

# MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, September 1, 2016  
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 September 1, 2016 agenda.

### IV Approval of Minutes

At this time Planning Commission can take action to approve the August 4, 2016 meeting minutes.

### V Public Hearing

**PC-2016-09 Rose Pomeroy Locke (259 Fifth Street and adjoining parcel to the west), Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden)**

A request has been received from Rose Pomeroy Locke for a Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden) at the property at 259 Fifth Street including the adjoining property to the west.

At this time the Chair shall open the hearing.

The applicant shall present any comments and explanation of the case.

City staff shall present their report

The hearing will be opened for public comments

The hearing will be closed

### VI Public Comment on Agenda Related items

### VII New Business

**PC-2016-09 Rose Pomeroy Locke, 259 Fifth Street and adjoining parcel to the west, Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden)**

A Public Hearing was held earlier in response to a request from Rose Pomeroy Locke for a Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment and Community Garden) at the property at 259 Fifth Street including the adjoining property to the west.

At this time the Planning Commission could take action to approve/approve with conditions/deny the request from Rose Pomeroy Locke for a Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment and Community Garden) at the property at 259 Fifth Street including the adjoining property to the west.

#### **Schedule Meeting dates for 2017**

The Planning Commission generally holds their regular business meetings on the first Thursday of each month in the Council Chambers, City Hall, 70 Maple Street, Manistee Michigan at 7:00 p.m. Review of the 2017 does not indicate any scheduling conflicts with holidays.

At this time the Planning Commission could take action to schedule their meeting dates for 2017.

#### **VIII Old Business**

##### **Redevelopment Sites**

The Members of the Planning Commission will discuss redevelopment sites for the annual joint meeting between City Council and the BRA, DDA, HDC, PC & ZBA.

#### **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



To: Planning Commissioners

FROM: Denise Blakeslee  
Planning & Zoning Administrator

DATE: August 23, 2016

RE: September 1, 2016 Meeting

Denise Blakeslee  
Planning & Zoning  
Administrator  
70 Maple Street  
Manistee, MI 49660  
231.398.2805  
dblakeslee@manisteemi.gov  
www.manisteemi.gov

Commissioners, the next meeting of the Planning Commission will be on Thursday, September 1, 2016. We have the following items on the agenda:

- **PC-2016-09 Rose Pomeroy Locke (259 Fifth Street and adjoining parcel to the west), Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden)** - A request has been received from Rose Pomeroy Locke for a Special Use Permit for Mixed Use (Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden) at the property at 259 Fifth Street including the adjoining property to the west.
- **Schedule Meeting dates for 2017** - Review the 2107 calendar and set meeting dates for 2017.
- **Redevelopment Sites** – continue discussion on redevelopment sites for the annual joint meeting between City Council and the BRA, DDA, HDC, PC & ZBA.

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

# CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street  
Manistee, MI 49660

## MEETING MINUTES

August 4, 2016

A meeting of the Manistee City Planning Commission was held on Thursday, August 4, 2016 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, Aaron Bennett, Ray Fortier, Mark Wittlieff, Roger Yoder

Members Absent: Marlene McBride, Gabriel Walker,

Others: Ron Stoneman (Superintendent Manistee Area Public Schools), James Smith (City Council), Glenn Zaring (321 Fifth Street), Rob Carson (County Planner), Denise Blakeslee (Planning & Zoning Administrator) and others

### APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Aaron Bennett that the agenda be approved as prepared.

With a Roll Call vote this motion passed 5 to 0.

Yes: Barry, Bennett, Fortier, Wittlieff, Yoder  
No: None

### APPROVAL OF MINUTES

Motion by Aaron Bennett, seconded by Ray Fortier that the minutes of the June 2, 2016 Planning Commission Meeting be approved with a correction on the spelling of Yoder under approval of Minutes.

With a Roll Call vote this motion passed 5 to 0.

Yes: Fortier, Barry, Bennett, Wittlieff, Yoder  
No: None

### PUBLIC HEARING

Chair Yoder opened the Public Hearing at 7:03 pm

Rob Carson, County Planner presented the Master Plan to the public in attendance. Denise Blakeslee, Planning and Zoning Administrator assisted with comments. The presentation included:

### **Background**

- 2013 work began on new Master Plan
- November 2013 Visioning Session
- 2014 Online Survey
- 2015 Contacted with County Planning Department
- October 2015 Final Public Input Session/Charrette
- November 2015 Developed Goals and Tasks
- April 2016 Planning Commission final review of Plan
- May 5, 2016 Plan submitted to City Council for review/comments
- May 17, 2016 Council approved distribution of plan
- May 18, 2016 Plan released for 63 day review and comment period/noticed public hearing
- July 7, 2016 Re-advertised public hearing in News Advocate
- August 4, 2016 Public Hearing

### **Previous Plans/Manistee County Plans**

#### **Components of the Plan**

- Community Enrichment and Social Patterns
- Natural Recreational and Cultural Features
- Community Enrichment
- Land Use
- Central Business District
- Waterfront
- Transportation
- City Services
- Schools and Education
- Guiding Ideas for Plan Development
- Community Input

#### **Goals, Future Land Use and Implementation**

- Goals and Tasks
- Action Plan
- Future Land Use Plan (Categories)
  - Residential
  - Commercial
  - Industrial
  - Other Districts
    - US 31 Corridor
    - Wellhead Protection Overlay District
- Zoning Plan
  - Relationship to the Master Plan
  - Opportunities/Rezoning
  - Form Based code Consideration
  - Existing Zoning
    - Residential Districts
    - Commercial Districts

- Mixed Use Districts
- Industrial Districts
- Overlay Districts
- Comparative Analysis of Future Land Use and Existing Zoning

**Review and Comment Period (63 Days May 18 – July 19)** – Input received from Kurt Schindler and Glenn Zaring resulting in additions/changes to the plan as follows:

**Kurt Schindler**

- Component needed to address the need to attract population growth to Manistee
  - *Added Section 2.2.3 Population Growth in a new Economy*
- No mention or recognition of the Prosperity Regional Planning (Grand Vision for the 10 county NW Michigan).
  - *Added Section 2.1.4 Regional Prosperity Initiative*

