

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, November 13, 2014
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 Planning Commission can take action to approve the November 13, 2014 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the October 2, 2014 meeting Minutes.

V Public Hearing

VI Public Comment on Agenda Related items

VII New Business

PC-2014-10 - MN Partners, LLC – Site Plan Review Parcel #51-267-050-20

A request has been received from MN Partners, LLC for a Site Plan review for the construction of three buildings in the Lakeview Planning Area of Harbor Village. The proposal is to construct three buildings, five units on the portion of the area located on Fifth Avenue.

At this time the Planning Commission could take action to approve/deny the Site Plan request from MN Partners, LLC for the construction of three buildings in the Lakeview Planning Area of Harbor Village as submitted on Site Plan #20140620, Dated 03 Nov. 2014 prepared by Integrated Architecture.

VIII Old Business

Zoning Review P-D Peninsula District

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed.

The Planning Commission will continue their review of the P-D Peninsula District.

IX Public Comments and Communications

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

X Correspondence

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

XI Staff/Sub-Committee Reports

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

At this time the Chair will ask if any of the Sub-Committees have anything to report.

XII Members Discussion

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

XIII Adjournment

Memorandum



Denise Blakeslee
Planning & Zoning
Administrator

70 Maple Street
Manistee, MI 49660
231.398.2805

dblakeslee@manisteemi.gov
www.manisteemi.gov

TO: Planning Commissioners

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: November 3, 2014

RE: November 13, 2014 Meeting – **NOTE DATE CHANGE**

Commissioners, Planning Commission will hold a meeting (rescheduled) on Thursday, November 13, 2014. We have two items on the agenda as follows:

PC-2014-10 - MN Partners, LLC – Site Plan Review Parcel #51-267-050-20

A request has been received from MN Partners, LLC for a Site Plan review for the construction of three buildings in the Lakeview Planning Area of Harbor Village. The proposal is to construct three buildings, five units on the portion of the area located on Fifth Avenue.

Zoning Review P-D Peninsula District

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed. The Planning Commission will continue their review of the P-D Peninsula District.

If you are unable to attend the meeting, please call me at 398.2805. See you Thursday!!

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

October 2, 2014

A meeting of the Manistee City Planning Commission was held on Thursday, October 2, 2014 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

Roll Call:

Members Present: Maureen Barry, Judd Brown, Bill Dean, Ray Fortier, Marlene McBride, Mark Wittlieff, Roger Yoder

Members Absent: None

Others: Ralph Wyngarden (Faulk & Foster), Ed Seng (200 River Street), Denise Blakeslee (Planning & Zoning Administrator) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Mark Wittlieff that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Brown, Dean, Fortier, McBride, Wittlieff, Yoder
No: None

APPROVAL OF MINUTES

Motion by Mark Wittlieff, seconded by Ray Fortier that the minutes of the September 4, 2014 Planning Commission Meeting be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Dean, Fortier, Barry, Brown, McBride, Wittlieff, Yoder
No: None

PUBLIC HEARING

Chair Yoder opened the Public Hearing at 7:02 pm

PC-2014-08 – Roy Henderson/Faulk & Foster, parcel code #51-174-708-10 – Special Use Permit Amendment

A request has been received from Faulk & Foster, Agent for Roy Henderson, parcel code #51-174-708-10 to amend Special Use Permit for Communication Tower to add 12 antennas, 3 tower mounted amplifiers and coax to the tower along with a prefabricated equipment shelter.

Ralph Wyngarden, Faulk & Foster – Faulk & Foster is the site acquisition vendor for Verizon. They plan to use the existing tower and meet the requirements of the ordinance. The tower is 181 feet tall, they propose to locate their antennas at 140 feet, they will install an equipment shelter with a six foot fence with three strands of barbed wire to match existing fence. They have read the staff review and has no objections to the conditions recommended by staff.

Denise Blakeslee, Planning & Zoning Administrator – reviewed Staff report that was prepared in response to the request. The correct parcel code number for the property is #51-174-708-10. The City Assessor assigned an address of 78 Arthur Street for the building. The applicant used the address for the former State Police Building on the application.

This is an existing tower and the ordinance encourages the joint use of existing tower sites as a primary option rather than the construction of additional single-use towers. The installation of the accessory building requires the request for a Special Use Permit Amendment. Staff is requesting the following Conditions be placed on the Permit:

1. The applicant provides a Registered Engineer's certification of the design and safety of the proposed tower to withstand winds of 85 miles per hour. Such certification shall set forth the fall zone area for the proposed tower. If such fall zone area is less than that of a circle whose radius is equivalent to the height of the proposed tower, such certification shall provide structural calculations and detail sufficient to demonstrate the accuracy of such lesser fall zone area determination. Such certification shall be provided by an engineer licensed to practice in Michigan.
2. A copy of the lease between the property owner and operator is provided for the file.
3. An updated site plan is required in the event that any changes are made to the easement that provides access across the adjoining property along with a copy of the easement for file.
4. A bond is provided as required under Section 1819, Item J. of the City of Manistee Zoning Ordinance prior to the issuance of the Special Use Permit.

Chair Yoder asked for public comments - None

Chair Yoder asked if any correspondence had been received in response to the request.

Letter received from City Assessor, Julie Beardslee (attached)

There were no more additional comments; the Public Hearing was closed at 7:08 pm.

PUBLIC COMMENT ON AGENDA RELATED ITEMS

Ed Seng, 200 River Street – wanted to verify the date of the November Member.

NEW BUSINESS

PC-2014-08 – Roy Henderson/Faulk & Foster, parcel code #51-174-708-10 – Special Use Permit Amendment

A Public Hearing was held earlier in response to request the from Faulk & Foster, Agent for Roy Henderson, parcel code #51-174-708-10 to amend Special Use Permit for Communication Tower to add 12 antennas, 3 tower mounted amplifiers and coax to the tower along with a prefabricated equipment shelter. Discussion by the Commission included:

- FCC/FAA approval has been received for the tower
- No light is required on the tower if under 200 feet. Applicant does not intent to add a light.
- Letter from City Assessor

MOTION by Ray Fortier, seconded by Judd Brown that the Planning Commission adopts a resolution to approve the request from Faulk & Foster, Agent for Roy Henderson, parcel code #51-101-275-03 to amend Special Use Permit for Communication Tower to add 12 antennas, 3 tower mounted amplifiers and coax to the tower along with a prefabricated equipment shelter. With the following conditions:

1. The applicant provides a Registered Engineer's certification of the design and safety of the proposed tower to withstand winds of 85 miles per hour. Such certification shall set forth the fall zone area for the proposed tower. If such fall zone area is less than that of a circle whose radius is equivalent to the height of the proposed tower, such certification shall provide structural calculations and detail sufficient to demonstrate the accuracy of such lesser fall zone area determination. Such certification shall be provided by an engineer licensed to practice in Michigan.
2. A bond is provided as required under Section 1819, Item J. of the City of Manistee Zoning Ordinance prior to the issuance of the Special Use Permit.
3. A copy of the lease between the property owner and operator is provided for the file.
4. An updated site plan is required in the event that any changes are made to the easement that provides access across the adjoining property to the site along with a copy of the easement for file.

With a Roll Call vote this motion passed 7 to 0.

Yes: McBride, Wittlieff, Dean, Fortier, Barry, Brown, Yoder
No: None

PC-2014-09 – City of Manistee Parcel Split Request

The City of Manistee is requesting to split Parcel #51-260-703-09 into four parcels. Parcel A & B meet the requirements of the R-1 Low Density Residential Zoning District. Parcel C & D are part of the Monroe Street Right of Way. Staff reviewed the request with the Commission.

MOITON by Ray Fortier, seconded by Marlene McBride that the Planning Commission recommend the City Council to approve the Parcel Split Request from the City of Manistee that would split parcel #51-260-703-09 into four parcels as shown on Survey prepared by the Spicer Group, Job 120924SG2013 prepared on September 16, 2014.

With a Roll Call vote this motion passed 7 to 0.

Yes: Dean, Fortier, Barry, Brown, McBride, Wittlieff, Yoder
No: None

Reschedule November Planning Commission Meeting

Staff will be attending the Redevelopment Ready Communities Best Practice Training Series on Thursday, November 6, 2014 this conflicts with the November Planning Commission Meeting. Staff is recommending that the meeting be changed to the following Thursday, November 13, 2014.

MOTION by Mark Wittlieff, seconded by Judd Brown that the November Planning Commission Meeting be rescheduled to Thursday, November 13, 2014.

With a Roll Call vote this motion passed 7 to 0.

Yes: Wittlieff, Dean, Fortier, Barry, Brown, McBride, Yoder
No: None

Schedule Meeting/Worksession Dates 2015

The Manistee City Planning Commission generally holds their regular business meetings on the first Thursday of each month and worksessions on the third Thursday of the month. These meetings are held in Council Chambers, City Hall, 70 Maple Street, Manistee Michigan at 7:00 pm. Staff has prepared a list of meeting/worksession dates for 2015 for the Commissions consideration.

The Commission discussed the April and July Meeting dates that are followed by City Holidays.

MOTION by Ray Fortier, seconded by Maureen Barry that the Planning Commission schedules their meeting/worksession dates for 2015 as follows:

MEETINGS 7:00 P.M.	WORKSESSIONS 7:00 P.M.
January 8, 2015*	January 22, 2015
February 5, 2015	February 19, 2015
March 5, 2015	March 19, 2015
April 9, 2015*	April 16, 2015
May 7, 2015	May 21, 2015
June 4, 2015	No Worksession
July 9, 2015*	No Worksession
August 6, 2015	No Worksession
September 3, 2015	September 17, 2015
October 1, 2015	October 15, 2015
November 5, 2015	November 19, 2015
December 3, 2015	No Worksession

*Changed due to holiday

With a Roll Call vote this motion passed 7 to 0.

Yes: Wittlieff, Dean, Fortier, Barry, Brown, McBride, Yoder
 No: None

OLD BUSINESS

Zoning Review P-D Peninsula District

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed. The Commission began their review at the August 7, 2014 Planning Commission Meeting, Public Input was received from property owners and occupants that live in the Peninsula District at the September 4, 2014 meeting. The Commission continued their discussion at their worksession on September 18, 2014.

Staff prepared a review of the Parcels in the PD Peninsula and the adjoining R-3 High Density Residential District. This was done to determine how many parcels met the dimensional standards of the Zoning District and how many non-conforming parcels there were. The uses of the parcels were compared to determine how many conformed to the district standards and how many were non-conforming.

The Commission will review the table of uses, parking requirements, special uses vs permitted uses at their Worksession on October 16, 2014.

PUBLIC COMMENTS AND COMMUNICATIONS

Ed Seng, 200 River Street – Met with the City and Reith Riley today and they made headway, things are progressing, where they land with the city we will see. This is about jobs; look at the poverty level in the community. Mr. Seng has property that could be used for parking for the amendment and he would be willing to talk to the city about it.

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Denise Blakeslee, Planning & Zoning Administrator – Thanked the Commissioners who attended the Streamlining the Zoning Ordinance Workshop. Another workshop Accumulated Junk Community Cleanup Workshop will be held on Wednesday, October 15th.

MEMBERS DISCUSSION

Commissioner McBride asked why the Planning Commission is the last to know about staff changes at the City (Building Inspector Retirement).

Commissioner Barry thanked staff for providing training opportunities for the Commission and said that the issues with the Peninsula is up to City Council.

