa Bauman, Treasurer

Dale Kolanowski, Trustee
Dean Kruse, Trustee
Larry Linke, Trustee
Edward Williams, Trustee

Kevin Skipski, Constable

2505 Filer City Road • Manistee, MI 49660 • 231-723-3138 • Fax 231-723-3191

October 3, 2007

Mr. Jon Rose
Planning Department
City of Manistee
70 Maple St.
Manistee, Michigan 49660

Dear Mr. Rose,

Enclosed is a draft of the proposed amendments to the land use plan for the Charter Township of Filer.

In accordance with MCL 125.327a of the Township Planning Act Public Act 168 of 1959, as amended, the enclosed proposed land use plan was required by statute to be sent to your agency, or your agency requested to receive this copy.

Manistee County has up to 75 days to review plan amendments. All local governments and other entities receiving a copy of a proposed new plan have up to 40 days to review plan amendments.

Thank you for your cooperation and comments.

Sincerely,

John Hanson

John Hanson, Secretary
Charter Township of Filer Planning Commission

CHARTER TOWNSHIP OF FILER, MICHIGAN

MASTER PLAN

April 27, 2004

PROPOSED MAP CHANGE DETAIL ON PAGE 18B

PROPOSED TEXT CHANGES PAGES 18 + 20

Gosling Czubak Engineering Sciences, Inc.
1280 Business Park Drive
Traverse City, Michigan 49686
231-946-9191(phone) 231-941-4603 (Fax)

UNDERLINED TEXT TO BE DELETED.

NEW TEXT / BOLD TYPE

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HOUSEHOLDS	6
POSTULATED GOAL STATEMENT	7
NEEDS ASSESSMENT	9
GUIDING PRINCIPLES AND POLICIES FOR COMMUNITY PLANNING AND DESIGN	10
LAND USE PLAN	16
TRANSPORTATION PLAN - FUNCTIONAL CLASSIFICATION	19
IMPLEMENTATION PLAN	21

PURPOSE AND AUTHORITY TO PLAN

The Charter Township of Filer is authorized to prepare a Master Plan pursuant to Township Planning Act 168 of 1959, as amended. This statute enables a Township to prepare a plan for the purpose of promoting the public health, safety, and general welfare; encouraging the use of resources in accordance with their character and adaptability; avoiding the overcrowding of land by people and buildings; lessening congestion on public roads and streets; facilitating systems of transportation, sewage disposal, water supply, recreation, and other public improvements; and considering the character and suitability of the Township for uses judged in terms of such factors as the trend in land and population development.

The Master Plan is no more and no less than a statement of public policy based on a vision of the future as embodied in the statement of Township goals. Goals are a statement of how the Township wants to look and function in the future and the Land Use Plan, consisting of guiding principles, policies, and character descriptions, are the vehicles by which the vision will be attained. The Guiding Principles are especially important because they comprise the basic rules or standards against which all decisions will be measured and from which the Township does not intend to depart.

The Master Plan is intended to be general but not too general; specific, but not too specific. It establishes concepts, relationships, and patterns of development and circulation in broad-brush fashion rather than legal descriptions so it can be more broadly interpreted than, and can give meaning to, zoning.

To remain viable the plan must be flexible and dynamic, not static. It will have to respond to change as well as guide it. It will need to be evaluated and amended periodically to keep it fresh and current but each change must be evaluated on its merits (i.e., whether it enhances or detracts from the Township's vision). It will not always be easy to tell.

The Master Plan is the Planning Commission's plan and it alone is charged with interpreting, evaluating, amending, and keeping the Plan current. If it becomes stale and outdated, or is ignored, it will not further the vision of the Township. If it is used only when convenient, it will not withstand the challenges of law, which demand consistency in its application. It is important to note that plans do not implement themselves, Planning Commissions and Township Boards implement plans.

Finally, all public decisions relating to land use, transportation, and major capital improvements, that can be interpreted to influence the vision, must first be reviewed and acted upon by the Planning Commission. While the Township Board can take action contrary to the Planning Commission's recommendations, the Commission has the authority, according to state law, to evaluate such proposals regarding their consistency with the Master Plan. This gives the Commission the enormous responsibility of making sure that the Master Plan is current and generally consistent with what the public and the Board want the Township to be in the future.

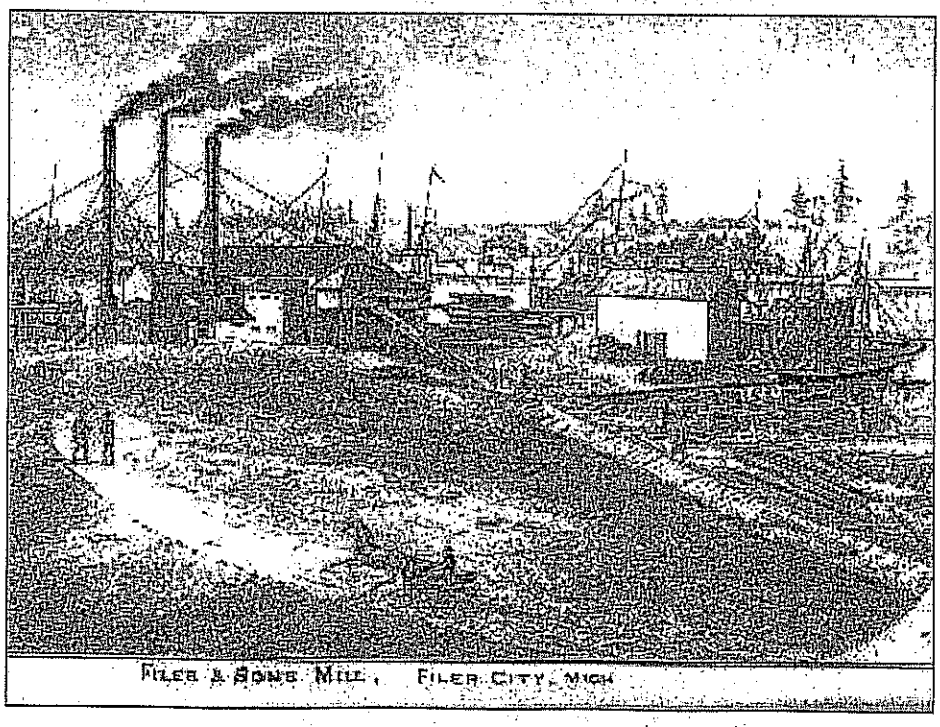
REGIONAL AND HISTORICAL SETTING

The Charter Township of Filer is located on Lake Michigan in Manistee County's southwestern corner, just south of the City of Manistee. The township consists of 16.5 square miles and approximately four miles of Lake Michigan shoreline. The Charter Township of Filer also boasts almost two miles of Manistee Lake shoreline. It is bordered on the north by the City of Manistee on the east by Stronach Township. Mason County is to the south and Lake Michigan is to the west.

Lumbering activity began in the area now known as the Charter Township of Filer with the settlement of the Stronach family nearby in 1841. The lumbermen who came to Manistee County around this time were the first purchasers of the majority of land in Filer Township. Major activity commenced in 1867 when the Filer family, at the time one of the largest lumbering operators in Manistee County, moved to today's Filer City area. They built a large mill, platted a village, and commenced to log all the nearby land. About the same time, two other mills were built on Manistee Lake in today's Oak Hill area. With all of this activity, the Township established its own local government in 1868.

Industrial activity has continued to be centered in Filer City. The Filer and Sons mill operated until about 1914. This was replaced in 1917 by a pulp mill. Over the years, this plant has been sold and expanded into a large industrial center.

The Charter Township of Filer provides residents with a quasi-rural lifestyle and offers a high quality of life with a varied four-season recreational climate. The Township's Lake Michigan and Manistee Lake shoreline, as well as its inland lakes and streams provide some of the finest fresh water recreation opportunities in northwestern Michigan.



URBAN FORM

The Charter Township of Filer is a community with two distinct personalities. The old Company Town, Filer City, and to a lesser degree, Oak Hill, is an urban place with narrow streets, small lots, and land uses that intermix businesses, industries, and shops with homes. These are compact and walkable neighborhoods because they were developed prior to the advent of the automobile when walking was a necessity and industrial Manistee Lake, one of the Township's truly defining elements, was its highway. Auto parking in these areas does not dominate the landscape, choosing instead, to occupy street edges and small, shared parking lots.

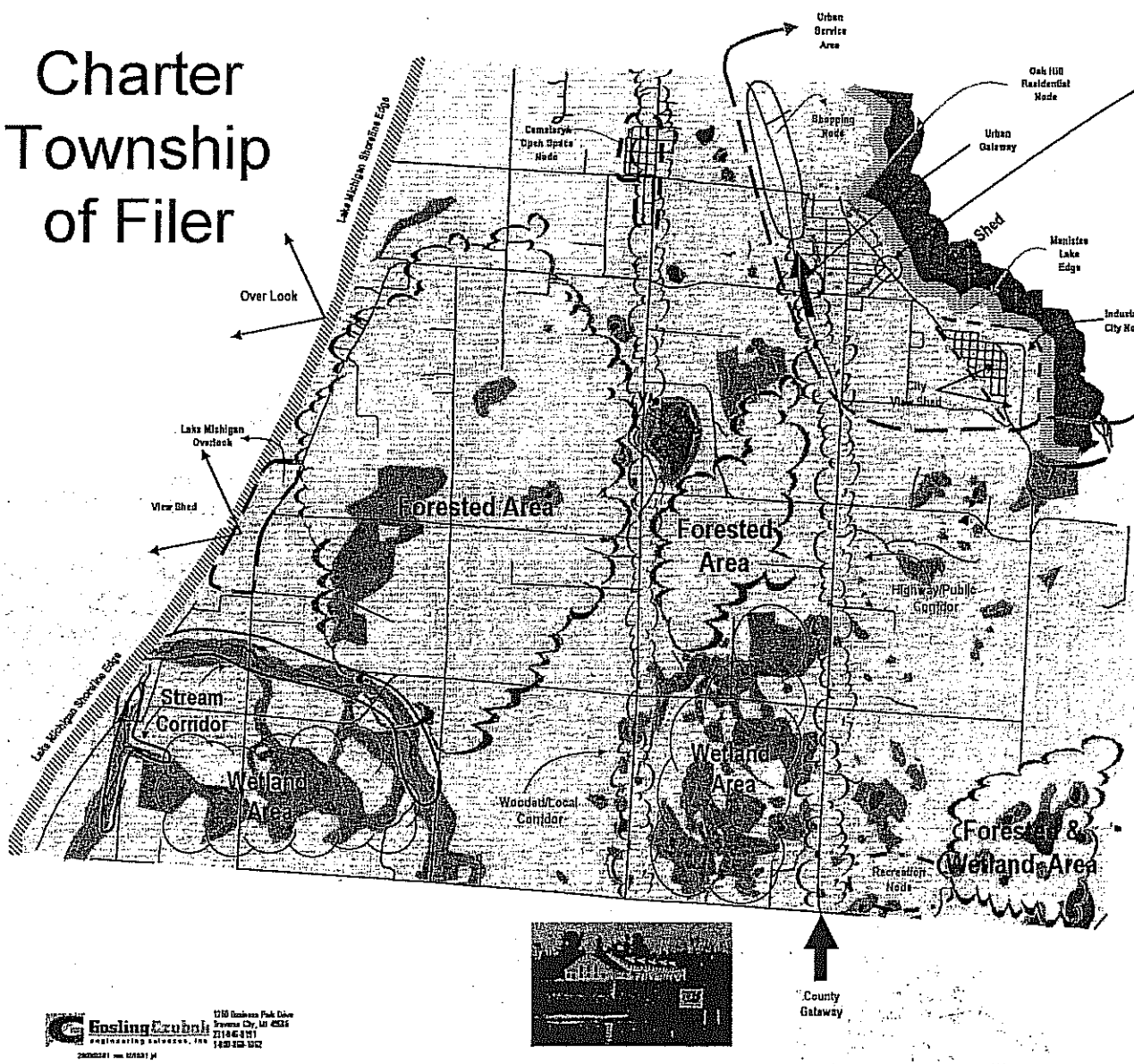
Both Filer City and Oak Hill are historic neighborhoods with historical street patterns and buildings that portray a unique character and identity. These neighborhoods feel like places that have a physical, visual, and social character based on the interrelationships of buildings and uses. While Oak Hill has been able to maintain its wonderful residential character, it has always been difficult for Filer City because of the dominance of heavy and obtrusive industry immediately next door. Nonetheless, these are very urban places that were developed more in the character and period of the City of Manistee.

