

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, May 3, 2012

7:00 pm - 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 May 3, 2012 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the April 5, 2012 meeting Minutes.

V Public Hearing

PC-2012-03 – Parkdale Block & Building Supply, 174 Cleveland Street – Outdoor Sales Facility Special Use Permit

A request has been received from Parkdale Block and Building Supply for an Outdoor Sales Facility Special Use Permit at 174 Cleveland Street.

At this time the Chair shall open the hearing.

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

City Staff shall present the proposed amendment

The hearing will be opened for public comments

The hearing will be closed

VI Public Comment on Agenda Related items

VII New Business

PC-2012-03 Parkdale Block & Building Supply, 174 Cleveland Street – Outdoor Sales Facility Special Use Permit

Earlier in the evening a Public Hearing was held in response to a request from Parkdale Block and Building Supply for an Outdoor Sales Facility Special Use Permit at 174 Cleveland Street.

At this time the Planning Commission could take action to adopt a Resolution to Approve or a Resolution to Deny the request from Parkdale Block & Building Supply for an Outdoor Sales Facility Special Use Permit at 174 Cleveland Street as submitted with Application PC-2012-03.

PC-2012-04 River Parc Place LLC – Transfer Special Use Permit for Dwelling, Multiple Unit

A request has been received from River Parc Place LLC for the Transfer of a Special Use Permit that was issued to C. Gerry Seyferth on June 21, 2005.

At this time the Planning Commission could approve/deny the transfer of the Special use Permit issued to C. Gerry Seyferth on June 21, 2005 for Dwelling, Multiple Unit to River Parc Place LLC.

VIII Old Business

Ordinance Amendments - The Planning Commission will continue discussion on possible Ordinance Amendments.

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

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street, Manistee, MI 49660

MEETING MINUTES

April 5, 2012

A meeting of the Manistee City Planning Commission was held on Thursday, April 5, 2012 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:02 pm by Vice Chair Fortier

Roll Call:

Members Present: Linda Albee, David Crockett, Bill Dean, Ray Fortier, Marlene McBride,

Members Absent: Maureen Barry (excused), Eric Gustad, Nathaniel Neider, Roger Yoder (excused)

Others: Jon R. Rose (Community Development Director), Denise Blakeslee (Planning & Zoning) and others

Staff requested the Commission to Amend the Agenda by adding under New Business a request from Dr Shrink, 315 Washington Street – Site Plan Review.

APPROVAL OF AGENDA

Motion by Linda Albee, seconded by Dave Crockett that the agenda be amended by adding under New Business the request from Dr Shrink, 315 Washington Street – Site Plan Review.

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

Yes: Albee, Crockett, Dean, McBride, Fortier

No: None

APPROVAL OF MINUTES

Motion by Bill Dean, seconded by Linda Albee that the minutes of the January 5, 2012 Planning Commission Meeting be approved as prepared. There was not a Quorum at the February Meeting and the March Meeting was cancelled.

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

Yes: Dean, Albee, Crockett, McBride, Fortier

No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Dr. Shrink, 315 Washington Street – Site Plan Review PC -2012-0?

A request was received from Dr. Shrink, 315 Washington Street for a 12,000 sq. ft. Storage Building. Currently they own two parcels on Washington Street/Veteran's Oak Grove Drive. A parcel combination that will combine the two parcels into one has been approved.

With this parcel combination review of the site plan shows that the request meets the requirements of the Zoning Ordinance with the exception of Parking. The Parking Requirements for Industrial and Warehouse are: The greater of one (1) space for each 1,000 square feet of floor area, or one space for each employee in the largest shift.

With the addition of the new 12,000 sq. ft. Storage Building a total of 69 parking spaces is required. The Site Plan shows 42 Parking Spaces. A letter from the property owner states that they have 15 employees with adequate parking and that the proposed building is for storage purposes only, containing excess inventory and will not result in their need to hire any additional employees.

The Planning Commission can allow shared parking under Section 514.A reads *"...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 provision would be excessive, in which case shared parking may be permitted."*

Office, Distribution/Manufacturing and Storage are the current uses for the property. The Planning Commission and staff discussed the option of shared parking for the uses.

MOTION by Linda Albee, seconded by Dave Crockett that the combination of uses qualify for shared parking for 315 Washington Street and 42 spaces are adequate for the mixed uses on the parcel.

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

Yes: McBride, Dean, Albee, Crockett, Fortier

No: None

MOTION by Linda Albee, seconded by Dave Crockett to approve the request from Dr. Shrink, 315 Washington Street for a 12,000 sq. ft. storage building as submitted with Site Plan prepared by Nordlund and Associates Inc. Job Number PS12-008, dated March 28, 2012.

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

Yes: Dean, Albee, Crockett, McBride, Fortier
No: None

OLD BUSINESS

Ordinance Amendments

The Planning Commission continued discussion on possible Ordinance Amendments.

- Sidewalks – will continue reviewing other community's ordinances. Staff to get a copy of Ludington's replacement policy.
- Parking – continued discussing if our ordinance requires more parking than necessary. Discussion on requiring parking for peak times and allowing overflow on grassy areas if necessary.

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

None

STAFF/SUB-COMMITTEE REPORTS

Jon Rose, Community Development Director – Mr. Rose requested the Commission to reschedule the June Planning Commission Meeting because staff will be attending a Sustainable Communities Certification Program.

MOTION by Linda Albee, seconded by Marlene McBride that the June Planning Commission Meeting be changed from June 7th to June 14th.

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

Yes: Dean, Albee, Crockett, McBride, Fortier
No: None

Mr. Rose spoke of two projects the Historic District Commission approved earlier in the day for the Reush Building and Vogue Theatre; the Non-Motorized Transportation Committee are working on a walkability audit and a Boy Scout would like to inventory all of the sidewalks in the City as his Eagle Scout project.

Sub-Committee - No report

MEMBERS DISCUSSION

Commissioner Crocket asked about the First Street Beach House Project and timeline.

Commissioner Albee asked about the progress on the Matthews Building on River Street.

The Planning Commission will hold a Worksession on April 19, 2012

The next regular meeting of the Planning Commission will be held on Thursday, May 3, 2012

ADJOURNMENT

Motion by Linda Albee, seconded by Marlene McBride that the meeting be adjourned.
MOTION PASSED UNANIMOUSLY.

