

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, July 3, 2008
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 Planing Commission can take action to approve the July 3, 2008 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the June 5, 2008 meeting Minutes.

V Public Hearing

Russell Edenburn, 32 Arthur Street - Special Use Permit

A request has been received from Russell Edenburn for a Special Use Permit for a Recycling Transfer Station at 32 Arthur Street. During the June 5, 2008 meeting the City of Manistee Planning Commission determined that a Recycling Transfer Station is a Use Similar to uses permitted as a Special Land Use (Warehouse, Public). A Warehouse, Public is a Special Use in the C-1 Regional Commercial Zoning District.

At this time the Chair shall open the hearing.

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

The City Staff and any consultants serving the City shall present their reports.

The hearing will be opened for public comments

The hearing will be closed

VI New Business

Russell Edenburn, 32 Arthur Street - Special Use Permit

A public hearing was held earlier in response to the request from Russell Edenburn for a Special Use Permit for a Recycling Transfer Station at 32 Arthur Street.

At this time the Planning Commission could adopt a resolution to approve/deny the request from Russell Edenburn for a Special Use Permit - Recycling Transfer Station at 32 Arthur Street.

City Marina Building, 480 River Street - Renovation

The City of Manistee is proposing to renovate the City Marina Building at 480 River Street. The renovation of the building does not change the footprint, just the elevation of the building. The proposed change does not exceed the 50 foot height limitation in the C-3 Central Business District.

At this time the Planning Commission could approve the Renovation of the City Marina Building, 480 River Street as submitted on plans prepared by Abonmarche dated 6-23-08.

Presentation on proposed Relocation of Rail Road

At this time a presentation will be given regarding the proposed relocation of the rail road.

No formal action is required for this item.

VII Old Business

VIII Public Comments and Communications

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

IX Correspondence

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

X Staff Reports

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

XI Members Discussion

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

XII Adjournment



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners
FROM: Denise Blakeslee 
DATE: June 26, 2008
RE: July Meeting

Commissioners, enclosed is your packet for the July Planning Commission Meeting. We have the following item on the Agenda:

Russell Edenburn, 32 Arthur Street - Special Use Permit

Russell Edenburn has submitted a request for a Special Use Permit for a Recycling Transfer Station at 32 Arthur Street. The City of Manistee Planning Commission determined that a Recycling Transfer Station is a Use Similar to uses permitted as a Special Land Use (Warehouse, Public). A Warehouse, Public is a Special Use in the C-1 Regional Commercial Zoning District.

Two letters have been received in response to the public hearing notice, they are included in your packets.

City Marina Building, 480 River Street - Renovation

The City of Manistee is proposing to renovate the City Marina Building at 480 River Street. The renovation of the building does not change the footprint just the elevation of the building.

Presentation on proposed Relocation of Rail Road

A presentation will be give regarding the proposed relocation of the rail road.

Enclosed are two memos from Williams and Works. Time permitting we will discuss them during our meeting.

See you Thursday! Please call me if you are unable to attend the meeting.

:djb



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MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose 
Community Development Director

DATE: June 24, 2008

RE: Russell Edenburn - Special Use Permit Request

Commissioners, we have received a request from Russell Edenburn for a Special Use Permit for a Recycling Transfer Station. Included in the request is a Site Plan for the project.

Review of the plan shows that the set-back requirements of the ordinance have been met for the existing buildings. The Commission may request from the applicant the proposed location of the trailers that will be used for the transfer of items to their Recycling Facility on M - 55. Omitted from the plan is the dumpster location.

We will need to clarify these locations before the Special Use Permit can be issued.

JRR:djb

SPECIAL USE PERMIT APPLICATION

Russell Edenburn
 Applicant
8459 Caberjoe Hwy.
 Address
Manistee, Mi. 49640
 City, State, Zip Code

Phone Numbers (Work) 231-398-9746

(Home) 231-510-2343 ^{Russ}
231-510-2178

FOR OFFICE USE ONLY:

Case number PC-2008-06
 Date Received 6-16-08
 Fee Received \$250.00
 Receipt Number 16223
 Hearing Date 7-3-08
 Action Taken _____
 Expiration Date of Permit _____

BASE FEE FOR SPECIAL USE PERMIT
 \$250.00

A Special Use application shall be submitted and processed according to the following procedures:

A. **Submission of Application.** Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee 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.

B. **Data Required.** Twelve (12) copies of an application for a Special Use permit shall be presented to the Zoning Administrator and accompanied by the following documents and information.

1. A complete Special Use permit application including the following information:
 - a. Name and address of applicant and owner(s): Russell Edenburn 8459 Caberjoe Hwy Manistee, Mi 49660
 - b. Legal description, property parcel number, and street address of the subject parcel of land: see attach. 32 Arthur St Manistee, Mi 49660 51-51-146-704-19
 - c. Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet _____
 - d. Present zoning classification of the parcel: C-1 Regional Commercial District
 - e. Present and proposed land use: closed down car wash now will be a recycling transfer station.

- f. A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.
 Attached
 - g. 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.
 Attached
 - h. 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.
 Attached
 - i. A statement and other evidence or proof by the applicant of present and future compliance with the standards required for approval in this Article and other standards imposed by this Ordinance affecting the special use under consideration.
 Attached
2. A complete Site Plan containing all the applicable data required by **Article 22, Site Plans**.
 3. Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in **Section 1802**.
 4. 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.
 5. The Zoning Administrator may, with the approval of the Planning Commission, waive the submission of materials outlined in this Section if such materials are determined to be not applicable to the proposed Special Use or relevant to the consideration of the Planning Commission.
- C. **Special Use review procedures.** An application for Special Use Approval shall be processed in accordance with **Section 1801.C**.
- D. **Issuance of a Special Use permit.** Special Use Permits shall be issued in accordance with **Section 1801.D**.
- E. **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.
- F. **Duration of Approval.** The Special Use permit shall become effective upon Planning Commission approval and in accordance with **Section 1801.F**.

G. **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.

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

I. **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.

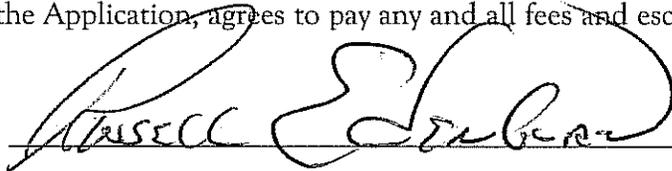
J. **Violations.** Violations shall be handled in accordance with Section 1801.J.

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 (s) of Applicant (s):



Dated 6-10-08

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: _____

**Edenburn Trucking
8459 Caberfae Hwy.
Manistee, Mi. 49660
231-398-9746**

**Planning Commission:
Special Use Permit Application for Recycling
at 32 Author Street**

We believe the location at 32 Author Street is ~~X~~ appropriate place for the recycling transfer station, for all Manistee residents to drop off recyclables. It is centerized in the town with easy access off US31. The hours of operation is Mon. thur Fri. 8:30-4:30 and also Sat. 8:30-12:00.

