

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday March 3, 2005
7:00 p.m. - Manistee Middle School - Library, 550 Maple Street

AGENDA

- I Roll Call
- II Public Hearing
 - 1. C. Gerry Seyferth - Petition for Zoning Amendment
 - 2.
- III Approval of Minutes
 - Planning Commission Meeting (2/3/05)
- IV New Business
 - 1. C. Gerry Seyferth - Petition for Zoning Amendment
 - 2. Laverne W. Miehke - Parcel Split
 - 3.
- V Unfinished Business
 - None
- VI Other Communications
 - 1. Hunting - Preliminary Development Plan
 - 2. Presentation of Michigan State University Extension, Citizen Planner Certificates
 - 3.
- VII Citizen Questions, Concerns and Consideration
(Public Comment Procedures on the Reverse Side)
- VIII Work/Study Session
 - 1. Review of Draft - Specific Standards and Requirements for Special Uses.
 - 2.
- IX. Adjournment

MEMORANDUM

TO: Planning Commissioners

FROM: Denise Blakeslee 
Administrative Assistant - Community Development Department

DATE: February 24, 2005

RE: March Meeting

The February Planning Commission Meeting will be held Thursday, March 3, 2005 at 7:00 p.m. in the Middle School Library. We have the following Items on the Agenda:

1. C. Gerry Seyferth - Petition for Zoning Amendment. A request has been received from C. Gerry Seyferth for a Zoning Amendment. Mr. Seyferth spoke to the Planning Commission at their January Meeting about constructing condominiums on the vacant property west of Maple Street Bridge. Mr. Seyferth has prepared Zoning Amendment language to amend Article 58: C-4 Commercial District Section 5803.A and Section 5804.C.5 and Add Section 1618: Dwelling, Multiple Unit.

At this time the City of Manistee Planning Commission can take action: *to recommend to City Council a Zoning Amendment that Amends Article 58: C-4 Commercial District Section 5803.A and Section 5804.C.5 and Add Section 1618: Dwelling Multiple Unit.*

2. Laverne W. Miehke - Parcel Split. A request has been received from Laverne W. Miehke for a Parcel Split. Mr. Miehke has entered into a purchase agreement with Michael J. Gorbach for the sale of lot 1 of Parcel #51-51-670-723-01. The Planning Commission previously approved a request from Mr. Gorbach to re-zone Lot 1 of this parcel from C-1 Commercial to R-4 Residential to allow the construction of a duplex. Review of the request shows that the request meets the requirements of the Zoning Ordinance.

At this time the City of Manistee Planning Commission can take action: *to recommend to City Council the approval of a request from Laverne W. Miehke to split Lot 1 from parcel #51-51-670-723-01.*

Under Other Communication on the Agenda we have:

Hunting-Preliminary Development Plan. This is the 55 acres of property at the South City Limits West of Cherry Street, North of Merkey Road. They originally proposed a Subdivision for this area. After several meetings with the Subdivision Review Committee they have decided to develop the property under a PUD. They are bringing before the Planning Commission their Preliminary Development Plan (enclosed).

Citizen Planner - Certificates

We are very proud of the Planning Commissioners who took time out of their schedules this past fall to attend the Michigan State University Extension - Citizen Planner Program Course in land use. We have received their Certificates of Completion. Chairman Yoder will present Certificates to Maureen Barry, Christa Johnson-Ross, and Tony Slawinski. Also receiving their Certificates will be two members of City Council (former Planning Commissioner) Cyndy Fuller and Alan Marshall. Congratulations!

Under Worksession on the Agenda we have:

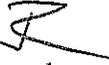
Review of Draft - Specific Standards and Requirements for Special Uses

Members were mailed copies of the draft language that Jay Kilpatrick prepared for Specific Standards and Requirements for Special Uses. This information was forwarded early to give members time to review the document for discussion during the worksession portion of the March Meeting. Discussion will conclude at the March Worksession for this Article of the Ordinance.

If you are unable to attend the meeting **please call** me at 723-2558.

MEMO

TO: Planning Commissioners

FROM: Jon R. Rose 
Community Development Director

DATE: February 9, 2005

RE: Seyferth - Petition for Zoning Amendment

Commissioners, enclosed is a request from C. Gerry Seyferth for a Petition for a Zoning Amendment. Mr. Seyferth spoke to the Planning Commission at the January Meeting about constructing condominiums on the vacant property west of Maple Street Bridge.