Meeting Adjourned at 8:05 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary



Planning Commission/Planning & Zoning
 City Hall
 70 Maple Street, P.O. Box 358,
 Manistee, MI 49660
 231.398.2806 (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: 174 Cleveland St	Parcel # 51-146-721-15	
Manistee, MI 49660		
Applicant Information		
Name of Owner or Lessee: Rurkdale Block & Building Supply		
Address: 550 Commercial Hwy Manistee MI 49660		
Phone #: 231 723 6250	Cell#: 231.239.7070	e-mail: mctm@freemick.com
Name of Agent (if applicable):		
Address:		
Phone #:	Cell#:	e-mail:
Data Required/Project Information		
Land Area:	Zoning Classification:	
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 checked="" 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.	
<input checked="" 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.	
<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:  Date: Apr. 9, 2012

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 deferments for this proposed project. If Yes, explain: _____

Office Use Only

Fee: <input checked="" type="checkbox"/> \$750.00 <input type="checkbox"/> \$ _____	Escrow Payment	Receipt #
Date Received: <u>4-9-12</u>	Hearing Date: <u>5-3-12</u>	PC- <u>2012 03</u>

**PROPOSED:
PARKDALE BLOCK &
BUILDING SUPPLY**

PROPERTY ID #:

51-146-721-15

ADDRESS:

174 CLEVELAND STREET
CITY OF MANISTEE

DESCRIPTION:

AMENDED MAP OF ENGLEMAN'S ADDTN.
LOTS 18, 19 & 20, BLOCK 6

ZONING

NEIGHBORHOOD COMMERCIAL, C-2
MIN. LOT SIZE: 6,000 SQ. FT.
MIN. LOT WIDTH: 60 FT.
MAX. LOT COVERAGE: 90%

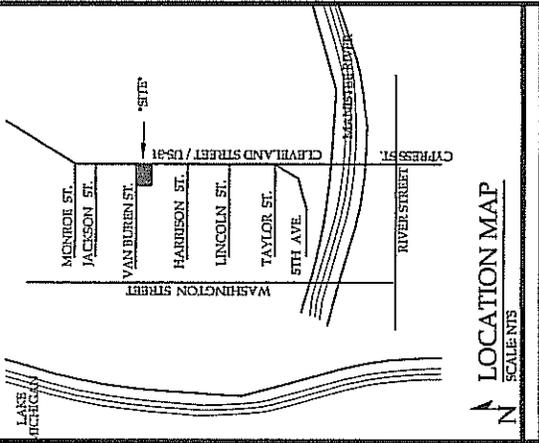
C-2 SETBACKS

FRONT: 4 FT.
SIDE: 0 FT. or 4 FT (EACH SIDE)
REAR: 10 FT.

DRAINAGE CALCULATIONS

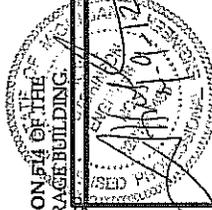
- EXISTING PROPERTY DEVELOPMENT HAS NO DRAINAGE CONTROLS.
- PROPOSED PROPERTY PLAN IS UNCHANGED FROM EXISTING DEVELOPMENT.
- POST USE CHANGE RUN-OFF WILL BE THE SAME AS THE PREVIOUS USE RUN-OFF
- UTILIZE MDOT DRAINAGE MANUAL, CHPT 3 RATIONAL METHOD, $Q = CIA$
- Sheet Flow, $K = 0.48$
- Slope, $S = 3'/190' = 1.6\%$
- Velocity, $V = KS^{.48} = 0.48 * 1.6^{.48} = 0.88 \text{ ft/sec}$
- $T_c = L / (60V) = 190 / (60 * 0.88) = 3.6 \text{ min.}$
- I, RAINFALL INTENSITY CURVES, 25 yr, $i = 6.0 \text{ in/hr}$
- C = 0.75, COMMERCIAL USE
- A = LOT SIZE: 21,600 SFT. $\pm = 0.50 \text{ ACRES}$
- CALCULATE $Q = CIA$
- $Q = 0.75 * 6.0 * 0.50$
- $Q = 22.5 \text{ cu.ft./sec}$

* SAME AS PREVIOUS USE RUN-OFF



SECT 1864 - OUTDOOR SALES FACILITY

- B1. THE PROPERTY FRONTS ON A KEY STREET (CLEVELAND STREET / US-31)
- B2. THE ZONING REQUIREMENTS FOR C-2, RESIDENTIAL COMMERCIAL DISTRICT SHALL BE MET
 - LOT AREA, 21,600± SFT. > 6,000 SFT. REQ'D MIN.
 - WIDTH, PROPERTY 120 FT. > 60 FT. REQ'D MIN.
 - BUILDING HEIGHT, EXISTING BLDGS, NO NEW CONSTRUCTION
 - LOT COVERAGE, 5261 SFT = 24% < 90% MAX.
- B3. THE PROPOSED USE DOES NOT HAVE PROPOSED EXTERIOR LIGHTING. ANY EXISTING EXTERIOR LIGHTING WILL BE MODIFIED TO MEET SECTION 525 OF THE ORDINANCE.
- B4. THE PROPOSED HOURS OF OPERATION ARE APPROXIMATELY 8 AM TO 5:30 PM, MONDAY THRU SATURDAY.
- B5. AS LANDSCAPE BUFFERING, A SEGMENTAL UNIT RETAINING WALL, OR FREE STANDING RED-ROCK WALL IS PROPOSED. THE PROPOSED WALL IS PLANNED TO BE SIX (6) FEET TALL AND INSTALLED ALONG THE SOUTH BORDER OF THE PROPERTY. THE EXISTING FENCE ON THE WEST SIDE OF THE PROPERTY SHALL BE REPAIRED/REINSTALLED. THE NORTH BORDER OF THE PROPERTY HAS AN EXISTING CONCRETE BLOCK WALL, WHICH WILL REMAIN.
- B6. THE PROPOSED OUTDOOR SALES FACILITY WILL BE SELLING AND DISPLAYING CONCRETE BLOCK PRODUCTS INCLUDING BUT NOT LIMITED TO: PAVING BRICKS/STONES, LANDSCAPE RETAINING WALLS, FOUNDATION BLOCKS AND OTHER HARDSCAPE MATERIALS.
- B7. THE PROPOSED USE DOES NOT UTILIZE LOUD DEVICES. HOWEVER, A FORKLIFT IS UTILIZED FOR MOVING AND LOADING MATERIALS. ALSO, PARKDALE BLOCK WILL NOT UTILIZE AMPLIFIERS OR BANNERS WITHOUT CONSENT FROM THE CITY.
- ALL PROPOSED SIGNAGE WILL MEET PROVISIONS OF ARTICLE 21 OF THE ORDINANCE.
- B8. THE OUTDOOR SALES AREA SHALL HAVE A CRUSHED ASPHALT/ CRUSHED AGGREGATE SURFACE THAT HAS BEEN IN PLACE FOR SEVERAL YEARS. THE HARD PACKED SURFACE WILL NOT CREATE A DUST NUISANCE.
- THE ARTICLES FOR SALE UTILIZE VERY LITTLE PACKAGING OR BAGS. THEREFORE THERE IS LITTLE CREATION OF TRASH OR DEBRIS. ANY TRASH IS HAULED OFF-SITE.
- B9. OFF-STREET PARKING SHALL BE PROVIDED PER SECTION 514 OF THE ORDINANCE. THE RETAIL AREA IS HALF OF THE GARAGE BUILDING. THE REMAINING PORTION IS AN OFFICE AND STORAGE
 - 3328 SFT./2 = 1664 SFT. OF RETAIL SPACE
 - @ 450 SFT. PER REQUIRED PARKING SPACE.
 - 1664 SFT/ 450 SFT. = 3.69 = 4 PARKING SPACES REQ'D
 - THE SITE PLAN HAS SIX (6) PARKING SPACES
 - SIX (6) SPACES EXCEEDS THE MIN. REQUIREMENT.