**Glenn Zaring**

- Error on Page 39....reference to 'Commercial' being from Maple West on River
  - *CORRECTED TO READ: The majority of the Central Business District contains what is considered "Downtown Manistee" and is located on River Street...*
- The DDA section is frustrating me as there are some excellent points/plans in there...most of which the DDA is ignoring. Anyone addressing this?
  - No changes made to the plan
- 2.10 on Schools. Narrative does not mention Casman Academy...
  - *CHANGED TO READ: The City of Manistee is contained within the Manistee Area Public School District as displayed on map 2.15. Four of the five Manistee Area Public Schools are located in the City of Manistee. CASMAN Alternative Academy located in the City if the only public charter school in Manistee County and offers a rigorous curriculum and high teacher to student ratio...*
- A residential property that should have been labeled multi-family and wasn't. SE corner of 5th Street and Maple.
  - *Corrected on Current Land Use Map*
- 2.11.3.3 Up to this point no reference to the Little River Band of Ottawa Indians.
  - *2.3.4 Cultural and Historical Features - CHANGED TO READ: Manistee is rich in History, the Little River Band of Ottawa Indians historically settled the area along the Manistee River and south to the Muskegon River where they actively trapped, hunted and raised agricultural crops sustaining their people. The 1836 Treaty of Washington established a 70,000 acre reservation which extended from the shores of Lake Michigan from the southern end of the City of Manistee north to the Bar Lake Outlet and then east to the Pine River and what is now known as Tippy Dam Pond. The LRBOI are intricately linked to the region and the City of Manistee; more detailed information on the Tribal history, journey and current status as a large employer to the region can be found through the following link: <https://lrboi-nsn.gov/>*

The Master Plan was updated with the comments from Mr. Schindler and Mr. Zaring. The list of changes and a copy of the updated plan were posted on the City Web Page on July 22, 2016, on the City Facebook Page, and copies were made available at the City Clerk's office and Library. The changes were also noted in a newspaper article on July 26, 2017.

The next steps are:

- The Planning Commission adopts the plan with the recommend that City Council approve the plan.
- The plan is sent to City Council for their final consideration.
- City Council adopts the plan.

Chair Yoder opened the hearing for public comments.

**Ron Stoneman, Superintendent Manistee Area Public Schools** – asked that the Michigan Great Lakes Virtual Academy be added to the school section of the plan.

**James Smith, City Council** – thanked the Planning Commission for their time and energy to develop the plan. He said it is a remarkable document.

**Glenn Zaring, 321 Fifth Street** - Mr. Zaring was part of the 2006 Envision process and complemented the commission on a good workable guide for the community.

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

August 2, 2016 letter received from Dee Dee Miller, 3921 Lakeshore Drive (attached)

Mr. Carson noted that the plan does address beautification and landscaping, maybe not with specific locations outside of identifying land use districts. The pieces are in place in the plan to implement beautification improvements within the City. He also spoke of the goals and tasks and how the commercial zoning standards can address part of the concerns expressed for development that requires new permits. A new US 31 Corridor Plan is being developed that will look at the entire US 31 Corridor.

There were no more additional comments; the Public Hearing was closed at 7:30 pm.

#### **PUBLIC COMMENT ON AGENDA RELATED ITEMS**

None

#### **NEW BUSINESS**

##### **Adoption of Master Plan**

A Public Hearing was held earlier by the Planning Commission on the proposed Master Plan. The commissioners received a copy of the public comment/input and revisions made to the plan in response to the comments prior to the meeting.

Motion by Aaron Bennett, seconded by Maureen Barry that the Planning Commission adopt a resolution approving the proposed new City of Manistee Master Plan as submitted for and revised pursuant to the public hearing, including all of the text, charts/tables, maps and descriptive and other matter therein intended by the Planning Commission to form the complete Master Plan, including the City of Manistee Future Land Use Map, recommending final approval/adoption of same by the City Council with the inclusion of language for the Michigan Great Lake Virtual Academy added Section 2:10 Schools and Education of the plan.

With a Roll Call vote this motion passed 5 to 0.

Yes: Wittlieff, Fortier, Barry, Bennett, Yoder  
No: None

#### **OLD BUSINESS**

None

#### **PUBLIC COMMENTS AND COMMUNICATIONS**

None

#### **CORRESPONDENCE**

None

#### **STAFF/SUB-COMMITTEE REPORTS**

**Denise Blakeslee, Planning & Zoning Administrator** – Staff has been working on a list of redevelopment sites for the Annual meeting with Council and Boards and Commission. Ms. Blakeslee reviewed the list and Commissioners were asked to review the list of properties, drafted vision statements and list additional properties they feel should be included in the list. They will bring this information back for the September meeting.

The Commissioners were given a copy of the Policy and Procedure for the Sale of City Owned Property and were asked if the Planning Commission had any objections for the City to market and sell Lots 12 & 13 in the Industrial Park. The City has received interest in the property and has discussed the desire to market the property.

**MOTION** by Mark Wittlieff, seconded by Maureen Barry that the City of Manistee Planning Commission approves the marketing and sale of Lots 12 & 13 in the Industrial Park.

With a Roll Call vote this motion passed 5 to 0.

Yes: Wittlieff, Fortier, Barry, Bennett, Yoder  
No: None

They are offering Citizen Planner Training and the commissioners who have not previously taken the course were given information on the workshop.

Ms. Blakeslee thanked the Commissioners for all of their work on the Master Plan.

## **Sub-Committee**

The Site Plan Review Committee met on June 17, 2016 in response to the City of Manistee to install three public shade shelters at Fifth Avenue Beach. The Committee approved the request and a Land Use Permit was issued. Commissioners received a copy of the meeting minutes in their packets.

The Site Plan Review Committee met on June 30, 2016 in response to a request from Robert & Laura Horvat, 224 Arthur Street to construct an accessory building. The Committee approved the request and a Land Use Permit was issued. Commissioners received a copy of the meeting minutes in their packets

## **MEMBERS DISCUSSION**

Commissioners thanked Ms. Blakeslee for her work on the Master Plan.

The next regular meeting of the Planning Commission will be held on Thursday, September 1, 2016

## **ADJOURNMENT**

Motion by Ray Fortier, seconded by Mark Wittlieff that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:55 pm

MANISTEE PLANNING COMMISSION

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Denise J. Blakeslee, Recording Secretary



**To the City of Manistee Planning and Zoning Commission,**

I would like to suggest the beautification of the Entrance Corridor to Manistee at River Street and US 31.

The 3 buildings in question are the empty Gas Station (NE Corner), the Chamber of Commerce building on the NE side of US 31 next to the river, and the Building set back on the NW Corner of River Street and US 31.

All of these buildings create and vision/ atmosphere of economic depression for the visitors or travelers passing through Manistee. A stand of Evergreen and Spruce trees would be more welcoming to our Lake Michigan Community than what is there now.

I realize that these are commercial properties and have financial value; so it is difficult to require curb appeal. But this is a Zoning issue too. An Architectural Review Committee could be established for all buildings on the Entrance Corridor of Manistee from here forward. The Future is what this Planning and Zoning Commission is all about.

Economic growth is predicated on many things but having a Community that is attractive and inviting visually always helps.

-2-

Green space allows us to relax and imagine. Especially after leaving the densely populated cities of our country. Manistee has a very attractive downtown. We would all like to see it prosper. I do believe that the Entrance to our city is important.

What is the saying: " You only have one chance to make a good first impression." So let us make a great "First Impression" for Manistee.