The Recycling Transfer Station will not have any effect on any special use on emergency service requirements, schools, storm water systems, sanitary sewer facilities and truck circulation patterns and local traffic volumes. But we will have in and out traffic as of any business.

The Recycling Transfer Station will have no effect on the adjacent properties and the general public. It will not effect shoreline protection, excessive noise, nor will it impact the development on the surrounding properties. It will be a clean place of business and it will help the business near us as they can bring their recycling material to us instead of putting it in the landfill.

We will follow all present and future requirements imposed by the ordinance affecting the special use under consideration.

Thank-you

Russell Edenburn



BLARNEY CASTLE OIL & PROPANE

2685 Holton Road
North Muskegon, MI 49445
(231) 744-1601

12218 West Street • P.O. Box 246
Bear Lake, MI 49614
(231) 864-3111

P.O. Box 275
Scottville, MI 49454-0275
(231) 757-2676

P.O. Box 693
10827 Carter Road
Traverse City, MI 49685
(231) 947-5085

300 W. Mitchell Street
Petoskey, MI 49770-2328
(231) 347-8134

9021 South Road
Cadillac, MI 49601-0448
(231) 775-5514

6416 Riggsville Road
Cheboygan, MI 49721
(231) 627-7109

P.O. Box 38
7245 S. Rapid City Road
Rapid City, MI 49676
(231) 331-6588

June 17, 2008

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

RE: Special Use Permit Application

Dear Commissioners:

As the owner of 32 Arthur Street, Parcel Code #51-51-146-704-19 my permission is given for Russell Edenburn to apply for a Special Use Permit for a Recycling Transfer Station at this property.

Sincerely,

Dennis B. McCarthy

Site Plan Information required in Application:

Project Name: 32 Arthur Recycling Transfer Station

A Detailed Site Plan. A detailed site plan shall be required for all uses other than those that may submit a basic site plan. Detailed site plan shall include twelve (12) copies of all required information, one 11x 17 size copy of request, and and twenty-five (25) copies of any documents rendered in color. It shall be prepared by an Engineer, Architect, Landscape Architect or Surveyor licensed to work in Michigan and shall include and illustrate at a minimum the following information

1. A scale drawing of the site and proposed development thereon, including the date, name, address and professional seal of the preparer. In no instance shall the scale of the drawing be greater than one inch equals 20 feet nor less than one inch equals 200 feet. One copy shall be submitted in a photo-reduced form on 17" x 11" paper.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
2. The scale of the drawing and north arrow.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
3. A vicinity map illustrating the property in relation to the surrounding street system.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
4. Topography of the site and its relationship to adjoining land illustrated at 2-foot contours and including an area extending 100 feet from the parcel boundary.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
5. Existing man-made features, including buildings, fences, landscaping, parking, screening and the locations, heights and footprint of each.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
6. Illustration of all proposed improvements and buildings, fences, landscaping, parking and screening, including location, height, footprint of each.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
7. Setback lines and their dimensions.
 Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
8. Percentage of land covered by buildings and impervious surfaces and that reserved for open space.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]

Project Name: 32 Arthur St Recycling Transfer Station

9. Dwelling unit density where pertinent; including a density schedule demonstrating number of each dwelling type if applicable.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
10. Project phasing, if applicable.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
11. Location of public and private rights-of-way and easements contiguous to and within the proposed development which are planned to be continued, created, relocated or abandoned, including grades and types of construction of those upon the site.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
12. Curb-cuts, driving lanes, parking and loading areas, including the number of parking spaces and parking calculations; vehicular circulation patterns and features, location and size of all parking spaces and the identification of service lanes and parking.
- Included
 Waived by _____ [Planning Commission reserves the right to require the information at a later date]
13. Curb-cuts and driveways on adjacent properties.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
14. Location and type of drainage, sanitary sewers, storm sewers and other facilities, including surface and subsurface drainage for all impermeable surfaces on the site and all drainage calculations.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
15. Existing and proposed water main, sanitary and storm sewer, natural gas, electric, telephone, cable television and other utilities, the proposed location of connections to existing utilities and any proposed extensions thereof.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
16. Proposed changes to the topography of the site illustrated at no greater than two (2) foot contours.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
17. Soil erosion and sediment control measures which shall include preventative soil erosion devices or measures, both during and after any site work related to the development.
- Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]

Project Name: 32 Arthur St Recycling Transfer Station

18. Detail on proposed signage including an illustration of all proposed signs, their surface area, height and nature of illumination, in accordance with Article 21.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
19. A lighting plan in conformance with Section 525.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
20. A written and illustrated landscape plan prepared in accord with Section 531 of this Zoning Ordinance.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
21. If the parcel is a result of a parcel division undertaken after the adoption of this Ordinance, the site plan shall illustrate all structures and buildings, drawn to scale located on the previously undivided property.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
22. Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be requested by the Zoning Administrator or the Planning Commission.
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]
23. Any required approvals, permits, changes or modifications required by any applicable regulatory agency.
 Included
 Waived by NA [Planning Commission reserves the right to require the information at a later date]
24. Special Groundwater Protection shall be subject to Section 2203.D.24
 Included
 Waived by R [Planning Commission reserves the right to require the information at a later date]

The Zoning Administrator may, with the approval of the Planning Commission, waive the submission of materials outlined in this Section if such materials are determined to be not applicable to the proposed Special Use or relevant to the consideration of the Planning Commission.

(Printed August 2006)

City of Manistee
Planning Commission Resolution to Approve a
Special Use Permit, Case Number PC-2008-06
Russell Edenburn for a Recycling Transfer Station

At a regularly scheduled meeting of the City of Manistee Planning Commission held on July 3, 2008 the following resolution was adopted to approve a Special Use Permit for a Recycling Transfer Station as shown on Site Plan # _____

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

WHEREAS, On June 5, 2008 the City of Manistee Planning Commission determined that a Recycling Collection Center is a Use Similar to uses permitted as a Special Land Use, and

WHEREAS, On June 5, 2008 the Planning determined that a Recycling Transfer Station is similar to a Warehouse, Public, and

WHEREAS, During the meeting of June 5, 2008 the Planning Commission developed Regulations and Standards for a Recycling Transfer Station, and

WHEREAS, On June 16, 2008 a Special Use Permit Application was received from Russell Edenburn for a Recycling Transfer Station at 32 Arthur Street , and

WHEREAS, a Recycling Transfer Station is a Use Similar to uses permitted as a Special Land Use - Warehouse, Public is provided for as a Special Use under the C-1 Regional Commercial Zoning District, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed development on July 3, 2008, 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:

RESOLVED, 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 - Regulations and Conditions for a Recycling Transfer Station as developed by the Planning Commission during their meeting of June 5, 2008 the Planning Commission has reached the following determinations with respect to the Project:

1. All local, county, state and federal laws, rules and regulations pertaining to the emission of odor, dust, smoke, gas, noise, vibration and the like, will be met at all times during operation of any Recycling Transfer Station.
2. All exterior lighting shall be in accordance with Section 525 hereof.
3. No flammable liquids, perishable, toxic, or hazardous substances will be stored at the facility.
4. No processing or manufacturing will take place within the Recycling Transfer Station.
5. All parking areas and truck maneuvering areas have been paved or treated to minimize dust and the site plan shall demonstrate provisions to contain blowing dust, trash and debris on the site.
6. No materials shall be stored outdoors.
7. No trucks, trailers or other equipment will be stored in the front yard or closer than ten (10) feet to any side or rear lot line.