Engineering Design Services
THACY L. HUTCHINSON, P.E.
214 Robert Hutcheon, MI
231-690-6093

ZONING NOTES
PARKDALE BLOCK
174 CLEVELAND STREET, CITY OF MANISTEE

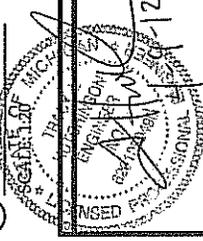
04-09-12
2 OF 2

PROPOSED:
**PARKDALE BLOCK &
 BUILDING SUPPLY**
 174 CLEVELAND STREET
 CITY OF MANISTEE

- LEGEND:**
- Ⓢ SANITARY SEWER REPLENISHMENT
 - HYD HYDRANT
 - W/V/W WATER VALVE
 - CB CATCHBASIN

- CONTENTS:**
- 1. SITE PLAN
 - 2. NOTES & DETAILS

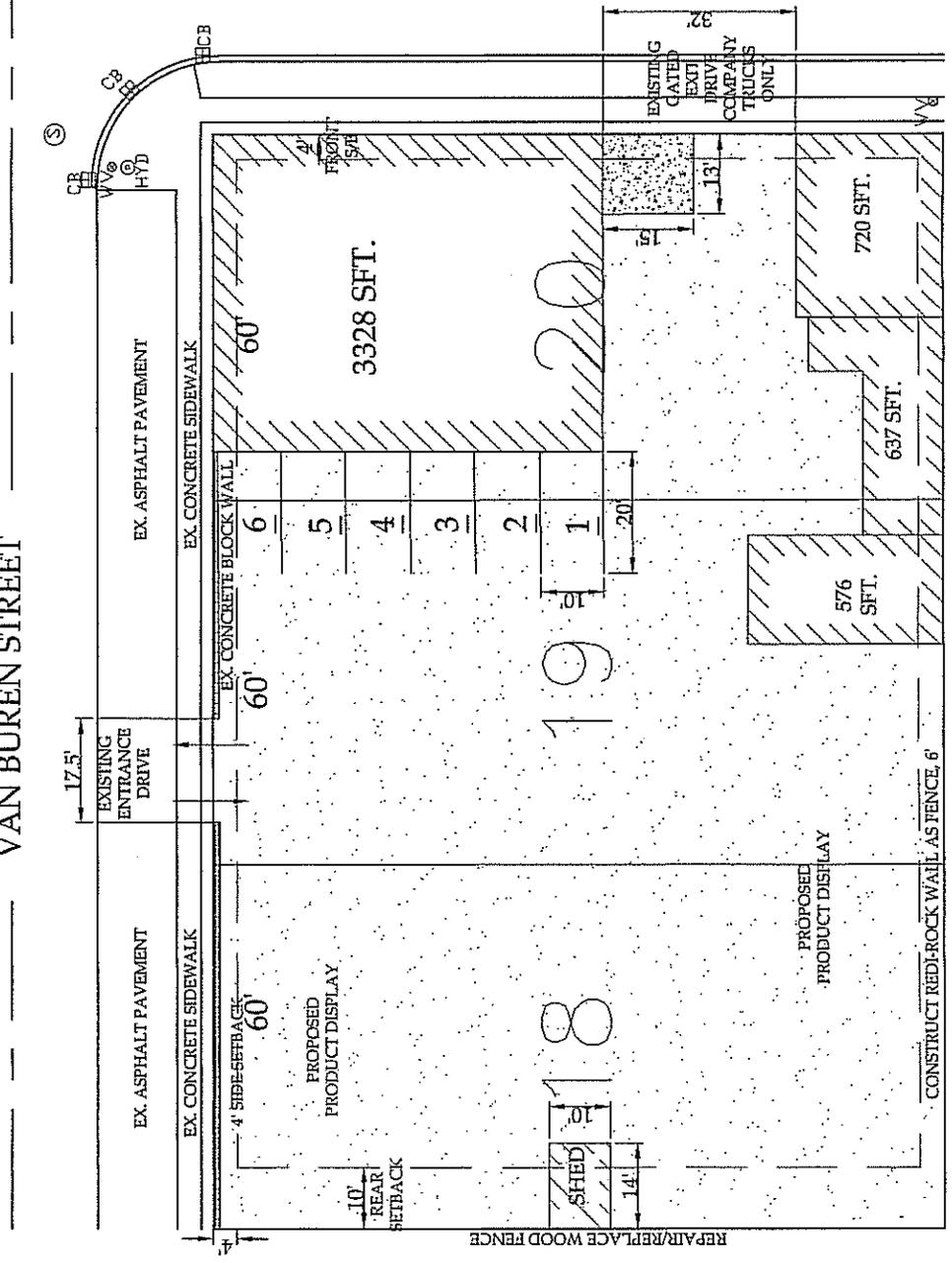
SITE PLAN



R/W _____ R/W _____
 E/PVMT _____ E/PVMT _____

VAN BUREN STREET

CLEVELAND STREET



Parkdale Block & Building Supply

55 Caberfae Hwy

Manistee MI 49660

City of Manistee

Planning Commission/Planning and Zoning

City Hall

70 Maple St. PO Box 358

Manistee MI 49660

4.3.2012

To Whom It May Concern:

The intentions and purpose of Parkdale Block regarding the usage of the property located at 174 Cleveland St. are as follows:

The location including buildings and grounds will function as a retail outlet for the express purpose of sales and distribution of masonry and related construction materials. Business hours will be Monday through Saturday 8 am until to 530pm. Mid December through March the facility will be open once or twice a week.