The Planning Commission will hold a Worksession on October 16, 2014

The next regular meeting of the Planning Commission will be held on Thursday, November 13, 2014

ADJOURNMENT

Motion by Ray Fortier, seconded by Bill Dean that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:50 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary



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 1, 2014

City of Manistee Planning Commission
City Hall
70 Maple St.
Manistee, MI 49660

Dear Honorable Commission Members,

In the interest of full disclosure I would like to provide a brief history of parcel No. 51-51-174-708-10, owned by Roy Henderson.

Mr. Henderson purchased said property from the State of Michigan on 1-17-2012 for \$30,000. The sale was a non-conforming split in violation of the City of Manistee Land Division ordinance. As a result of ongoing pressure from the Community Development office and City Attorney Saylor, Mr. Henderson applied for and received approval of the split.

The City Assessor assessed the property for 2014, in keeping with the changed, non-exempt status. I have included a copy of the property record card, the market/true cash value being \$91,900. I have used 40% of the current land value for acreage in this neighborhood as an adjustment for topography and access. I have similarly depreciated the radio tower at 40% good, at the time, not knowing the physical condition of the tower or its marketability. It is not allowable under law or rule to assess individual property at 50% of the purchase price. Mr. Henderson believes that the property should be valued at \$30,000, as stated in his petition before the Tribunal.

Mr. Henderson has appealed the value of the property to the Michigan Tax Tribunal; it is a full Tribunal appeal. Mr. Henderson's representative before the Tribunal is Frederick Mawson. Mr. Mawson is reimbursed for his effort by a percentage of the potential reduction in the value. This method is often used in cases of frivolous appeals. The representative does not present valid appraisals, but simply negotiates the largest reduction available. Tax appeals naturally place the City in an adversarial relationship with taxpayers, unfortunately. This occurs more dramatically, when attorneys are involved.

The City expends between \$10,000 and \$25,000 per year for legal representation for tax appeals. This expenditure increased when staffing was reduced by one full time staff member in 2010, a result of the decline in tax revenue. The increase in spending was due to the excessive workload in the City Assessor's Office.

The operation of taxing jurisdictions, including the City of Manistee, depends upon the values determined by the City Assessor. I am directly responsible for the levy of over \$10,000,000 to operate the County, Schools and the City. Reductions in taxable value through appeals before the Michigan Tax Tribunal affect the entire community. If you agree that Government costs "\$X" to operate, value reductions place the burden for government on the remainder of the taxpayers. The Michigan Municipal League has taken issue with reductions granted taxpayers through the Michigan Tax Tribunal. The revenue loss to municipalities is noticeable and dramatic, throughout the State.

Excerpt from the Special Use Review Standards:

3. The Special Use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
4. The Special Use **shall be served adequately** by **essential public** facilities and **services**, such as highways, streets, police and fire protection, storm water drainage, refuse disposal, water and sewage facilities, and schools; **or persons or agencies responsible for the establishment of the proposed use shall provide adequately for such services.**
5. **The Special Use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.**

My belief is that Special Use Permits are allowed through special dispensation. Special Use Permits are a privilege. Privileges come with responsibilities. It will be increasingly difficult to provide public services with the continual and ongoing tax reductions provided through tax appeals, especially frivolous tax appeals.

I am sorry I am unable to attend the October 2, 2014 meeting; I will be out of town. Thank you for the opportunity to respond.

Sincerely,

CITY OF MANISTEE



Julie Beardslee
City Assessor

CITY OF MANISTEE PLANNING COMMISSION WORKSESSION

70 Maple Street, Manistee, MI 49660

October 16, 2014

NOTES

A Worksession of the Manistee City Planning Commission was held on Thursday, October 16, 2014 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 by Chair Yoder

Roll Call:

Members Present: Judd Brown, Bill Dean, Ray Fortier, Marlene McBride, Mark Wittlieff, Roger Yoder

Members Absent: Maureen Barry (excused)

Others: Denise Blakeslee (Planning & Zoning Administrator) and others

Zoning Review P-D Peninsula District

City Council has requested the Planning Commission review the current Zoning of the Peninsula District and review the zoning ordinance for specific uses that need to be addressed. The Commission went through the table of uses and discussed each use. Suggested changes and Items to further discuss included:

Animal Grooming	Consider adding as a Special Use
Contractors Facilities	Further Discussion
Day Care, Group	Consider adding as a Special Use
Eating and Drinking Establishment	Change to Use by Right
Financial Institution	Further Discussion
Greenhouse & Nursery	Consider adding as Special Use
Shipping Facility	Further Discussion

The Commission also discussed parking requirements.

ADJOURNMENT - The Worksession adjourned at 8:00 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary

Memorandum



**Denise Blakeslee
Planning & Zoning
Administrator**

70 Maple Street
Manistee, MI 49660
231.398.2805

dblakeslee@manisteemi.gov
www.manisteemi.gov

TO: Planning Commissioners
FROM: Denise Blakeslee, Planning & Zoning Administrator
DATE: October 29, 2014
RE: November 13, 2014 Meeting

Commissioners, we have received a request from MN Partners, LLC for a Site Plan review for the construction of three buildings in the Lakeview Planning Area of Harbor Village. The proposal is to construct three buildings, five units on the portion of the area located on Fifth Avenue.

A site plan has been received that shows the proposed layout for the buildings. Review of the requirements of the Special Use Permit for a Planned Unit Development shows that the proposed buildings are within the requirements.

A copy of the staff review, application, site plan and Special Use Permit for a PUD is enclosed for your consideration.

Site Plan Review
Harbor Village Lakeview Area
PUD

Name of Owner: MN Partners, LLC					
Address/Parcel Code #51-267-050-02					
Proposed Use: Residential Condominiums					
	Requirements	Existing	Proposed / Total	Compliance	
				Yes	No
Max # Residential Units	110	2+1+4+4+6=17	2+2+1=5 / 22	X	
Max # Residential Buildings	14	5	3 / 8	X	
Max # Units in Building	12	2+1+4+4+6	2+2+1	X	
Max Height	39 ft	n/a	38 ft	X	
Greenbelt adj. property	10 ft	n/a	10 ft	X	
ROW setback	25 ft.	n/a	25 ft.	X	
Building (3 sides) excluding decks	15 ft	n/a	15 - 15+ ft.	X	
Building (1 side) excluding decks	20 ft	n/a	20 ft	X	
Parking Requirements:	2 per unit		2 per unit	X	
Notes:					
Zoning Review by: Denise Blakeslee					
Compliance:					
Approval:			Denial:		

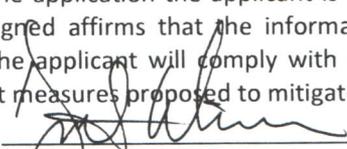


Planning & Zoning
 City Hall
 70 Maple Street
 Manistee, MI 49660
 231.398.2805 (phone)
 231.723.1546 (fax)

Commercial Land Use Permit Application

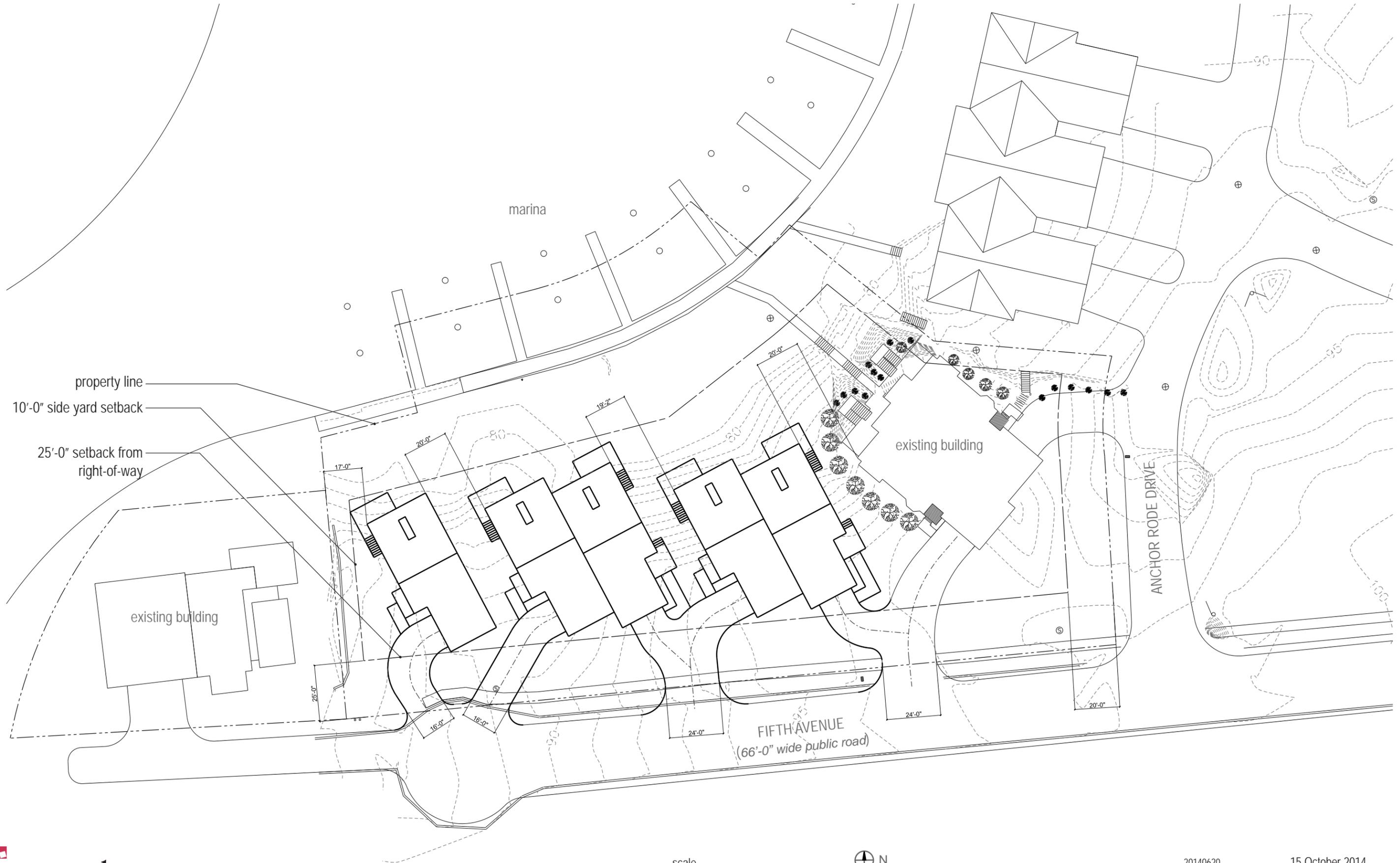
A Medium Site Plan shall be required for all uses other than those that may submit a *Basic Site Plan* (new dwellings, additions to dwellings, or construction of accessory structures, single family dwellings; accessory structures and additions to existing single family dwellings; and accessory structures and additions to multiple unit dwellings which do not result in an increase in the number of units) or require a *Detailed Site Plan* (Special Uses). **Applications must be submitted 15 days prior to the meeting if required to go to the Planning Commission to review for completeness**