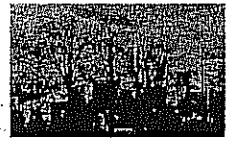
The new Township represents a contrast with Filer City and Oak Hill. In fact, the memory of Filer City, the growing awareness of public health, and the influx of a seasonal population are likely the primary reasons for this change in land use patterns. The result has been very low-density development that generally stretches along road frontages and clearly separates residential uses from commercial and industrial uses. Furthermore, this contemporary pattern of development employs a one-building/one site approach and does not consider how development might relate to another use located next door. This pattern separates even similar and complementary uses to "protect" them from whatever might be located on an adjacent site.

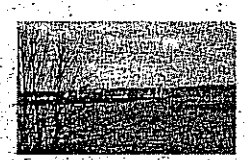
While residential uses are generally tucked into wooded sites and are, therefore, not highly visible from road frontages, commercial development along US-31 exemplifies this one-building/one site approach. Each site accommodates a freestanding commercial use and each use has its own access to the Highway and overly generous parking located immediately in front of the building. This means that more parking is available than is actually needed, greater traffic conflict potential exists, and the need to widen the highway is increased. And, there is no provision for walking, except in driving aisles. While commercial development in the Township tends to be suburban in character, residential development in the more contemporary areas of the Township is very low in density and emulates a rural character, which is probably why residents elected to live here in the first place.

There is nothing inherently right or wrong about having two distinct community personalities so long as the servicing implications of this dichotomy are understood and equitably addressed by the Township's plans.

Charter Township of Filer







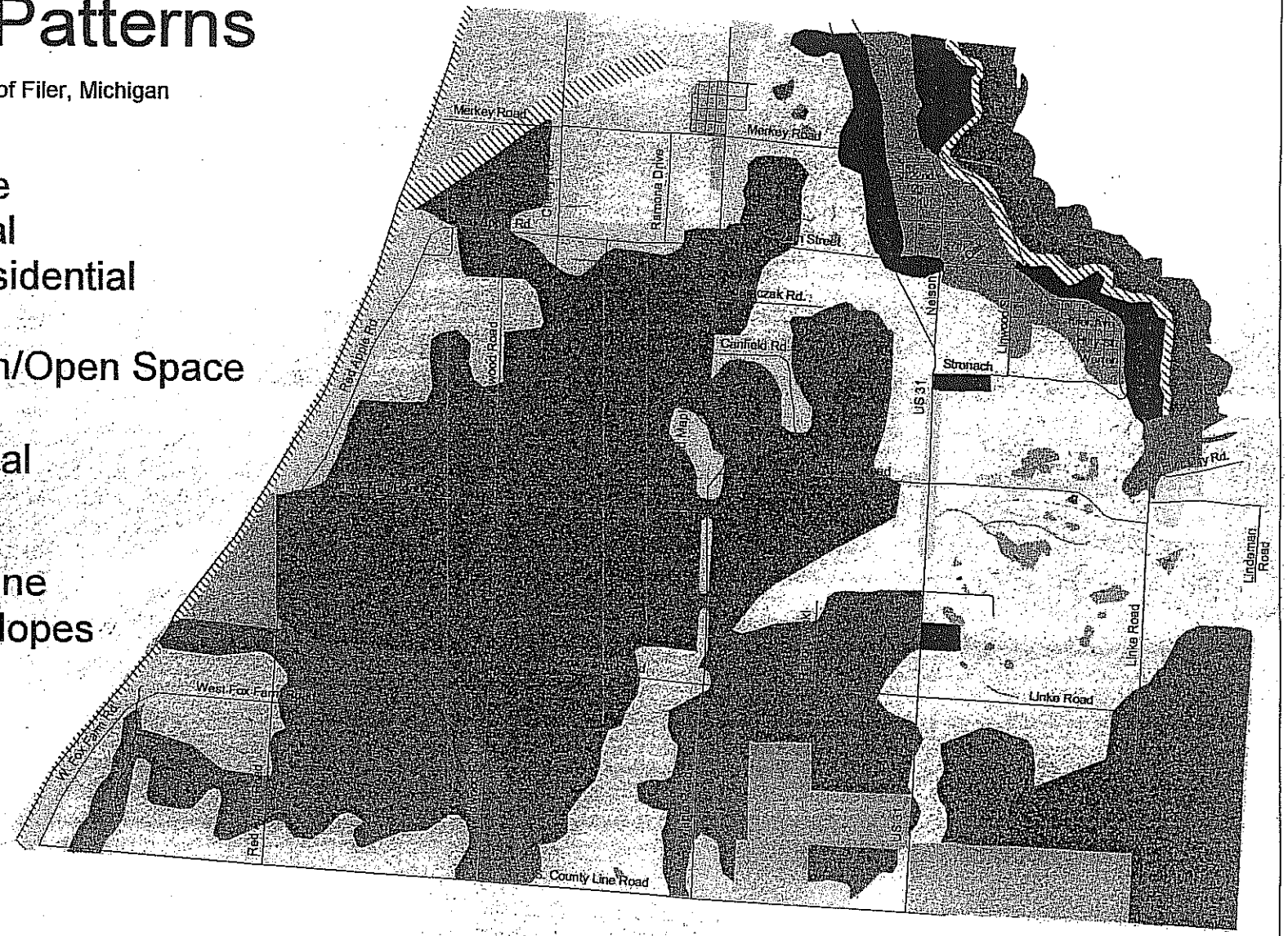
Community Character Elements

Gosling Czubak engineering sciences, inc.

Existing Patterns

Charter Township of Filer, Michigan

- Agriculture
- Residential
- Urban Residential
- Forest
- Recreation/Open Space
- Wetlands
- Commercial
- Industrial
- Shore Line & Steep Slopes
- Streams



Gosling Czubak engineering sciences, inc.
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Traverse City, MI 49686
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1-800-968-1062

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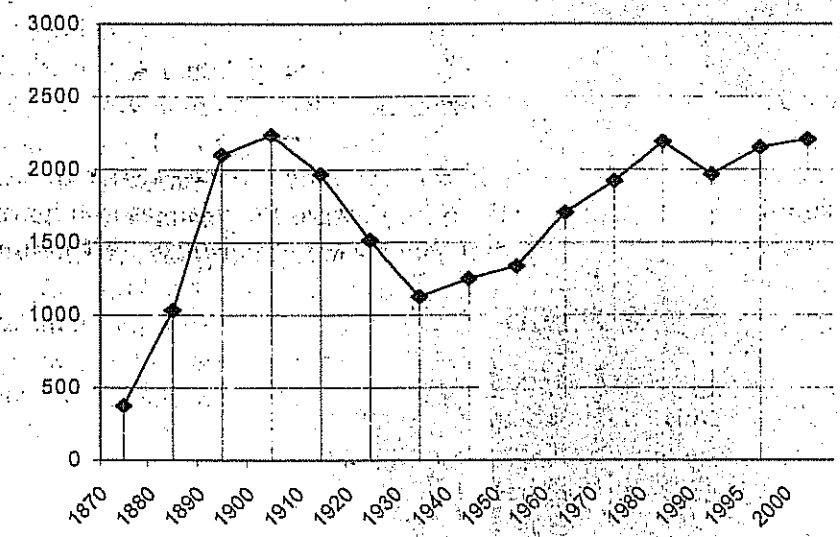
SOCIO ECONOMIC CHARACTERISTICS

Historically, Filer Township had a population of 376 people in 1870. Population grew rapidly due to the lumber industry and salt production. Between 1870 and 1890, there was a 559 percent increase in population. The population grew at a 10.6 percent growth rate during the 1890's decade and then steadily declined until 1930.

Early in the 20th century, the prime pine timber of northern Michigan was gone and the majority of the sawmills in Manistee County ceased operation. This factor (loss of jobs) caused a steady decline in the population of Filer Township to a low of 1,344 in 1930. However, by this time the automobile and good roads had arrived.

POPULATION



Source: Filer Township Master Plan, 1988

With this new era of transportation, the many people who lived and worked in the City of Manistee sought to move to areas that were more rural. Filer Township was nearby and large numbers of families took up residence. This caused a steady increase in the population until it reached 2,143 in 1980. Thereafter, population declined slightly most likely due to difficult economic times in the earlier part of the decade. Baring any major changes in the local economy, population is expected to continue to rise at a consistent rate that follows the trend of rural areas. There is the expectation that the Manistee area as a whole will continue to grow. This assumption is based on the growing demand for seasonal homes by the burgeoning baby-boom generation

SOCIO ECONOMIC CHARACTERISTICS (CONT.)

The age distribution in Filer Township and Manistee County in 1990 and 2000 was as follows. (Information provided by the Michigan Information Center and the United States Census Bureau.)

Age Distribution	Filer Township		Manistee County	
	1990	2000	1990	2000
Under 5 years	6%	5%	6%	5%
5 to 24 years	25%	23%	25%	24%
25 to 44 years	28%	23%	28%	26%
45 to 54 years	12%	16%	11%	15%
55 to 64 years	13%	13%	11%	11%
65 to 74 years	9%	12%	10%	10%
75 to 85 years	5%	6%	6%	6%
85 years and older	1%	1%	2%	2%
Median Age	39	44	38	41

Source: Michigan Information Center and the United States Census Bureau

HOUSEHOLDS

For the past five years an average of 16 housing units have been built per year in Filer Township based on known building permit activity. It is projected that the number of households will continue to increase, while the number of persons per household will decrease following national trends.

Year	Population	Households	Persons per Household	Housing Units	Seasonal Housing Units
1960	1,704				
1970	1,921			580	
1980	2,143	718	2.98	786	
1990	1,966	763	2.58	885	47
2000	2,208	886	2.49	996	64
2010	2,650	1,100	2.4		
2020	3,200	1,320	2.4		

Source: United States Census Bureau.

POSTULATED GOAL STATEMENT

The following statement of goals was derived from two discussions with the Charter Township of Filer Planning Commission on May 3 and June 7, 2000. They are based on the principle that the Township has two distinct characters or parts, one rural, the other urban, and that maintaining the character of both are essential to the future well being of the community.

1. **Quality of Life.**
   To *protect and enhance* the quality of life in Filer Township (quiet, natural beauty, lakeshore, small town atmosphere, historic, safe).

2. **Growth.**
   To provide opportunities for good design, mixed-use, *place making*, and flexibility to drive the growth of the Township.

3. **Rural Character.**
   To promote development patterns that *preserve the Township's rural landscape and appearance* and minimize the visibility of rural area developments from roads.

4. **Urban Form.**
   To establish consistent relationships between buildings and roads that create a *sense of place* and a meaningful urban character. Also, to encourage compact, walkable, mixed-use neighborhoods within the Township that provide opportunities for residents to work, shop, and play.

5. **U.S. - 31 Corridor Visual Character.**
   To maintain the *gateway appearance* of the U.S.-31 corridor in areas that are currently rural and undeveloped.

6. **Housing.**
   To encourage a *variety of housing*, including affordable housing, to satisfy the lifecycle needs of Township residents.