Best Regards,



Dee Dee Miller  
3921 Lakeshore Drive  
Manistee MI 49666

July 28, 2016

# Memorandum



To: Planning Commissioners

FROM: Denise Blakeslee  
Planning & Zoning Administrator

DATE: August 26, 2016

RE: 259 Fifth Street  
Rose Pomeroy Locke  
Special Use Permit – Mixed Use  
Greenhouse, Retail, Eating and Drinking Establishment & Community Garden

Denise Blakeslee  
Planning & Zoning  
Administrator  
70 Maple Street  
Manistee, MI 49660  
231.398.2805  
dblakeslee@manisteemi.gov  
www.manisteemi.gov

Commissioners, we have received a request for a Special Use Permit from Rose Pomeroy Locke for 259 Fifth Street the former Manistee Cottage Garden. Ms. Locke is looking to re-open the greenhouse/retail business use at the site. This will require a Special Use Permit since the use has been abandoned for several years. Future expansion could include Eating and Drinking Establishment and a Community Garden.

The request has been noticed and a public hearing is scheduled for September 1, 2016. The request has been sent to the City Engineer, DPW Director and Director of Public Safety.

Review for Zoning resulted in the recommendation to include two conditions if the Planning Commission were to approve the request. The conditions are as follows:

- 1. The Applicant shall request to combine both parcels 51-664-701-01 and 51-664-701-08 into one parcel.***
- 2. The Applicant shall install a bike rack on the site.***

Review by the Fire Department has resulted in the recommendation of one additional condition as follows:

- 3. The existing driveway on the West edge of the property needs some tree trimming to make it passable. Upon completion of the tree trimming the driveway will satisfy the Fire Department's needs, for the proposed use of occupying only the main retail building. In the future, if and when other buildings or structures are constructed or occupied on site, the driveway (may) need to be improved in compliance with IFC.***

A copy of the request is enclosed for your consideration.



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

## Special Use Permit Application

A Detailed Site Plan is required for all Special Uses

Please Print

Submission of Application			
<p><i>Applications must be submitted 25 days prior to the meeting for review for completeness.</i> Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee \$750.00 and any applicant escrow payments as required by Section 2701 and in accordance with the schedule of fees adopted by the City Council to cover the costs of processing the application. An application shall be submitted to the Zoning Administrator on a Special Use application form. A Special Use application shall be placed on the agenda of the Planning Commission by the Zoning Administrator within thirty (30) days of the submission of a complete application prepared in accordance with this Zoning Ordinance. An application, which is incomplete or otherwise not in compliance with this Ordinance, shall be returned to the applicant. No application shall be processed until properly prepared and submitted and all required fees and escrow payments paid in full.</p>			
Property Information			
Address: 259 5th St		Parcel # 51-664-701-01	
Applicant Information			
Name of Owner or Lessee: Rose Pomeroy Locke			
Address: 10351 Quaterline Rd Manistee MI 49660			
Phone #: 231-464-5513		Cell#: 239-895-1018	e-mail: rmtpomeroy@yadico.com
Name of Agent (if applicable): n/a			
Address:			
Phone #:	Cell#:	e-mail:	
Data Required/Project Information			
Land Area:		Zoning Classification: R2	
Present/proposed Land Use:			
Attach a Detailed Narrative for the following			
<input checked="" type="checkbox"/>	A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.		
<input type="checkbox"/>	Applicant's statement of the expected effect of the special use on emergency service requirements, schools, storm water systems, sanitary sewer facilities, automobile and truck circulation patterns, and local traffic volumes. none		
<input type="checkbox"/>	Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be required by this ordinance, by the City Zoning Administrator or the Planning Commission; including, but not limited to, measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties; elevations on all buildings, including accessory buildings; and, an environmental assessment. none		
<input checked="" type="checkbox"/>	Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in Section 1802.		

**Additional Information**

Any additional information deemed necessary for the Planning Commission to determine the impact of the proposed Special Use on the adjacent properties, public infrastructure, and community as a whole. Such information may take the form of, but is not limited to, a traffic impact analysis as required by **Section 2203, E, 2**, an environmental assessment as required by **Section 2203, E, 1**, a market study as required by **Section 2203, E, 3**, or reports and/or testimony by officials representing state, county or local departments of public safety (police and fire), health, highways or roads, and/or environment.

**Special Use review procedures.** An application for Special Use Approval shall be processed in accordance with **Section 1801.C.**

**Issuance of a Special Use permit.** Special Use Permits shall be issued in accordance with **Section 1801.D.**

**Appeals.** No decision or condition related to a Special Use application shall be appealed to the Zoning Board of Appeals. An appeal of a Special Use decision or condition may be taken to Circuit Court.

**Duration of Approval.** The Special Use permit shall become effective upon Planning Commission approval and in accordance with **Section 1801.F.**

**Amendments.** Amendments to Special Use permits shall be handled in the same manner as the initial Special Use permit application. Minor non-substantive changes to a site plan in accordance with **Section 2208** may be made to an existing Special Use permit with the approval of the Zoning Administrator.

**Transfers.** Transfers shall be handled in accordance with **Section 1801.H.**

**Expiration.** 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.** Violations shall be handled in accordance with **Section 1801.J.**

**Authorization**

**CERTIFICATION AND AFFIDAVIT:**

The undersigned affirm(s) that he/she/they is/are the  owner,  leasee,  owner's representative,  contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion. The undersigned, by signing the Application, agrees to pay any and all fees and escrow payments in full as provided in **Article 27.**

Signature: *Casey P. Godec* Date: 8-8-16

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*If applicant is Incorporated or a Limited Liability Corporation a copy of the Articles of Incorporation are to be submitted with application.*

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

Yes  No Please indicate if the applicant will be tax exempt, applying and/or eligible for tax abatements, credits or deferrals for this proposed project. If Yes, explain:

**Office Use Only**

Fee:  \$750.00  \$ \_\_\_\_\_ Escrow Payment Receipt # 35215

Date Received: \_\_\_\_\_ Hearing Date: \_\_\_\_\_ PC - \_\_\_\_\_

City of Manistee

Planning Commission

I am in the process of purchasing the property located at 259 Fifth St (the old Tossi's Flower Shop). Because this property is located in a residential area I am applying for a special use permit to operate the following business:

- Flower Shop with retail Space
- Greenhouse
- Eating & Drinking Establishment
- Community Garden

Since this property was previously used for a similar business this location would be appropriate for the proposed business as outlined above. The property is located on a key street within the city, that allows truck traffic to serve the property. This also meets the Retail Business requirement of being on a Key Street Segment as well.

Currently there is no sign located on this parcel. Zoning allows for a 16 square foot sign and any future signage will comply with all requirements as stated in article 21 of the City zoning ordinance.

The landscaping will be left in its current state. If any landscaping changes will be made in the future they will comply with the requirements of section 531 of the City zoning ordinance.

Current lighting will be utilized on site. If additional lighting is required, it will be in compliance with the requirements of section 525 of the City zoning ordinance.

Parking, site circulation patterns and access locations are all addressed in the Site Plan provided to the Planning Commission.