Please Print

Level I Review: Additions and alterations to existing structures will be reviewed by the Zoning Administrator who shall reserve the right to forward it to the Site Plan Review Committee for approval.		
Level II Review: New construction shall be reviewed by the Site Plan Review Committee who shall reserve the right to forward it to the Planning Commission for approval.		
Property Information		
Address: Lakeview Area - North Pier Units 3, 4, 5, 6, 7, 8 Parcel # See attached		
Applicant Information		
Name of Owner or Lessee: MN Partners, LLC		
Address: 2900 Charlevoix Dr., SE		
Phone #: 616.575.6545	Cell#:	e-mail:
Name of Architect (if applicable): Integrated Architecture, L.L.C.		
Address: 4090 Lake Dr. SE, Grand Rapids, MI 49546		
Phone #: 616.574.0220	Cell#:	e-mail: mcorby@intarch.com
License Number: 1301032583	Expiration Date: 10/31/2016	
Project Information		
Description of Project (include square feet): See Attachments		
Area of Subject Property: 1.15 Acres	Finished Height of Project: 34 Feet from Main Level	
Zoning Classification: PUD	Present/proposed Land Use: Residential - R1	
What impacts will project have on City Services: None not already anticipated		
Authorization		
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 impacted will be completed in a timely fashion.		
Signature: 		Date: _14 October 2014_
<input checked="" type="checkbox"/> Fee (\$100.00 Level I or \$200.00 Level II) enclosed and Site Plan for project attached (permit cannot be issued without site plan)		
Office Use Only		
Fee: <input checked="" type="checkbox"/> \$100.00 Level I Review Fee: <input type="checkbox"/> \$200.00 Level II Review		Receipt #
Zoning District:	Notes:	
Signature: _____		Date: _____



**NORTH PIER
PROJECT SITE**





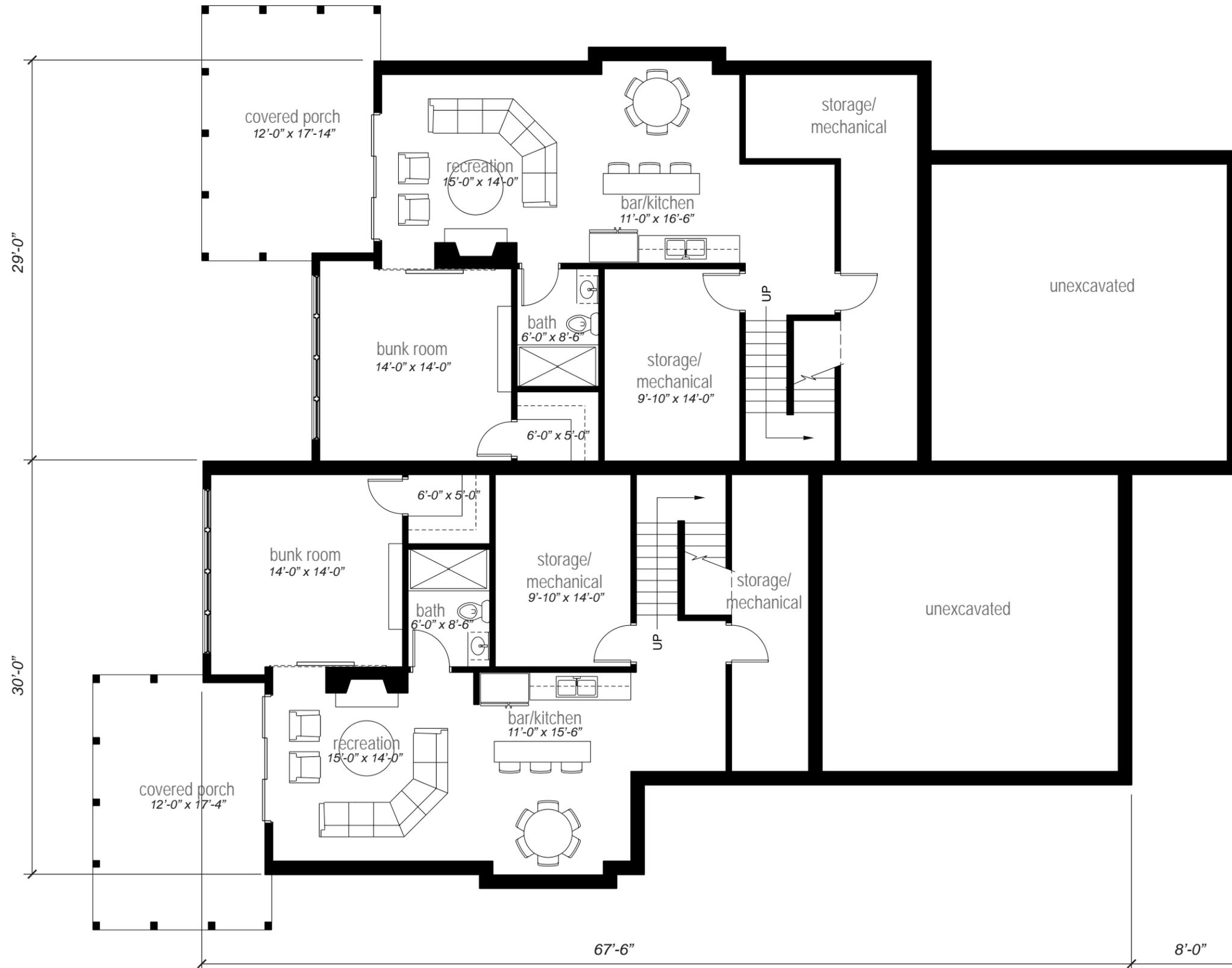
property line
 10'-0" side yard setback
 25'-0" setback from right-of-way