8. All signs will be in compliance with the provisions of **Article 21** of this Ordinance.
9. All off-street parking will be in compliance with **Section 514** of this Ordinance.
10. Landscaping and Buffering will be provided in accordance with **Section 531** of this Zoning Ordinance.
11. Compaction of cans will be permitted on site.
12. Recycling Transfer Station will be staffed during hours of operation.
13. No drop-off of recycling will be permitted after hours.
14. Only Clean household containers, cardboard, paper, dry-cell batteries will be accepted.
15. No liquid recyclables will be accepted.

BE IT FURTHER RESOLVED, that the Special Use Permit for (insert language and conditions if applicable)

1. _____

2. _____

3. _____

4. _____

5. _____

CITY OF MANISTEE PLANNING COMMISSION:

AYES:

ABSTAINING:

NAYS:

ABSENT:

MOTION:

CARRIED

NOT CARRIED

CERTIFICATION:

I, Maureen Barry , Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of July 3, 2008.

Maureen Barry, Secretary

Draft Resolution of Approval

City of Manistee
Planning Commission Resolution to Deny a
Special Use Permit, Case Number PC-2008-06
Russell Edenburn for a Recycling Transfer Station

At a regularly scheduled meeting of the City of Manistee Planning Commission held on July 3, 2008 the following resolution was adopted to approve a Special Use Permit for a Recycling Transfer Station as shown on Site Plan # _____

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

WHEREAS, On June 5, 2008 the City of Manistee Planning Commission determined that a Recycling Collection Center is a Use Similar to uses permitted as a Special Land Use, and

WHEREAS, On June 5, 2008 the Planning determined that a Recycling Transfer Station is similar to a Warehouse, Public, and

WHEREAS, During the meeting of June 5, 2008 the Planning Commission developed Regulations and Standards for a Recycling Transfer Station, and

WHEREAS, On June 16, 2008 a Special Use Permit Application was received from Russell Edenburn for a Recycling Transfer Station at 32 Arthur Street , and

WHEREAS, a Recycling Transfer Station is a Use Similar to uses permitted as a Special Land Use - Warehouse, Public is provided for as a Special Use under the C-1 Regional Commercial Zoning District, and

WHEREAS, the Planning Commission has provided proper notice and held a public hearing on the proposed development on July 3, 2008, 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. Findings of Fact -Special Use Permit Standards: Pursuant to Section 1802.A (General Review Standards) of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:

1. The Special Use shall be consistent with the adopted City of Manistee Master Plan.

2. The Special Use shall be 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 shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.

4. The Special Use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, storm water drainage, refuse disposal, water and sewage facilities, and schools; or persons or agencies responsible for the establishment of the proposed use shall provide adequately for such services.

5. The Special Use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

6. The Special Use shall 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 shall meet 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 - Regulations and Conditions for a Recycling Transfer Station as developed by the Planning Commission during their meeting of June 5, 2008 the Planning Commission has reached the following determinations with respect to the Project:

1. All local, county, state and federal laws, rules and regulations pertaining to the emission of odor, dust, smoke, gas, noise, vibration and the like, will be met at all times during operation of any Recycling Transfer Station.
2. All exterior lighting shall be in accordance with Section 525 hereof.
3. No flammable liquids, perishable, toxic, or hazardous substances will be stored at the facility.
4. No processing or manufacturing will take place within the Recycling Transfer Station.
5. All parking areas and truck maneuvering areas have been paved or treated to minimize dust and the site plan shall demonstrate provisions to contain blowing dust, trash and debris on the site.
6. No materials shall be stored outdoors.
7. No trucks, trailers or other equipment will be stored in the front yard or closer than ten (10) feet to any side or rear lot line.
8. All signs will be in compliance with the provisions of Article 21 of this Ordinance.
9. All off-street parking will be in compliance with Section 514 of this Ordinance.
10. Landscaping and Buffering will be provided in accordance with Section 531 of this Zoning Ordinance.
11. Compaction of cans will be permitted on site.
12. Recycling Transfer Station will be staffed during hours of operation.
13. No drop-off of recycling will be permitted after hours.
14. Only Clean household containers, cardboard, paper, dry-cell batteries will be accepted.
15. No liquid recyclables will be accepted.

IT IS THEREFORE FURTHER RESOLVED, that the Special Use Permit for a Recycling Transfer Station is hereby denied for the reasons set forth in this resolution.

AYES:

ABSTAINING:

NAYS:

ABSENT:

MOTION:

CARRIED

NOT CARRIED

CERTIFICATION:

I, Maureen Barry , Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of July 3, 2008.

Maureen Barry, Secretary

Draft Resolution of Denial

Bayview Condominiums of Manistee
Michael R. Wood
10130 N. Centerline Rd.
Bitely, MI 49309

Mr. Jon Rose
Community Development
City of Manistee
P. O. Box 358
Manistee, MI 49660

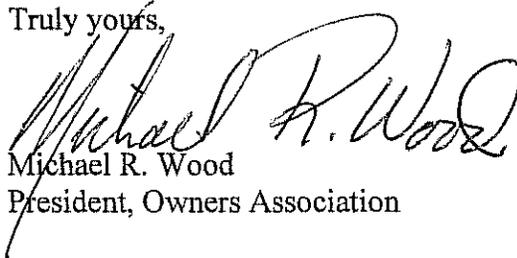
Dear Mr. Rose:

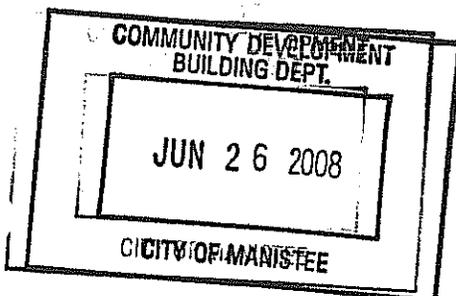
As president of the Bayview Condominiums of Manistee Owners Association, a Michigan LLC Corporation, this letter is to urge you, the City, to completely reject the Special Use Permit referenced in your June 17 memo, i.e., a Permit for a Recycling Transfer Station at 32 N. Arthur Street.