There will be incoming and outgoing truck freight activity essential to this business which will occur on the property behind the building.

We believe this location will continue our presence in the Manistee Community and surrounding areas effectively. As long time business member of the community, we are dedicated to continuing to provide valuable service and products to this area in Michigan.

Thank for your sincere consideration.

Sincerely,

Parkdale Block & Building Supply

City of Manistee
Planning Commission
City Hall
70 Maple Street
Manistee, MI 49660

April 9, 2012

RE: Use Permit Application
174 Cleveland Street, Manistee, MI

Dear Commission Members;

Parkdale Block and Building Supply would like to relocate from their current location on M-55 to an already developed property at 174 Cleveland Street in the City of Manistee. The proposed location consists of three lots at the southwest quadrant of the intersection of Cleveland Street and Van Buren Street. The property is developed with a large garage style structure, an elongated building, and a shed. The property is partially fenced and is covered in a crushed aggregate surface. The remainder of the property will be fenced in using our Redi Rock Retaining Wally System on the south side. The south side will be replaced with fencing.

Since the property has been previously developed, we believe the proposed use will have very little to no effect on the surrounding neighborhood and/or community services:

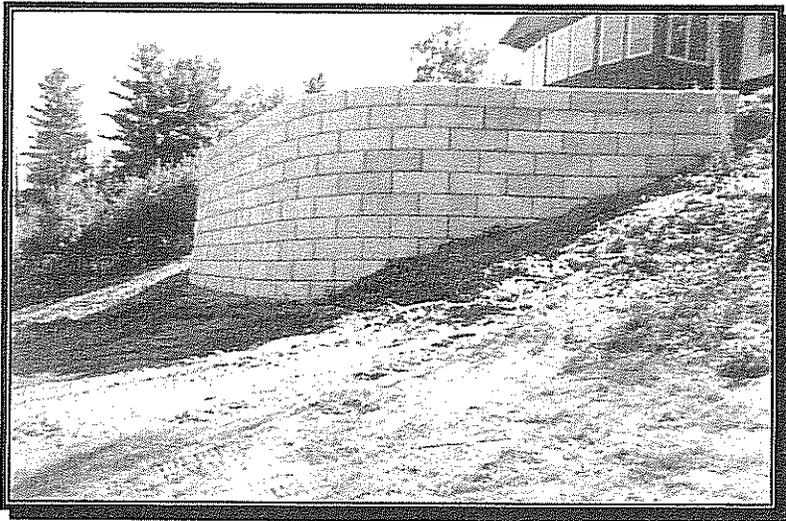
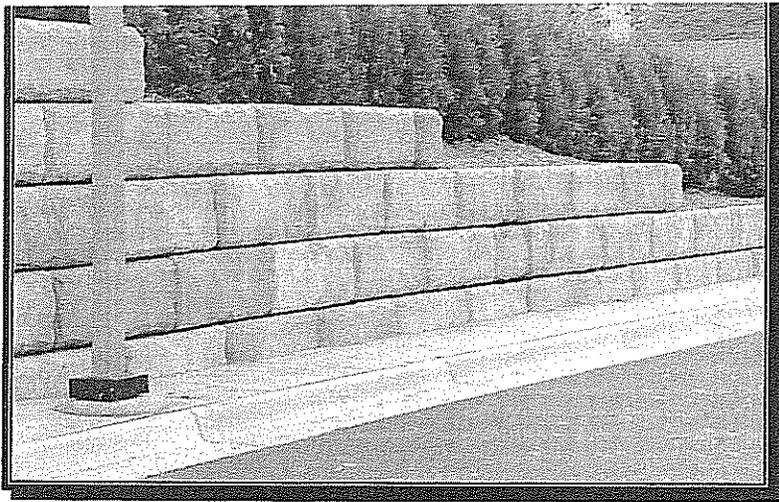
- Emergency service requirements will remain unchanged, as Parkdale Block will have minimal staffing and light retail traffic.
- The change in use would have no effect on the local school systems because there will be little change in the type of property development.
- The property use change will have little or no effect on adjacent storm water systems, as no additional development is proposed and the existing parking surface will be maintained.
- The sanitary sewer system will not be further taxed by the change in use, as the proposed use will have minimal staffing of one to two employees, for limited hours on weekdays and Saturday's.
- Traffic patterns should not be affected due to the minimal retail traffic typically seen at the existing Parkdale block store. Retail traffic will be directed through the Van Buren Street entrance. The Cleveland Street exit will only be utilized by exiting delivery trucks. The exiting trucks will only be allowed to make a right turn.
- Local traffic volumes should be minimally affected as the existing retail center incurs minimal traffic.
- Dust will not be a problem as the outdoor sales area has a crushed asphalt/crushed aggregate surface that has been in place for several years.
- Minimal trash will be created and will be hauled off site.

Thank you for your consideration.