existing building

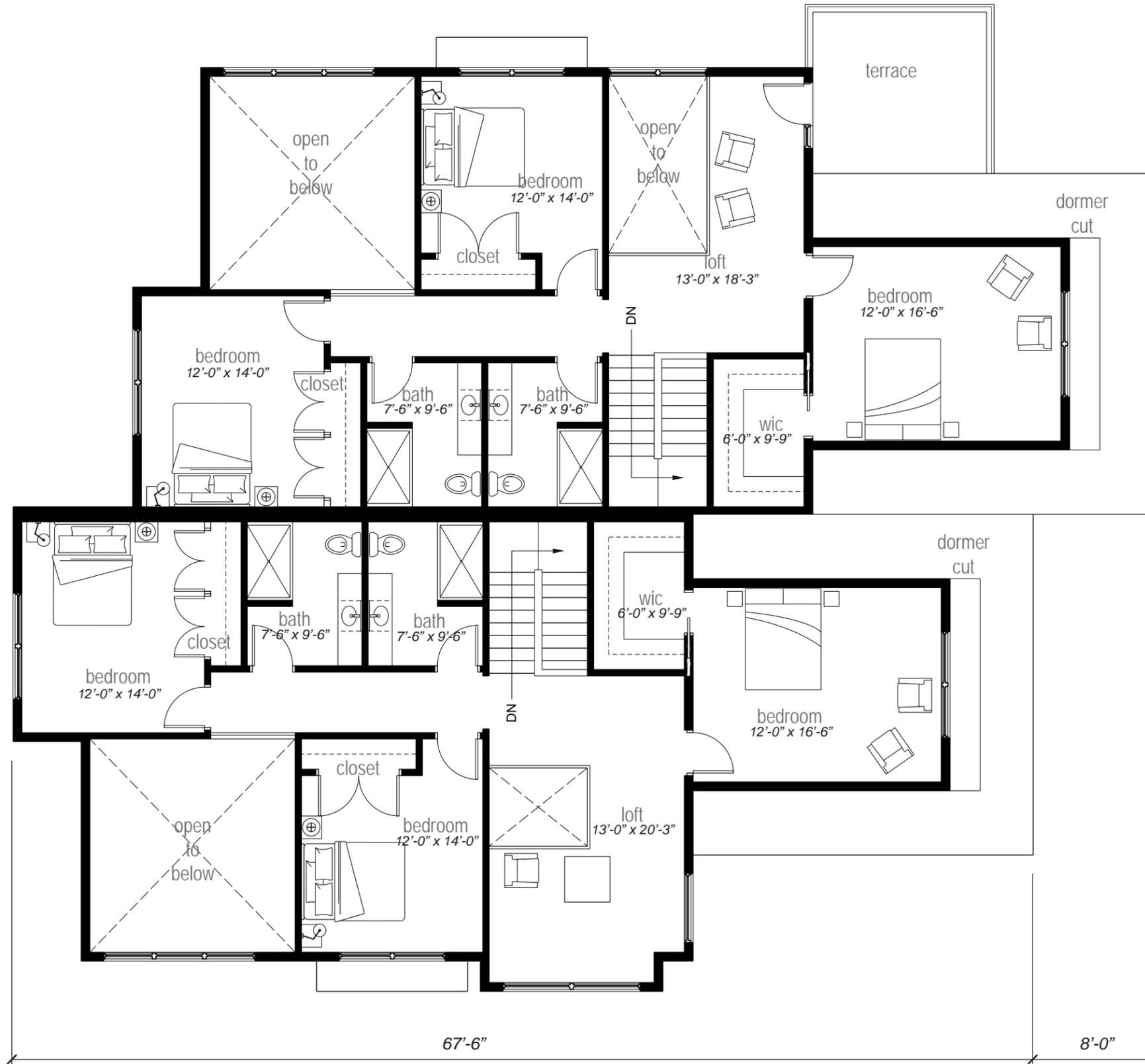
existing building

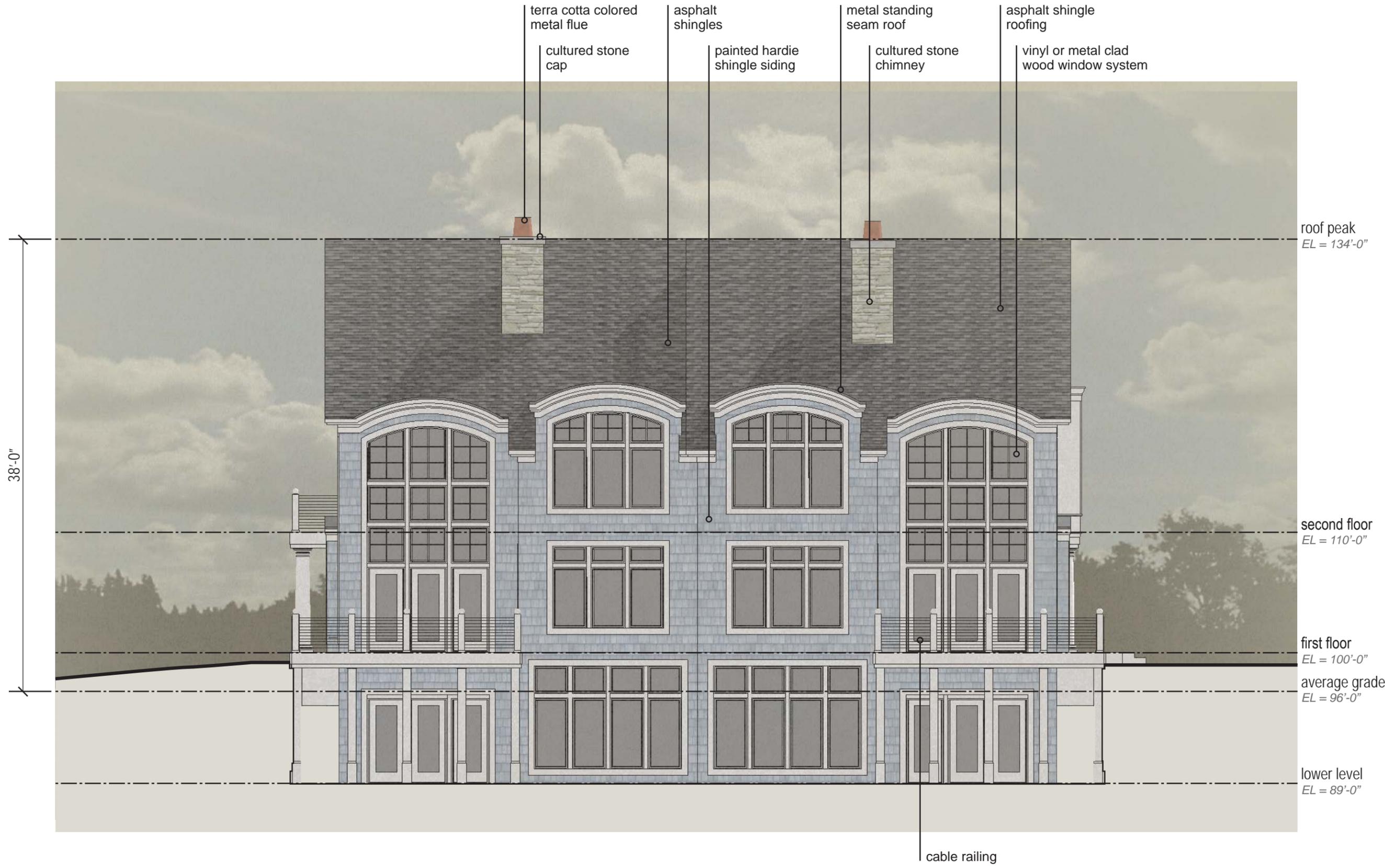
ANCHOR RODE DRIVE

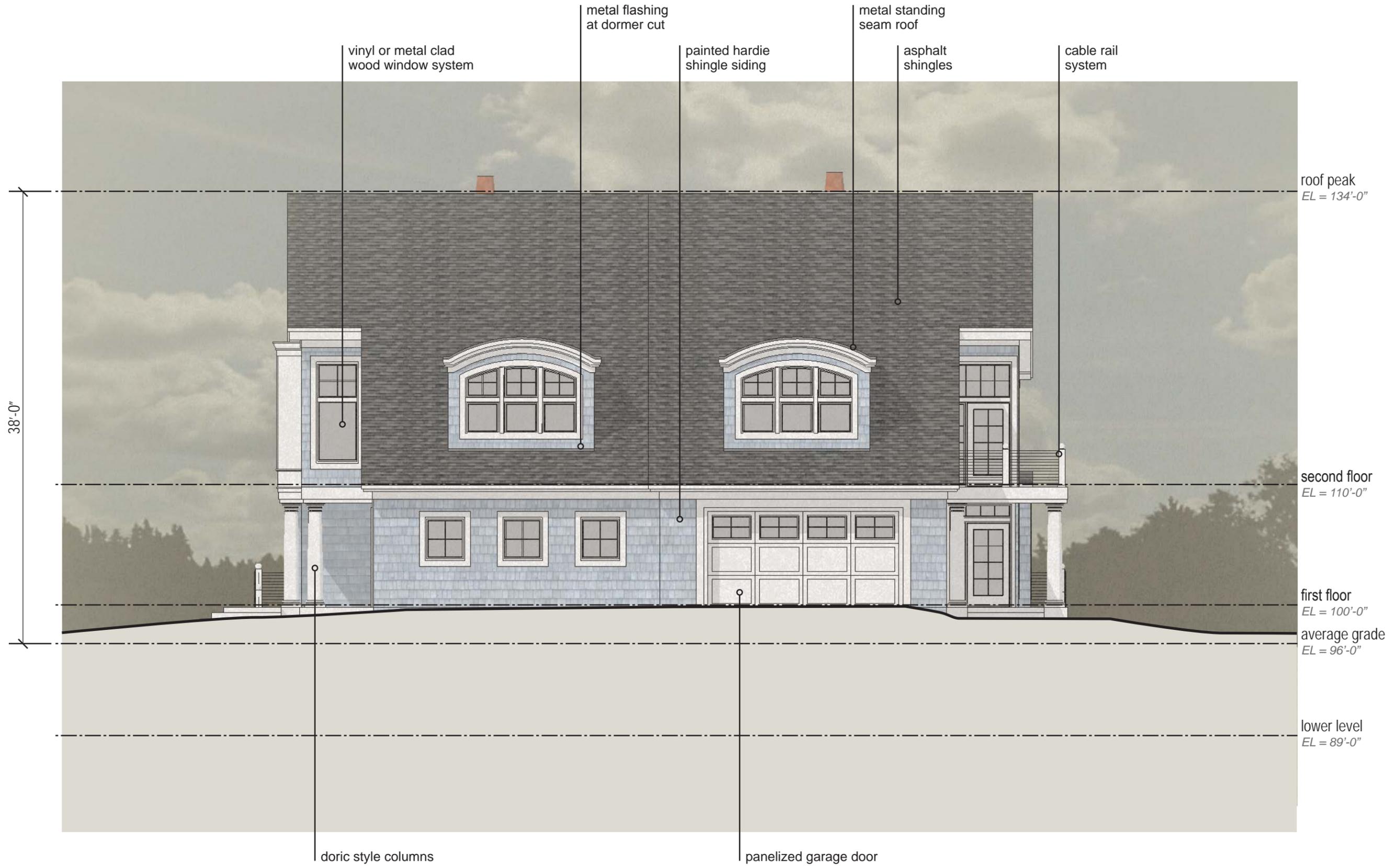
FIFTH AVENUE
 (66'-0" wide public road)