Such a waste processing facility is totally inappropriate for our neighborhood and is a complete opposite of the thousands of dollars each year that our Association spends to improve the beauty and image of Manistee Lake shoreline and the value of our properties. If this Permit Application is approved, our property value will drop dramatically, and the owners will be left with properties across from a waste site, including attendant traffic congestion, rodents, bugs, smells, and bad appearance.

Please do not approve this Permit.

Truly yours,


Michael R. Wood
President, Owners Association



Stephanie M. Wood
53 Arthur Street
Manistee, MI 49660
June 24, 2008

Mr. Jon Rose
Community Development
City of Manistee
P. O. Box 358
Manistee, MI 49660

Dear Mr. Rose:

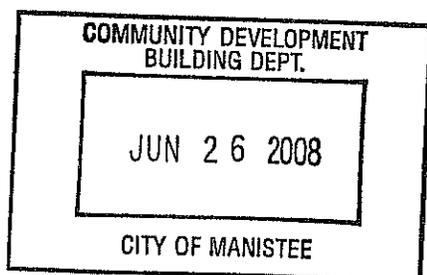
This letter is in regard to the Special Use Permit for a Recycling Transfer Station at 32 N. Arthur Street, Manistee (Reference your notification memo of June 17, 2008).

I strongly object to this Special Use Permit and urge complete rejection to its issuance in any form. My reasons for objection are many; some examples are:

- Will reduce the value of my home—who would possibly want to live directly across the street from a waste handling facility?
- Will further create traffic congestion on a U. S. highway presently known as over-crowded and with a high rate of accidents.
- Such transfer stations notoriously have appearance and noxious odor problems; they draw many forms of insects; they draw rodents; and sometimes have or emit toxic substances.
- Adding a transfer station within the City limits is totally inconsistent with the City and our neighborhood goals of appearance improvement to attract tourists and enhanced overall appeal of our city.

This type of Special Use Permit sets a lower level for development of this lakeshore area and a new low for image and use expectations.

In conclusion, I will feel betrayed if the City issues a Special Use Permit for a waste facility across from my home—with attendant health, value, and traffic risks.



Very truly yours,

Stephanie M. Wood
Property #51-51-142-011-00

Bayview Condominiums of Manistee

Jack Rutherford

303 7th Street

Manistee, MI 49660

Mr. Jon Rose
Community Development
City of Manistee
P.O. Box 358
Manistee, MI 49660

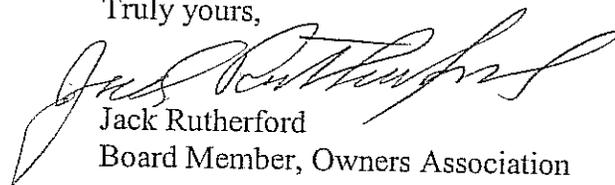
Dear Mr. Rose;

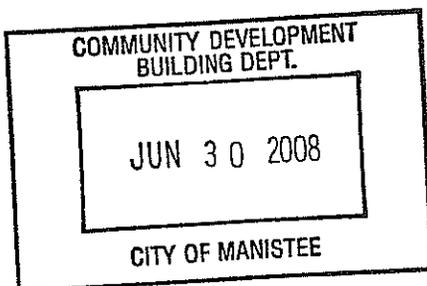
As a board member of the Bayview Condominiums of Manistee Owners Association, a Michigan LLC Corporation, I strongly urge you, the City of Manistee, to completely reject the Special Use Permit referenced in your June 17th memo, i.e., a Permit for a Recycling Transfer Station at 32 N. Arthur Street.

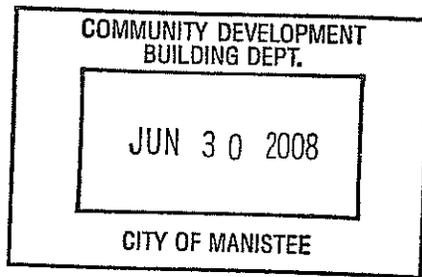
Such a waste processing facility is totally inappropriate for our neighborhood and is a complete contradiction of the thousands of dollars each year that our association spends to improve the beauty and image of Manistee Lake shoreline and the value of our properties. If this permit application is approved, our property values will drop dramatically, and the owners will be left with properties across from a waste site, as well as attendant traffic congestion, rodents, bugs, smells, and bad appearance.

Please do not approve this Permit.

Truly yours,


Jack Rutherford
Board Member, Owners Association





Galen & Pamela Hull
59 Arthur Street
Manistee MI 49660
June 27, 2008

Mr. Jon Rose
Community Development
City of Manistee
PO Box 358
Manistee MI 49660

Dear Mr. Rose

We are writing in response to the notice we received regarding the Special Use Permit for a Recycling Transfer Station at 32 N. Arthur Street Manistee.

Immediately upon receiving this note our hearts sank. The mere possibility this could happen makes us question our decision to relocate to this wonderful city. Thank goodness we at least have an opportunity to express our feelings and very strong disapproval of this permit being approved.

We did much investigation before moving to Manistee as our business allows us to live anywhere within a 500 mile radius of Manistee. One very important item that swayed our decision was that Manistee seemed to be very committed to sound planning and zoning decisions. In short we felt that there was no way planners would allow a Waste Recycling Transfer Station in an area that is plainly marketed for tourism and condominiums.

Why do we oppose, to name but a few:

- Negative impact on our property values. Please show us where a Recycling Transfer Station has increased property values.
- Smell, recycling is handling of waste...even clean waste smells.
- Congestion, it's already bad enough in this area, trucks entering/leaving the site would be very dangerous, accidents will happen, just a matter of when and how severe.
- Appearance, while there may be efforts to hide the appearance we have never seen an attractive Recycling Transfer Station.
- Rodents, even clean recycled waste has enough residue to attract rodents. There will be an increase in rodents of many kinds, raccoons, rats, mice, opossums etc etc...oh and what about the sea gulls. We all know we don't need additional reasons for sea gulls to congregate.
- Pollution, what about runoff, there will be problems here, as well.

This list goes on and on.

We agree Transfer/Recycling of Waste is a necessary part of our world. However this type of business has no business being located in this area.

It pains us to say this but if this permit is granted we will relocate. Maybe not tomorrow but it is just a matter of time until we leave.

We understand we are only one family but if the planners allow this, it will be painfully clear to us that the "quality of life" we came to enjoy here in Manistee is really not a top priority for city planners.