We currently do not have any language in the C-4 Commercial Zoning District that allows new construction of condominiums. The Adaptive Re-use Language only includes the re-use of an existing structure.

The following is our review of Mr. Seyferth's request:

Amend Section 5803.A to read:

Dwelling, Multiple Family; with no more than one (1) living unit for each one thousand five hundred (1,500) square feet of parcel area.

Mr. Seyferth's request adds the language "*with no more than one (1) living unit for each one thousand five hundred (1,500) square feet of parcel area*".

The addition of this language would allow the same density that we are allowing under adaptive re-use.

Amend Section 5804.C.5 to read:

Waterfront Yard: The minimum setback shall not be less than ~~fifty (50)~~ twenty (20) feet for any structure. This subsection shall not apply to boat docks, boat launching ramps and riverwalks.

Mr. Seyferth's request changes the waterfront set-back in the C-4 Zoning District from 50 feet to 20 feet. The Zoning Board of Appeals has traditionally been granting reduced waterfront set-backs in the C-4 District. They are on record that they would not grant any set-back reduction closer than 15 feet in C-4. The Planning Commission has discussed a reduction in the waterfront set-back in the new ordinance.

Add Section 1618 Dwelling, Multiple Unit

1618. Dwelling, Multiple Unit

- A. Parking areas intended for the use of residents of Multiple Unit Dwellings shall be located within one hundred fifty (150) feet of the building. Two spaces shall be provided per dwelling.
- B. All exterior lighting shall be designed so that there is no direct illumination or glare beyond the property lines.
- C. No multiple unit structure shall be located closer than twenty (20) feet from any other multiple unit structure located on the same parcel.
- D. 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.
- E. Safe pedestrian and vehicular circulation patterns shall be established in group building developments, as determined by the Planning Commission.
- F. All signs shall be in compliance with the provisions of Article 14 of this Ordinance.
- G. Landscaping and Buffering shall be provided and be compatible with the neighborhood.

This language parallels language that is drafted for the new Zoning Ordinance. Review of the language looks as if it reflects the discussions we have had on Adaptive Re-use and discussions about Dwelling, Multiple Unit under the new ordinance.

Staff review of the request shows that it is consistent with the Master Plan and appears to reflect the direction we are going with the new Zoning Ordinance.

JRR:djb



Petition for Zoning Amendment

C. Gerry Seyferth
 Applicant
6180 Murray Road
 Address
Whitehall, MI 49461
 City, State, Zip Code
 Phone Numbers (Work) 231-638-0356
 (Home) 231-894-2731

FOR OFFICE USE ONLY:

Case number PC-2005-07
 Date Received 2-8-05
 Fee Received \$250.00
 Receipt Number 7847
 Hearing Date March 3, 2005

FEE \$250.00

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

I. ACTION REQUESTED:

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

- A. Text Amendment: Amend Article _____ Section _____ to (delete, supplement or clarify) the Manistee City Zoning Ordinance by making the following change(s): (Attach additional sheets if necessary - state proposed ordinance language) _____
See attached
- B. Re-zone from _____ to _____ the property(s) described in II Property Information (below), for the following purpose: (State proposed use of the land) _____

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

II. PROPERTY INFORMATION:

- A. Legal Description of Property affected: _____
See attached Legal Description

- Tax Roll Parcel Code Number: 51-51- 211-100-02

- Address of Property: 86 Washington, Manistee, MI 49660

- B. List all deed restrictions - cite Liber & Page where found and attach: _____
None

- C. Names and addresses of all other persons, firms or corporations having a legal or equitable interest in the land. _____
None

- D. This area is un-platted, platted, will be platted.
If platted, name of plat _____

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

- F. Present use of the property is: commercial; vacant

III. STATEMENT OF JUSTIFICATION FOR REQUESTED ACTION:

- A. State specifically the reason for this Amendment request at this time _____
To construct residential condominiums

- B. If the Amendment is a propose re-zoning, please answer the following questions.
 - 1. Will this re-zoning be in conformance with all adopted development plans of the City of Manistee? yes no and Manistee County? yes no

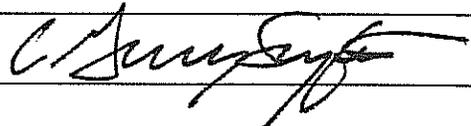
2. If the proposed zone does not conform to the(se) plan(s), why should the change be made? Please be specific, brief and attach any supporting documentation which substantiates your claim. This could include an allegation that the existing zoning is in error which would be corrected by the proposed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

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

IV. AFFIDAVIT

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

Signature (s) of Applicant (s):



Dated 2-4-05

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

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.