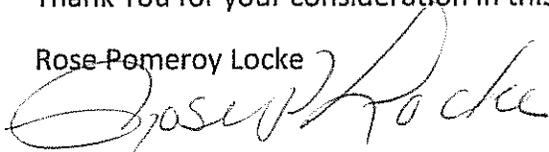
Will be adding Eating and Drinking at a later date. Will allocate additional parking at that time.

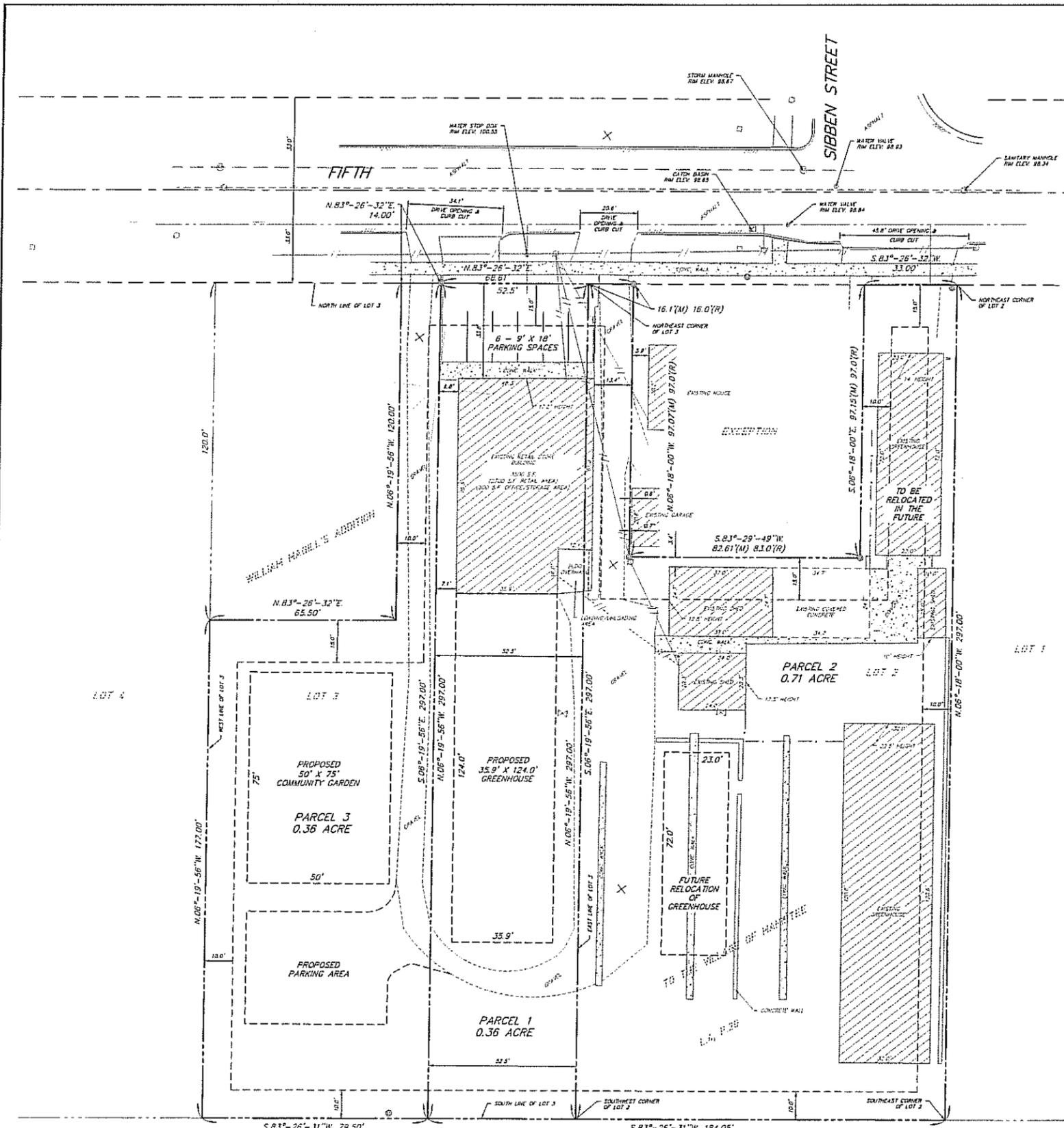
Any dumpsters if necessary will be located at the far south end of the property and will comply with all requirements of the City Zoning ordinance.

The Community Garden will be a 50' X 75' vacant parcel. All storage and greenhouse requirements will be met by an existing building and greenhouse on the property. All signage and fencing will be in compliance with the City zoning ordinance. Reclamation Standards would not apply in this case.

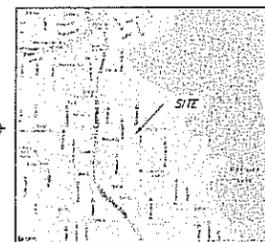
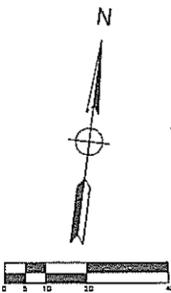
Thank You for your consideration in this request.

Rose Pomeroy Locke





SECTION 12  
T.21 N. - R.17 W.  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN



LOCATION MAP  
NOT TO SCALE

**SCHEDULE B EXCEPTIONS**

First American Title Insurance Company  
File No.: PUR16430-15  
Commitment Date: July 27, 2016 @ 8:00 AM  
No specific, plottable easements were included in the title commitment.

**FLOOD PLAIN NOTE**

According to the Federal Emergency Management Agency Maps, Community Panel #260131 0002B, effective date March 18, 1987, the subject property lies within Zone X, areas determined to be outside the 500 year flood plain.

**ZONING INFORMATION**

ZONED R-2 (MEDIUM DENSITY RESIDENTIAL)  
REQUIRED SETBACKS: FRONT YARD 15', REAR YARD 10', SIDE YARD 10' EA.  
MINIMUM LOT AREA: 6,000 S.F. (10,000 S.F. FOR DUPLEX OR COMMERCIAL USE)  
MINIMUM LOT WIDTH: 60' (80' FOR DUPLEX OR COMMERCIAL USE)  
MAXIMUM BUILDING HEIGHT: 2.5 STORIES OR 35'  
MAXIMUM LOT COVERAGE: 40%  
PARKING REQUIREMENTS:  
RETAIL FLOOR SPACE = 2700 S.F. / 450 S.F. PER PARKING SPACE  
= 6 PARKING SPACES REQUIRED  
- 6 PARKING SPACES HAVE BEEN PROVIDED ON CONCRETE SLAB IN FRONT OF MAIN BUILDING  
- OVERFLOW PARKING TO BE LOCATED ON THE GRAVEL LOT BEHIND THE RETAIL STORE

**SOIL EROSION NOTE**

PRIOR TO ANY PROPOSED WORK, A SOIL EROSION AND SEDIMENTATION CONTROL PERMIT WILL BE OBTAINED AND ALL WORK WILL COMPLY WITH PROVIDED PERMIT.