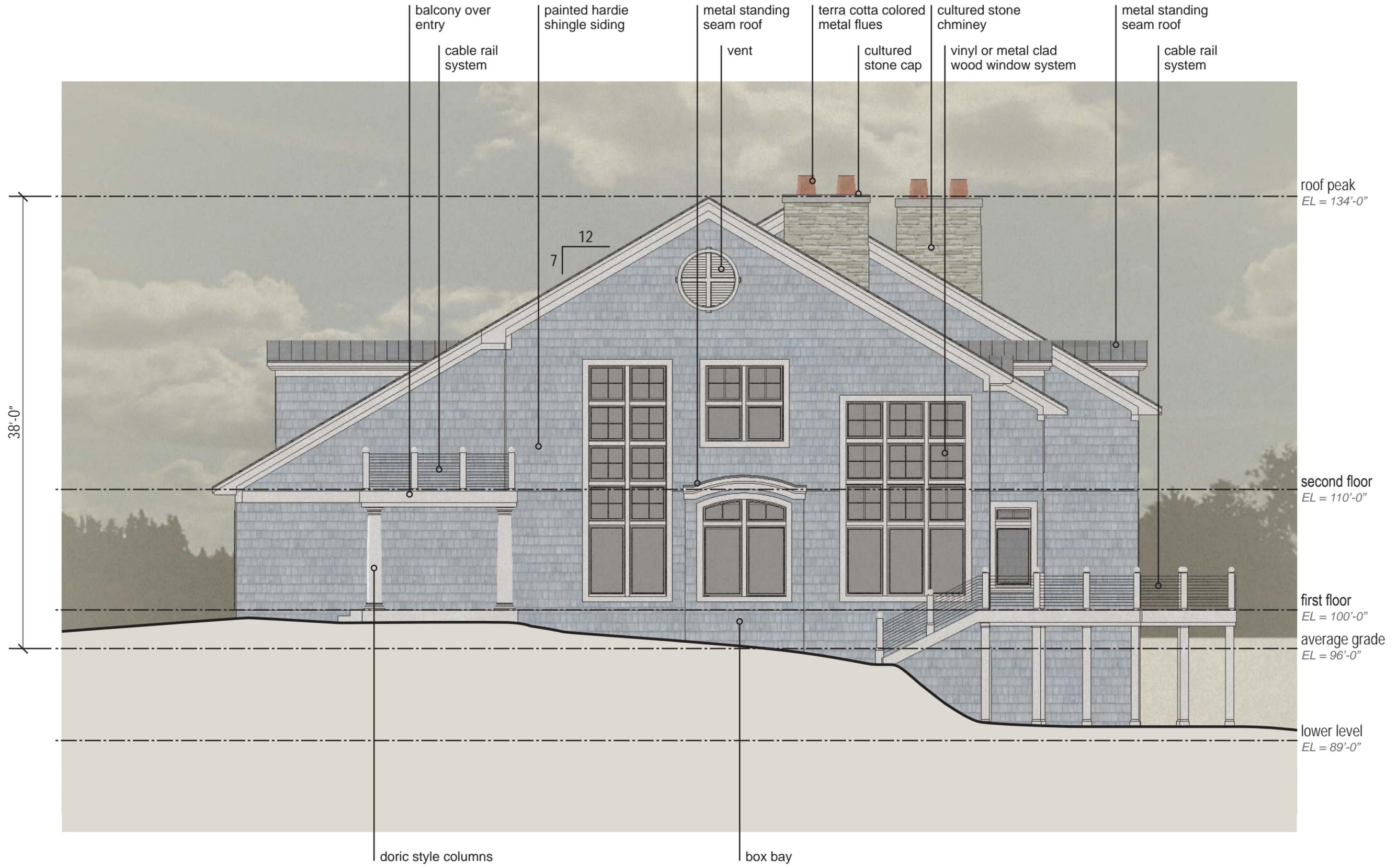


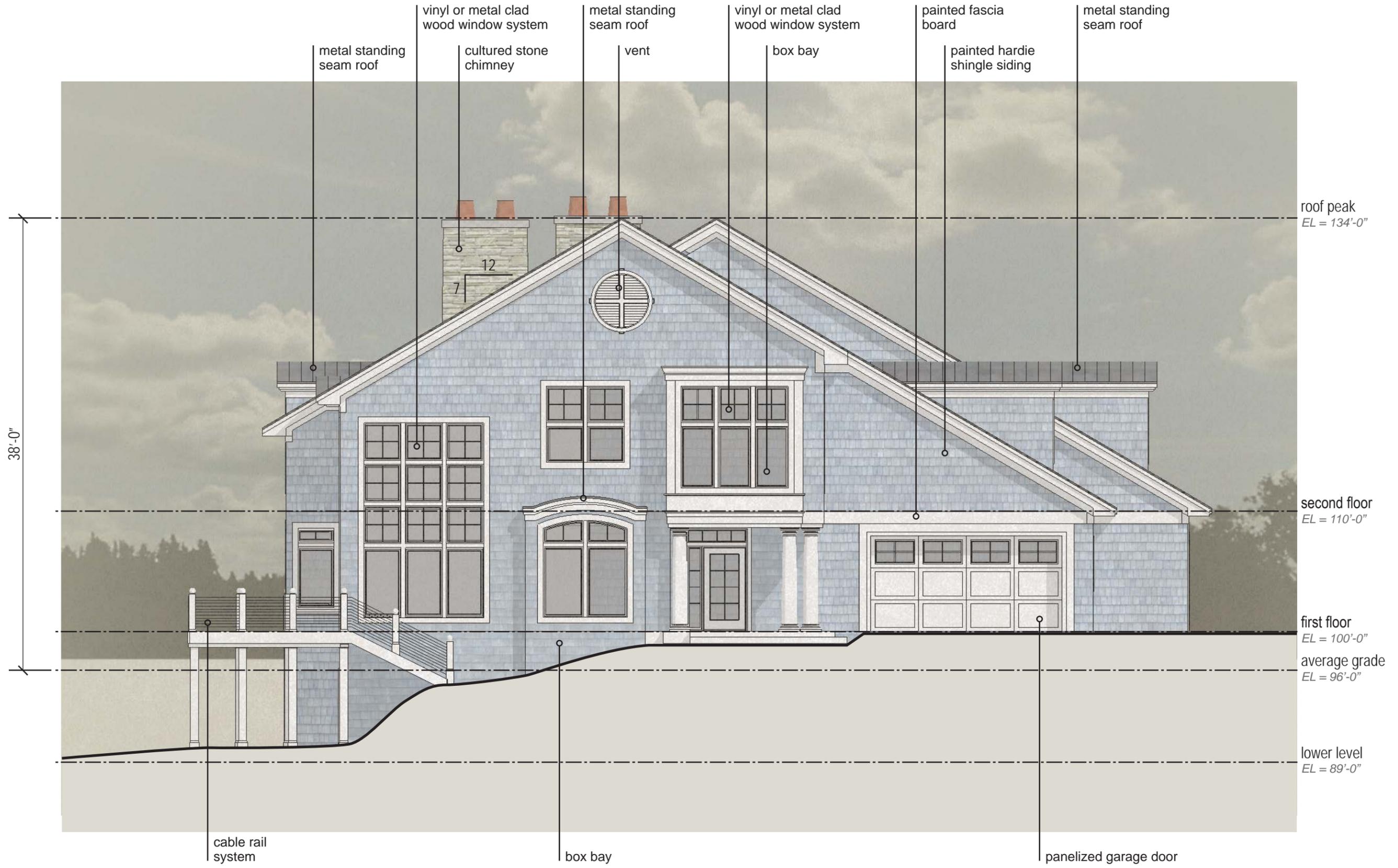




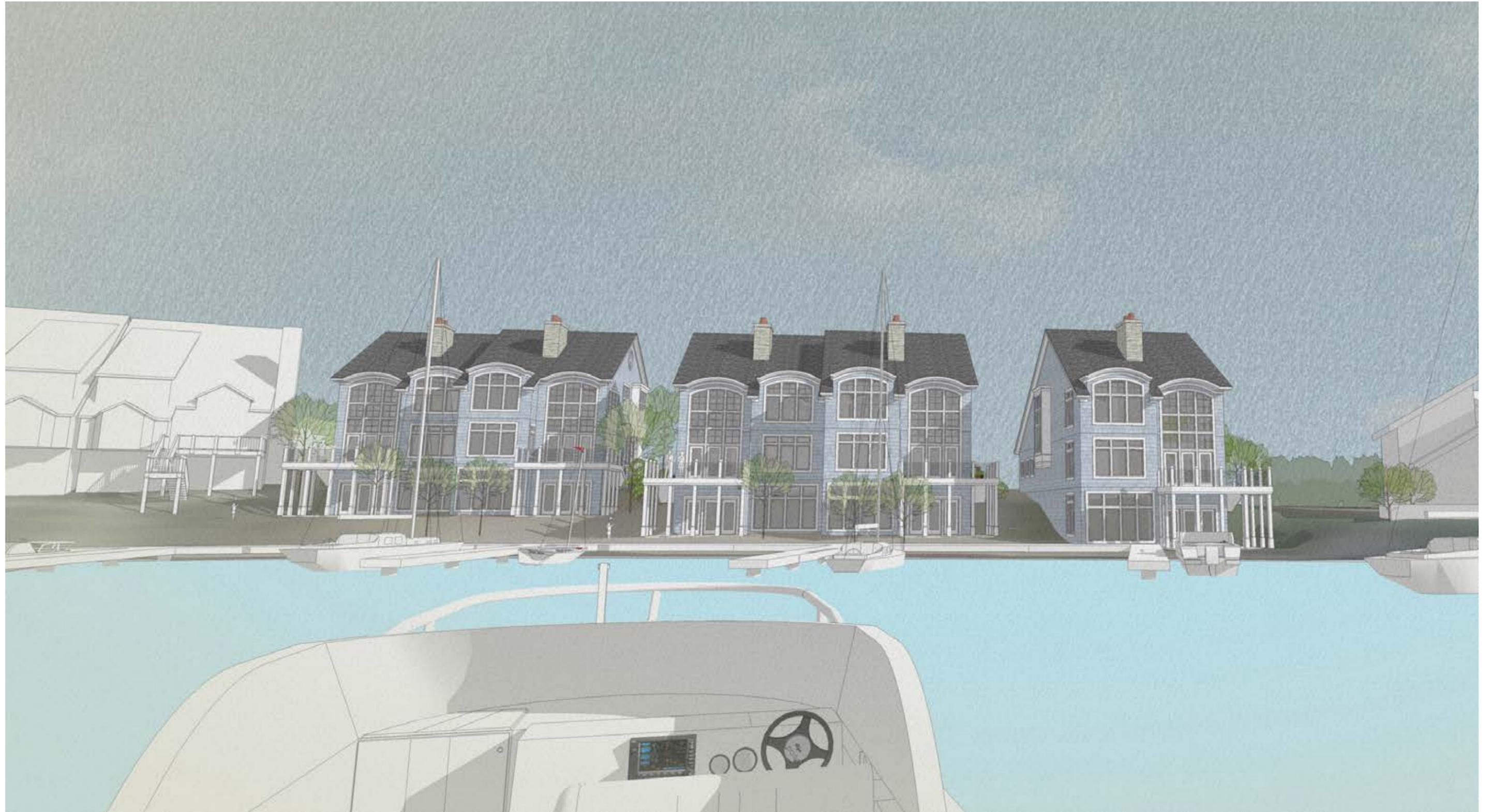




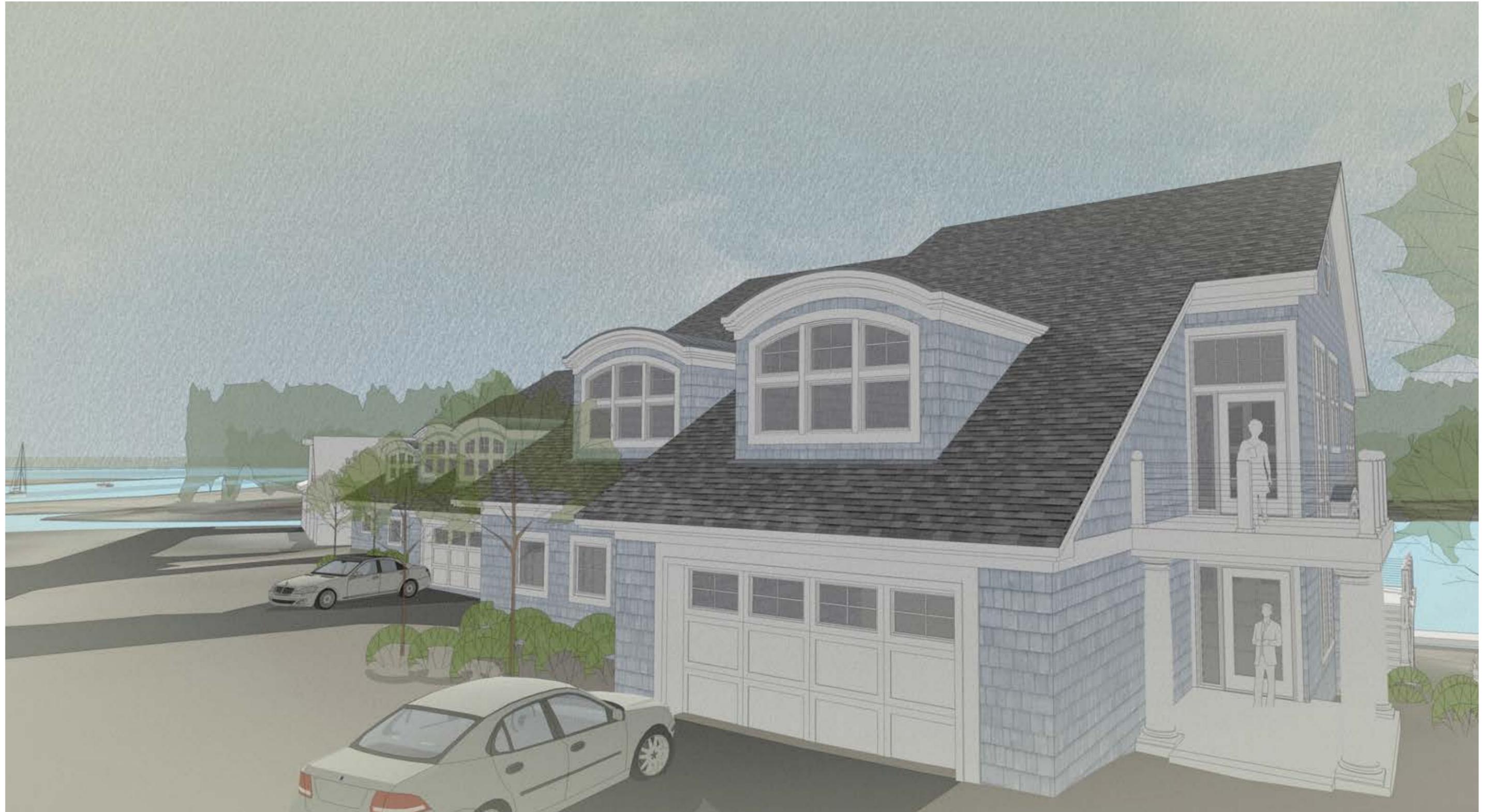
















2008R004080

USE PERMIT

PENNY A. PEPERA - REGISTER OF DEEDS
MANISTEE COUNTY, MICHIGAN
RECORDED ON
06/27/2008 02:59:16PM

REC FEE: 35.00
PAGES: 8

SPECIAL USE PERMIT
AS AMENDED

CITY OF MANISTEE
70 Maple Street, P.O. Box 358
Manistee, Michigan 49660

RECEIVED

JUN 27 2008

REGISTER OF DEEDS

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Property Owner/ Permit Holder: DSLT, Inc.
Mailing Address: 100 Marina Drive
Manistee, MI 49660

Description of Property affected by Special Use Permit: See Attachment A

Description of Special Use Granted, as Permitted in Article #8, Section #803.N Planned Unit Development

Special Use Permit Application #PC2008-05- as Approved by the Planning Commission on May 1, 2008

PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements:

This PUD encompasses the property of, and is based on and amends, the previous PUD known as Harbor Village at Manistee Beach, as amended through April 18, 1995.

As a condition of granting this Special Use Permit, all further development at this site and all future amendments to the PUD shall be subject to the Manistee City Zoning Ordinance of March 27, 2006 as amended. The issuance of this Special Use Permit and changing to the current Zoning Ordinance in no way changes, mitigates, or amends the contract between the developers and the City known as the Development Agreement.

This Special Use Permit is flexible by design. It is intended to give the developer some freedom to react to market and demographic changes. To the degree that this text and the attached plan titled Harbor Village at Manistee Beach - Master Site Plan dated 4/24/02 prepared by Abonmarche Consultants, Inc. Job No. M11094MP enable detailed approval, such approval is given. However, the nature of such flexibility requires that the Planning Commission retain the right for detailed plans of each Planning Area. Planning Area approval will be guided by the concepts approved herein, but the right to determine if a final plan coincides with these concepts is reserved by the Planning Commission exercising sound planning judgement which may not be arbitrary and capricious. [Annotation: Master Site Plan was approved by the Zoning Administrator reflecting actual Planning Areas with current names as a Minor Amendment on August 22, 2006]

As is the case for the remainder of the city, site plan review for the siting of an individual Single Family building shall be performed by the Zoning Administrator. The Zoning Administrator may choose to refer Single Family site plans to the Site Plan Review Committee or Planning Commission. The Planning Commission may at any time choose to assume the responsibility for Single Family site plan review.

Definitions:

APARTMENT A residential unit in a complex of three or more units. Unit shall have less than 800 square feet of living area and be located in the Brookharbor or the Harborside East area.

CONDO All residential units which are not Apartments or Single Family.