Sincerely,

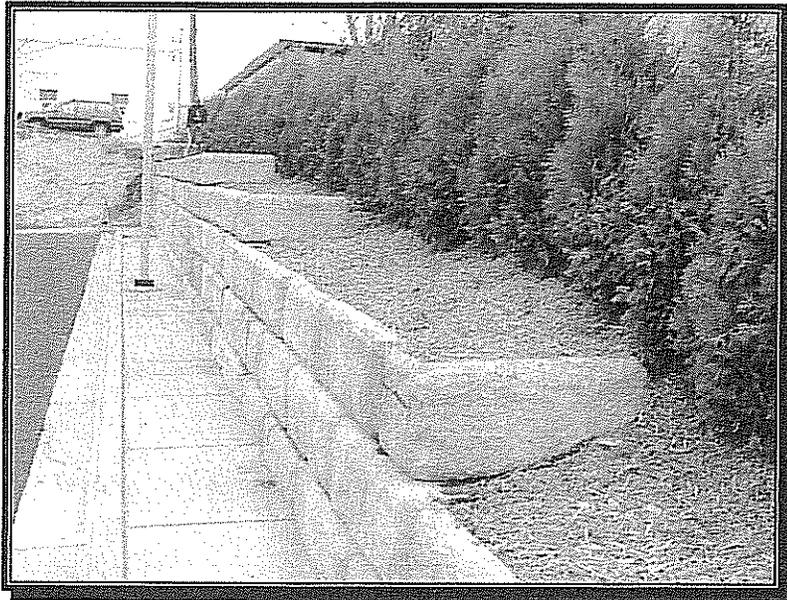
Parkdale Block & Building Supply

Wall with End Blocks



**Extra High Wall with
Geogrid Tie-back**

**End Blocks with
Limestone Face**



Property History
174 Cleveland Street
Miller Bros Iron & Metal Co., Inc.
Sam H. Miller – Owner

Buildings (1) Office Building & (2) Warehouse/Garage

- 1907 – Dec. 1995 Operated as a scrap yard Miller Bros Iron & Metal Inc. Property and Buildings preparing of scrap iron and metal for recycling and trucking of materials to foundries.
- Dec. 1995 – 1996 Office and Buildings rented to Lake Welding Supply for selling of welding supplies and trucking and delivery.

Building (1) Office Building

- Dec 1998 – July 2002 All State Insurance Agency.
- Dec 1998 to July 2002 Tattoo Parlor
- Nov 2009 to Oct 2010 Property Energy Group

Building (2) Warehouse/Garage

- July 1996 – Dec 2001 Warehouse/garage used by H.E. Perry and Blarney Castle for storage and trucking repair and parking outside of trucks.
- Jan 2002 to present Warehouse/garage and yard storage area for building materials by renters (Impact Construction) Gary Scharader, Tony Jach, Craig McDougall and most recently John Bueker Construction for repair and storage of antique tractors

River Parc Place LLC

300 WASHINGTON AVENUE, SUITE 200
GRAND HAVEN, MI 49417
(616) 847-1031

August 17, 2011

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

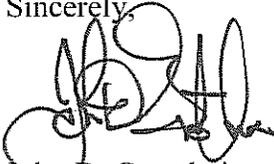
Dear Planning Commission:

Please accept this letter as a request to transfer the previously issued special use permit from Susan Seyferth to River Parc Place LLC, for parcel # 51-51-211-100-05 on the Manistee River. Although there are no imminent plans to complete construction of the site at this time, we have finalized exterior architectural plans and are working with a Grand Rapids contractor/developer on a possible partnership that would allow for construction when the economy and local real estate market improves.

I apologize for the tardiness of my request. I did not intend to ignore the application process. Quite frankly, I was overwhelmed by, and under-qualified to complete, the application.

I appreciate your patience during these difficult economic times and will do my best to respond to any further requests for information.

Sincerely,



John D. Groothuis

Member, River Parc Place LLC



Planning Commission/Planning & Zoning
 City Hall
 70 Maple Street, P.O. Box 358,
 Manistee, MI 49660
 231.398.2806 (phone)
 231.723.1546 (fax)

Special Use Permit Application

A Detailed Site Plan is required for all Special Uses

Please Print

Submission of Application		
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Property Information		
Address:	Parcel # 51-51-211-100-05	
Applicant Information		
Name of Owner or Lessee:	River Parc Place LLC	
Address:	300 Washington Ste 200 Grand Haven Mi. 49417	
Phone #: 616-847-1031	Cell#:	e-mail:
Name of Agent (if applicable):	John Groothuis	
Address:	above	
Phone #: above	Cell#: 616-283-0757	e-mail: jg@capstone realestate.net
Data Required/Project Information		
Land Area:	137 x 137	Zoning Classification: C-4
Present/proposed Land Use:	vacant / 10 unit Condominium bldg	
Attach a Detailed Narrative for the following		
<input 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.	
<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.	
<input 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: [Handwritten Signature], member River Parc Place LLC Date: 8-17-11
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 deferments for this proposed project. If Yes, explain:

Office Use Only

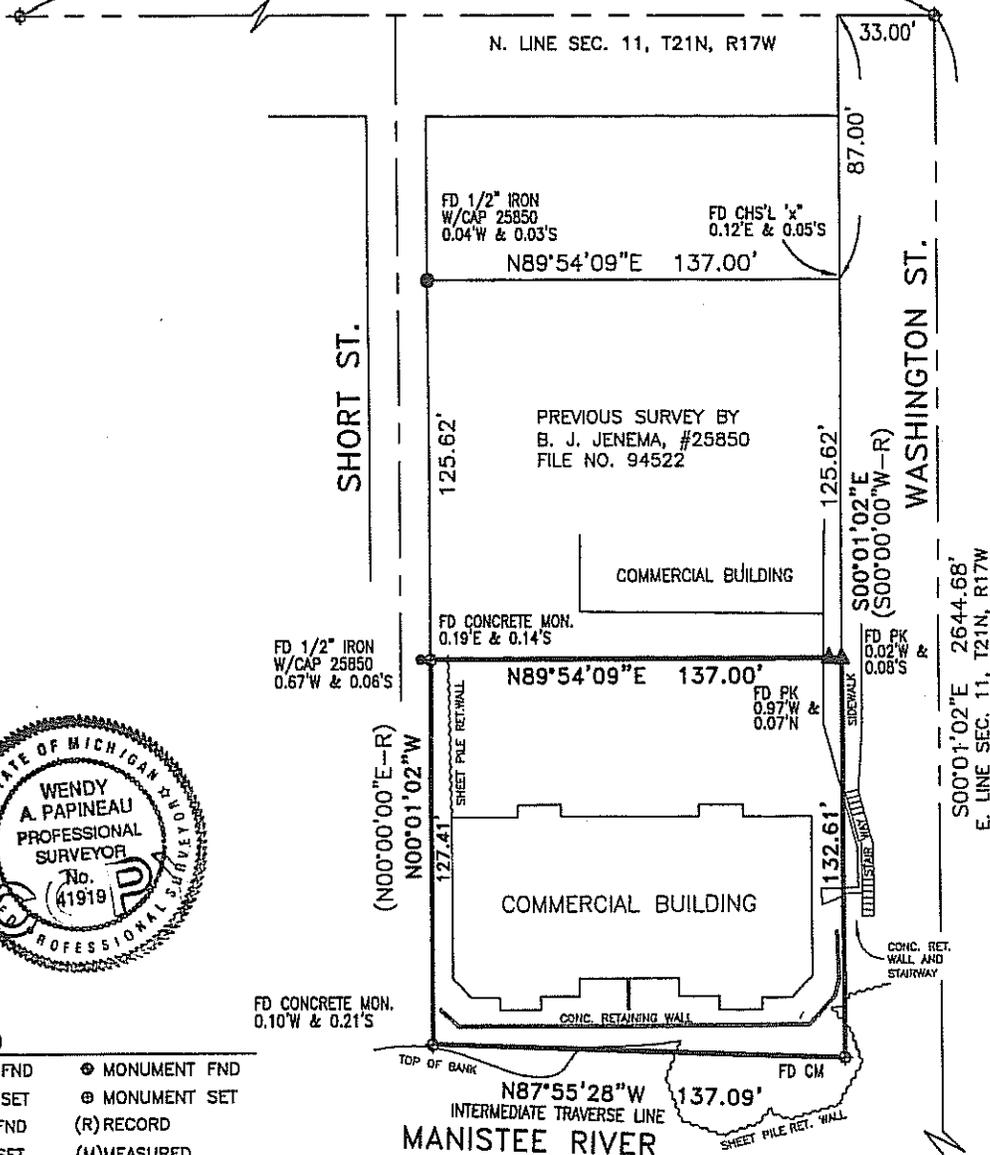
Fee: <input checked="" type="checkbox"/> \$750.00 <input type="checkbox"/> \$ _____	Escrow Payment	Receipt # <u>24408</u>
Date Received: _____	Hearing Date: <u>5-3-12</u>	PC - <u>2012-D</u>