We thank you for this opportunity to voice our concerns and consider ourselves fortunate to live in such a wonderful place.

We are confident the decision makers will deny this request unconditionally.

Respectfully

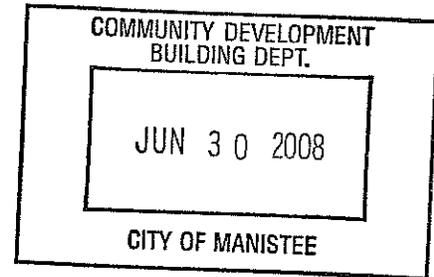
Galen L. Hull



Pamela G. Hull



June 24, 2008



Dear Mr. Rose

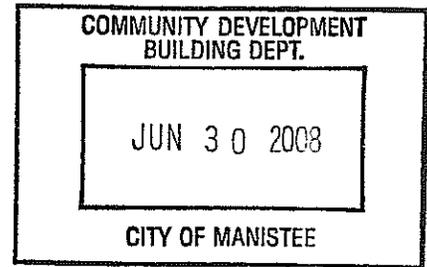
My Wife and I own a Condo at Bayview across from the proposed Recycling Transfer Station. We would like to go on record that we oppose this project and would ask that this be moved to a location that would not bring down the City of Manistee or any other Neighborhoods. The City right now is undergoing very difficult times and to put this in an area such as across from a Public launch and several Restaurants would be counter productive. Thank You

Tom and Linda Monnich

A handwritten signature in black ink, appearing to read "Linda Monnich". The signature is written in a cursive style with a large loop at the end.

Dan and Gale Zielinski
35 Arthur Street
Manistee, MI 49660
June 26, 2008

Mr. Jon Rose
Community Development
City of Manistee
P.O. Box 358
Manistee, MI 49660



Dear Mr. Rose:

This letter is in regard to the Special Use Permit for a Recycling Transfer Station at 32 N. Arthur Street, Manistee (Reference your notification memo of June 17, 2008).

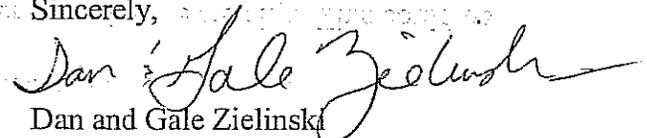
I strongly object to this Special Use Permit. I urge complete rejection to its issuance in any form. Some of my reasons are listed below:

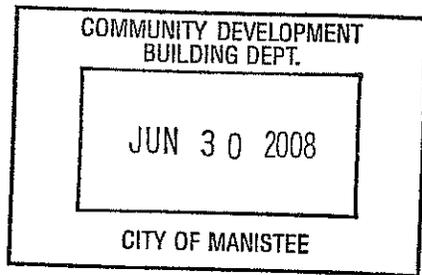
- Prior to purchasing property in Manistee, we did a lot of research on many cities and towns in northern Michigan. Based upon the city's plans for improvements and beautification, to draw in business as well as tourism, we made the decision to invest in Manistee. Placing a transfer station in town seems to be the complete opposite direction from what the city intended to do.
- This is on a U.S. highway where people enter and leave the city. This could be the 1st and last impression that visitors have of Manistee. Is this really the image that our city wants to portray to our guests?
- This area is surrounded by restaurants, hotels, personal residents, and parks with public access to the lake. The city is also spending money to improve access to Manistee Lake. Why would we put a transfer station near this area? All it will do is drive property values down, and drive people out of the area.
- Such transfer stations have appearance and noxious odor problems; they draw many forms of insects; they draw rodents; and sometimes have or emit toxic substances not to mention the proximity to the lake. How can we, in good consciences, permit actions that could further contaminate our lake and damage our eco-system?

This type of Special Use Permit does not promote improved development of the Manistee lakeshore area and in no way beautifies or makes it desirable to be in the area.

In conclusion, with the health concerns, property value, and not to mention the appearance this facility will have being across from my home, I can only sum up my feelings for this issue with one word, **unacceptable**.

Sincerely,


Dan and Gale Zielinski



Hank E. Hull
51 Arthur Street
Manistee MI 49660
June 27, 2008

Mr. Jon Rose
Community Development
City of Manistee
PO Box 358
Manistee MI 49660

Dear Mr. Rose

I am writing to voice my opinion against the proposed Special Use Permit for a Recycling Transfer Station at 32 N. Arthur Street Manistee.

I *strongly* oppose issuance of this special use permit.

My reasons against are many and include:

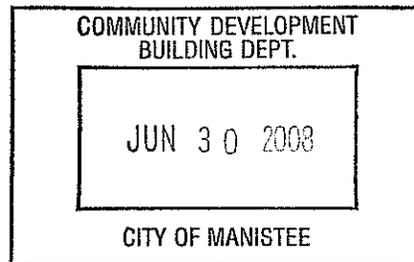
Devaluation of my condo, odor problems, traffic congestion problems, an eyesore, environmental problems with runoff.

I did not purchase my condo to live near a Recycling Transfer Station nor in my wildest dreams did I think the P&Z folks would consider such a permit for this type of business, locating in this area.

Surely there are better places to locate this type of business, such as an industrial park of some sort.

Thank you for the opportunity to voice my concerns and please make the right decision by denying this Special Use Permit. Let's keep Manistee a great place to live where quality of life is first and foremost.

Yours Truly
Hank E. Hull



Manistee City Planning Commission
PO Box 358
Manistee, MI 49660-0358

June 26, 2008

Attn: Jon Rose, Community Development
Re: Special Use Permit Recycling - 32 Arthur Street

Dear Commissioners:

I bought my home across the street ten years ago, for the peace and quiet of the lake and lake living. I am hoping to retire there and enjoy the treasures of this quiet town. The last thing I ever would want is a transfer recycling center across the street from my home.

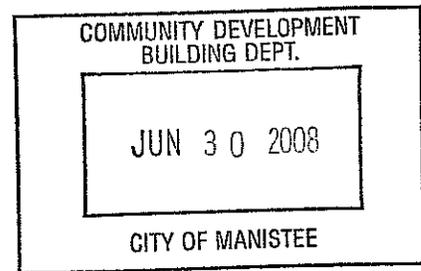
Sir, I pay very high taxes for this home as it is a second home for me and I don't receive a homestead credit. I've paid my taxes every year for ten years and wish my property value not to go down due to this type of activity.

I strongly urge you and all commissioners to do what ever is necessary to turn this request down. It's for the betterment of the city, street and neighborhood.

Thank you very much,

Jan W. Burger
41 Arthur Street
Manistee, MI
(810) 499 5132

Sage and Robert Roy
55 Arthur St
Manistee, MI 49660
989-798-0298



Mr. Jon Rose
Community Development
City of Manistee
PO Box 358
Manistee, MI 48660

Dear Mr. Rose:

We are writing in response to the notice we received regarding a Special Use Permit for a recycling transfer station at 32 Arthur St, Manistee.