**SIGN NOTE**

THERE IS CURRENTLY NO SIGN FOR THIS PARCEL. ZONING ALLOWS FOR A 16 S.F. SIGN. WHEN A SIGN IS ADDED TO THIS PARCEL IT WILL COMPLY WITH ALL REQUIREMENTS AS STATED IN ARTICLE 21 OF THE CITY OF MANISTEE ZONING ORDINANCE.

**LIGHTING NOTE**

CURRENT LIGHTING WILL BE UTILIZED ON SITE. IF ADDITIONAL LIGHTING IS REQUIRED IT WILL COMPLY WITH SECTION 525 OF THE CITY OF MANISTEE ZONING ORDINANCE.

**LANDSCAPING NOTE**

LANDSCAPING WILL BE LEFT IN ITS CURRENT STATE. IF ANY LANDSCAPING CHANGES WILL BE MADE IN THE FUTURE THEY WILL COMPLY WITH SECTION 531 OF THE CITY OF MANISTEE ZONING ORDINANCE.

**PROJECT INFORMATION**

PHASING: THE PROJECT WILL BE COMPLETED IN THREE PHASES:  
PHASE I - WILL BE THE ADDITION OF A 35.9' X 124.0' GREENHOUSE THAT WILL ATTACH TO THE REAR OF THE EXISTING RETAIL STORE. THIS GREENHOUSE WILL BE 16' HIGH.  
PHASE II - WILL BE THE ADDITION OF A COMMUNITY GARDEN. THIS WILL BE ADDED ON THE WEST SIDE OF THE SITE AND WILL COMPLY WITH SECTION 534 OF THE CITY OF MANISTEE ZONING ORDINANCE.  
PHASE III - WILL BE THE MOVING OF THE NORTHEASTERN-MOST GREENHOUSE TO A POSITION BETWEEN THE EXISTING GREENHOUSE LOCATED IN THE SOUTHEAST PORTION OF THE PARCEL AND THE PROPOSED GREENHOUSE. ROOM WILL BE LEFT FOR VEHICULAR TRAFFIC BETWEEN THE PROPOSED GREENHOUSE AND THE RELOCATED GREENHOUSE.

**UTILITY INFORMATION**

EXISTING SANITARY SEWER LEAD WILL BE UTILIZED. THERE IS NO STORM SEWER ON SITE AND NO NEW STORM SEWER IS PROPOSED. THERE ARE 2 WATER LINES THAT SERVICE THE PARCEL. ELECTRIC, PHONE AND CABLE SERVICE THE PARCEL AND ARE ALL OVERHEAD.

SCALE: 1" = 20'  
Bearings based on the North line of the Northwest 1/4 of Section 21 being N.89°-37'-29"W.

**LEGEND**

- - MANHOLE
- ⊙ - CATCHBASIN
- ⊠ - CURB CATCHBASIN
- ⊕ - FIRE HYDRANT
- ⊖ - WATER VALVE
- ⊗ - GAS VALVE
- ⊘ - TELEPHONE POLE
- ⊙ - POWER POLE
- ⊙ - POWER AND TELEPHONE POLE
- ⊙ - LIGHT POLE
- ⊙ - MAIL BOX
- ⊙ - SIGN
- ⊙ - FENCE
- ⊙ - SPRINKLER
- ⊙ - RAILROAD SIGNAL
- ⊙ - TRANSFORMER
- ⊙ - BARRIER FREE PARKING
- ⊙ - BITUMINOUS SURFACE
- ⊙ - CONCRETE SURFACE
- ⊙ - CONCRETE CURB
- ⊙ - FENCE LINE
- ⊙ - OVERHEAD POWER LINES
- ⊙ - TREE LINE
- ⊙ - STUMP
- - PINE
- - BUSH
- - TREE
- - TELEPHONE PEDESTAL
- - FOUND SURVEY CORNER
- - SET 3/4" IRON PIPE
- - SET P.K. NAIL
- - GUY ANCHOR AND POLE
- - NOT FIELD LOCATED
- - CABLE TV PEDESTAL
- - ANTENNA
- - SATELLITE DISH
- - AIR CONDITIONING UNIT
- - SOIL BORING
- - ELECTRICAL PEDESTAL
- - BURIED CABLE LINES
- - BURIED ELECTRICAL LINES
- - GASHAINS
- - SANITARY SEWER LINES
- - STORM SEWER LINES
- - TELEPHONE LINES
- - WATERMAINS
- - BUILDING SETBACK

**LEGAL DESCRIPTION**

First American Title Insurance Company  
File No.: PUR16430-15  
Commitment Date: July 27, 2016 @ 8:00 AM  
A platted lot, situated in the City of Manistee, County of Manistee, State of Michigan, described as:

PARCEL 1: The East 52.5 feet of Lot 3, William Magills Addition to the Village (now City) of Manistee, according to the Recorded Plat thereof, as recorded in Liber 4 of plats, on Page 20.  
PARCEL 2: Commencing at the Southeast corner of Lot 2 of William Magills Addition to the Village (now City) of Manistee, according to the Recorded Plat thereof, as recorded in Liber 4 of plats, on Page 20; thence North 297 feet to the Northeast corner of Lot 2; thence West 33 feet; thence South 97 feet; thence North 83 feet; thence North 97 feet to Fifth Street; thence West 16 feet; thence South, to the Southwest corner of Lot 2; thence East to the Place of Beginning.  
PARCEL 3: Commencing at a point on the North line of Lot 3 of William Magills Addition to the City of Manistee, 52.50 feet West of the Northeast corner thereof; thence Southerly parallel with the East line of Lot 3 to the South line of Lot 3; thence Westerly along the South line of Lot 3, 79.50 feet more or less to the West line of Lot 3; thence Northerly along the West line of Lot 3 to a point 120 feet South of the North line of Lot 3; thence Easterly parallel with the North line of Lot 3, a distance of 63.50 feet; thence Northerly parallel with the West line of Lot 3, a distance of 120 feet to the North line of Lot 3; thence Easterly along the North line, 14 feet to the Point of Beginning, according to the Recorded Plat thereof, as recorded in Liber 4 of Plats, on Page 20.

**GENERAL INFORMATION**

PERCENTAGE OF LAND COVERED BY BUILDINGS & IMPERVIOUS SURFACES:  
TOTAL BUILDING FOOTPRINTS AND IMPERVIOUS AREA (15,405 S.F.)  
/ TOTAL LAND AREA (62,337 S.F.) = 25%  
PERCENTAGE OF LAND RESERVED FOR OPEN SPACE:  
TOTAL PERVIOUS AREA, INCLUDING GRAVEL (46,932 S.F.)  
/ TOTAL LAND AREA (62,337 S.F.) = 75%

I hereby certify that I have surveyed the parcel of land hereon shown and described.