7. **Urban Services.**
   To provide the full complement of urban services to the north U.S. - 31 shopping district, Oak Hill and Filer City in the interests of protecting the health, welfare, and safety of the most urban parts of the Township. Also, to maintain a level of services elsewhere in the Township commensurate with the demands of density.

8. **Civic Space.**
   To promote the establishment of a historically significant public space that is the *focus of civic life* in the Township.

9. **Economic Development.**
   To maintain the Township's role as a strong *partner in the regional economy* as a provider of shopping opportunities for the regional population.

10. **Heritage/Culture.**
    To protect and build on the *historical, archeological and cultural character* of the Township.

11. **Open Space Preservation.**
    To encourage the development of *planned communities* within the Township that preserve and incorporate natural features and maintain natural patterns and connections while protecting permanent open space.

12. **Agricultural Land Preservation.**
    To maintain opportunities for farming while preserving the rural character and appearance of the Township.

13. **Transportation.**
    To *protect the roadway capacity* of U.S. -31, maintain safety, and minimize the need for major capital improvements and expenditures for capacity enhancement.

NEEDS ASSESSMENT

Population projections for 2020 put the population of Filer Township at approximately 3,200 people with the average household size being 2.4 people. This represents an increase of more than 400 total households in Filer Township.

The recent trend has been to develop residential areas in "neighborhood like" settings under the current PUD ordinance. For the past five years an average of 16 houses were built per year. Most of these houses (approximately 88%) have been built in new 'neighborhoods', while rural development has been declining.

The current average urban lot size in Filer Township is 22,000 square feet. By multiplying the estimated number of urban households (400) by the current average lot size (22,000 sq. ft.), we can estimate how much land will be needed for residential developments. It is also important to take into account that some multiple family homes may be built and some homes are still being built in rural areas. By taking all of these things into consideration, we can surmise that Filer Township is going to use approximately 200 acres of land for urban residential development between 2000 and 2020.

According to information provided from the Michigan Resource Information System Base Maps (MIRIS), in 1993 there was approximately three hundred (300) acres of vacant land in the commercially zoned district in Filer Township. Commercial uses will increase by 2020 due to the rise in population, but the changes will most likely be subtle. There is an adequate supply of land already zoned for commercial enterprises to support the increased demand based on anticipated population growth, however, some of this available supply will be developed.

Although the type of industry may change, a substantial increase in industrial land demand is not expected. If a large new industrial employer locates in Filer Township, however, it will not only generate a demand for business park land, it may generate a significant increase in households and population in the general area and plan amendments will have to be made accordingly.

Land Use	Approximate Acreage to be utilized – 2000 to 2020
Residential	200
Commercial	20
Industrial	40
Other *	30

- Other Land Uses refers to land that is used to support the infrastructure of a community such as land for schools, churches, roads, parks, etc.

GUIDING PRINCIPLES AND POLICIES FOR COMMUNITY PLANNING AND DESIGN

"When we look at the most beautiful towns and cities of the past, we are always impressed by a feeling that they are somehow organic...Each of these towns grew as a whole, under its own laws of wholeness...and we can feel this wholeness, not only at the largest scale, but in every detail: in the restaurants, in the sidewalks, in the houses, shops, markets, roads, parks, gardens, and walls. Even in the balconies and ornaments"

Christopher Alexander,
A New Theory of Urban Design

The following are the planning principles and policies of the Charter Township of Filer.

1. **Consider every development as part of the larger neighborhood and community.** The problem with contemporary community development is that each site is planned and developed as if it needed to defend itself from neighboring sites and the larger community. Every site functions as an independent entity rather than as part of the larger whole. Each site provides its own parking, resulting in more land being used than is collectively needed. Each site depends on its own access creating more congestion and more dangerous streets. Each site has its own unused yards. And each building looks as though it has no relationship, either architecturally or functionally, to buildings on adjacent sites.

   - Require each development to demonstrate how it relates to and is part of the larger neighborhood and community and how it will become part of the development and natural patterns on adjacent sites.

   - Encourage the integration of new development with existing development so that everything is connected and a part of something else.

2. **Make things connect.** Recognizing that natural systems most always extend beyond the limits of a single site, these features should be connected and employed as the framework for future development.

   - Connect the valuable resources that define the Township and give it character including lakes, wetlands, stream corridors, viewsheds, parks, and historical features.

   - Require the connection of and protection of natural environmental corridors as the organizing structure, as greenway infrastructure, for future development.

   - Insure that greenways are sufficiently wide to serve as wildlife corridors.

- Wherever possible interconnect activity centers and natural and historical elements with pedestrian and bikeways.

- Interconnect new projects with existing development, via roads, shared drives, and pedestrian accesses, wherever possible, as means to facilitate emergency access and minimize the number of direct accesses to major roads and Highways.

3. **Create a "sense of place". Make things look like you want them to look.** A few communities understand why they are great places. Others haven't a clue about what makes them unique and memorable. In still others, they don't value place making because they are just a place to sleep. Why do we have to give any thought to looking like an identifiable and memorable place? Unfortunately, most communities are more concerned about how they will be affected by traffic than how things will appear from the vantage point of the road.

   - Require that development plans define and reflect the natural, historical, and cultural characteristics that make the community unique.

   - Establish a physical design framework, a look, which guides developers and the public in the planning and design of buildings and sites so they look like they belong to the larger whole.

   - Identify, preserve and restore the Township's heritage, wherever possible.

   - Protect and incorporate valuable natural resources as elements of all development plans.

   - Create a community or civic focus as the social center for the Township.

   - Develop and refurbish places to live in urban service areas using traditional neighborhood design principles that create identifiable neighborhood places.

   - Minimize the visual impacts created by wireless communications facilities from road and residential vantage points by encouraging the use of existing structures, collocation of antennas, and the use of colors and materials that camouflage towers.

4. **Create land use patterns that foster convenience and safety and result in the least demand for supporting services and infrastructure.** Land use patterns dictate the type, scale, and nature of public services and facilities. The more development is spread out, the more cost is associated with serving it.

   - Create development patterns that tightly mix uses for the sake of convenience and reductions in travel demand.

- Confine pure commercial uses to areas already zoned commercial or to infill commercial sites and accommodate new commercial development in areas requiring rezoning to be part of mixed use developments.

- Establish increasingly compact districts rather than allowing development to strip along roadways.

5. **Maintain the rural character and appearance of the highway and road corridors.** With the exception of the commercial district, the highway and road environs are rural in appearance. This quality will change if not controlled and managed with the understanding of what is to be achieved. Commercial districts, on the other hand, tend to feature parking lots as their visual roadside focus. Buildings are set far back into the site as a backdrop.

   - Insure that the development of road and highway frontages incorporates and protects the existing rural character of rural road frontages.

   - Establish a pattern for commercial development that features buildings as the primary roadside image and narrows the distances between buildings on either side of the road.

6. **Keep streets and highways from becoming barriers.** Wide streets and highways often create barriers for pedestrians, causing residents to become increasingly dependent on the automobile for mobility or being isolated if the auto is not a transit option. The young and elderly are especially disenfranchised where the auto is the only form of mobility. While cars will continue to have a significant presence in the community, they should neither dictate how people live nor restrict mobility. Moreover, street width is directly related to the numbers of points of access to them. The more private driveway accesses there are, the more street width is required to both carry traffic and accommodate turning movements. More and narrower streets with good access control have proven to carry more traffic with the least amount of impact on neighborhoods and loss of accessibility. And, land use and access can be planned to minimize road width, thus making friendlier pedestrian places.

   - Generally limit local road width in urban and rural areas to two lanes plus single turn lanes at intersections.

   - Wherever possible, employ or encourage on-road parking on both sides of neighborhood streets and other devices to slow traffic.

   - Except for roads that intersect the Highway, require short intersection curb radii in urban service areas to facilitate pedestrian accessibility.

   - Establish patterns of land use and access that optimize the spacing and number of direct accesses to allow for the maintenance of the present Highway width throughout the US-31 Corridor.

- Limit direct access to the Highway to well spaced public or private streets as a means to reduce congestion, minimize crashes, maintain capacity, minimize surface width, and improve traffic safety.

- Always encourage the use of alternative accesses in lieu of direct access to the Highway.

- Where direct Highway access cannot be avoided, require an access management plan that calls for well spaced shared accesses and future compliance with access standards.

7. **Establish transportation choices.** The Township has virtually no place for pedestrians to walk and limited transit options.

   - Require sidewalks and/or bikeways on at least one side of all roads in urban service areas.

   - Cooperate with MDOT in developing a regional trail within the US-31 corridor.

   - Explore improvements in public transportation in cooperation with the City of Manistee and the school district to facilitate public transit choice and accessibility throughout the region.

   - Encourage the maintenance of rail service and all rights-of-way for future transportation use.

8. **Provide the full complement of housing.** Certainly, not everyone will wish to live in the same house for as long as they live in Filer Township and then elect to move away from familiar surroundings when their housing needs change. Likewise, business and industry need employees who in turn need to live somewhere nearby. If the housing stock is limited to higher value single-family units, there will be no place for any but the highest paid employees to live.

   - Provide opportunities for a wide range of housing types to satisfy the lifecycle needs of Township residents of all income levels.

   - Consider a range of quality affordable housing types that cater to the needs of employees.

   - Disperse affordable housing throughout the community rather than concentrate it in larger developments.

   - Require a minimum of 10%, but not more than 20%, of housing units within projects consisting of 10 or more units be comprised of affordable housing.

9. **Think regionally, act locally.** Some decisions are just too big to be made exclusively by local governments. Virtually every decision will have at least some effect on the larger region but some such decisions must be made by local units. All decisions should be made to serve the best interests of the larger region as well as the Township.

   - Always consider the regional implications of local decisions, no matter how small that decision may seem, and act responsibly in the Region's and Township's best interests.

   - Cooperate with municipal neighbors, the County, and State in the consideration of a US-31 Bypass.

10. **Engage the public in planning.** While the tendency is for communities to plan for stuff like buildings, roads, parks and the like, the real purpose of planning is to plan for people and how and where they will live, shop, work and play. Thus, people having a stake in the community should be continuously and productively engaged in its planning.

    - Program and design public involvement (not just public hearings) as a regular component of all decision making.

11. **Provide urban services that represent the best value for residents and businesses and reflect the demands of density.** Public water is already available to the urban portions of the Township and sewer service is needed. Great care must be taken to objectively evaluate alternative methods of sewerage service/treatment to insure that the approach employed represents the best value for the ultimate users of the service, in balance with environmental effects, whether provided by the Township or some other entity.

    - Cooperate with neighboring municipalities to objectively evaluate alternative public service delivery options.

    - Use public utilities (sewer and water) as tools to encourage development within urban service areas.

    - Require all local and collector roads in Urban Service Areas to be paved with bituminous or similar hard surfaces and, with the exception of arterial roads, require gravel surfaces in areas designated as Rural Service Areas.

12. **Maintain the character of rural and agricultural areas.** While much of the rural area of the Township has been divided into large residential lots and is no longer farmed, the character of these areas has not yet been significantly altered. The character of these areas should be protected for as long as possible.

- Encourage the clustering of development as a means to preserve valuable natural resources and open space.

- Create incentives to encourage the incorporation of desirable views and vistas, woodlands, farmlands, and the protection of ridgelines into development plans.

- Encourage development in areas furthest from the urban service area to be delayed for as long as possible by requiring large lot developments.

13. **Reclaim the Lakeshore.** Industry as we know it will not always occupy the shoreline of Manistee Lake. Originally dependent on the Lake for transportation and later rail, heavy industry will have less need to occupy the Lakeshore as historical transportation needs continue to weaken.

    - Formulate plans for future reuse of the Lakeshore.

    - Protect the waters edge for future public use and access.