ACTION REQUESTED
To AMEND the Manistee City Zoning Ordinance

Article 58: C-4 Commercial District
&
ADD Section 1618: DWELLING, MULTIPLE UNIT

AMEND Section 5803.A to read:

Dwelling, Multiple Family; with no more than one(1) living unit for each one thousand five hundred (1,500) square feet of parcel area.

AMEND Section 5804.C.5 to read:

Waterfront Yard: The minimum setback shall not be less than twenty (20) feet for any structure. This subsection shall not apply to boat docks boat launching ramps and riverwalks.

ADD Section 1618 : Dwelling, Multiple Unit

1618. Dwelling, Multiple Unit:

- A. Parking areas intended for the use of residents of Multiple Unit Dwellings shall be located within one hundred fifty (150) feet of the building. Two spaces shall be provided per dwelling.
- B. All exterior lighting shall be designed so that there is no direct illumination or glare beyond the property lines.
- C. No multiple unit structure shall be located closer than twenty (20) feet from any multiple unit structure located on the same parcel.
- D. 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.

- E. Safe pedestrian and vehicular circulation patterns shall be established in group building developments, as determined by the Planning Commission.
- F. All signs shall be in compliance with the provisions of Article 14 of this Ordinance.
- G. Landscaping and Buffering shall be provided and be compatible with the neighborhood.

MEMO

TO: Planning Commissioners

FROM: Denise J. Blakeslee 
Administrative Assistant

DATE: February 17, 2005

RE: Laverne W. Miehlke - Parcel Split Request

Commissioners, attached is a copy of a request from Laverne W. Miehlke for a Parcel Split. The background information on the request is as follows:

In January Michael Gorbach came before the Planning Commission for a Zoning Amendment to re-zone Lot 1 of Parcel #51-51-670-723-01 from C-1 Commercial to R-4 Residential so he would be able to construct a duplex.

Planning Commission recommended approval and the request was forwarded to City Council.

Two readings are required for Zoning Amendments. The Amendment was introduced at the January 28, 2005 Council Meeting with the City Council adopting the amendment at their February 1, 2005 meeting.

With the Zoning Amendment in place Mr. Miehlke would like to sell Lot 1 to Mr. Gorbach. Since Lot 1 is part of Parcel #51-51-670-723-01 a Parcel Split is required.

Review of the request shows that the split would meet the requirements of the Zoning Ordinance.

JRR:djb

Request to Split a Parcel

Name and Address of Applicant: LAYERNE W. MIEHLKE
363 11th St.
MANISTEE, MICHIGAN 49660

Signature Laverne W. Miehke

Phone Numbers: Home 231-723-9730 Work N/A

Name and Address of other parties who have an interest: MICHAEL J. GORBACH
317 FIFTH AVENUE #2
MANISTEE, MICH. 49660