*Patrick G. Bentley*  
Patrick G. Bentley  
Professional Surveyor No. 47944

Date: 6-5-16



PREPARED BY:  
PATRICK G. BENTLEY  
PROFESSIONAL SURVEYOR NO. 47944  
302 RIVER STREET  
MANISTEE, MICHIGAN 49660  
TEL.: 231-734-5520  
DRAWN BY: J. THERING  
DATE: JULY 29, 2016  
JOB NUMBER: 123794SG2016



SITE PLAN/SURVEY FOR:  
**ROSE POMEROY**  
10351 QUARTER LINE ROAD  
MANISTEE, MI 49660

SITE PLAN/SURVEY OF:  
PART OF THE S.W. 1/4  
OF SECTION 12, T.21 N.-R.17 W.,  
CITY OF MANISTEE  
MANISTEE COUNTY, MICHIGAN

Site Plan Review  
R-2 Medium Density Residential District

Name of Applicant: Rose Pomeroy Locke				
Address/Parcel Code # 259 Fifth Street / 51-664-701-01 & 08				
Proposed Use: Mixed Use Greenhouse, Retail, Eating and Drinking Establishment & Community Garden				
> = Greater than < = Less than +/- = More or Less than	Requirements	Proposed <b>PARCELS NEED TO BE COMBINED TO MEET REQUIREMENTS</b>	Compliance	
			Yes	No
Duplex or Commercial				
Minimum Lot Area	10,000 sq. ft.	1.43 acres +/-	X	
Minimum Lot Width	80 ft.	80 ft / 33 ft	X	
Maximum Building Height	2 ½ stories, or 35 ft.	No changes/ existing structures	X	
Maximum Lot Coverage	40%	25%	X	
Front Yard Set Back	15 ft.	33 ft.	X	
Side Yard Set Back:	10 (each side)	Existing structures	X	
Rear Yard Set Back:	10 ft.	Existing structures	X	
Parking Requirements	6 spaces	6 spaces (retail use)	X	
Signage – subject to Article 21:		Applicant agrees to comply	X	
Landscaping Requirements – subject to Section 531:		No changes	X	
Outdoor Lighting Requirements – subject to Section 525:		Existing	X	
<p>Applicant is re-establishing the use of Greenhouse/Retail as phase I. For retail and Green house, the applicant has met the requirements of the ordinance including six parking spaces. I have confirmed with Pat Bentley that one space is handicap/van accessible</p> <p>The addition of a Community Garden is considered an accessory use in the R-2 Zoning District, the restrictions for a storage building/greenhouse would not apply to this property since the primary use is Greenhouse/Retail.</p> <p>Once the Eating and Drinking Establishment is established additional parking will need to be provided as shown on the site plan.</p> <p>The addition of a new greenhouse on the rear of the building meets the requirements of the ordinance; height will be limited to 35 feet. The applicant proposes the relocation of a greenhouse on the plan. The relocation of the greenhouse meets the requirements of the ordinance.</p> <p>Staff is recommending that the following conditions be placed on the permit.</p> <ul style="list-style-type: none"> <li>○ <b><i>The parcels will need to be combined into one parcel.</i></b></li> <li>○ <b><i>A bike rack will need to be installed on the site.</i></b></li> <li>○ <b><i>The existing driveway on the West edge of the property needs some tree trimming to make it passable. Upon completion of the tree trimming the driveway will satisfy the Fire Departments needs, for the proposed use of occupying only the main retail building. In the future, if and when other buildings or structures are constructed or occupied on site, the driveway (may) need to be improved in compliance with IFC.</i></b></li> </ul>				
Zoning Review by: Denise J. Blakeslee				
Compliance:				
Approval:			Denial:	

**City of Manistee**  
**Planning Commission Resolution to Approve a**  
**Special Use Permit, Case Number PC-2016-09**  
**Rose Pomeroy Locke**  
**259 Fifth Street and adjacent parcel to the west**  
**51-664-701-01 & 51-664-701-08**

At a regularly scheduled meeting of the City of Manistee Planning Commission held on September 1, 2016, the following resolution was adopted to approve a Special Use Permit for Rose Pomeroy Locke for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden as submitted with site plan prepared by The Spicer Group Job Number: 123794SG2016 dated July 29, 2016

Planning Commissioner \_\_\_\_\_ moved, supported by Planning Commissioner \_\_\_\_\_, the adoption of the following resolution.

**WHEREAS**, On August 8, 2016 a request was received from Rose Pomeroy Locke for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden, and

**WHEREAS**, a Mixed Use is provided for as a Special Use under the R-2 Medium Density Residential Zoning District, and

**WHEREAS**, the Planning Commission has provided proper notice and held a public hearing on the proposed development on September 1, 2016, and

**WHEREAS**, the Planning Commission has received written comment, reviewed the Site, and has completed review of the application, Site input of the Applicant and the input received at said public hearing.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**A. That the Planning Commission has reached the following determination regarding Special Use Permit Standards (Section 1802.A):**

1. The Special Use is consistent with the adopted City of Manistee Master Plan.
2. The Special Use is designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and such use will not change the essential character of the area in which it is proposed.
3. The Special Use is not hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
4. The Special Use is 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 does not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.
6. The Special Use does not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors.
7. The Special Use meets the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

**B. Findings of Fact – Section 1858 Mixed Use Development of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. The applicant demonstrated how the proposed mixing of uses will reduce traffic generation and provide a substantial amenity for the City of Manistee.
2. The mixing of uses will be compatible with adjacent land uses, the natural environment, and the capacities of affected public services and facilities, and such use shall be consistent with the public health, safety and welfare of City of Manistee residents. The mixing of uses shall be consistent with the policies set forth in the City of Manistee Comprehensive Plan.
3. The development consolidated and maximized usable open space, wherever possible.
4. The applicant demonstrated that the proposed mixing of uses will not constitute a nuisance to future inhabitants or users of the development, or the City in general.
5. Off-street parking facilities for such mixed uses were provided collectively.
6. The proposed Mixed-Use Development was designed in such a manner that will lead to compatible, efficient, and attractive uses of property in the City of Manistee, and shall:
  - a. Encourage unique retail, office and residential use alternatives.
  - b. Continue and augment the City's traditional neighborhood patterns.
  - c. Establish neighborhood places that will define and strengthen the community character and supplement the identity of the City.
  - d. Provide for the redevelopment of underutilized sites.
  - e. Facilitate pedestrian oriented development using design options such as sidewalk cafes, rear parking, residential condominiums above small-scale service uses, and enhanced landscape open spaces, squares, and parks.
7. Vehicular and pedestrian circulation within the development and access to the development is safe, convenient, non-congested and well defined. Shared access to parking areas will be required, where appropriate.
8. A Mixed-Use Development shall not infringe unreasonably on any neighboring uses.
9. All signs shall be in compliance with the provisions of Article 21 of the City of Manistee Zoning Ordinance.