14. **Protect the public from industrial hazards.** The Township harbors an industry that processes and transports sour gas and oil containing high levels of hydrogen sulfide. Unless responsibly and prudently regulated, these activities could represent a significant public health hazard.

    - Establish and enforce responsible standards for the release of hydrogen sulfide (H2S) at wellheads, processing facilities, and pipelines.

    - Establish and maintain separation distances between wellheads, processing facilities, pipelines and residential areas and places where the public congregates, that minimize the potential for hazards.

LAND USE PLAN

The following descriptions represent the land use intent within the areas designated on the Land Use Plan:

Urban Residential – Areas designated Urban Residential correlate with the older residential areas of the Township and are intended to accommodate a variety of housing types ranging from attached and detached single-family to multiple-family housing. These richly historical areas are urban in nature with a distinct character that reinforces the feeling of neighborhood cohesion rather than a collection of unrelated houses. They are intended to infill with development of the same character as Oak Hill and Filer City with smaller lots, sidewalks, narrow paved streets with tree lawns built on a fine grid street pattern, alleys, public water and sewer utilities, on-street parking, and garages located in the rear yards, making buildings the prominent features of neighborhood streets, not garages.

Allowable densities in these areas are intended to range from a low of three units per acre for single-family housing to a high of 10 units per acre for multiple-family housing with flexibility allowed within these parameters by special use permit and PUD. Public and institutional uses including parks, churches, schools, historical features, and essential services are intended to be allowed in Urban Residential Areas, provided they are compatible and in scale with surrounding residential development.

Filer City is the most at risk residential area in the Township because of the influences of industry. This area, in particular, should be studied to see whether there are opportunities and incentives to improve or rehabilitate the housing stock and strengthen the general character of the neighborhood. In any case, this area needs to be protected from the effects of heavy industry by insuring that there are no further industrial intrusions into the neighborhood and any future industrial expansions are sensitive to, compatible with, and buffered from the residential neighborhood to minimize visual access and other potentially adverse effects.

Residential – Areas designated residential consist of low-density detached single-family housing that do not offer the full complement of urban services. These areas are intended to have on-site sewer and water systems and rural roads with improved surfaces, shoulders, and ditch sections. These areas are not intended to have publicly maintained parks but should have access to the Township's park system via an interconnecting trail network. Here, the rural appearance is intended to be perpetuated and tract subdivisions striped along roadways are to be avoided by the creative placement of structures and appropriate screening to minimize the appearance of homes from road frontages. Public and institutional uses that can be accommodated with on-site utilities and essential services are intended to support the needs of residential neighborhoods.

Densities are intended to range from not more than two residential units per gross acre for standard subdivisions, condominiums, and land divisions to three units per gross acre where clustering is employed, provided such developments have approved waste disposal

systems and at least 40% of the land area is maintained as open space correlating with valuable natural features such as wetlands, steep slopes, mature trees, and shorelines. Where clustering is employed, lot sizes are intended to be based on the capability of the soils to accommodate on-site wastewater treatment. The intent is to preserve larger tracts of interconnected open space in residential areas. Such open space is not intended to be used or maintained as public land unless it exceeds an area of 10 contiguous acres. These areas are intended to be usable by residents of the development and to be connected to other existing or potential open space preservation areas. Connected open space preservation areas are intended to be protected by conservation easements or other appropriate measures.

Forest Residential – Forest Residential areas are rural in nature and have a very low density of one residential unit per 10 acres. They are intended for detached single-family housing that is serviced by on-site sewer and water utilities and rural road sections and the keeping of limited domestic livestock such as fowl and horses Larger areas of inter-connected open space, and especially trees, are intended to be preserved by the clustering and positioning of housing. A 20% density bonus is intended as an incentive to preserve open space and natural features provided developments have approved wastewater disposal systems and valuable natural features are preserved that interconnect with larger tracts of open space. Community or cluster residential wastewater treatment systems are not intended to be employed in these areas. With the exception of essential services, forest and game preserves, and golf courses, uses that require public maintenance like parks are not intended to be located in Forest Residential areas.

Commercial – Commercial areas generally correlate with the existing retail development located along US-31. These areas are intended to accommodate pure commercial uses that augment the shopping center character of the corridor. These areas are intended to have limited and/or well spaced access to the Highway to minimize traffic conflicts and the need for Highway widening. Generally, these are shopping center type uses that cater to the shopping needs of the greater Manistee community. These areas are intended to be served by public utilities.

Transition – This area already has a pattern of development consisting of forest, farming and strip residential development. It is, therefore, intended that this area be allowed to transition to residential use over time where soils are able to accommodate on-site utilities with acceptable separation distances, while encouraging the continuation of agriculture and forestry for sites that are not suitable for residential use.

Business Park – Business park areas are primarily places to work. They are intended to accommodate generally smaller buildings and employment uses involving manufacturing, testing, processing, assembly, and storage of finished or semi-finished products, and office uses having no outdoor storage that is visible from residential areas or public roads and which have the need for neither rail nor Lake transportation. An incidental amount of commercial and retail development is also intended to be accommodated in support of the business park. These areas are intended to accommodate clean industries and support facilities that have a quality appearance from the road and meet high-level environmental

performance standards. Such areas are intended to be serviced by public sewer and water utilities, when available.

Lakefront Industry – The Lakefront Industrial area correlates with the existing industrial land and buildings located on the shores of Manistee Lake. This area is intended to accommodate larger employers that depend on the Lake or rail to satisfy their transportation needs. This area is intended to be serviced by public utilities.

Heavy industry was the catalyst for the original settlements of Filer City and Oak Hill and it continues to have a significant influence on these neighborhoods. On the other hand, this area is susceptible to change and future uses should be held to a higher standard of site design and lakeshore protection. Future users may not have a need for either rail or Lake transportation so this area may actually lose its historical allure for heavy industry suggesting a change in use to clean industry, office, residential, institutional, recreational, and open space uses attributable to the growing amenity value of the lakeshore.

Some of the existing businesses may continue to operate at this location for 20 or more years and expansion is considered to be acceptable throughout that timeframe, though the quality of each expansion is intended to improve as viewed from the adjacent residential neighborhood and the adverse neighborhood impacts are intended to be ameliorated over time. As existing businesses cease operations, move to other locations, or are eliminated through merger, it is intended that these prized Lakeshore properties transition to uses that both respect the neighborhoods and capitalize on the recreational value of the waterfront.

Heavy industry was the catalyst for the original settlements of Filer City and Oak Hill and it continues to have a significant and growing presence in the Township. As is the case throughout the entire Township, the future of lakefront property uses should be determined based upon the best long-term interests of the Township with regard to its economic well-being and quality of life. In the event that industrial land becomes vacant, the Township should consider options and opportunities, including industrial and manufacturing developments, clean industry, office, residential, institutional and expansions that are consistent with the long-term health and vitality of the Township.

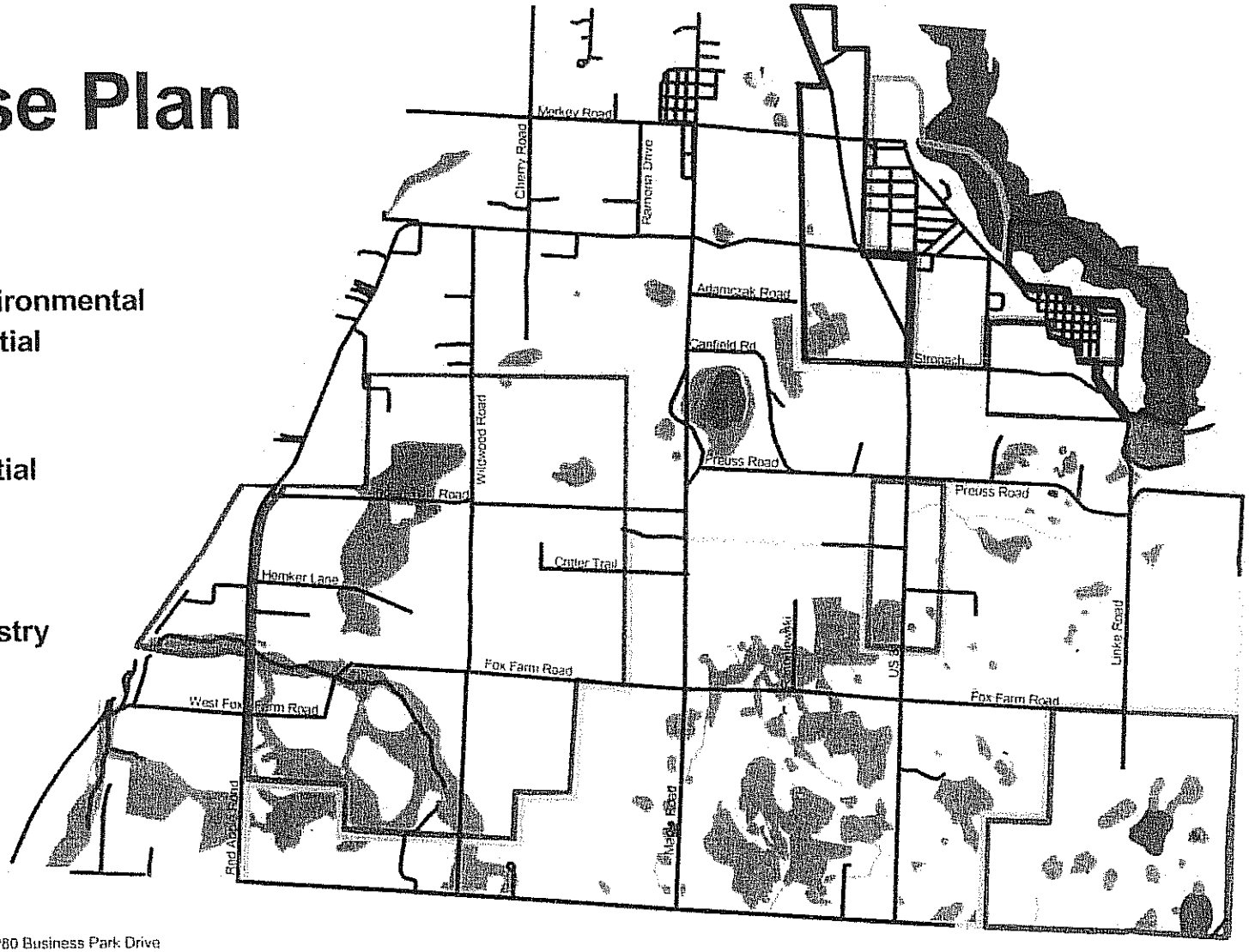
Agriculture – Though only a few operations remain, farming is intended to be encouraged for as long as possible with minimum conflicts from residential uses. In order to minimize conflicts, the residential density in Agricultural areas is intended to be one unit per five acres and farming operations are intended to be small, providing for such limited agricultural uses as the raising of farm animals, the production and sale of agricultural crops such as fruits, grain, vegetables, greenhouse plants, trees and nursery plants, related farming activities, roadside stands, and home-based businesses.