HEIGHT	The distance from the highest part of the building, excluding chimneys, vents, antennas, etc., to a point midway between the highest and lowest grade at the building.
PLANNING AREA	The eight distinct use areas identified on the attached drawing and referred to in sections one through eight.
SINGLE FAMILY	A detached building containing only one dwelling unit or a building containing two units in Harbor Point Estates.

Planning Areas referenced herein are shown on the attached plan which is included solely for the purpose of identifying the Planning Areas and to show the general PUD concept. In general the Planned unit Development includes:

1. Marina. Total boat slips shall not exceed 223.
2. Harborside East Area. The maximum number of residential units in Harbor Side East shall not exceed 75. The maximum number of Condo units shall not exceed 75. The maximum number of Apartment units shall not exceed 75. The maximum number of buildings shall not exceed 30. The maximum number of units per building shall not exceed 25. Building height shall not exceed 35 feet.
3. Lakeview Area. The maximum number of residential units in Lakeview shall not exceed 110. The maximum number of residential buildings shall not exceed 14. The maximum number of units per building shall not exceed 12. Building height shall not exceed 39 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide. Accessory buildings are allowed and may encroach into the setback and greenbelt.
4. Harbor Point Estates Area. The maximum number of residential units in Harbor Point Estates shall not exceed 10. The maximum number of buildings shall not exceed 10. The maximum number of units per bundling shall not exceed 2. The Aggregate square footage of all buildings area (not including decks) shall not exceed 25,000 square feet. Building height shall not exceed 30 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide. A 63 foot setback shall be maintained from the extended centerline of Fourth Avenue. There shall be no Condos or Apartments. The southernmost two units shall be detached *single family*, and the balance shall be limited to *single family* detached to two attached *single family*.
5. The Cottages. The maximum number of residential units in The Cottages shall not exceed 34. The maximum number of buildings shall not exceed 35. The aggregate square footage of all first floor living areas shall not exceed 45,000 square feet. All residential units shall be detached *Single Family*. Building height shall not exceed 25 feet. A greenbelt separation shall be required in this area where it adjoins property not owned by the developers. This greenbelt shall be a minimum of ten feet wide.
6. Brookharbor. The maximum number of residential units in the Brookharbor area shall not exceed 72. The maximum number of residential buildings shall not exceed 16. The maximum number of units per building shall be 8. Building height shall not exceed 35 feet. Non residential buildings are subject to additional review during detailed *Planning Area* review.
7. Harborside West. The maximum number of residential units in the Harborside West area shall not exceed 28. The maximum number of buildings shall not exceed 13. The maximum number of units per building shall not exceed 8. Building height shall not exceed 35 feet. A minimum setback of 20 feet from the right-of-way of Lakeshore Drive shall be maintained.
8. Lakeshore. The maximum number of residential units in the Lakeshore area shall not exceed 44. The maximum number of buildings shall not exceed 20. The maximum number of units per building shall not exceed 8. Building height of the North three buildings shall not exceed 32 feet. Building height of the remaining buildings shall not exceed 39 feet. A minimum setback of 20 feet from the right-of-way of Lakeshore Drive shall be maintained.
9. Meadow Pond and Landscaping. As Built
10. Parking requirements shall be as approved in the Zoning Ordinance, except that one parking space shall be required for each *Apartment* unit.

11. Those parts of Section 804.4 of the zoning ordinance which address water front yard and slope restrictions contained else where in the ordinance are waived through prior rights under the existing PUD. This grandfathering of rights is granted in the interest of bringing the project under the current zoning ordinance.

12. Commercial Activity within the Harbor Village project shall be limited to the Brookharbor and, for Ship Store and Gas Dock only, Harborside East Area. Commercial Activity shall be limited to the following identified activities, each of which shall be limited to a maximum of 3,000 square feet of gross floor area

- ▶ Restaurant
- ▶ Retail
- ▶ Lounge
- ▶ Shop Store and Gas Dock

The total square footage of all commercial activities shall be limited to 10,000 square feet.

Administration, Property Management, and related activities and facilities (such as Clubhouse, Fish Cleaning, Exercise Room, etc.) are permitted, but are not considered Commercial Activities.

13. Unit sizes are not subject to the minimums established in Section 804.6 of the Zoning Ordinance.

14. Maximum densities provided for are limited by contractual maximum densities for the entire project. Gross project land area is 47.5 acres and net land area in the project is 41.8 acres. The following land requirements apply using net acreage: 1/3 acre per *Single Family* dwelling (detached or attached), 1/10 acre per *Condo* unit, and 1/16 acre per *Apartment*.

15. Foundation coverage is limited by the Development Agreement to 11.88 acres.

16. With the exceptions noted herein, a 25 foot setback shall be maintained from the right-of-way of all public roads.

17. No building shall be closer than 15 feet from another building, and there shall be at least 20 feet of separation on three sides of the building.

18. The Zoning Administrator is allowed to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations. [Annotation Item 18 was added as approved by the City of Manistee Planning Commission after a Public Hearing Held on May 1, 2008]

[Annotation Various items throughout document were changed to reflect the City of Manistee Zoning Ordinance adopted March 27, 2006.]

TRANSFER OF PERMIT

This permit is transferable only in accordance with Article 18, Section 1801.H of the ordinance.

EXPIRATION OF PERMIT (as per Article 18 Section 1801.I):

A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Use permit.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

VIOLATIONS OF PERMIT (see Article 18 Section 1801.J):

Any violation of the terms, conditions or limitations of a Special Use permit shall be cause for revocation or suspension of the permit. The Planning Commission may either revoke or suspend, pending correction of the violation, any Special Use permit. The act to revoke or suspend the permit shall occur after giving notice to the permit holder, specifying the alleged violation(s) and disclosing when a hearing will be held on the matter. The notice shall be delivered by registered mail. Any interested party may appear in person or by attorney at the hearing. The act to revoke or suspend the permit shall occur after or at the hearing on the matter. Before revoking or suspending the permit, the Planning Commission shall make a finding that a material violation of the Special Use permit exists. The permit holder shall be given reasonable opportunity to correct the violation(s).

CERTIFICATION OF PERMIT

The above SPECIAL USE PERMIT was granted by the Manistee City Planning Commission pursuant to the requirements of the Manistee City Zoning Ordinance.

DATE OF APPROVAL: May 1, 2008

CITY OF MANISTEE

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

Jon R. Rose 5/9/08
Zoning Administrator Dated

On May 9, 2008, before me, a Notary Public in and for said County, personally appeared Jon R. Rose, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

DENISE J. BLAKESLEE
NOTARY PUBLIC, STATE OF MI
COUNTY OF MANISTEE
MY COMMISSION EXPIRES Apr 2, 2013
ACTING IN COUNTY OF Manistee

Denise J. Blakeslee
Notary's Signature

Notary's Stamp
(Notary's name, county, acting in County, and Date Commission expires)

ACKNOWLEDGMENT & RECEIPT OF PERMIT

I (we) the undersign do hereby certify that I am (we are) the person(s) listed above as the special use permit holders of their authorized legal representative. I (we) do further certify that I (we) have read, understand and agree to comply with all of the requirements and conditions of this permit, as listed above and in the Manistee City Zoning Ordinance.

DSL, INC

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

Cynthia A. Fuller 6/3/2008
Cynthia A. Fuller, Vice President Date

On June 3, 2008, before me, a Notary Public in and for said County, personally appeared Cynthia A. Fuller, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be her free act and deed.

MICHELLE WRIGHT
Notary Public - State of Michigan
County of Manistee
My Commission Expires 07-27-2013

Michelle Wright
Notary's Signature

Notary's Stamp
(Notary's name, county, acting in County, and Date Commission expires)

Prepared by:
JON R. ROSE
COMMUNITY DEVELOPMENT DIRECTOR
CITY OF MANISTEE
70 Maple Street, P.O. Box 358
Manistee, MI 49660
231.398-2805

ATTACHMENT A

The Cottages Condominium according to the Master Deed recorded in Liber 597 at Pages 001 through 068, inclusive, Manistee County Records; as amended

BrookHarbor Condominium according to the Master Deed recorded in Liber 602 at Pages 383 through 450, inclusive, Manistee County Records;

Harbor Village Marina Condominium according to the Master Deed recorded in Liber 564 at Page 299, Manistee County Records, as amended;

Harbor Point Estates Condominium according to the Master Deed recorded in Liber 0640 at Pages 532 through 598, inclusive, Manistee County Records;

HarborSide East Condominium according to the Master Deed recorded in Liber 649 at Pages 594 through 657, inclusive, Manistee County Records, as amended;

HarborSide Condominium according to the Master Deed recorded in Liber 564 at Pages 232 through 298, inclusive, Manistee County Records;

Lakeview Condominium according to the Master Deed recorded in Liber 671 at Pages 0001 through 0054, inclusive, Manistee County Records, as amended;

LakeShore Residential Condominium according to the Master Deed recorded in Liber 548 at Pages 0408 through 0467, inclusive, Manistee County Records;

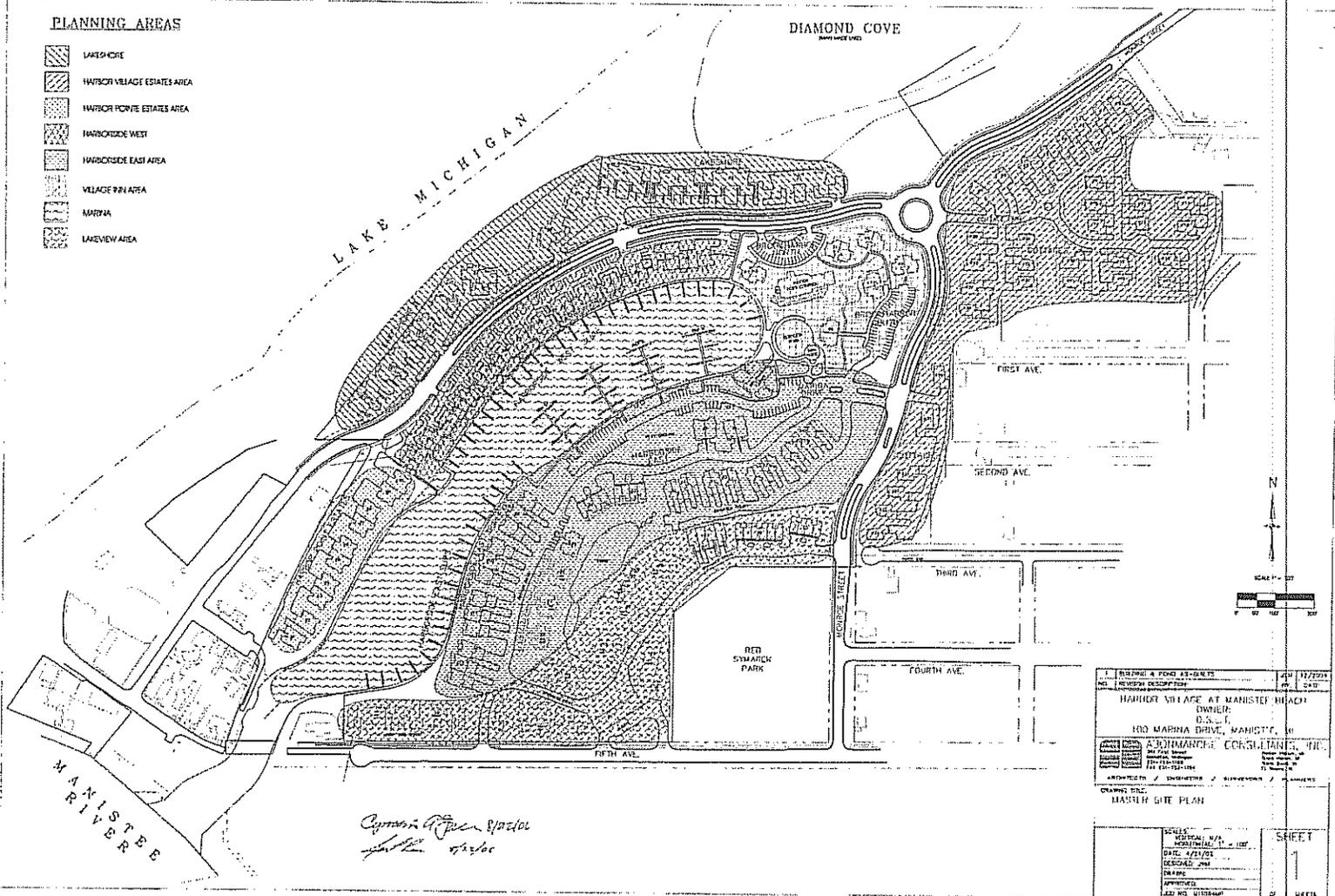
LakeShore II Condominium according to the Master Deed recorded in Liber 692, Page 606, re-recorded in Liber 696, Page 731, and amended in Liber 779, page 519, and as described in Act 59 of P.A. of 1978, as amended.