Signature N/A ON FILE ON ZONING CHANGE REQUEST COMPLETED

Phone Numbers: Home 723-7524 Work _____

Parcel Identification Numbers for all parcels involved: 51-51-670-723-01

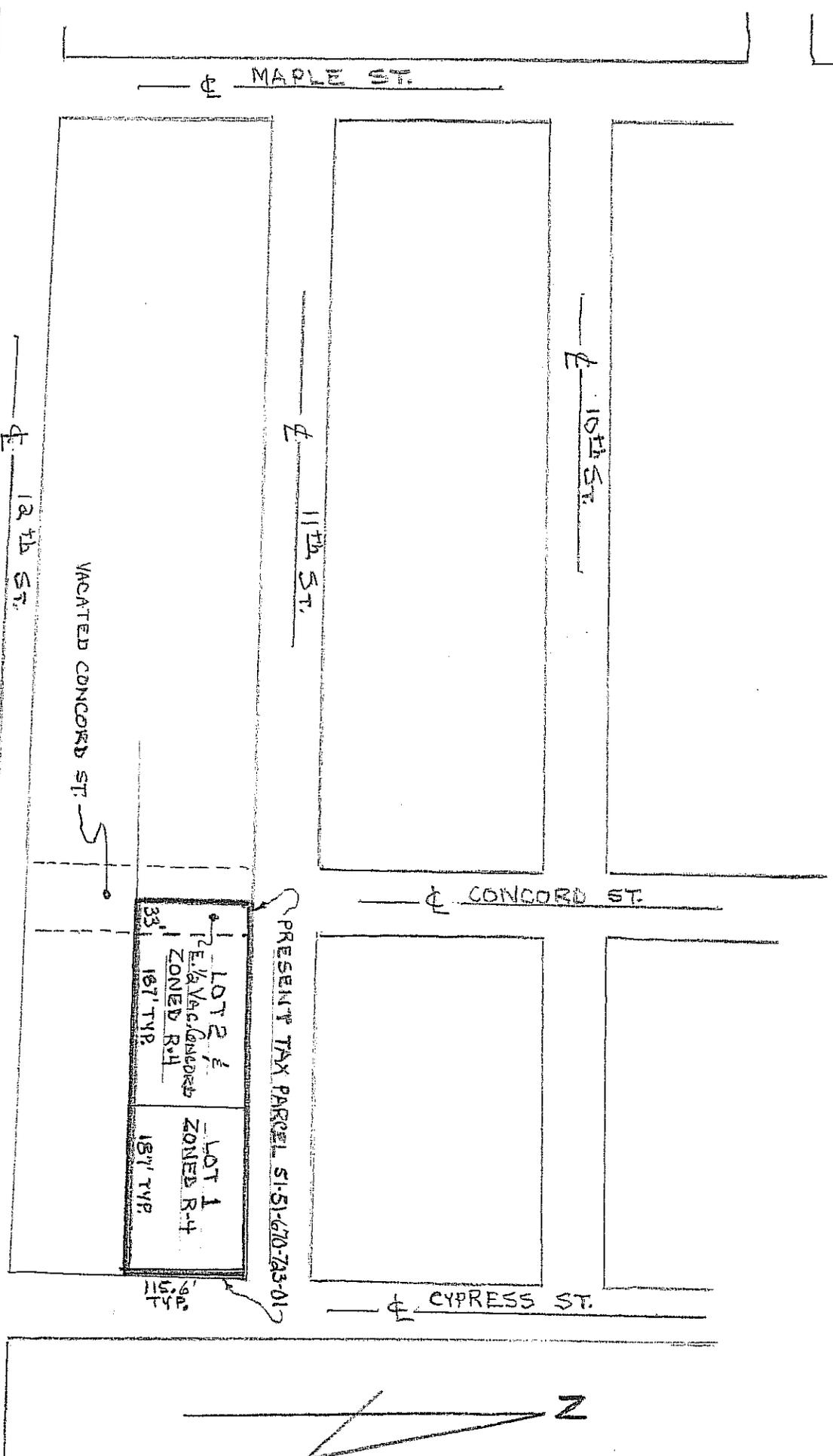
Reason for request: SPLIT LOT# 1 FROM EXISTING PLATTED PARCEL
TO ALLOW SALE OF LOT# 1 TO MICHAEL J. GORBACH WHO HAS
ZONED LOT# 1 FOR RESIDENTIAL CONSTRUCTION. (R-4).

Attach a sketch or site plan of all parcels involved in the request. The sketch must include the location of buildings and/or structures, building set-backs, streets, street names and lot dimensions.

Fee: \$50.00 for first split + \$25.00 for each additional split.