In Agricultural areas, rural road sections are intended and the clustering of housing is encouraged, provided residential units have access to an improved road (no **limited** access allowed to US-31, however) and approved on-site wastewater treatment is provided. Clustering is encouraged both to protect natural resources and to provide for the

Charter Township of Filer
Manistee County, Michigan

Land Use Plan

- Lakeshore/Environmental
- Forest Residential
- Agriculture
- Residential
- Urban Residential
- Commercial
- Business Park
- Transition
- Lakefront Industry



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1280 Business Park Drive
Traverse City, MI 49686
231-946-9191
1-800-968-1062

2000035.01 rev. 08/19/04 jrl

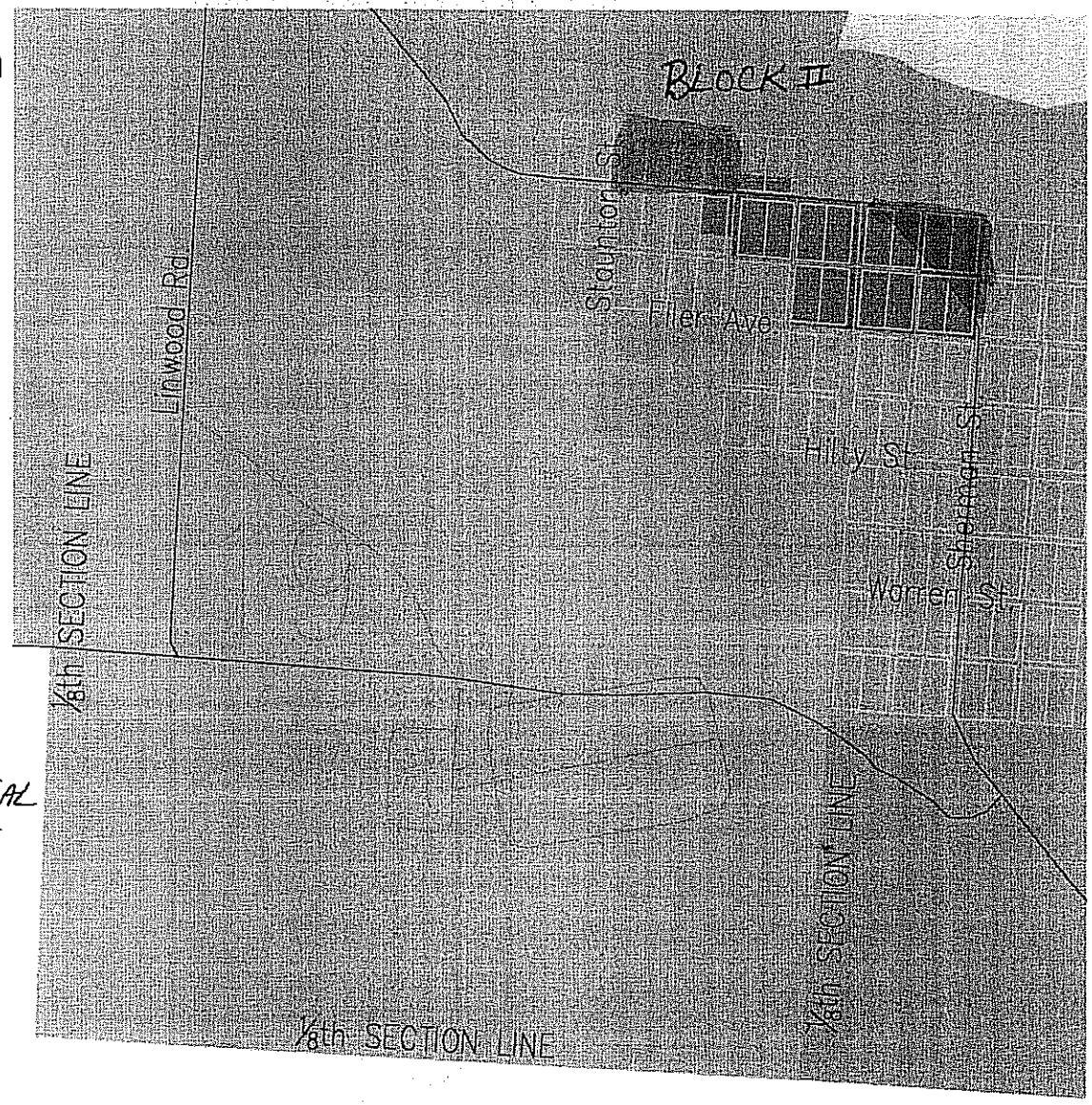
N

Charter Township of Filer
Manistee County, Michigan

Zoning Map

- Agricultural Residential
- Forest Recreational Residential
- General Commercial
- High Density Residential
- Medium Density Residential
- Lake Front Industrial
- Limited Industrial
- Wetland
- AREA TO BE ADDED TO LAKE FRONT INDUSTRIAL DISTRICT

FILER CITY AREA
INSET



DETAIL of PROPOSED MAP CHANGE

N

0' 600' 1200'

Gosling Czubak
engineering sciences, inc.
1280 Business Park Drive
Traverse City, MI 49686-8807
231-946-9191 800-968-1062
Fax: 231-941-4603

P:\2000035.01\CADD-Data\Filer\dwg\Zoning.dwg Tab: Zoning zoom Saved on: 09/04/07, 1:36pm Plotted by: jrlumley 09/04/07, 1:38pm

continuation of farming. With the exception of essential services, and privately owned golf courses, uses requiring public maintenance such as public parks and institutional buildings are not intended to be permitted in Agricultural areas. Community or cluster residential wastewater treatment facilities are not intended to be employed in Agricultural areas.

Lakeshore/Environment – These areas are essentially lakeshore protection areas that are either owned by the Township or are wetlands needing protection. These are high amenity areas that will remain as permanent open space and view sites. The only improvements that are intended to be allowed in these areas are to be recreational in nature.

TRANSPORTATION PLAN – FUNCTIONAL CLASSIFICATION

The transportation plan consists of one major arterial road (US-31), urban and rural collector roads, and urban and rural local roads. The plan also advocates the employment of access management to minimize the amount of future roadway needed to satisfy travel demands.

Principal Arterial

US-31 is classified as a Principal Arterial under the National Functional Classification System. It is also on both the National Highways of Significance System and the Priority Commercial Network.

US-31 is the only Principal Arterial in the system. Its primary function is to carry relatively high volumes of traffic, medium to long distances, to and through the Township. It is intended that arterial roads offer only very limited direct land access, primarily at road intersections and shared commercial driveways, that accesses be well spaced or alternative access be provided, that major intersections be signalized, and that no on-street parking be allowed. Arterials are primarily intended to carry through traffic, not to provide direct access to individual homes and businesses. Limiting the number and type of direct accesses will provide for less conflict and safer travel if the road width remains as narrow as possible, except at intersections where turning lanes may be warranted to facilitate traffic movement. Access management is especially needed throughout all segments of US-31 in Filer Charter Township to maintain the efficiency and safety of the road.

Collector Roads

Urban collectors such as Merkey Road and 28th Street are intended to carry moderate volumes of traffic relatively short distances, collecting traffic from urban local streets and distributing it to other collectors and arterials. These are intended to be built to an urban standard with paved surfaces, curb and gutter, piped storm drainage rather than ditches, and associated sidewalks, bikeways or trails. Urban collector roads are intended to be two to four lanes in width providing for two moving lanes of traffic plus on-street parking. Turning lanes are warranted at major intersections. Accesses are intended to be adequately spaced to maintain traffic capacity. Wherever possible direct access to collectors should be limited to roads and shared driveways. Design practices and features are encouraged that slow traffic to less than 35 miles per hour.

Rural collectors are intended to carry relatively low volumes of traffic longer distances in areas of the Township where rural residential development exists. Improved rural collectors are two lane roads with paved surfaces, shoulders, and ditches. Rural collector roads with minimum improvements are also two lane roads with graveled or paved surfaces, shoulders, and ditches. Direct access from homes and businesses to rural collectors is intended to be permitted but developments having two or more buildings are intended to share driveways and roads. All collectors are intended to be public roads and have a minimum surface width of 24 feet where on-street parking is not allowed.

Local Roads and Streets

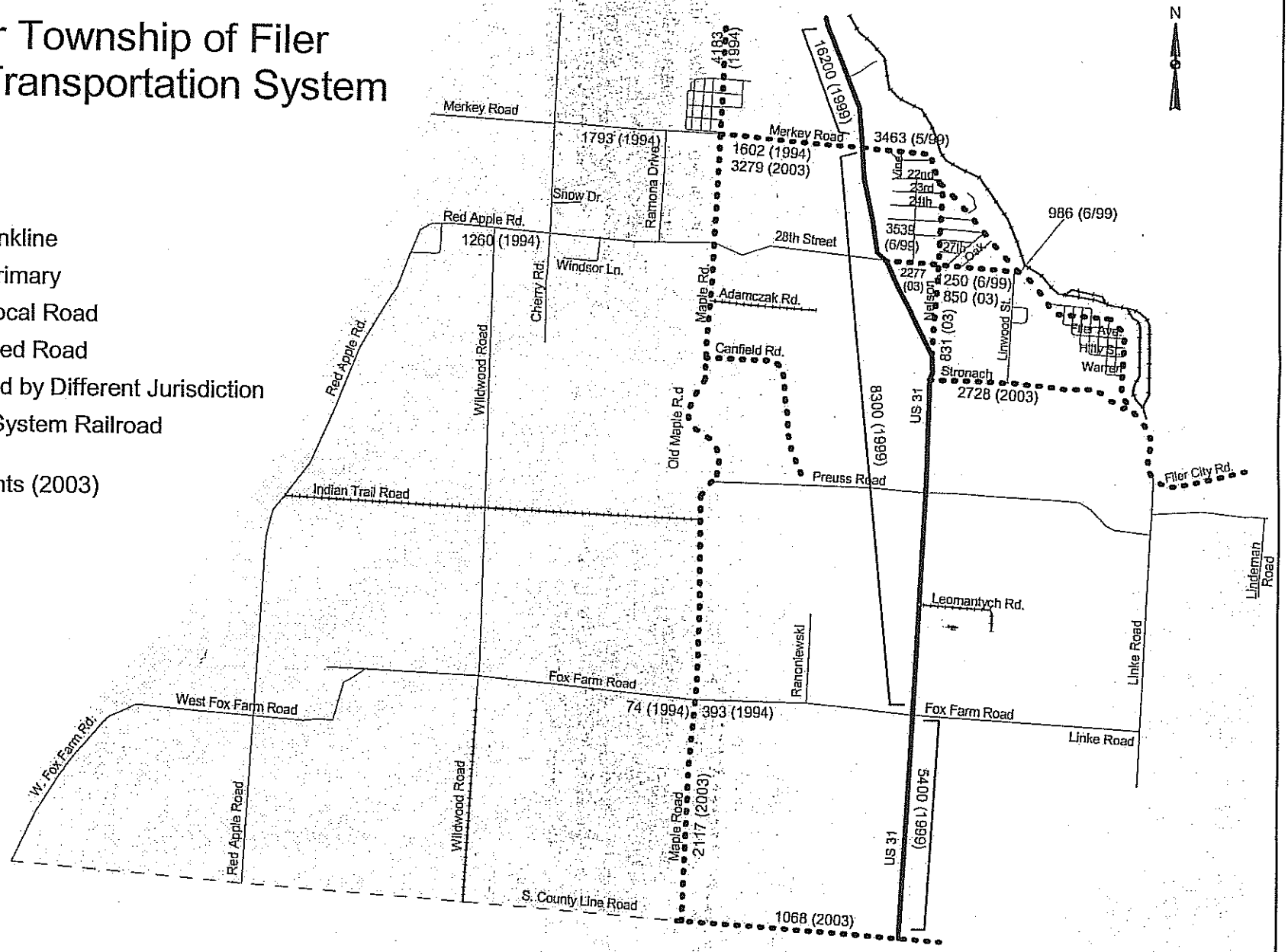
Urban local streets are primarily intended to carry neighborhood traffic short distances to and from homes and businesses to collector roads. These are intended to have two moving traffic lanes with paved surfaces, curb and gutter, short curb radii, piped storm drainage, sidewalks, and on-street parking. Street design and improvements are encouraged that slow traffic to less than 30 miles per hour.

Rural local roads are intended to have graveled **paved** surfaces with ditch sections, or, at the discretion of developers and residents, private roads with paved surfaces. These are intended to be either public or private roads and have a minimum surface width of 20 feet **24 feet** where on-street parking is not allowed. The minimum width for local roads with parking on both sides is intended to be 26 feet **shall comply with the standards of the Manistee County Road Commission,** allowing for a "Yield" traffic flow (to be illustrated).