We vehemently object to the issuance of this permit. We live directly across the street and placing a waste transfer facility in this location would decrease our property values dramatically. We can't imagine anyone, including us, would want to live across from such a facility, which are notorious for appearance and odor problems.

We purchased property in Manistee because of the efforts of the city to preserve the beauty of the lakeshore. Adding a transfer station on the main thoroughfare is completely inappropriate and inconsistent with these efforts.

We strongly urge you to reject this permit.

Sincerely,


Sage Roy


Robert Roy

Ketha J. Beckstrom
45 Arthur St.
Manistee, MI 49660

June 23, 2008

Mr. Jon R. Rose
Community Development
City of Manistee
PO BOX 358
Manistee, MI 49660

Dear Sir:

I received your letter dated June 17, 2008 regarding the hearing on the special use permit at 32 Arthur ST. -- "Recycling Transfer Station."

I like most of my friends and neighbors who live close to 32 Arthur ST. will be unable to attend the meeting as it is scheduled for the evening of July third. I find it incredible that you would schedule a meeting on such an important topic on the eve of the fourth of July. I wonder aloud how many politicians in city hall would like to have primary night on July the third, some how I doubt we shall see that any time soon.

As it relates to the recycling transfer station, I have some questions I would like answers:

Is a DEQ permit required, and if so will there be a hearing held by the DEQ?

Will there be on-going plans for smell and vermin mitigation?

Will there be a requirement that dumpsters be inside, and or be covered at all times?

Given this is now the second location choice for the transfer station is there a third or fourth location better suited for such an operation?

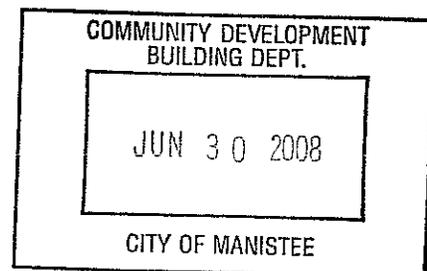
I believe in the recycling process, it is a must in today's world, and I have done it for several years. To the best of my knowledge I do not suffer from NIMBY-IT IS, but I believe there must be a much better location for a recycling transfer station, maybe not next to a restaurant or the lake. I do hope more thought is put into the location of the transfer station then was put into the date of the hearing.

As a tax payer I do look forward to your reply to my letter, I am anxious to review your answers.

Sincerely;

Ketha J. Beckstrom

Ketha Beckstrom
45 Arthur St
Manistee, MI 49660



MANCINO OF MANISTEE

July 1, 2008

City of Manistee

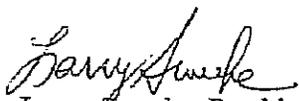
ATTN: Jon Rose

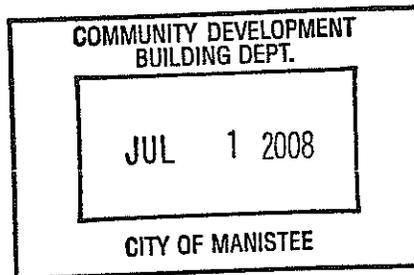
Planning Commission

RE: 32 Arthur Street Recycle Petition

Dear Mr. Rose

Please be advised that Mancino's Manistee strongly objects to the application petition requested for 32 Arthur Street for a recycle station.


Larry Sweebe, President



David & Lisa Sweebe
65 Arthur Street
Manistee, MI. 49660
July 2, 2008

Community Development
City of Manistee

ATTN: Mr. Jon Rose

RE: 32 Arthur Street Recycling Transfer Station

Dear Mr. Rose

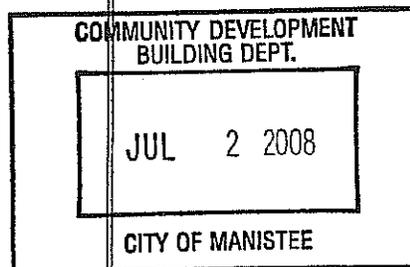
We are residents of the Bayview Condominiums. We strongly oppose the Special Use Permit for such a recycling transfer station. Our major concerns are that it will reduce the value of our property and be a large eye sore along US-31.

We have driven past the site on Highway-55 and noticed all the loose debris and feel that this recycling transfer station will resemble nothing more than an unattractive dump site.

Sincerely,

Mr. & Mrs. David Sweebe

Mr. & Mrs. David Sweebe



July 2, 2008

Planning Commission
ATT: Denise Blakeslee
Community Development Office
City Hall
PO Box 358
70 Maple St.
Manistee, MI 49660

Dear Members of the Planning Commission,

This letter is in regards to the request of Russell Edenburn for a Special Use Permit for a Transfer Recycling Station on Arthur St.

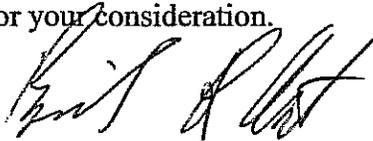
My family supports Mr. Edenburn's request for several reasons. Mr. Edenburn is committed to employing the chronically unemployed and disabled population in this recycling business. I am sure the Planning Commission is familiar with the recycling facility operated by Community Mental Health in the Industrial Park, 100 South Glocheski Drive, Manistee, MI prior to Mastech Inc. purchasing the property. The recycling operation was a clean, presentable site of which the community was proud. The CMH recycling business also employed the County's disabled population in it's operation.

The benefit of a recycling operation in terms of the environment is obvious and should not need to be defended by me or any party.

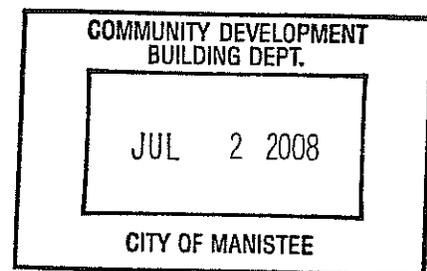
I am certain the Planning Commission is able to address the community's concerns regarding the cleanliness of the Arthur St. recycling operation within the parameters of the Special Use Permit.

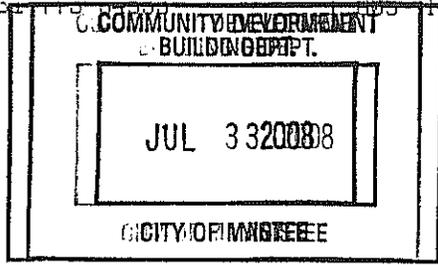
I would ask that this letter be read aloud at the Public Hearing on Thursday evening, as I will not be able to attend the meeting.

Thank you for your consideration.