10. Landscaping and Buffering shall be provided in accordance with Section 531 of the City of Manistee Zoning Ordinance.

**C. Findings of Fact – Section 1844 Greenhouse and Nursery of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. All storage of materials shall take place in an enclosed building, bin or other enclosure satisfactory to the Planning Commission to contain blowing dust and debris.
2. All exterior lighting shall be in accordance with Section 525 hereof.
3. Refuse and waste shall be disposed of in a manner which precludes any odors and fumes from being perceptible at any lot line; and any pesticides, fertilizers, or other chemicals shall be handled in a manner which precludes pollution of the environment and the City's water resources.
4. A Greenhouse or Nursery shall front on and be accessed from a key street segment, as defined herein. **Property has frontage on a Key Street Segment**
5. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.
6. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
7. All off-street parking shall be in compliance with Section 514 of this Ordinance.
8. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

**D. Findings of Fact – Section 1877 Retail Business of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. All exterior lighting shall be in accordance with Section 525 hereof.
2. The Planning Commission shall determine whether the proposed retail special use will be essentially compatible with the character of the proposed site and the existing uses in the vicinity. The Planning Commission may require reasonable site improvements to assure the proposed special use is designed to fit into the framework of the existing neighborhood.
3. Site circulation patterns and access locations on the property shall provide for the safe and efficient movement of pedestrians and vehicles and within the R-2 and R-3 districts.
4. A retail business in the R-2 and R-3 districts shall front on and be accessed primarily from a key street segment, as defined herein. Property has frontage on a Key Street Segment. **Property has frontage on a Key Street Segment**
5. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.
6. The Planning Commission may establish architectural design standards for retail business uses located within the R-2 and R-3 to assure compatibility with the residential character of the vicinity.
7. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
8. The Planning Commission may establish hours of operation for retail uses consistent with the character of the neighborhood
9. All off-street parking shall be in compliance with Section 514 of this Ordinance.

10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance; provided, the Planning Commission shall retain the right to require additional landscaping and buffering as necessary to preserve the neighborhood.

**E. Findings of Fact – Section 1835 Eating and Drinking Establishment of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. Such facilities shall maintain, at all times, all required state and local licenses and permits.
2. Such facilities shall be located and designed such that no objectionable noise in excess of 60 decibels shall be carried onto adjoining property zoned for, or occupied by, residential uses.
3. Such facilities shall be located and designed such that no objectionable odor or fumes shall be carried onto property located in the R-1, R-2 or R-3 districts.
4. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate, so that any refuse or dumpster shall not be visible from any building, dwelling, adjacent property, or street. The site plan shall include measures satisfactory to the Planning Commission to control blowing trash, dust or debris from the facility.
5. The Planning Commission may establish reasonable hours of operation for eating and drinking establishments.
6. Within the R-2 and R-3 districts, Eating and Drinking Establishments shall front on and be accessed primarily from a key street segment, as defined herein. ***Property has frontage on a Key Street Segment***
7. All exterior lighting shall be in accordance with Section 525 hereof.
8. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
9. All parking shall be in compliance with the provisions of Section 514 of this Ordinance.
10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

**F. Findings of Fact – Section 534 Community Gardens of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

- A. Community Gardens shall be permitted in all Zoning Districts.
  1. A Community Garden shall be considered an accessory use under [Section 516](#) hereof if located on a parcel with an existing use.
  2. A Community Garden shall be considered a principal use if located on a vacant parcel of land. ***N/A***
- B. The following structures shall be permitted when utilized with a community garden and when otherwise in compliance with this ordinance.
  1. One (1) Storage Building not larger than 100 square feet (permit required). ***N/A***
  2. One (1) Greenhouse not larger than 100 square feet and covered with glass, plastic or fiberglass in which plants are cultivated (permit required). ***N/A***
  3. Raised/accessible planting beds, compost or waste bins.
  4. Fences that comply with [Section 508](#).
  5. One ground mount sign not to exceed four (4) square feet. ***N/A***

- C. Reclamation Standards. In the event the community garden is discontinued for a period of more than one year, all buildings and structures shall be removed and the site shall be restored with grass.

**BE IT FURTHER RESOLVED** that the Special Use Permit for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden shall comply with the following conditions:

1. ***The Applicant shall request to combine both parcels 51-664-701-01 and 51-664-701-08 into one parcel.***
2. ***The Applicant shall install a bike rack on the site.***
3. ***The existing driveway on the West edge of the property needs some tree trimming to make it passable. Upon completion of the tree trimming the driveway will satisfy the Fire Department's needs, for the proposed use of occupying only the main retail building. In the future, if and when other buildings or structures are constructed or occupied on site, the driveway (may) need to be improved in compliance with IFC.***

**CITY OF MANISTEE PLANNING COMMISSION:**

AYES:

ABSTAINING:

NAYS:

ABSENT:

MOTION:

CERTIFICATION:

I, Marlene McBride, 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 September 1, 2016.

---

Marlene McBride, Secretary

**City of Manistee**  
**Planning Commission Resolution to Deny a**  
**Special Use Permit, Case Number PC-2016-09**  
**Rose Pomeroy Locke**  
**259 Fifth Street and adjacent parcel to the west**  
**51-664-701-01 & 51-664-701-08**

At a regularly scheduled meeting of the City of Manistee Planning Commission held on September 1, 2016, the following resolution was adopted to approve a Special Use Permit for Rose Pomeroy Locke for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden as submitted with site plan prepared by The Spicer Group Job Number: 123794SG2016 dated July 29, 2016

Planning Commissioner \_\_\_\_\_ moved, supported by Planning Commissioner \_\_\_\_\_, the adoption of the following resolution.

**WHEREAS**, On August 8, 2016 a request was received from Rose Pomeroy Locke for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden, and

**WHEREAS**, a Mixed Use is provided for as a Special Use under the R-2 Medium Density Residential Zoning District, and

**WHEREAS**, the Planning Commission has provided proper notice and held a public hearing on the proposed development on September 1, 2016, and

**WHEREAS**, the Planning Commission has received written comment, reviewed the Site, and has completed review of the application, Site input of the Applicant and the input received at said public hearing.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**A. That the Planning Commission has reached the following determination regarding Special Use Permit Standards (Section 1802.A):**

1. The Special Use is consistent with the adopted City of Manistee Master Plan.
2. The Special Use is designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and such use will not change the essential character of the area in which it is proposed.
3. The Special Use is not hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.
4. The Special Use is 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 does not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.
6. The Special Use does not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, toxic emissions, fumes, glare, or odors.
7. The Special Use meets the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