CERTIFICATE OF SURVEY
 PART OF GOV'T LOT 1, SEC. 11,
 T21N, R17W, CITY OF MANISTEE,
 MANISTEE COUNTY, MICHIGAN.

N 1/4 COR. SEC. 11,
 T21N, R17W
 FD MCRM PER
 LCRC 97-390

NE COR. SEC. 11,
 T21N, R17W
 FD MCRM PER
 LCRC 97-391

5TH AVENUE
 S89°54'09"W 2643.70'



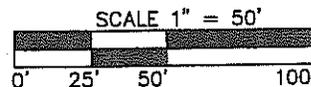
LEGEND

- IRON FND ● MONUMENT FND
- IRON SET ● MONUMENT SET
- ▲ P.K. FND (R) RECORD
- △ P.K. SET (M) MEASURED

DESCRIPTION PER QUIT CLAIM DEED, DOCUMENT NO. 2011R003188:

Land in the City of Manistee, Manistee County, Michigan and legally described as: Parcel "B": Part of Government Lot 1, Section 11, Town 21 North, Range 17 West, commencing at the Northeast corner of said Section, thence S89°54'09"W 33.00 ft. along the North line of said Section to the West right-of-way of Washington Street, thence along said West right-of-way S00°00'00"W 132.62 ft. to the point of beginning; thence continuing S00°00'00"W 132.61 ft. to an intermediate traverse line along the bank of the Manistee River, thence along said intermediate traverse line N87°55'28"W 137.09 ft., thence N00°00'00"E 127.41 ft. parallel with Short Street extended, thence N89°54'09"E 137.00 ft. to the point of beginning

E 1/4 COR. SEC. 11,
 T21N, R17W
 FD MCRM PER
 LCRC 97-392



I, THE UNDERSIGNED, BEING A REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE ABOVE PARCEL OF LAND, THAT THE RATIO OF CLOSURE OF THE UNADJUSTED FIELD OBSERVATIONS IS NOTED, AND WITHIN LIMITS AND THAT I HAVE FULLY COMPLIED WITH THE REGULATIONS OF ACT 132, P.A. 1970 AS AMENDED.
 THE BASIS OF BEARING IS: RECORD JENEMA LAND SURVEYS LLC BEARING OF S89°54'09"W ALONG THE N. LINE SEC. 11, T21N, R17W

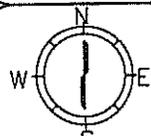
ERROR OF CLOSURE IS 1/5000+

Wendy A. Papineau

P.S. 41919

Papineau P.C.—Land Surveys
 8670 Demerly Road
 Benzonia, MI 49616
 (231) 882-9416
 Fax: (231) 882-9417

FOR: JOHN GROOTHUIS	
DATE: DECEMBER 8, 2011	SHEET: 1 OF 1
DWN.: RSP	CHK.: WAP
FILE #: 11234	



SPECIAL USE PERMIT

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

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 86: Special uses, of the Manistee City Zoning Ordinance, effective May 1, 1990.

Name of Permit Holder: **C. Gerry Seyferth** Name of Property Owner: **C. Gerry Seyferth**
Mailing Address: **6180 Murray Road** Mailing Address: **6180 Murray Road**
Whitehall, MI 49461 **Whitehall, MI 49461**

Description of Property affected by Special Use Permit: **Attachment A**
Tax Parcel Number: **51-51-211-100-05**

Description of Special Use Granted, as Permitted in **Article #58 C-4 Commercial District, Section #5803.A**

PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements as contained in **Article 16, Section 1618 Dwelling, Multiple Unit:**

- CONDITIONS**
1. **A bike rack be installed on the property.**
 2. **A15 foot wide easement along the south edge of the property be granted to the City of Manistee for a riverwalk.**

TRANSFER OF PERMIT

This permit is transferable only in accordance with Article 86, Section 8614 of the ordinance.

EXPIRATION OF PERMIT (as per Article 86 Section 8616):

This permit shall be valid for as long as the approved cause continues in accordance with the terms and conditions of the approved permit. This permit will expire on the occurrence of one or more of the following conditions:

- A. If replaced or superseded by a subsequent Special Use Permit.
- B. If the applicant request the rescinding of the permit.
- C. If the use is abandon, moved or vacated for a period of one (1) year. Notice of the expiration shall be given to the property owner in writing.

VIOLATIONS OF PERMIT (see Article 86 Section 8617):

Any violation of the terms, conditions or limitations of this permit shall be cause for revocation or suspension of the permit by City Council.

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. This permit shall become effective upon issuance of this permit AND the signed acknowledgment and receipt from the permit holder.