Reginald Asplet
294 1st Ave.
Manistee, MI 49660





4/3

Mr. Jon Rose
Director, Planning
City of Milwaukee

VIA FAX @ 31-723-1546

Dear Mr. Rose:

I am writing to express my opposition to the transfer station proposed to be constructed at the former car wash @ 32 Arthur Street (US 31.)

We are the owners of the following properties

- 61 Arthur Street
- 63 Arthur Street
- 67 Arthur Street
- 69 Arthur Street
- 71 Arthur Street
- 73 Arthur Street
- 75 Arthur Street
- 91 Arthur Street

and as you know, we are the developers of Bayview Condominium Project located across the street from the car-wash. When we proposed & then constructed this development, which is the first residential development on Milwaukee we took a risk, in partnership with the City, that people would find the development attractive. I say in partnership, because the City reviewed and approved our land use & site plan thru their processes.

So far 15 people have embraced the idea

that Bayview is a great place for a primary or vacation home.

The approval to construct a Transfer Station at this location would have a high negative impact on Bayview and our ability to develop additional units. Transfer Stations process garbage - carried by garbage trucks, which leak leachate, cause dust and debris, spill hydraulic fluids and are the source of odors. Can you imagine the smell from fish offal & the impact on residences & businesses in the area?

Our development will eventually create 8-10 million dollars of new value in the City. This is "easy money" for the City as practically no load is put on the City infrastructure or services by the development. Schools will get the tax dollars, but will get no new students. This a great deal, but the Transfer Station puts this at risk.

A Transfer Station at this location makes no sense from several perspectives. From a land use sense, the existing uses are - recreational, residential & commercial (primarily, restaurants). A Transfer Station is a processing plant and belongs in an industrial zone or industrial park, of which the City has plenty of room to accommodate in their existing industrial parks. It does not belong on Artaur Street.

3/3

From a planning perspective, a transfer station at this location also makes little sense. US-31 is the major through fare thru Manistee and likely millions of people pass thru on this route each year. Is a Transfer Station with its blowing papers, odors and other negatives, the impression that the City of Manistee wants to have imprinted on each person that passes by this facility?

I hope not and ask that you reject this proposal.

Sincerely:
Linden Court Development Inc.
Ken W. Henley



PLANNING AND ZONING
COMMUNITY DEVELOPMENT
231.398.2805
FAX 231.723-1546
www.ci.manistee.mi.us

MEMORANDUM

TO: Planning Commissioners

FROM: Jon R. Rose 
Community Development Director

DATE: June 26, 2008

RE: City Marina - Renovations

Commissioners, the City of Manistee is proposing to make renovations to the Marina Building at 480 River Street. This request does not change the footprint of the existing building just changes are being made to the elevations of the building.

Buildings in the C-3 Central Business District can be constructed to a height not to exceed 50 feet. This request meets the height requirements.

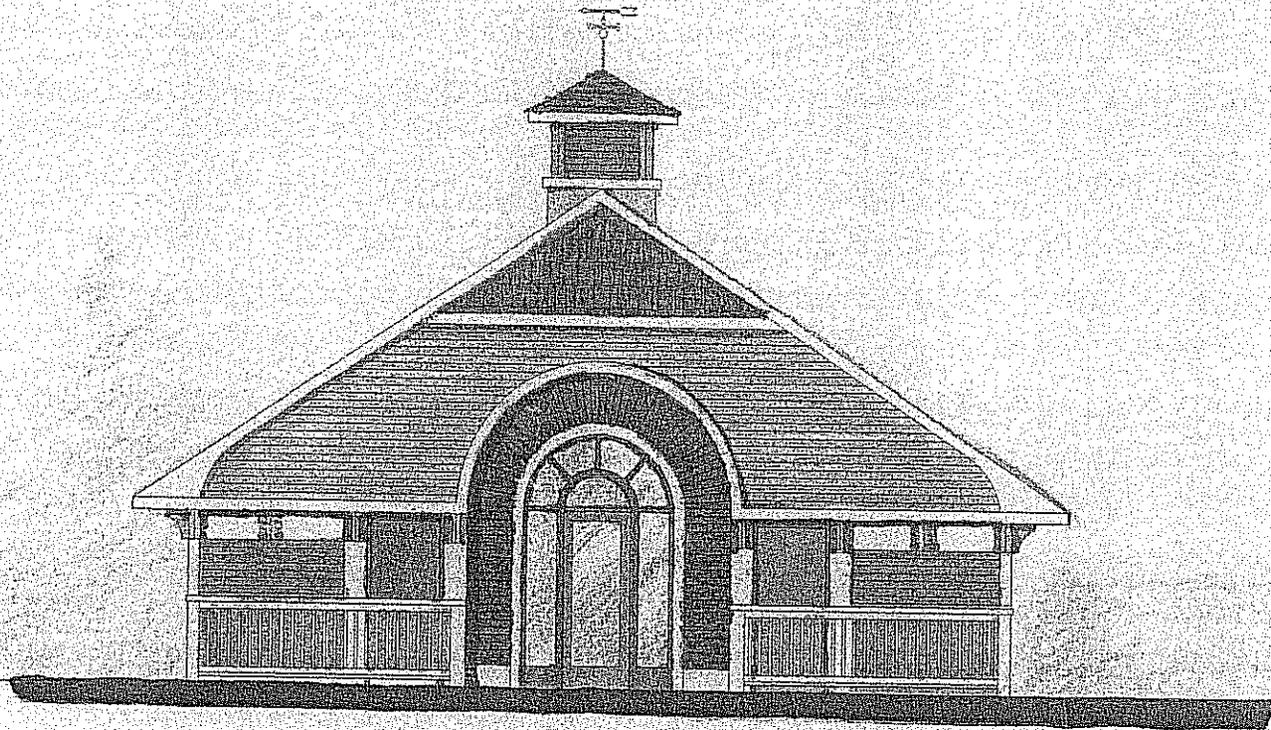
A copy of the plans are enclosed for your review.