Receipt # 7905

PC-2005-07



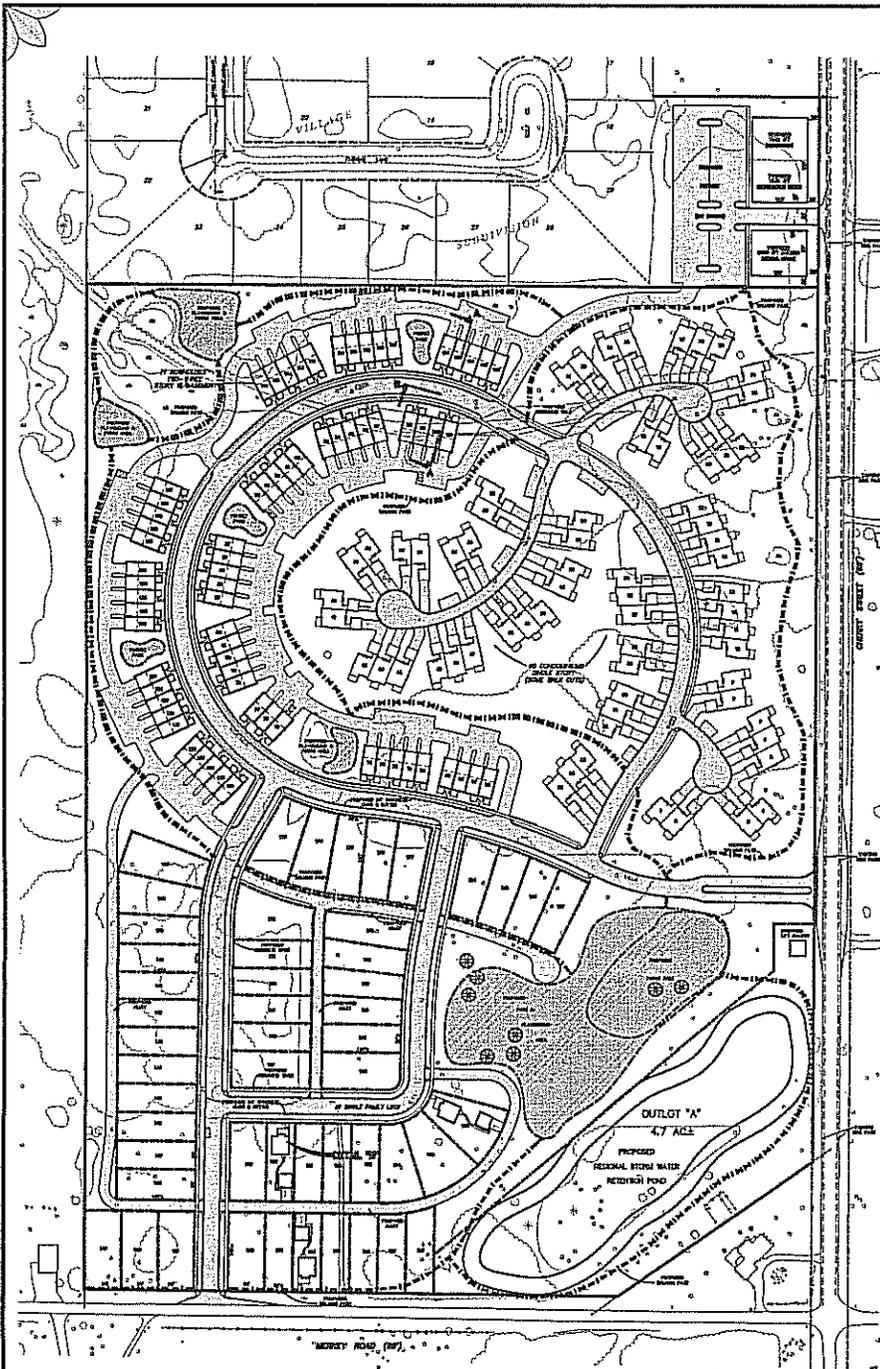
VACATED CONCORD ST.

PRESENT TAX PARCEL S1-S1-670-723-01

LOT 2
 1/2 AC VAC. CONCORD
 ZONED R-4
 187' TYP.
 33'

LOT 1
 ZONED R-4
 187' TYP.
 33'

REQUEST BY LAVENNE W. MISHKE SPLIT
 LOT 1 FROM TAX PARCEL # S1-S1-670-723-01
 TO ALLOW THE SALE OF LOT 1 TO MICHAEL
 J. FORBACH. THE ENTIRE PARCEL IS VACANT
 LAND.
 02-15-05 / J.W.M.