Harbor Village Storage Condominium according to the Master Deed recorded in Liber 743 at Pages 751 through 792, inclusive, Manistee County Records;

North Pier Condominium according to the Master Deed recorded in Liber 0985 at Pages 0255 through 0306, inclusive, Manistee County Records, as amended;

PLANNING AREAS

-  LAKESHORE
-  HARBOR VILLAGE ESTATES AREA
-  HARBOR COVE ESTATES AREA
-  HARBORSIDE WEST
-  HARBORSIDE EAST AREA
-  VILLAGE PIN AREA
-  MARINA
-  LAKEVIEW AREA



Cynthia A. Jones, Director
4/21/08

PROJECT NO.	42010	DATE	11/2004
PROJECT DESCRIPTION	HARBOR VILLAGE AT MANISTEE BEACH		
OWNER	D.S. & L.		
ADDRESS	100 MARINA DRIVE, MANISTEE, MI		
CONSULTANT	SCHMANDKE CONSULTANTS, INC.		
DATE	4/21/08	DESIGNED BY	JM
DRAWN BY	JM	APPROVED	
DATE NO. 01/20/08		DATE NO. 01/20/08	
DRAWING TITLE: MASTER SITE PLAN			
SHEET			1
OF			SHEETS

City of Manistee

Planning Commission Resolution to Amend
Special Use Permit for a Planned Unit Development
Case Number PC2008-05
Manistee Village Partners
a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach

At a regularly scheduled meeting of the City of Manistee Planning Commission held on May 1, 2008, the following resolution was adopted to approve amending a Special Use Permit for a Planned Unit Development for Manistee Village Partners a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach as submitted with application/case number PC-2008-05 to allow the Zoning Administrator to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

Planning Commissioner Ben Bifoss moved, supported by Planning Commissioner Eric Gustad, the adoption of the following resolution.

WHEREAS, a Special Use Permit for a Planned Unit Development (PUD) was issued to Manistee Village Partners on March 25, 1994 which amended the previous PUD known as Harbor Village at Manistee Beach, and

WHEREAS, an amendment was made to the PUD on April 18, 1995 for a minor change to the number of buildings in item #7 Harbor Side West from 8 to 13, and

WHEREAS, on March 11, 2008 an application was received requesting an amendment to said Special Use Permit for a Planned Unit Development, and

WHEREAS, on April 8, 2008 the Site Plan Review Committee reviewed the request as required under Section 1870.E of the City of Manistee Zoning Ordinance adopted March 17, 2006, and

WHEREAS, the Site Plan Review Committee reviewed the request and made a recommendation to the Planning Commission for their next regularly scheduled meeting on May 1, 2008, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed Amendment to the PUD on May 1, 2008, and

WHEREAS, the Planning Commission has received written comment, reviewed the areas of "Limited Common Elements" in the Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations, and has completed review of the application, input of the Applicant and the input received at said public hearing.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the Special Use Permit for a Planned Unit Development that was issued to Manistee Village Partners (a.k.a. DSLT, Inc. For Harbor Village at Manistee Beach) on March 25, 1994 as amended on April 18, 1995, be further amended by adding item #18 as follows:

- 18. The Zoning Administrator is allowed to approve Deck Extensions in "Limited Common Elements" areas of Harbor Point Estates, Harborside West, Lakeshore, and Lakeshore II Condominium Associations.

CITY OF MANISTEE PLANNING COMMISSION:

AYES: Bifoss, Slawinski, Crockett, Barry, Gustad, Fortier

ABSTAINING: Haines

NAYS: None

ABSENT: Albee, Yoder

MOTION: X CARRIED NOT CARRIED

CERTIFICATION:

I, Maureen Barry, Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of May 1, 2008

Maureen A Barry 6/6/08
Maureen Barry, Secretary

Memorandum



Denise Blakeslee
Planning & Zoning
Administrator

70 Maple Street
Manistee, MI 49660
231.398.2805

dblakeslee@manisteemi.gov
www.manisteemi.gov

TO: Planning Commissioners

FROM: Denise Blakeslee, Planning & Zoning Administrator

DATE: November 3, 2014

RE: P-D Peninsula Zoning District Review

Commissioners, we have spent the last several months working on our review of the P-D Peninsula District as requested by City Council. We have reviewed each parcel for dimensional standards, use and non-conformity. A comparison of the adjacent R-3 High Density Residential District was conducted to determine if there were similarities.

The Commission needs to move forward with preparing a report to City Council. The outstanding items include:

- What is the Commission's vision for the Peninsula?
- Does the Peninsula Redevelopment Plan still apply?
- Should changes be made to the Dimensional Standards in the Peninsula?
- What changes should be made to the Uses in the Peninsula?
- Should there be changes to the Parking Requirements?

There are two properties in the P-D Peninsula District that were designated by the Michigan Legislature as Renaissance Zones. The Renaissance Zone expires on December 31, 2014. The Report of Findings should include a recommendation for a Zoning Amendment that would delete Section 605 Peninsula District Renaissance Zone Standards.

Staff has prepared a Parcel Area Comparison Table of Commercial/Industrial District for your review. A table of Uses with the discussion from the October 16, 2014 Worksession noted and a copy of Section 514 Parking Standards for further discussion. We will also discuss the Purpose and Intent of the District to see if any changes should be considered.

Parcel Area Comparison with Commercial/Industrial Districts

Table 3-1 – City of Manistee Schedule of Regulations

District	Minimum Lot Dimensions		Maximum Lot Coverage	Minimum Yard Requirements (feet)			Maximum Density	Maximum Height	Minimum Floor Area Per Dwelling and Width
	Area (sq. ft.)	Width (feet)	(%) of gross lot area ^(h)	Front ^(a)	Side	Rear/ Waterfront ^(f)	DU/Acre	Feet/stories (Principal Bld)	(Sq.Ft. & Ft)
P-D									
Single Unit	6,000	60							
Duplex or Commercial	10,000	80	60%	15	10	10/20	17	35/2½	550/20
Multi-Unit	10,000 ^(c)	80							
C-1	20,000 ^(c)	120	60%	30	10 ^(d)	20	17	40/3	500/20
C-2	6,000 ^(c)	60	90%	4	0 or 4 ^{(d)(e)}	10/20	17	35/2½	500/no min. width
C-3	2,500	25	100%	0	0 or 4 ^{(d)(e)}	6/20	(g)	50/4	500/no min. width
W-F									
Single Unit	6,000	60							
Duplex or Commercial	10,000	80	60%	15	10	10/20	17	35/2½	500/20
Multi-Unit	10,000 ^(c)	80							
L-I	12,000	120	70%	25	10 ⁽ⁱ⁾	10 ⁽ⁱ⁾	N/A	50/4 ^(j)	N/A
G-I	12,000	120	70%	45	10 ⁽ⁱ⁾	10/50 ⁽ⁱ⁾	N/A	50/4 ^(j)	N/A

Option 1: Leave Minimum Lot Dimensions the same

Option 2: Reduce the Minimum Lot Dimensions for Commercial Uses (need to discuss if requirements should be reduced for Duplex’s and Multi-Units) 10,000 sq. ft. in area/80 ft. frontage to 6,000 sq. ft. in area/60 ft. frontage (same as in C-2 Neighborhood Commercial District)

- Results:
- 7 - Commercial uses that are non-conforming parcels due to width/area would be in compliance
 - 4 - Vacant parcels could be developed for commercial uses
 - 15 - Parcels with Single Family Dwellings could be converted for commercial uses

NOTE: Parking Standards would need to be reviewed

This would increase the number of parcels eligible for Commercial Uses from 22 to 48.

There would still be 20 Legal Non-Conforming Parcels that will not meet the Minimum Lot Dimension standards

Option 3: TBD

Review of Table of Uses from October 16, 2014 Worksession

USES	P-D Peninsula District	G-C Golf Course	R-1 Low Density	R-2 Med Density	R-3 High Density	R-4 Mfg. Housing	W-F Water-front	C-1 Reg'l Com	C-2 Neigh. Bus	C-3 Central Bus	L-I Light Ind	G-I Gen Ind
Accessory Bldg. with a footprint less than the principal structure	R	R	R	R	R	R	R	R	R	R	R	R
Accessory Bldg. with a footprint greater than the principal structure	SLU	SLU	SLU	SLU	SLU	SLU	SLU	R	SLU	SLU	R	R
Accessory Uses, Related to uses permitted	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU
Adaptive Reuse	SLU		SLU	SLU	SLU		SLU	SLU	SLU	SLU		
Animal Grooming <i>Consider adding as a SLU</i>								R	SLU			
Bed & Breakfast	SLU		SLU	SLU	SLU		SLU		SLU	SLU		
Community Garden	R	R	R	R	R	R	R	R	R	R	R	R
Contractor's Facility <i>Further Discussion</i>					SLU			SLU	SLU	SLU	SLU	R
Day Care, Group <i>Consider adding as a SLU</i>			SLU	SLU	R	SLU	SLU	SLU	R			
Duplex	SLU		SLU	SLU	SLU	SLU	SLU		SLU	SLU		
Dwelling – Multiple Unit	SLU			SLU	SLU	SLU	SLU	SLU	SLU	SLU		
Dwelling – Single Unit	R	R	R	R	R	SLU	R		SLU			
Eating and Drinking Establishment <i>Change to R</i>	SLU	R		SLU*	SLU*		SLU	R	SLU	R	SLU	
Financial Institution <i>Further Discuss *Key Street Segment</i>	<i>SLU*</i>				SLU*		SLU*	R	R	R	R	
Gallery or Museum	R		SLU*	SLU*	SLU*		R	R	R	R		
Greenhouse and Nursery <i>Consider adding as a SLU</i>								SLU*			R	
Home Based Business	SLU		SLU	SLU	SLU		SLU		SLU			
Home Occupation, Minor	R	R	R	R	R	R	R		R	R		
Home Occupation, Major	SLU		SLU	SLU	SLU	SLU	SLU		SLU	SLU		

