

MANISTEE CITY PLANNING COMMISSION

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

MEETING OF MARCH 7, 1996

There will be a meeting of the Manistee City Planning Commission to be held on Thursday, March 7, 1996 at 7:00 P.M. in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

AGENDA

- I. Roll Call
- II. Matters Pertaining to the General Citizenry:
 - A. Public Hearing:
 - 1.
 - B. Site Plan Reviews:
 - 1. Addition to Engelmann Building (currently Kellie's Hallmark)
 - 2.
 - C. Questions, Concerns and Consideration of Matters Pertaining to Citizens in Attendance:
 - 1. Jeff Seng - Proposed use for property in I-1 Zoning District
 - 2.
- III. Business Session:
 - A. Approval of Minutes from Last Meeting (2/16/96)
 - B. Unfinished Business:
 - 1.
 - 2.
 - C. Other Communications:
 - 1. City Update
 - 2.
 - D. Reports:
 - 1. D.D.A. Update
 - 2. Zoning Board of Appeals
 - 3. Site Plan Review/Historic Overlay Committees
 - 4. Joint City Review/Ordinance Committee
 - 5. Pre-Manufactured Homes - Adult Foster Care
 - E. New Business:
 - 1. Set time for March 21, 1996 Worksession
 - 2.
- IV. Work/Study Session:
- V. Adjournment

cc: Planning Commission Members
City Council
R. Ben Bifoss, City Manager
Jon Rose, City Code Administrator
Kurt Schindler, County Planner
Manistee News Advocate
Manistee Observer
WMTE Radio
WXYQ Radio
Dale Picardat, Community Development Officer
Julie Beardslee, Assessor

CODE ADMINISTRATOR CITY OF MANISTEE

MEMORANDUM

TO: Planning Commission Members
FROM: Jon R. Rose 
DATE: March 1, 1996
RE: March 7, 1996 Meeting

We have a site plan review on the March 7, 1996 Agenda. This is for the Engelmann Building (currently Kellie's Hallmark). The site plan review is for a deck that will be built on the back of the building overlooking the riverwalk and modifications to the Riverwalk to provide barrier free access.

Currently we have three members that will be unable to attend the March Meeting. If you will not be at the meeting please call the office so we will know if there will be a quorum. We will see you on the seventh.

JRR:djm

Enclosures

FROM THE DESK OF...

Jon R. Rose
Code Administrator
City of Manistee
P.O. Box 358
Manistee, MI 49660

(616) 723-2558
FAX: (616) 723-1546

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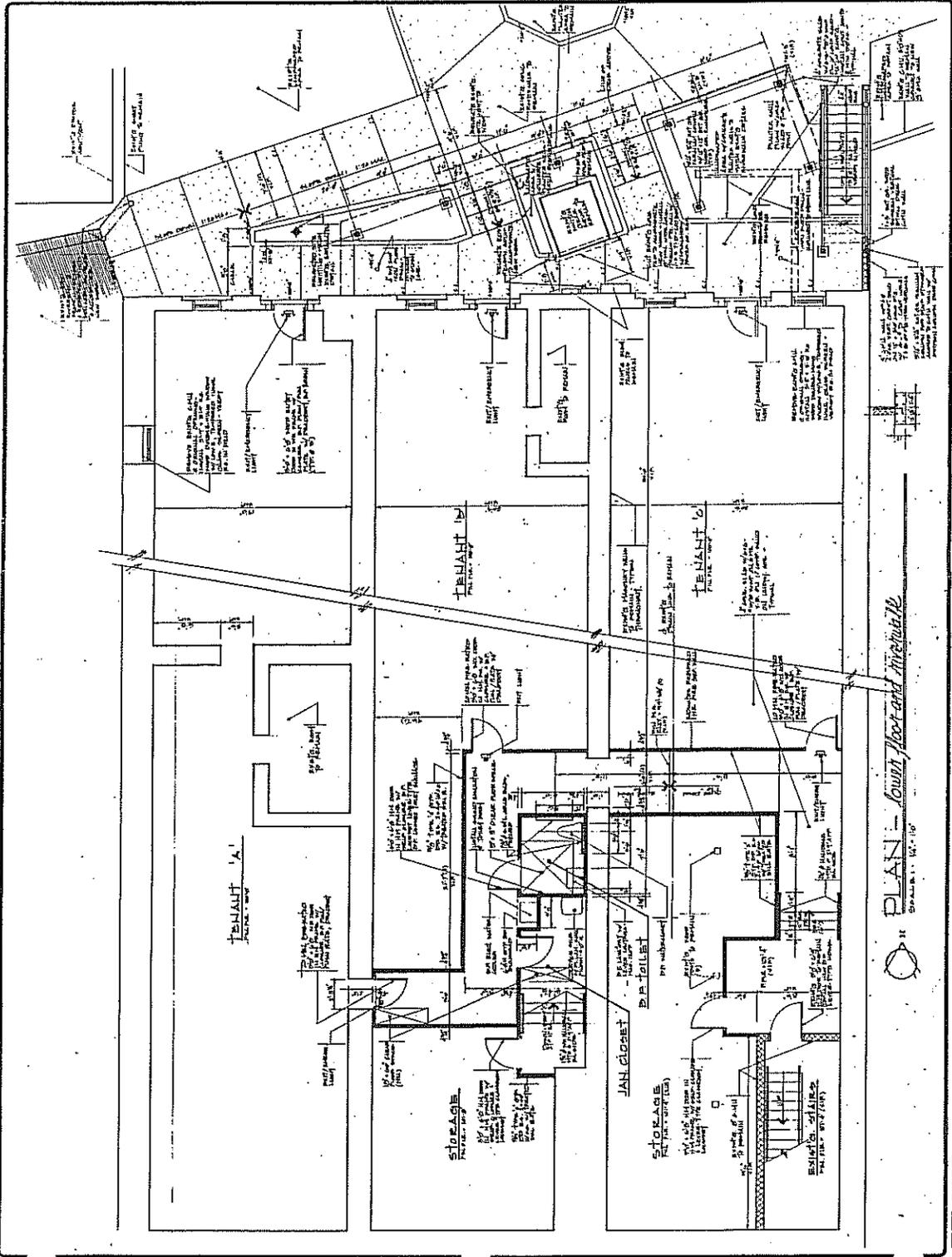
394 River Street
Manistee, MI