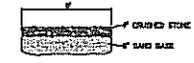


SCALE: 1" = 100'

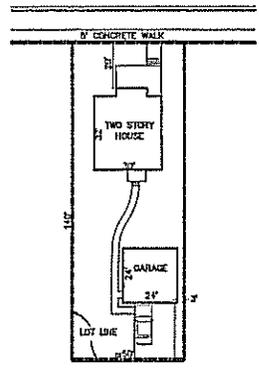
GENERAL DEVELOPMENT NOTES

1. ALL RESIDENTIAL UNITS ARE TO BE SERVED BY PUBLIC SANITARY SEWER AND WATERMAIN.
2. ALL COMMERCIAL UNITS ARE TO BE SERVED BY PUBLIC SANITARY SEWER AND WATERMAIN.
3. ALL STREETS AND ALLEYS ARE PRIVATE, AND WILL BE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.
4. ALL RESIDENTIAL UNITS ARE CONDOMINIUMS, AND ALL LOTS ARE SITE CONDOMINIUMS.
5. THE PROPOSED SANITARY SEWER FOREMAN AND LIFT STATION WILL BE PUBLIC.
6. ALL PUBLIC UTILITIES ARE TO BE IN PUBLIC EASEMENTS.
7. OUTLET "A" WILL BE DEDED TO THE CITY OF MARSHTEE FOR THE PURPOSE OF A REGIONAL STORM WATER RETENTION POND AND FOR PUBLIC UTILITY INFRASTRUCTURE.
8. THE CONDOMINIUM WILL PROVIDE STREET LIGHTING AND STREET TREES.
9. THE CONDOMINIUM WILL CONSTRUCT AND MAINTAIN ALL PARK AND PATH AREAS SHOWN ON THE PLAN.
10. 2" CONCRETE CURB & GUTTER SHALL BE PLACED ON ALL RAINY AND TERN AREAS.

85 RANCH STYLE CONDOMINIUMS
71 ROWHOUSE CONDOMINIUMS
51 SINGLE FAMILY SITE CONDOMINIUMS
187 TOTAL UNITS



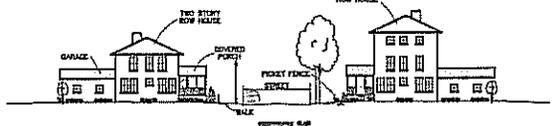
CURB SECTION OF SIDE WALKED PATH



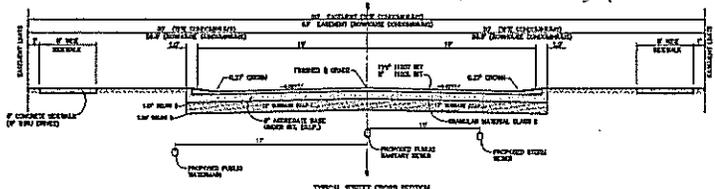
DETAIL "D" EXAMPLE LOT LAYOUT



SECTION "D" TYPICAL ROW HOUSE

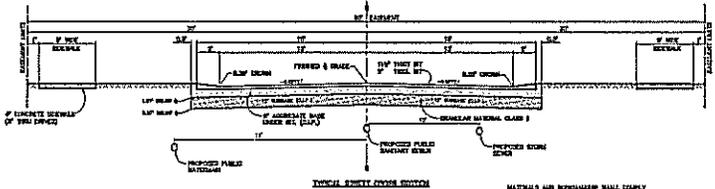


SECTION "E" TYPICAL RANCH HOUSE



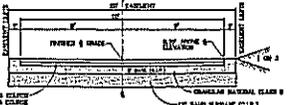
TYPICAL STREET CROSS SECTION ROWHOUSE CONDOMINIUMS

MATERIALS AND DIMENSIONS SHALL COMPLY WITH CURRENT AND LATEST EDITIONS OF STANDARD SPECIFICATIONS.



TYPICAL STREET CROSS SECTION RANCH STYLE CONDOMINIUMS

MATERIALS AND DIMENSIONS SHALL COMPLY WITH CURRENT AND LATEST EDITIONS OF STANDARD SPECIFICATIONS.



TYPICAL ALLEY CROSS SECTION SINGLE FAMILY SITE CONDOMINIUMS

PREPARED FOR:
 HUN INVESTING CO.
 2200 PINEVIEW BLVD
 GRAND RAPIDS, MI 49508

PLAN ISSUED	PRELIMINARY DEVELOPMENT PLAN FOR HUNTING - MARSHTEE CITY OF MARSHTEE, MARSHTEE COUNTY, MICHIGAN	FIELD CHECKED BY
		DATE
	MOORE & BRUGGINK, INC. Consulting Engineers 3020 Madison Avenue, N.W. Grand Rapids, Michigan 49505-4298 Phone: (616) 353-9201	DESIGNED BY
		DATE
		PROJECT NO.