DATE OF ISSUANCE: 6.21.05

CITY OF MANISTEE PLANNING COMMISSION

WITNESS:

[Signature]
Jon R. Rose (Witness)

[Signature]
Roger Yoder, Chairman

[Signature]
Ray Fortier (Witness)

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

On August 4, 2005, before me, a Notary Public in and for said County, personally appeared Roger Yoder, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his/her free act and deed.

[Signature]
Notary Public, Manistee County, MI
My Commission Expires:

DENISE J. BLAKESLEE
Notary Public, Manistee Co., MI
My Comm. Expires April 2, 2007

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.

WITNESS:

[Signature]
Jon R. Rose (Witness)

[Signature] 6-27-05
C. Gerry Seyferth Dated

[Signature]
Mark W. Niesen (Witness)

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

On June 27, 2005, before me, a Notary Public in and for said County, personally appeared C. Gerry Seyferth, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his/her free act and deed.

[Signature]
Notary Public, Manistee County, MI
My Commission Expires:

DENISE J. BLAKESLEE
Notary Public, Manistee Co., MI
My Comm. Expires April 2, 2007

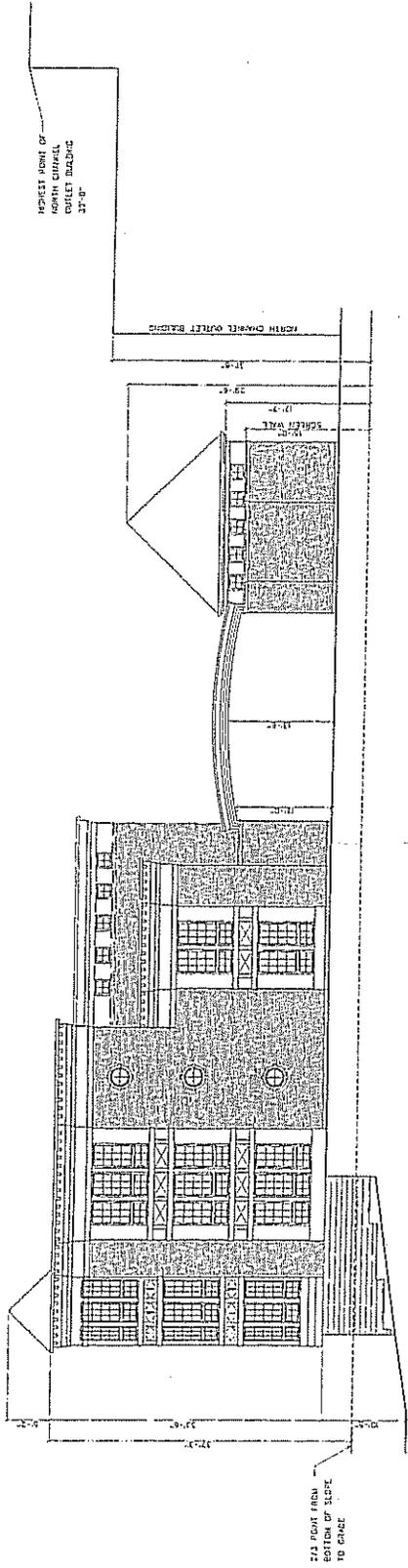
Prepared by:
JON R. ROSE
COMMUNITY DEVELOPMENT DIRECTOR
CITY OF MANISTEE
70 Maple Street, P.O. Box 358
Manistee, MI 49660
231.723-2558

Attachment A

LEGAL DESCRIPTION

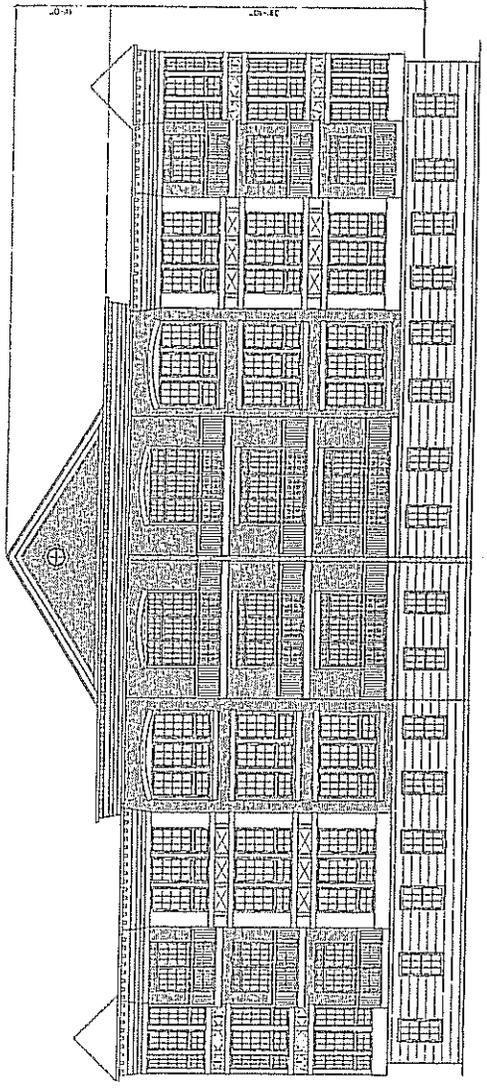
The land referred to in this Request is situated in the City of Manistee in the County of Manistee, State of Michigan, and is described as follows:

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



7-0-05

COMMUNITY DEVELOPMENT
BUILDING DEPT.
MAY 27 2005
CITY OF MANISTEE



273 Feet Finish
Bottom of SLOPE
to GROUND

CITY OF MANISTEE PLANNING COMMISSION WORKSESSION

70 Maple Street, Manistee, MI 49660

April 19, 2012

NOTES

A meeting of the Manistee City Planning Commission was held on Thursday, April 19, 2012 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7 pm by Vice- Chair Fortier

Roll Call:

Members Present: Maureen Barry, Bill Dean, Ray Fortier, Marlene McBride,

Members Absent: Linda Albee (excused), David Crockett (excused), Eric Gustad (excused), Nathaniel Neider, Roger Yoder (excused)

Others: Jon R. Rose (Community Development Director), Denise Blakeslee (Planning & Zoning) and others

Ordinance Amendment Update

Staff prepared a table of comparisons of our current parking standards and the parking standards from Cadillac, Ludington, Muskegon, and Traverse City. Members of the Planning Commission continued discussion on possible amendments for Parking Standards and Sidewalks. This would amend Section 514 VEHICULAR PARKING SPACE, ACCESS AND LIGHTING. Since Lighting is address under Section 525 staff recommended changing the Section to read:

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

(This change would allow standards for sidewalks to be added to the section.)