**B. Findings of Fact – Section 1858 Mixed Use Development of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. The applicant demonstrated how the proposed mixing of uses will reduce traffic generation and provide a substantial amenity for the City of Manistee.
2. The mixing of uses will be compatible with adjacent land uses, the natural environment, and the capacities of affected public services and facilities, and such use shall be consistent with the public health, safety and welfare of City of Manistee residents. The mixing of uses shall be consistent with the policies set forth in the City of Manistee Comprehensive Plan.
3. The development consolidated and maximized usable open space, wherever possible.
4. The applicant demonstrated that the proposed mixing of uses will not constitute a nuisance to future inhabitants or users of the development, or the City in general.
5. Off-street parking facilities for such mixed uses were provided collectively.
6. The proposed Mixed-Use Development was designed in such a manner that will lead to compatible, efficient, and attractive uses of property in the City of Manistee, and shall:
  - a. Encourage unique retail, office and residential use alternatives.
  - b. Continue and augment the City's traditional neighborhood patterns.
  - c. Establish neighborhood places that will define and strengthen the community character and supplement the identity of the City.
  - d. Provide for the redevelopment of underutilized sites.
  - e. Facilitate pedestrian oriented development using design options such as sidewalk cafes, rear parking, residential condominiums above small-scale service uses, and enhanced landscape open spaces, squares, and parks.
7. Vehicular and pedestrian circulation within the development and access to the development is safe, convenient, non-congested and well defined. Shared access to parking areas will be required, where appropriate.
8. A Mixed-Use Development shall not infringe unreasonably on any neighboring uses.
9. All signs shall be in compliance with the provisions of Article 21 of the City of Manistee Zoning Ordinance.

10. Landscaping and Buffering shall be provided in accordance with Section 531 of the City of Manistee Zoning Ordinance.

**C. Findings of Fact – Section 1844 Greenhouse and Nursery of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. All storage of materials shall take place in an enclosed building, bin or other enclosure satisfactory to the Planning Commission to contain blowing dust and debris.
2. All exterior lighting shall be in accordance with Section 525 hereof.
3. Refuse and waste shall be disposed of in a manner which precludes any odors and fumes from being perceptible at any lot line; and any pesticides, fertilizers, or other chemicals shall be handled in a manner which precludes pollution of the environment and the City's water resources.
4. A Greenhouse or Nursery shall front on and be accessed from a key street segment, as defined herein. **Property has frontage on a Key Street Segment**
5. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.
6. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
7. All off-street parking shall be in compliance with Section 514 of this Ordinance.
8. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

**D. Findings of Fact – Section 1877 Retail Business of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. All exterior lighting shall be in accordance with Section 525 hereof.
2. The Planning Commission shall determine whether the proposed retail special use will be essentially compatible with the character of the proposed site and the existing uses in the vicinity. The Planning Commission may require reasonable site improvements to assure the proposed special use is designed to fit into the framework of the existing neighborhood.
3. Site circulation patterns and access locations on the property shall provide for the safe and efficient movement of pedestrians and vehicles and within the R-2 and R-3 districts.
4. A retail business in the R-2 and R-3 districts shall front on and be accessed primarily from a key street segment, as defined herein. Property has frontage on a Key Street Segment. **Property has frontage on a Key Street Segment**
5. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate and shall not be visible from lot lines.
6. The Planning Commission may establish architectural design standards for retail business uses located within the R-2 and R-3 to assure compatibility with the residential character of the vicinity.
7. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
8. The Planning Commission may establish hours of operation for retail uses consistent with the character of the neighborhood
9. All off-street parking shall be in compliance with Section 514 of this Ordinance.

10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance; provided, the Planning Commission shall retain the right to require additional landscaping and buffering as necessary to preserve the neighborhood.

**E. Findings of Fact – Section 1835 Eating and Drinking Establishment of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. Such facilities shall maintain, at all times, all required state and local licenses and permits.
2. Such facilities shall be located and designed such that no objectionable noise in excess of 60 decibels shall be carried onto adjoining property zoned for, or occupied by, residential uses.
3. Such facilities shall be located and designed such that no objectionable odor or fumes shall be carried onto property located in the R-1, R-2 or R-3 districts.
4. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate, so that any refuse or dumpster shall not be visible from any building, dwelling, adjacent property, or street. The site plan shall include measures satisfactory to the Planning Commission to control blowing trash, dust or debris from the facility.
5. The Planning Commission may establish reasonable hours of operation for eating and drinking establishments.
6. Within the R-2 and R-3 districts, Eating and Drinking Establishments shall front on and be accessed primarily from a key street segment, as defined herein. ***Property has frontage on a Key Street Segment***
7. All exterior lighting shall be in accordance with Section 525 hereof.
8. All signs shall be in compliance with the provisions of Article 21 of this Ordinance.
9. All parking shall be in compliance with the provisions of Section 514 of this Ordinance.
10. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.

**F. Findings of Fact – Section 534 Community Gardens of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

- A. Community Gardens shall be permitted in all Zoning Districts.
  1. A Community Garden shall be considered an accessory use under Section 516 hereof if located on a parcel with an existing use.
  2. A Community Garden shall be considered a principal use if located on a vacant parcel of land.
- B. The following structures shall be permitted when utilized with a community garden and when otherwise in compliance with this ordinance.
  1. One (1) Storage Building not larger than 100 square feet (permit required).
  2. One (1) Greenhouse not larger than 100 square feet and covered with glass, plastic or fiberglass in which plants are cultivated (permit required).
  3. Raised/accessible planting beds, compost or waste bins.
  4. Fences that comply with Section 508.
  5. One ground mount sign not to exceed four (4) square feet.

C. Reclamation Standards. In the event the community garden is discontinued for a period of more than one year, all buildings and structures shall be removed and the site shall be restored with grass.

**BE IT FURTHER RESOLVED**, that the Special Use Permit for Special Use Permit for Mixed Use consisting of Greenhouse & Nursery, Retail Business, Eating & Drinking Establishment, and Community Garden is hereby denied for the reasons set forth in this resolution.

**STATE REASONS**

**CITY OF MANISTEE PLANNING COMMISSION:**

AYES:

ABSTAINING:

NAYS:

ABSENT:

MOTION:

CARRIED

NOT CARRIED

CERTIFICATION:

I, Marlene McBride, 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 September 1, 2016.

\_\_\_\_\_  
Marlene McBride, Secretary

*Draft Resolution to Deny S.U.P.*

# Memorandum



To: Planning Commissioners

FROM: Denise Blakeslee  
Planning & Zoning Administrator

DATE: August 23, 2016

RE: Proposed Meeting Dates 2017

**Denise Blakeslee**  
**Planning & Zoning**  
**Administrator**  
70 Maple Street  
Manistee, MI 49660  
231.398.2805  
dblakeslee@manisteemi.gov  
www.manisteemi.gov

Commissioners, the Planning Commission generally holds their regular business meetings on the first Thursday of each month in the Council Chambers, City Hall, 70 Maple Street, Manistee Michigan at 7:00 p.m. Review of the 2017 does not indicate any scheduling conflicts with holidays and we are proposing the following meeting dates for your consideration.

January 5, 2017	February 2, 2017	March 2, 2017	April 6, 2017
May 4, 2017	June 1, 2017	July 6, 2017	August 3, 2017
September 7, 2017	October 5, 2017	November 2, 2017	December 7, 2017