THE ENGELMANN BUILDING

Proposed Riverwalk Level Plans for

Architect: P.L. Thompson
Address: P.L. Thompson
Phone: 231-338-1234

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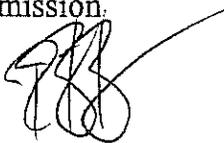
PLAN - South West and Riverwalk
SCALE: 1/4" = 1'-0"

3.7.96

March 7, 1996

TO: Manistee City Planning Commission.

FROM: R. Ben Bifoss, City Manager



SUBJECT: Residential Drive

At the regular City Council meeting of Tuesday, March 5, 1996 a public hearing was conducted regarding the proposed vacation of a portion of Residential Drive. As you know, this matter is related to the property trade with C & E Enterprises to reacquire the end of Ninth Street and the alley behind the old Century plant that provides access for five different homes. No comments were submitted at the public hearing. Sand Products Corporation, the owners of adjacent property to the south, was represented.

Prior to taking final action on the property trade the Mayor has requested that representatives of the Planning Commission provide both a majority report and a minority report representing the Planning Commission deliberations on this matter. The Mayor has requested a written statement on why the majority voted the way it did, why the minority voted the way it did.

If the majority and/or minority wish to provide such a report it would be most useful if received not later than March 27, 1996 as this matter will be on the Council's April 2 agenda. Thank you for whatever consideration you wish to provide.

RBB:ck

cc. Manistee City Council

*Gockerman, Wilson, Saylor & Hesslin, P.C.**Attorneys at Law**414 Water Street**Manistee, Michigan 49660**(616) 723-8333 • (616) 723-3322**FAX: (616) 723-3888**GRAND RAPIDS**Loraine Professional Building**124 East Fulton Street**Grand Rapids, Michigan 49503*

*Bruce C. Gockerman
Richard M. Wilson, Jr.
George V. Saylor III
Daniel D. Hesslin
Stephanie E. Simon
Jane M. Johnson*

OF COUNSEL

*James B. Flickinger
Grand Rapids*

HAND DELIVERED

March 7, 1996

Mr. John Rose
Zoning Administrator
City of Manistee
70 Maple Street
Manistee, MI 49660

Mr. Roger Yoder
Chairman
City of Manistee Planning Commission
70 Maple Street
Manistee, MI 49660

Re: Man Made Lake Parking/Access

Dear Messrs. Rose and Yoder:

Mr. Rose has asked for my opinion regarding one aspect of the planned Man-Made Lake parking and access.