Charter Township of Filer
Existing Transportation System

- State Trunkline
- County Primary
- County Local Road
- Unimproved Road
- Maintained by Different Jurisdiction
- Chessie System Railroad

Traffic Counts (2003)



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1-800-968-1062

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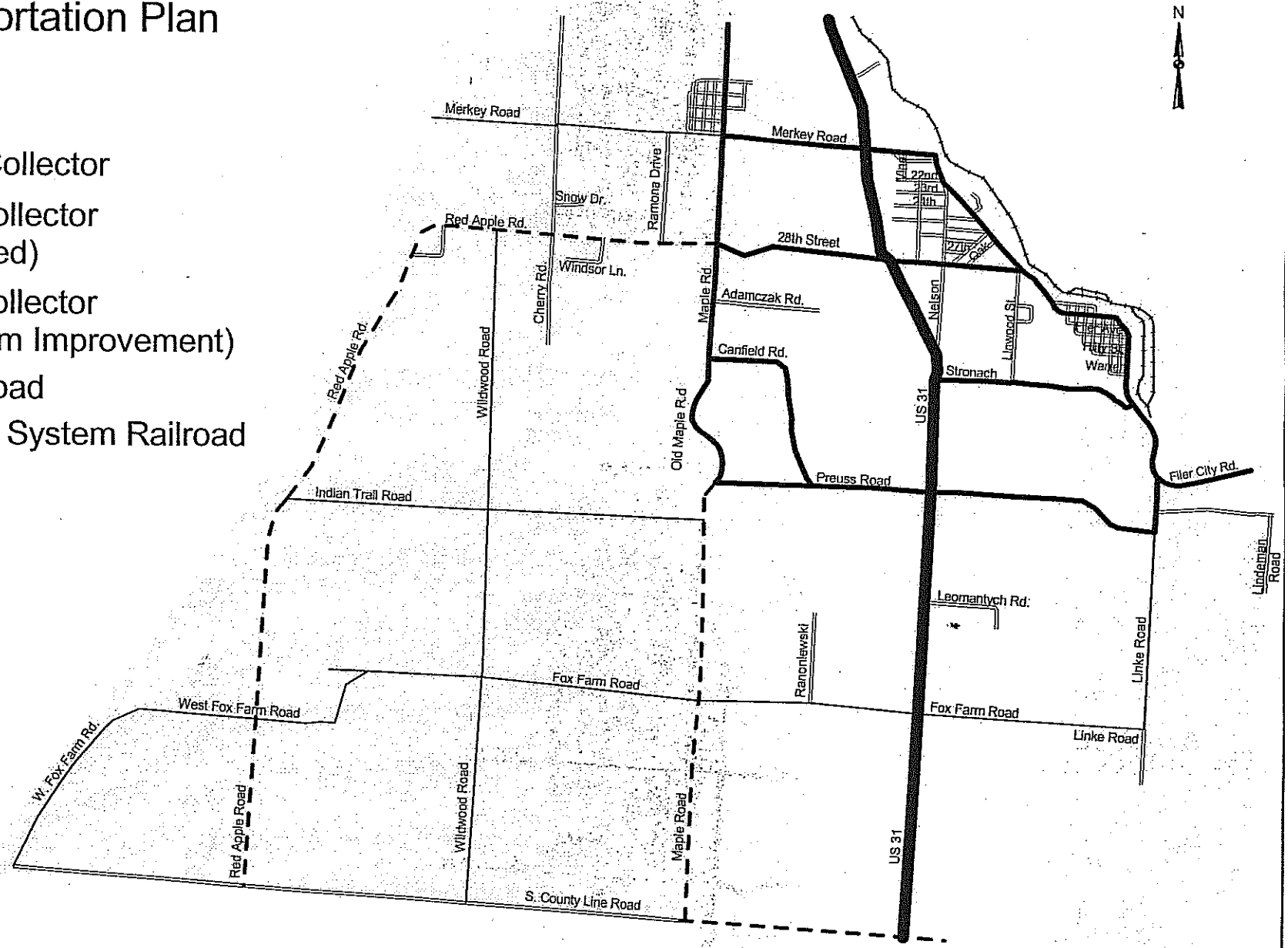
Charter Township of Filer
Transportation Plan

- Arterial
- Urban Collector
- Rural Collector (Improved)
- Rural Collector (Minimum Improvement)
- Local Road
- Chessie System Railroad



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2000035.01 JLC rev. 3/12/01 12/10/01 jrf

IMPLEMENTATION PLAN

Zoning Ordinance

This Master Plan establishes core concepts, ideas, and policies that are not consistent with the Township's present Zoning Ordinance. This means that the Ordinance will need to be amended or rewritten to support the plan or none of the ideas in the Plan will ever be realized. As the primary Plan implementation tool, zoning must reflect the directions established by the Plan.

Some examples of needed changes include the following:

1. Updating of Article 88, Planned Unit Development, to reflect the intent and purpose of the Multiple-Use category of land use as specified by the Master Plan. The existing PUD ordinance is generally deficient in those things needed to make it a useful tool for creating planned communities.
2. Article 60, the Limited Industrial District, permits uses that are not intended to be allowed in the areas so designated on the Land Use Plan. In particular, Oil and Gas processing facilities, and Open-air display areas for the sale of manufactured products, do not fit with the Business Park concept established by the Land Use Plan.
3. The Zoning Ordinance currently has no access management regulations. This is a major theme of the Master Plan. An access management ordinance would regulate the nature, and spacing of accesses to major roads, and especially the Highway, to maintain their traffic carrying integrity and improve safety.
4. The urban form proposed by the Land Use Plan for Urban Residential areas and areas located near the Highway is not addressed by the current Zoning Ordinance and such patterns will not be realized unless the Ordinance is amended to reflect the Plan. This is perhaps one of the most critical changes to the Ordinance in terms of its affect on future development.
5. Institutional uses are permitted in the Agricultural Residential District as Special Uses even though the Master Plan specifies that such areas should have minimal public services. If the intent is to limit services, uses must also be restricted to those, which require little or no service.
6. Zoning district boundaries and district names may also need to change to reflect the intent of the Master Plan.

There are numerous other inconsistencies like the incentive based clustering and density bonuses advocated by the Master Plan and the preservation of open space that need to be regulated very clearly by the Zoning Ordinance. The effort to ensure that the Master Plan will be implemented successfully will require a significant rewriting of the Ordinance.

Public Utilities

Perhaps the biggest issue facing the Township is the need for public sewers to service areas designated for Urban Residential, Multiple-Use, and Business Park. While the Township offers public water service to Urban Residential areas, sewers will not be available to the

areas that need them without a large expenditure of public moneys, a lot of planning and cooperation, and the resolution of numerous environmental and political concerns.

A number of alternatives should be evaluated including: 1) connecting to the Manistee City system, 2) cooperating with PCA to provide for shared treatment at the present PCA plant, 3) connecting a new Township plant to the PCA outfall sewer, and/or 4) building a new sewage treatment facility to serve the Township alone or both the Township and PCA. The Township is currently working with the City of Manistee to purchase service.

If service is ultimately not made available by the City, the Township should undertake a feasibility study to determine which of the options will best reflect the interests and needs of the resident users of such a system recognizing that not all Township residents do now or will have a need for public sewer service in the future.

There are two major concerns that need to be explored in the evaluation of alternatives, the effects on the environment and the costs to provide the service, especially the cost to the ultimate users of the service. Therefore, both need to be explored as part of the feasibility study.

Regarding costs, the City has at least broached the idea of offering treatment services to existing development within the Township at a cost that reasonably reflects its cost to treat the wastewater. The City is not willing to service commercial development in the Township that competes with business in the City at these same favorable rates. Nonetheless, there may be room to negotiate an agreement with the City that may be more favorable, both environmentally and cost-wise to the user, warranting further consideration. With this approach the Township could elect to have the City own the collection system or it could own and maintain the collection system itself.

Treatment through the PCA facility will present a new dynamic since there may be the need to upgrade the treatment plant, raising public vs. private ownership issues. A complete new treatment facility will give the Township the highest level of control, however, it will also impose a new set of urban service responsibilities on the Township, as well as major environmental concerns, to provide a relatively small portion of the Township with sewage treatment and collection services.

US-31 Improvements – Access Management

Undoubtedly, the issue of widening US-31, or its relocation, will arise in the future primarily because of the existing bottleneck in the City of Manistee. The Master Plan establishes policies that would maintain the Highway's current width, except at intersections, by requiring alternative access and limiting access to well-spaced roads plus a few shared private driveways. If the Township is diligent about enforcing these policies, the Highway may not require widening or relocation. Of course, the ultimate outcome may depend on how Manistee to deals with the Highway issue.

If the Highway is relocated to the east as has been suggested, a significant volume of traffic will be able to bypass the Township's commercial district. The degree to which the

district depends on passing vs. destination traffic is unknown. This would have to be determined as part of a joint realignment study that would need to be undertaken by MDOT and the affected municipalities. Such a realignment study would have to consider the benefits of realignment vs. its political, environmental and socio-economic costs. It may not be practicable to relocate the Highway, even if seemingly justifiable, which means that the integrity and capacity of the present road will need to be guarded religiously if it is to remain as the shared thread that connects the urban area's three communities.

Since two-lane roads with turn lanes at intersections appear to be the most efficient means to carry traffic according to recent studies, access management will be an invaluable tool in protecting the capacity of existing US-31 whether or not it is relocated in the future. The Township should therefore develop an access management ordinance for the US-31 corridor as part of the updating of the Zoning Ordinance in accordance with MDOT guidelines. The Township should also cooperate fully with the several municipalities affected by the possible relocation of US-31 and MDOT to insure that the correct decisions are made and all alternatives are adequately considered.

Public Transit

The Township is well served by a demand responsive dial-a-ride transit service. While this service is currently adequate to satisfy the needs of Township residents, there will be a growing need to improve service within the more urban areas of the Township as the population grows older, densities increase, and gasoline prices soar. This may include fixed route service between Filer City and the City of Manistee to facilitate the movement of employees to and from employment and shopping centers in both communities. The Township should continue to play an active leadership role to insure that the ever-changing transit needs of the Township will be satisfied.

Open Space Preservation

If the clustering of housing and "making things connect" are to be encouraged throughout the Township in an effort to preserve "greenway infrastructure", there will be the need to create the mechanisms that will make that a reality short of land acquisition. This will require the employment of such things as the transfer of development rights (TDR) and the dedication of open space by irrevocable conveyance including deed restrictions, protective covenants, and conservation easements. Dedication of open space may have application in some instances via farmland trusts, conveyance to homeowners associations, condominium agreements, and transfer of deed to the Township or some other governmental agency. Criteria should be established to determine when each of these tools would be considered to be acceptable.

Capital Improvements Program (CIP)

Because of the substantial costs that may be associated with developing a sanitary sewage treatment/collection system, the Township should study all of its long-term capital needs and decide how they will be paid for and over what time frames. In some manner or form, all public improvements compete for dollars with all other improvements so everything cannot be built because there are not enough monies to do everything. The idea of a Capital Improvements Program is to compile a list of both needed and desired capital projects generally exceeding a cost of $10,000 and prioritizing their construction or

purchase over a 5 to 6-year period. Such improvements may include, but not be limited to, fire equipment, public utilities, building construction or remodeling, parkland acquisition and development, sidewalks and bikeways, and parking lot improvements. Every year the CIP should be reevaluated and updated. Priorities are frequently altered based on the availability of money. Anticipated sources of funding are also listed including grants. If this process has not yet been institutionalized as an annual procedure, it should be done in conjunction with the consideration of how to satisfy the sewage treatment needs of the Township. A capital committee could be established each year to assist the Board with the updating process.