➤ The Commission discussed the desire to place a cap or maximum number of parking spaces that would be allowed in excess of the number of spaces required. The use of green space for overflow parking for the few times a year it would be needed would be encouraged. Discussion resulted in recommended changes as follows:

- 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. If the developer feels that additional spaces are needed for special events, the use of green space for such events will be allowed for overflow parking.**

Use	Number of Parking Spaces Per Unit of Measure
Dwellings - Changed to read as shown in Bold	<p>Two (2) spaces for each dwelling unit for single family, duplex units and mobile homes, 2 per dwelling unit for multiple family</p> <p>Two (2) spaces per Dwelling Unit for Single Family, duplex units and mobile homes.</p> <p>One and a half (1.5) spaces for Multi-Family.</p>
Hotels, Motels, Inns and Transient Lodging Places - No Change	One (1) space for each unit.
Hospitals, Nursing and Personal Care Facilities - Added language as shown in Bold	One (1) space for each four beds, and one (1) space for each employee on the largest shift.
Places of public assembly - No Change	One (1) space for each four seats of legal capacity.
Medical clinics and medical and dental offices - Changed to read as shown in Bold	<p>Three and one half (3.5) spaces for each 1,000 square feet of office space</p> <p>One (1) space for each 50 square feet of usable floor area in waiting rooms, one (1) space for each examining room, dental chair or similar use area, and (1) space for each employee on the largest shift.</p>
Offices, other than medical or dental clinics - No Change	One (1) space for each 250 square feet of office space.
Eating and drinking establishments - No Change	One (1) space for each three seats of legal seating capacity.
Retail establishments - No Change	One (1) space for each 450 square feet of floor area dedicated to retail activity, exclusive of storage areas.
Industrial and Warehouse uses - Changed to read as shown in Bold	<p>The greater of one (1) space for each 1,000 square feet of floor area, or one space for each employee in the largest shift.</p> <p>One (1) space for each employee in the largest shift plus five (5) spaces for visitors.</p>

➤ The Planning Commission discussed adding language that would require designated Pedestrian walkways through parking lots. This would amend Item E to read as follows:

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.

➤ The Planning Commission addressed the need to provide a buffer between sidewalks and parking lots. This resulted in draft language that reads as follows:

I. A buffer of not less than five feet of green space is required between any property lines that front on a street and parking areas.

➤ The Commission discussed the need to encourage and provide for Non-Motorized travel to Commercial Developments and discussed adding language that would require Bike Parking and the installation of a Bike Rack for all new Commercial Developments. This resulted in draft language that reads as follows:

J. Bike Parking and the installation of a Bike Rack is required for all uses that require Medium Site Plan Review, unless waived 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.

➤ The Commission discussed requiring sidewalks to be installed for new developments. This resulted in draft language that would read as follows:

➤

K. In all Districts except the L-I and GI, 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, and

4. Additions or Alterations to existing structures that do not require a Special Use Permit.

SECTION 514 VEHICULAR PARKING SPACE, ACCESS, BIKE PARKING AND LIGHTING 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. If the developer feels that additional spaces are needed for special events, the use of green space for such events will be allowed for overflow parking.*

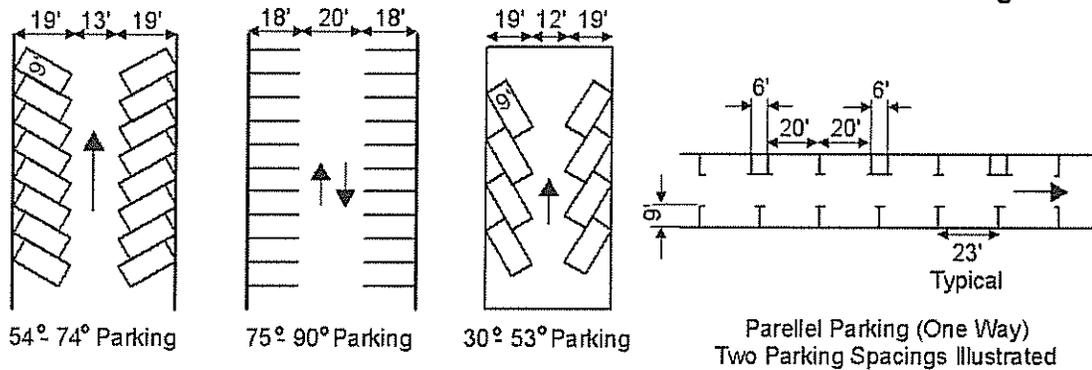
Use	Number of Parking Spaces Per Unit of Measure
Dwellings	<p>Two (2) spaces for each dwelling unit for single family, duplex units and mobile homes, 2 per dwelling unit for multiple family <i>Two (2) spaces per Dwelling Unit for Single Family, duplex units and mobile homes.</i> <i>One and a half (1.5) spaces for Multi-Family.</i></p>
Hotels, Motels, Inns and Transient Lodging Places	One (1) space for each unit.
Hospitals, Nursing and Personal Care Facilities	One (1) space for each four beds, and one (1) space for each employee <i>on the largest shift.</i>
Places of public assembly	One (1) space for each four seats of legal capacity.
Medical clinics and medical and dental offices	<p>Three and one half (3.5) spaces for each 1,000 square feet of office space <i>One (1) space for each 50 square feet of usable floor area in waiting rooms, one (1) space for each examining room, dental chair or similar use area, and (1) space for each employee on the largest shift.</i></p>
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	<p>The greater of one (1) space for each 1,000 square feet of floor area, or one space for each employee in the largest shift. <i>One (1) space for each employee in the largest shift plus five (5) spaces for visitors.</i></p>

- 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.

Figure 514



Parking Area Dimensions
(for standard-size vehicles)

- 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.
- 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.
- H. 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.
- I. *A buffer of not less than five feet of green space is required between any property lines that front on a street and parking areas.*
- J. *Bike Parking and the installation of a Bike Rack is required for all uses that require Medium Site Plan Review, unless waived 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.*
- K. *In all Districts except the L-1 and G1, 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, and*
 - 4. *Additions or Alterations to existing structures that do not require a Special Use Permit.*