Specifically, the Zoning Administrator has asked what duty, if any, does the City of Manistee have to prevent trespasses from the to be constructed roadway and its ancillary parking areas across other privately owned property between those areas and Man-Made Lake.

Mr. Rose, in addition to giving me his verbal description of the contemplated project, also provided to me a visual depiction of the roadway and parking areas as prepared by Arborn Marche Consultants, Inc.

It is my understanding that the roadway will be built as part of a currently platted street for the most part, and a short distance across property under lease from Sand Products

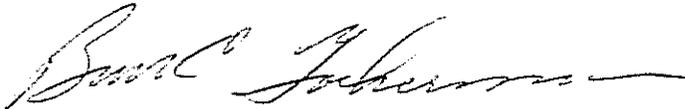
Corporation. Additionally, the anticipated parking areas are either in the borders of the platted street, or on property under lease by Sand Products Corporation.

I am of the opinion that the City has no obligation to affirmatively prevent a trespass so long as what is to be constructed lies within the property areas of the platted street and the leased Sand Products property. Moreover, given the location of the parking areas, it is possible that persons using those parking areas may traverse private property because of the ease of access across such property to Man-Made Lake. It may be prudent to properly sign the parking areas so as to indicate where not to cross private property and directing the users of those parking areas to the proper public access to Man-Made Lake.

Should either of you or the Commission require further analysis or opinion, please contact me at your earliest convenience.

Very truly yours,

GOCKERMAN, WILSON, SAYLOR & HESSLIN, P.C.

A handwritten signature in cursive script, appearing to read "Bruce C. Gockerman", written in dark ink.

Bruce C. Gockerman

BCG:sd

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3.15.96

MANISTEE CITY PLANNING COMMISSION
70 MAPLE STREET
MANISTEE, MI 49660

March 8, 1996

Mayor Lorraine Conway
70 Maple Street
Manistee, Mi 49660

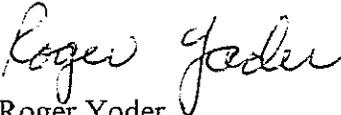
Re: C& E Enterprise Land Exchange

Dear Mayor Conway,

This is in response to your request for a minority opinion regarding the subject land exchange.

During the special February 15, 1996 City Planning Commission meeting we did not support the proposed exchange of the unplatted portion of Ninth Street and the nearby unplatted alley for property in the I-1 Land Use District. Our reason for this action was that we were not convinced that residents and the City do not have "squatters rights" access to their garages and the sewage treatment plant as a result of using the property for that purpose for many years. We felt that a formal written opinion from the City attorney regarding the legal right of the property owner to deny access should be available prior to making a decision. If the residents and the City do in fact have legal access, then the citizens of Manistee will not be obtaining value for the exchange.

Sincerely,


Roger Yoder


Ron Bauman

cc: Ben Bifoss
Jon Rose
Planning Commission



63 Clay Street • Manistee, Michigan 49660
616-723-9973 • FAX: 616-723-6376

3-7-96

To: CITY OF MANISTEE

Date: 3-6-96

From: DENNIS TERHORST

Number of Pages: 2
(Including cover)

Attention: JON ROSE

Subject: SIGN ORDINANCE REVIEW COMMITTEE

Comments: Jon -

Please arrange to have individuals listed on the following receive a copy of the latest draft of the sign ordinance. These people have agreed to serve on a sign ordinance review committee. You will need to recruit someone, who along with yourself, will act as planning commission representatives.

Committee members should have a draft in their possession as of March 19 as the first meeting is scheduled for March 26 at 7:30 AM in the basement of the Manistee Inn & Marina.

With the draft, please include a note with time and place of the meeting.

Thank!

dt

P.S. Note should state that pages 1-12 will be discussed.

September 15, 1993

DRAFT

CITY OF MANISTEE SIGN ORDINANCE

Effective Date _____

?

PLANNING COMMISSION MEMBER

JON ROSE

AL GIROUX
RIVER STREET STATION
350 RIVER ST
723-8411

RANDY WITHERSPORN
APOTHECARY SHOPPE
328 FIRST STREET
723-3545

DAVE CARLSON
534 FAIRVIEW STREET
723-7911 HOME 723-9095 OFFICE

DENNIS TERHORST
COMMUNICRAFT
63 CLAY
723-9973

KATHY WRZESINSKI
70 ARTHUR STREET
723-4822 HOME
723-5288 STORE

DOUGLAS PARKER
KELLIE'S HALLMARK
394 RIVER STREET
723-6449