Design Framework/Guidelines

The Charter Township of Filer has a wealth of natural, historical, and cultural characteristics that make it a truly unique and identifiable place. These characteristics will be lost if they are not carefully documented and then carefully repeated. If the Township is concerned about preserving its character it will have to achieve an understanding of what makes this a great place and then replicate the forms that give it its character. In order to do this, an urban design framework should be formulated with help from an architect and/or urban designer. The framework would establish design standards for public and/or private facilities including buildings, roads and highways, landscape, Township entrys, and civic space. The intent is to create a consistent appearance or "look" throughout the Township that is recognizable to both residents and visitors and will be the source of pride for those who live in the Township.

The development of design guidelines will be essential to insure that developments in highly visible locations, such as those along US-31, will ultimately portray the desired entrance or gateway characteristics and patterns that are described in Multiple-use areas. These, too, can be developed by an architect or urban designer. Enforcement of such appearance standards can be done by ordinance but may also require the employment of a design review committee. If such an approach were to be attempted, Filer would be one of only a handful of townships in the state willing to undertake the enforcement of design guidelines in the interest of improving or maintaining the character and appearance of a highway corridor or business district.

Corridor Study

The US-31 corridor has the potential to become either an asset or a liability depending on how land use patterns evolve. If every parcel is allowed to develop as an island unto itself and fails to consider the context or the relationship it enjoys with neighboring properties, it will become both an eyesore and a traffic hazard and the Township's image will be adversely affected. There is also the issue of preserving the rural character of the highway, while allowing a reasonable amount of development to occur. Preserving something of the natural character of what people now see from the road will be a major challenge unless an effort is first made to define what is to be preserved and how land use is to be managed and regulated within the corridor consistent with preserving rural character. This will be the purpose of the US-31 corridor study, which should cover the entire stretch of US-31.

Affordable Housing

The shortage of affordable housing is one of the most difficult problems facing communities today. Every urban township and city has such a housing shortage but few have the conviction to do anything about it, forcing people of modest income to travel long distances from rural areas to places of employment within the urban area.

According to the US Government, an affordable house is one where not more than 30% of a family's income is used to pay the total cost of housing including principle, interest, taxes, insurance, maintenance and utilities. The National Association of Home Builders defines an affordable house as one priced at approximately three times the annual household income. Affordable housing may actually range from $40,000 to $120,000, or the equivalent in rent, depending on family composition and income.

There are numerous barriers to providing affordable housing including discriminatory development regulations and policies, land use policies that affect costs, raw land costs, site development costs, construction costs and the development review process, none of which will be easily overcome. What can be done to encourage affordable housing even though the Township does not regulate housing construction? First, the Township should require, by ordinance, that housing and multiple-use developments provide a minimum percentage of housing in the affordable range as a condition of project approval and that density bonuses be available to developers that provide affordable housing. This would be consistent with the policy statement on Page 13 of this plan. Secondly, the Township should work closely with the Manistee County Housing Review Board and the State of Michigan to obtain grants and loans for affordable housing and housing rehabilitation. Thirdly, the Township could be proactive in establishing a site for a small manufactured home development of say 30 or less units within areas designated for residential development by the Land Use Plan. Such development would require both public sewer and water services. This too may require assistance from the County and State. Such an initiative, however, may not be politically acceptable to existing residents. Since the Township has no staff available to administer housing programs and initiatives, it will have to do those things that require a minimum of effort but still have some potential for success.

Parks and Recreation

The Township contains a number of park and recreation facilities, some of which are owned by the school district. Township facilities include a vest pocket or playground type park near the former pool, the Oak Hill playground, Sundling Park, a road-end access to Lake Michigan, and the Magoon Creek Natural Area comprising 97 acres and having a quarter mile of beach frontage on Lake Michigan. With the exception of the Magoon Creek Natural Area, these are small facilities, which tend to emphasize playground equipment and little else. Based on NRPA standards, the Township is deficient in neighborhood parks and athletic field facilities, especially in the Canfield Lake area. It has also identified the need for a historical civic space or central park facility in the Town Center/Oak Hill area.

There is an emerging awareness in the Township of the need to preserve unique natural resources in the form of lakeshore, wetlands, and high quality woodlands, whether or not

such areas will serve an active recreational use. Particular emphasis will be placed on the acquisition of properties located on Manistee Lake as industries begin to divest themselves of land that is no longer needed for industrial development and/or redevelopment becomes a necessity. Such properties may be of regional significance warranting cooperative funding efforts. Other improvements that will emerge include bikeways associated with County and State highways, linkages to County snowmobile trails, hiking and nature trails linking Lake Michigan to Manistee Lake, land acquisition for new neighborhood and community parks, and satisfying ADA requirements.

In order to seek funding for needed park and recreation improvements, the Township should continue to update its Michigan Department of Natural Resources Community Recreation Plan in order to qualify for recreation grants administered by the DNR. In so doing, it should develop a cooperative relationship with the school district, the County and the City to minimize duplication and enhance the probability of funding success.

Intergovernmental Cooperation

Even when they are immediate neighbors, municipalities do not much talk to one another until a crisis has already arisen. So many issues could be avoided and so much money saved if neighbors would try to resolve shared problems before issues arise. The most contentious contemporary issues between the City and Township, even though the Township is chartered, are annexation and the delivery of sanitary sewer services. A joint written policy should be established for when and under what circumstances annexation would be agreeable. Furthermore, efforts should be made to negotiate a sewer service agreement with the City as a first resort, if that option appears to be the most feasible and desirable from cost and environmental standpoints for the ultimate users of the service. Mediation may be needed to resolve issues of such great importance to the two parties. The Township should take the initiative in establishing a stronger relationship with all of its neighbors, in particular the City of Manistee.

Ongoing Public Involvement

Only bureaucracies truly believe that public hearings, after all the decisions have been made, are a form of public input. Actually, a public hearing can be very useful to signify the formal completion of a project, plan, rezoning, or study, but unless there has been considerable public involvement prior to the hearing, only those who disagree with the outcome will show up. The Township should adopt a procedure that almost always provides opportunities for its citizenry to participate in, listen to, and comment on projects in progress as a means to improve credibility for the outcomes and those having to make the ultimate decisions. The public should be made aware of the problems for which solutions are being sought and they should participate in the formulation of project objectives and the development and evaluation of alternative solutions. Where such processes are strictly followed, the quality of decisions is generally much better.

City of Manistee

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70 Maple Street

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231.398.2801

CITY ASSESSOR
231.398.2802

BUILDING INSPECTOR
231.398.2806

PLANNING, ZONING &
COMMUNITY DEV.
231.398.2805

CITY CLERK
231.398.2803

CITY TREASURER
231.398.2804

WATER BILLING
231.723.2559

ADMINISTRATION
FAX 231.723.1546

CLERK/TREASURER
FAX 231.723.5410

POLICE DEPARTMENT
70 Maple Street
231.723.2533
FAX 231.398.2012

FIRE DEPARTMENT
281 First Street
231.723.1549
FAX 231.723.3519

PUBLIC WORKS
280 Washington St.
231.723.7132
FAX 231.723.1803

PARKS DEPARTMENT
231.723.4051

WATER MAINTENANCE
231.723.3641

WASTEWATER PLANT
50 Ninth St.
231.723.1553

November 5, 2007

Charter Township of Filer Planning Commission
2505 Filer City Road
Manistee, MI 49660

RE: Master Plan Amendments

Good Morning!

The City of Manistee Planning Commission reviewed the proposed changes to your Master Plan during their meeting of November 1, 2007. A motion was made as follows:

> MOTION by Ben Bifoss, seconded by Tony Slawinski that the City of Manistee Planning Commission encourages and supports the changes to the Charter Township of Filer's Master Plan that recognizes and endorses the Industrial Use on Manistee Lake.

The City of Manistee Planning Commission understands the amount of work necessary for changes to a Master Plan and congratulates you on your accomplishments. We wish you the best of luck with your amendment.

Sincerely,

CITY OF MANISTEE

Jon R. Rose
Community Development Director

JRR:djb

Enclosure

COOL CITY
Neighborhood

TEAM Elmer's
CONSTRUCTION ENGINEERING

3600 Rennie School Rd.
P.O. Box 6150
Traverse City, MI 49696-6150
Phone (231) 943-3443
Fax (231) 943-5599
www.teamelmers.com

October 5, 2007

Tony Slawinski
City of Manistee Planning Commissioner

RE: Question about the benchmark for the Good Shepherd Project

Dear Commissioner:

Your question last night about the bench mark caught me off guard. Since then I have gathered some more information and have a better response. The bench mark on a project like this one is done at the end of the topographical survey. This is a one day operation and the Benchmark needs to be set before the crew leaves the site.

The operation starts with the crew finding a known point. This is usually a property corner. The instrument for survey is then set directly over the point (iron) and an elevation, northing, and easting are assumed for that point. The crew starts with 200 for our elevation. Another point is found and used for the back site to set the base line for the topographical survey. All points are based off this line by angle and distance. The benchmark is located on the site usually at a point that is easily accessible. In this case a spike in a tree is placed and then the elevation is "shot" in from the iron that he survey instrument was set up over.

The crew does not start with the benchmark for the base. The benchmark could be adjusted to be an even number but this would require that all the "shots" be adjusted back at the office. This would open the door for a possible error.

I hope this explains the benchmark better than my answer last night.

Sincerely,
ELMER'S CONSTRUCTION ENGINEERING

Butch Strait
Project Engineer

Guardian Angels Church

371 Fifth Street Manistee, MI 49660 231.723.2165

10/10/07

COMMUNITY DEVELOPMENT
BUILDING DEPT.
OCT 16 2007
CITY OF MANISTEE

Ms. Denise Blakeslee
Manistee Planning Commission
70 Maple St.
Manistee, Mi. 49660

Re: Guardian Angles Convent Zoning & Real Estate Tax Status
Address: 501 Michael St. Tax Number: 51-51-646-702-01

Dear Mrs. Blakeslee

Thank you for speaking with me recently regarding the current zoning and possible mixed uses on the above property. This property has been on the market for over one year, with only one offer, and the current R-2 zoning didn't allow the purchasers intended use. (B & B with absentee owners)..

As I indicated in our conversation we are now being taxed over $3000.00 annually on this vacant building and find this to be an extreme hardship on our faith community. The fact the facility has such limited use due to current zoning laws, severely restricts it's marketability.

You indicated the City of Manistee is interested in preserving historic buildings but the fact is, if they have such restricted use options, it of course severely limits the marketability and leaves us no option other than demolition.. You indicated you are working with the planning/ zoning committee to allow some revision of the R-2 zoning classification wording that may allow more options for this type of property. We of course would also like to see the property continue to have a useful life, and contribute to the quality of life in our *Historic Victorian Port City.*

Any consideration your committee can provide for more mixed use options for this property would be greatly appreciated.. Looking forward to working with you and your committee for everyones benefit.