USES	P-D Peninsula District	G-C Golf Course	R-1 Low Density	R-2 Med Density	R-3 High Density	R-4 Mfg. Housing	W-F Water-front	C-1 Reg'l Com	C-2 Neigh. Bus	C-3 Central Bus	L-I Light Ind	G-I Gen Ind
Hotel	SLU			SLU*	SLU		SLU	R		R	SLU	
Marina	SLU		SLU	SLU	SLU		SLU		SLU	SLU		SLU
Mixed-Use Development	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU		
Motel	<i>SLU*</i>						SLU*	R				
Outdoor Recreation, Park	R	R	R	R	R	R	R	R	R	R	R	R
Parking Facility	SLU			SLU*	SLU*		SLU	SLU	SLU	SLU		SLU
Personal Service Establishment	R			SLU	SLU		R	R	R	R		
Place of Public Assembly – Large	<i>SLU*</i>			SLU*	SLU*		SLU*	SLU*	SLU*	SLU*	SLU*	
Place of Public Assembly – Small	SLU		SLU	SLU*	SLU*		R	R	R	R		
Planned Unit Development	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU	SLU
Professional Office	R			SLU*	SLU*		R	R	R	R	R	R
Professional Service Establishment	R			SLU*	SLU*		R	R	R	R	R	R
Retail Business	R			SLU*	SLU*		R	R	R	R		
Shipping Facility <i>Further Discussion</i>							R					R
Studio for Performing & Graphic Arts	SLU			SLU*	SLU*		SLU	R	R	R		
Subdivision, Plat or Condo. (of permitted uses)	R	R	R	R	R	R	R	R	R	R	R	R
Theater	<i>SLU*</i>						SLU*	R	SLU*	R	SLU*	
Uses similar to uses permitted by right or as special land uses	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU	R/SLU
Wells, Extraction		SLU									SLU	R
Wind Energy Conversion System, Accessory Subject to Section 515.G	R	R	R	R	R	R	R	R	R	R	R	R

NOTE – Only 3 parcels have key street frontage in the P-D Peninsula District. Commission should review/further discuss the SLU that require key street frontage.

SECTION 514 VEHICULAR PARKING SPACE, ACCESS, BIKE PARKING AND SIDEWALKS

A. For each principal building or establishment hereafter erected or altered and located in any Zoning District, including buildings and structures used principally as places of public assembly, there shall be provided and maintained suitable space off the public right-of-way which is adequate for the parking or loading of motor vehicles in the proportions shown below. The parking spaces called for hereunder shall be considered minimum requirements under this Ordinance. Where more than one use exists or is proposed on a parcel, the minimum shall be the sum of the required parking for each use, except where it is demonstrated to the Commission that such provisions would be excessive, in which case shared parking may be permitted. All parking areas except for Dwelling Units for Single Family, duplex units and mobile homes; the maximum number of parking spaces shall not exceed 1.5 times the minimum number of required parking spaces

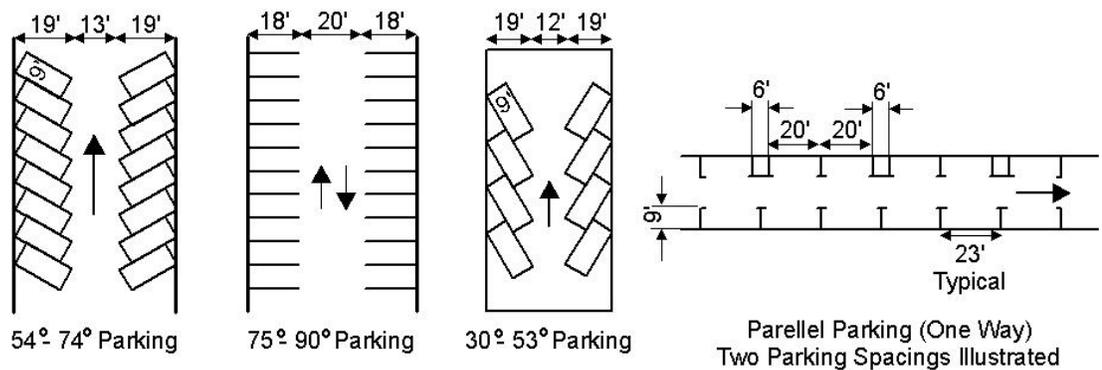
Use	Number of Parking Spaces Per Unit of Measure
Dwellings	Two (2) spaces per Dwelling Unit for Single Family, duplex units and mobile homes. One and a half (1.5) spaces for Multi-Family.
Hotels, Motels, Inns and Transient Lodging Places	One (1) space for each rentable room.
Hospitals, Nursing and Personal Care Facilities	One (1) space for each four beds, and one (1) space for each employee during the time the largest number of employees are present.
Places of public assembly	One (1) space for each four seats of legal capacity.
Medical clinics and medical and dental offices	One (1) space for each 50 square feet of usable floor area in waiting rooms, one (1) space for each examining room, dental chair and similar use area, and (1) space for each employee during the time the largest number of employees are present.
Offices, other than medical or dental clinics	One (1) space for each 250 square feet of office space.
Eating and drinking establishments	One (1) space for each three seats of legal seating capacity.
Retail establishments	One (1) space for each 450 square feet of floor area dedicated to retail activity, exclusive of storage areas.
Industrial and warehouse uses	One (1) space for each employee during the time the largest number of employees are present plus five (5) spaces for visitors.

[Annotation: Section Title was changed from Vehicular Parking Space, Access and Lighting to Vehicular Parking Space, Access, Bike Parking and Sidewalks and Section A was amended by Amendment Z12-04; effective 10/27/12]

- B. In the case of uses or businesses not addressed in paragraph A hereof the required parking shall be determined by the Zoning Administrator, subject to Planning Commission concurrence. The latest edition of the Institute of Traffic Engineers *Parking Generation* shall be consulted in determining a parking requirement for any such use or business.
- C. The minimum dimensional standards for parking spaces and aisles shall be as follows.

Minimum Parking Space and Maneuvering Lane Standards						
Parking Pattern	Lane Width		Parking Space		Total Width of Two Tiers Plus Lane	
	One-way (ft)	Two-way (ft)	Width ⁽¹⁾ (ft)	Length ⁽²⁾ (ft)	One-way (ft)	Two-way (ft)
Parallel	11	18	9	23	40	36
30°-53°	12	18	9	19	50	56
54°-74°	13	19	9	19	51	57
75°-90°	15	20	9	18	51	56

- (1) Measured Perpendicular to the space centerline.
- (2) Measured along the space centerline.



**Parking Area Dimensions
(for standard-size vehicles)**

Figure 514

- D. The approval of the City Engineer shall be obtained for the location of exits and entrances to parking areas and for the design and construction thereof.
- E. Off-street parking areas for all uses requiring City approval shall be paved with concrete or bituminous material with approved curbing and painted parking lines. Parking areas with ten (10) or more spaces shall include designated pedestrian walkways through the parking lot in addition to landscaped planting islands and perimeter buffers in accordance with Section 531, in all instances

where sufficient space is available. [Annotation: Item E was amended by Amendment Z12-04, effective 10/27/12]

- F. For all permitted uses and special uses in the C-3 District the parking provisions of this section shall not apply, except to hotels, motels, and residential use condominiums. [Annotation: Item F was amended by Amendment Z10-03, effective 10/30/10]
- G. Parking areas required under this Section, and city-owned parking lots, shall not be used for the storage of, camping within, or continuous parking or storage of recreational vehicles, trailers, motor vehicles and junk for more than a twenty-four (24) hour period.
- A. Within the C-1, C-2 and C-3 Districts, the Planning Commission may approve shared parking arrangements among various uses when it can be demonstrated that parking in sufficient quantities for all such uses as set forth in this Section shall be available at all times.
- B. No parking area designed for more than 4 vehicles shall be located closer than five (5) feet from the front property line. [Annotation: Item I was added by Amendment Z12-04, effective 10/27/12]
- C. Bike Parking and the installation of a Bike Rack is required for all uses that require Medium Site Plan Review, unless waived in writing by the Zoning Administrator. Bike Parking and the installation of a Bike Rack is required for all uses that require Detailed Site Plan Review unless waived by the Planning Commission. [Annotation: Item J was added by Amendment Z12-04, effective 10/27/12]
- D. In all Districts except the L-I and G-I, sidewalks are required and shall be constructed in accordance with the City of Manistee Sidewalk Standards except as follows:
 - 1. Dwelling, Single Family,
 - 2. Duplex's if waived by the Planning Commission during the Special Use Permit process,
 - 3. Accessory Structures, or
 - 4. Additions or Alterations to existing structures that do not require a Special Use Permit. [Annotation: Item K was added by Amendment Z12-04, effective 10/27/12]

**Purpose and Intent Language
Commercial/Industrial Districts**

P-D PENINSULA DISTRICT

SECTION 600 PURPOSE AND INTENT

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the Waterfront. This district is intended to encourage and promote sustainable, environmentally and aesthetically compatible developments that use or compliment the shoreline while promoting expanded use of the shoreline by the public. The District is intended to host a variety of land uses including, but not limited to, residential, commercial, entertainment and recreational, service.

C-1 REGIONAL COMMERCIAL DISTRICT

SECTION 1300 PURPOSE AND INTENT

It is the intent of this District to provide areas for commercial uses intended to serve the larger community and the traveling public in the vicinity of highway U.S.-31 and to promote the economic development of the City in conformity with the Manistee City Master Plan, while establishing standards for curb cut location, pedestrian facilities, parking and shared parking, loading/unloading area, landscaping, and building form intended to mitigate the negative impacts of lineal development along highway U.S.-31; and potential conflicts with nearby residential districts.

C-2 NEIGHBORHOOD COMMERCIAL DISTRICT

SECTION 1400 PURPOSE AND INTENT

It is the intent of this District to provide areas for commercial and mixed uses intended to serve nearby residential neighborhood and the larger Manistee community, while establishing standards to manage traffic and parking, operational impacts, parking and shared parking, loading/unloading area, landscaping, and building form intended to complement existing commercial nodes and surrounding residential uses.

C-3 CENTRAL BUSINESS DISTRICT

SECTION 1500 PURPOSE AND INTENT

It is the intent of this District to protect and strengthen the commercial core of the City of Manistee as a regional and specialty shopping, service and entertainment area; to encourage a broad range of compatible retail, service, entertainment and residential uses formed vibrant, walkable and attractive districts in concert with the objectives of the Master Plan and Downtown Development Authority Plan; while establishing standards to manage traffic and parking, operational impacts, parking and shared parking, loading/unloading area, landscaping, and building form intended to complement existing commercial uses and surrounding residential neighborhoods.

W-F WATERFRONT DISTRICT

SECTION 1200 PURPOSE AND INTENT

It is the intent of this District to establish a mixed-use district incorporating a variety of recreational, residential, business or service uses on or near the Waterfront. This district is intended to encourage and promote sustainable, environmentally and aesthetically compatible developments that use or compliment the shoreline while promoting expanded use of the shoreline by the public. The W-F District is intended to host a variety of land uses including, but not limited to, residential, commercial, entertainment and recreational, service and industrial uses. [Annotation: The Language “Waterfront” was added, while the Language “Manistee Lake shoreline” was deleted by amendment 08-05, effective 2/29/08]

L-I LIGHT INDUSTRIAL DISTRICT

SECTION 1600 PURPOSE AND INTENT

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

G-I GENERAL INDUSTRIAL DISTRICT

SECTION 1700 PURPOSE AND INTENT

It is the intent of this District to protect adjacent residential areas from the negative effects of the General Industrial District while allowing industries which traditionally heavier and more intense in the nature of their uses; to provide protection to Manistee Lake including its water quality, to protect its shoreline from erosion or instability or other negative effects; and to be compatible with the City’s Master Plan.