Sincerely,

Bob Kenny

Bob Kenny
President
Guardian Angels Finance Council

CC Mr. Mitch Deisch, Manistee City Mgr.
Ms. Julie Beardslee, Manistee Tax Assessor
FR. James Bearss Pastor, Guardian Angels Parish
Mr. Bob Wilson, President, Guardian Angels Pastoral Council
Mr. Mike Steffel, Director of Administrative Services, Diocese of Gaylord

City of Manistee

PLEASE RETURN BY October 31, 2007

P. O. Box 358 • Manistee, Michigan 49660-0358 • www.ci.manistee.mi.us

CITY HALL
70 Maple Street

CITY MANAGER
231.398.2801

CITY ASSESSOR
231.398.2802

BUILDING INSPECTOR
231.398.2806

PLANNING, ZONING & COMMUNITY DEV.
231.398.2805

CITY CLERK
231.398.2803

CITY TREASURER
231.398.2804

WATER BILLING
231.723.2559

ADMINISTRATION
FAX 231.723.1546

CLERK/TREASURER
FAX 231.723.5410

POLICE DEPARTMENT
70 Maple Street
231.723.2533
FAX 231.398.2012

FIRE DEPARTMENT
281 First Street
231.723.1549
FAX 231.723.3519

PUBLIC WORKS
260 Washington St.
231.723.7132
FAX 231.723.1803

PARKS DEPARTMENT
231.723.4051

WATER MAINTENANCE
231.723.3641

WASTEWATER PLANT
50 Ninth St.
231.723.1533

APPLICATION FOR PROPERTY TAX EXEMPTION

DATE: _____

NAME OF ORGANIZATION: _____

ADDRESS: _____

PARCEL CODE NUMBER: 51-51-446-702-03 (convent

OFFICERS: TITLE:

_____ _____

_____ _____

_____ _____

_____ _____

NAME OF APPLICANT: _____

CONTACT PERSON: _____

PHONE NUMBER: _____

FAX NUMBER: _____

E-MAIL ADDRESS: _____

1. Under what Section (s) of the Michigan General Property Tax Law are you seeking this exemption?

_____

_____

2. What is the local address of the property for which you seek this exemption?

_____

_____

3. Does your organization own and occupy the property at the above address?

Yes _____ No _____

4. If the property is vacant please describe the tax exempt use of the property and/or include a site plan of anticipated use.

_____

_____

_____

City Neighborhood

5. Do you currently have any leased equipment at this location?

(If yes, please attach a rider giving the name of those entities.)

Yes _____ No _____

6. Are you currently receiving a property tax exemption in another Michigan community?

Yes _____ No _____

If Yes, Where: _____

(or indicate multiple locations) in the State of Michigan

6a. For what purpose are you receiving the property tax exemption at the above listed location?

_____

_____

_____

_____

7. Please enclose the following documents with this application:

A. Articles

B. By Laws

C. Balance Sheet

D. Federal Income Tax Return

E. Statements from I.R.S. indicating status

F. Site plan of the property (if available)

City of Manistee

City Assessor

70 Maple Street • P. O. Box 358 • Manistee, MI 49660-0358

Julie Beardslee
City Assessor
Email: jbeardslee@ci.manistee.mi.us

231-398-28
Fax 231-723-1546
www.ci.manistee.mi.us

8. Please include any documentation which will assist in the determination of property tax exemption.

Signature: Bob K

Title: PRESIDENT FINANCE COUNCIL

FOR OFFICE USE ONLY:

PARCEL CODE NUMBER: _____

EXEMPTION APPROVED: YES: _____ NO: _____

REASON FOR EXEMPTION DENIAL: _____

_____

_____

SIGNATURE / TITLE

_____

DATE: _____

City of Manistee

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231.723.3641

WASTEWATER PLANT
50 Ninth St.
231.723.1553

October 29, 2007

City of Manistee Planning Commissioners
70 Maple Street
Manistee, MI 49660

RE: Definition of Accessory Use

Dear Commissioners,

In response to your request for an Interpretation of the definition of "Accessory Use" the Zoning Board of Appeals held a public hearing on October 25, 2007. As Recording Secretary for the City of Manistee Zoning Board of Appeals I am forwarding to you a Draft copy of the meeting minutes.

The Zoning Board of Appeals overruled the Zoning Administrators determination of the definition of "Accessory Use". In addition they made a recommendation to the Planing Commission to review and clarify the definition of accessory use.

A refund check is being prepared to send to Good Shepherd Lutheran Church refunding the application fee for the request for a Special Use Permit. We will be reviewing the definition of accessory use at the November 15, 2007 Worksession.

Sincerely,

CITY OF MANISTEE ZONING BOARD OF APPEALS

Denise J. Blakeslee
Recording Secretary

:djb

cc: Zoning Board of Appeals Members

COOL CITY
Neighborhood

MANISTEE CITY ZONING BOARD OF APPEALS
City Hall, 70 Maple Street
Manistee, MI 49660

MEETING MINUTES
October 25, 2007

A meeting of the Manistee City Zoning Board of Appeals was held on October 25, 2007 at 5:30 p.m. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

The meeting was called to order at 5:03 p.m. by Chairman Perschbacher

ROLL CALL:

Members Present: Mark Hoffman, Marlene McBride, John Perschbacher

Member Absent: Bill Kracht (excused)

Alternates Present: Nathaniel Neider, Craig Schindlbeck

Others Present: Ray Fortier (Planning Commissioner), Tom Bastion (Good Shepherd Lutheran Church), Jon Rose (Community Development Director), and Denise Blakeslee (Planning & Zoning) and others

Because the request on the Agenda was from the City of Manistee Planning Commission and Ray Fortier is the Planning Commission Representative serving on the Zoning Board of Appeals. Mr. Fortier did not take his seat on the Zoning Board of Appeals for this meeting.

APPROVAL OF AGENDA:

MOTION by Mark Hoffman, seconded by Craig Schindlbeck that the Agenda be approved as prepared.

MOTION PASSED UNANIMOUSLY

APPROVAL OF MINUTES:

MOTION by Mark Hoffman, seconded by Nathaniel Neider that the Minutes of the June 18, 2007 Zoning Board or Appeals Meeting be approved

MOTION PASSED UNANIMOUSLY

Draft

PUBLIC HEARING:

Interpretation of the definition of "Accessory Use"

The City of Manistee Planning Commission is requesting the Zoning Board of Appeals determine if the Zoning Administrators interpretation of the definition of "Accessory Use" is correct.

The definition of Accessory Uses, related to uses permitted is as follows: *"A use naturally and normally incidental to, and subordinate to, and devoted exclusively to, the principal use of the land or buildings."*

Chair Perschbacher opened the Public Hearing.

The City of Manistee Planning Commission made a request to the Zoning Board of Appeals to review the Zoning Administrators interpretation of the definition of "Accessory Use". This issue came up during the October 4, 2007 Planning Commission Meeting while reviewing an application from Good Shepherd Lutheran Church for a Special Use Permit for an off-site Parking Lot.

Good Shepherd Lutheran Church purchased the vacant property on the corner of U.S. 31 (Cypress Street) and Sixth Street with the intention of constructing an additional parking lot for their facility. They are hoping that the addition of this parking lot will alleviate the congestion they experience during peek seasons and would allow them to hold just one service on Sundays instead of two.

Chairman Perschbacher spoke of a court case similar to this request and establishing a precedence.

Denise Blakeslee explained to the Members of the Board that they are to make a determination on the definition NOT the request from Good Shepherd Lutheran Church. It is difficult to keep the two items separate but the request from the Church should not be considered. In the event that the Board feels there is a need to make a correction to the ordinance they can make a recommendation to the Planning Commission.

Ms. Blakeslee also explained the process for a Zoning Amendment and the amount of time an amendment typically takes to go into place.

Jon Rose, Zoning Administrator spoke to the Zoning Board of Appeals members about the consequences of the interpretation and that they should not be concerned about setting a precedence. If the ordinance needs to be corrected an amendment can be done.

Mr. Rose spoke of a court case where the ZBA denied a reqeust because the ordinance stated "on the same lot" in their language. The Applicant appealed to Circuit Court and they overturned the ZBA's decision. The ZBA then appealed to the Court of Appeals. The Court of Appeals upheld the ZBA's ruling siting that their ordinance read "as a subordinate use which is customarily incidental to the principal use *on the same lot*" Mr. Rose stated that the language in the ordinance does not include "Contiguous" or "on the same lot" in the definition. So the parcel not being contiguous or on the same lot did not pertain to his interpretation .

During the Planning Commission meeting a concern was raised that by allowing an off-site parking lot to be constructed, we would also have to allow the construction of accessory structures (i.e. garages) to be constructed on vacant parcels without a primary structure. While that concern may be valid Mr. Rose believes that the interpretation that was made is correct. Mr. Rose noted that the Church did not intend to begin development of the Parking Lot until spring.

Chair Perschbacher asked if there were any public comments.

Tom Bastion (Good Shepherd Lutheran Church) - Mr. Bastion commented on Mr. Rose's notation that they were not going to begin development until spring. In the event that the Zoning Board of Appeals were to over rule Mr. Rose's interpretation there is time to pursue other action if necessary.

Chair Perschbacher asked if there were any correspondence received in response to this request.

None

There being no further public comments and the hearing was closed at 5:53 p.m.

<u>BUSINESS SESSION:</u>

ACTION ON PENDING CASE:

<u>Interpretation of the definition of "Accessory Use"</u>

A Public Hearing was held earlier in response to the request from the City of Manistee Planning Commission requesting a determination from the Zoning Board of Appeals if the Zoning Administrators interpretation of the definition of "Accessory Use" is correct.

Mark Hoffman expressed his concern about Section 1805.B.3 which reads "An accessory use shall not generate any effects on neighboring properties, including, but not limited to, noise, parking, traffic, glare, or dust, greater than or more burdensome than such impacts from the main use on the property." Mr. Hoffman asked how a parking lot would not generate an effect on neighboring properties.

Mr. Rose said how he interpreted the language "main use on the same property".

Mr. Rose compared the effect that the parking lot -vs- the vacant lot has on the neighboring properties.

Marlene McBride asked what was at the site before it became a vacant lot. A store was previously at that location. Ms. McBride asked if it is zoned residential why would a parking lot be allowed.

Mr. Rose explained a church is a place of Public Assembly Large and is allowed in the R-2 Residential Zoning District as a Special Use if the property is located on a Key Street Segment. U.S. 31 (Cypress Street) is a Key

Draft

Street Segment. The Church is considered an existing Special Use under the standards of our Zoning Ordinance.

Review of the standards of the R-2 Residential Zoning District shows that an Accessory Use, related to uses permitted (Section 1805) is a Special Use. After reviewing the Standards and definition of Section 1804 "A use naturally and normally incidental to, and subordinate to, and devoted exclusively to, the principal use of the land or buildings". Mr. Rose determined an off-site parking lot complied with the requirements of the Zoning Ordinance as a Special Use.

Craig Schindlbeck asked if a parking lot is a principle use or an accessory use.

Mr. Rose said that a parking lot is not defined as a use in our ordinance so he considered it an accessory use.

Nathaniel Neider asked where this request is located. Jon Rose showed where it is located on the map and that there is an alley, two business and a street between the Church and the proposed parking lot.

Mr. Neider asked if the proposed parking lot was 10 blocks away from the church if it would be considered? Mr. Rose said he felt it was unlikely that a parking lot that far from a principle structure would be approved by the Planning Commission but noted that in the past off site parking has been allowed within 200' feet of the principle use. An example was the Greenbush Inn on Greenbush and Filer that has a parking agreement with the Briny Inn. Abonmarche, Century 21 and the Lady Jane Bed & Breakfast have a parking agreement with the Methodist Church.

MOTION by Mark Hoffman, seconded by Nathaniel Neider that the Zoning Board of Appeals overrule the Zoning Administrators interpretation of the definition of "Accessory Use"

With a roll call vote this motion passed 4 to 1.

Yes: Schindlbeck, Neider, Hoffman, McBride
No: Perschbacher

<u>Recommendation to Planning Commission</u>

Motion by Mark Hoffman, seconded by Marlene McBride that the Zoning Board of Appeals recommends that the Planning Commission review and clarify the definition of accessory use.

With a roll call vote this motion passed 5 to 0.

Yes: Hoffman, Schindlbeck, Neider, McBride, Perschbacher
No: None

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OLD BUSINESS

None

OTHER BUSINESS OF THE APPEALS BOARD
None

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS NOT ON THE AGENDA:
None

ADJOURNMENT:

There being no further business meeting motion by Nathaniel Neider, seconded by Craig Schindlbeck that the meeting be adjourned.

Meeting adjourned at 6:32 p.m.

Respectfully Submitted

Denise J. Blakeslee, Recording Secretary

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