JRR:djb

Proposed Manistee Marina



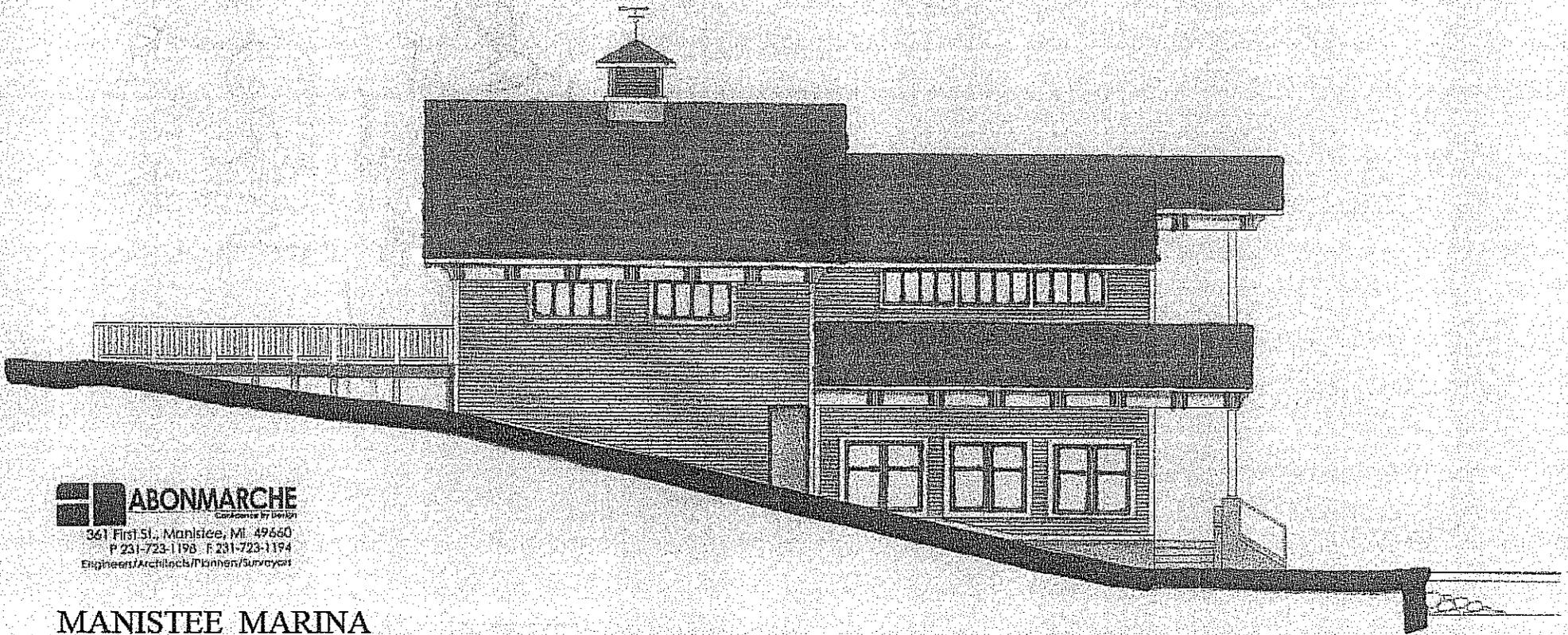
June 23, 2008



Confidence By Design

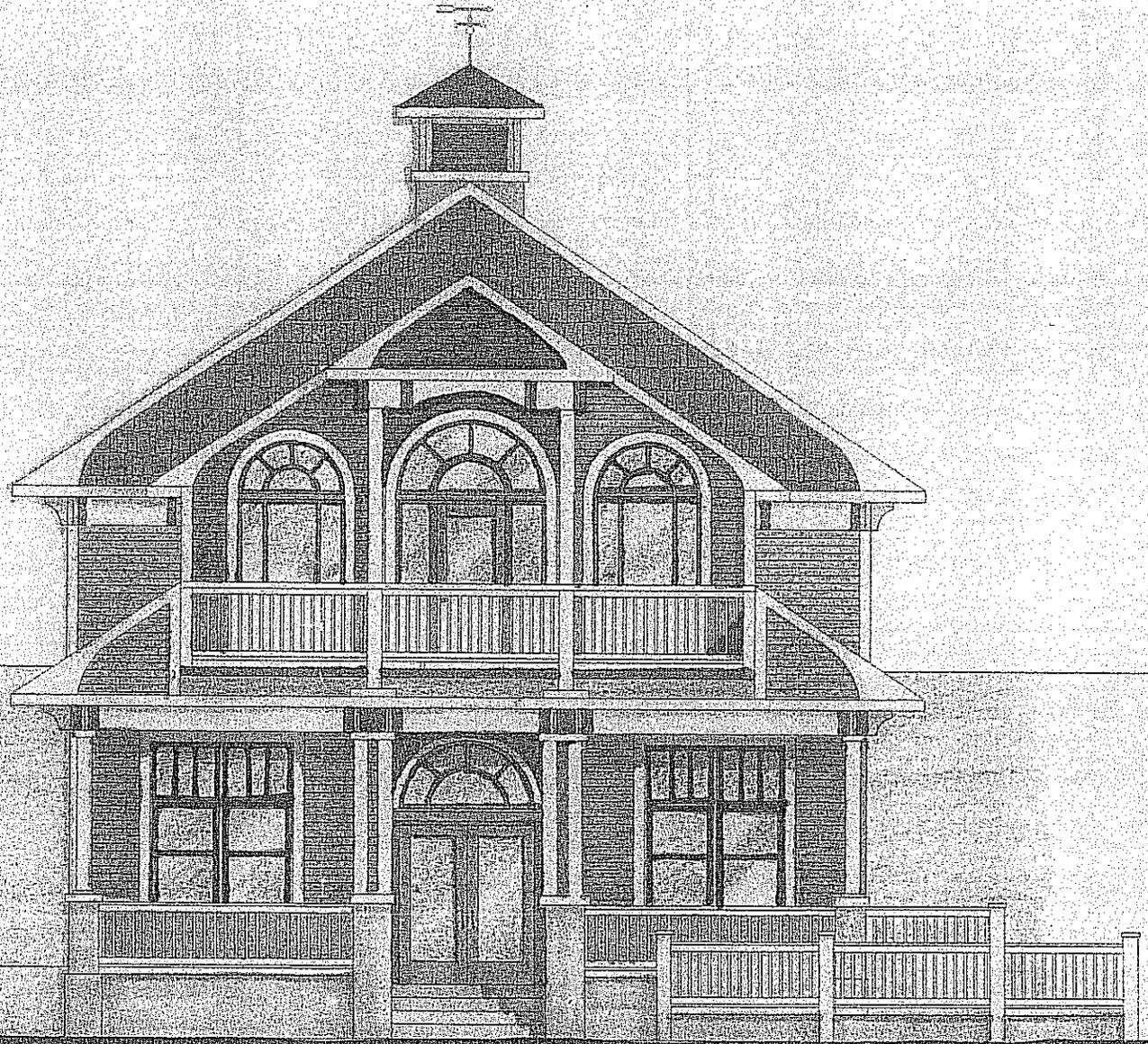
361 First St., Manistee, MI 49660
P. 231-723-1198, F. 231-723-1194
Engineers/Architects/Planners/Surveyors

MANISTEE MARINA
DOWNTOWN ELEVATION
6-23-08



 **ABONMARCHE**
Confidence by Design
361 First St., Manistee, MI 49660
P 231-723-1198 F 231-723-1194
Engineers/Architects/Planners/Surveyors

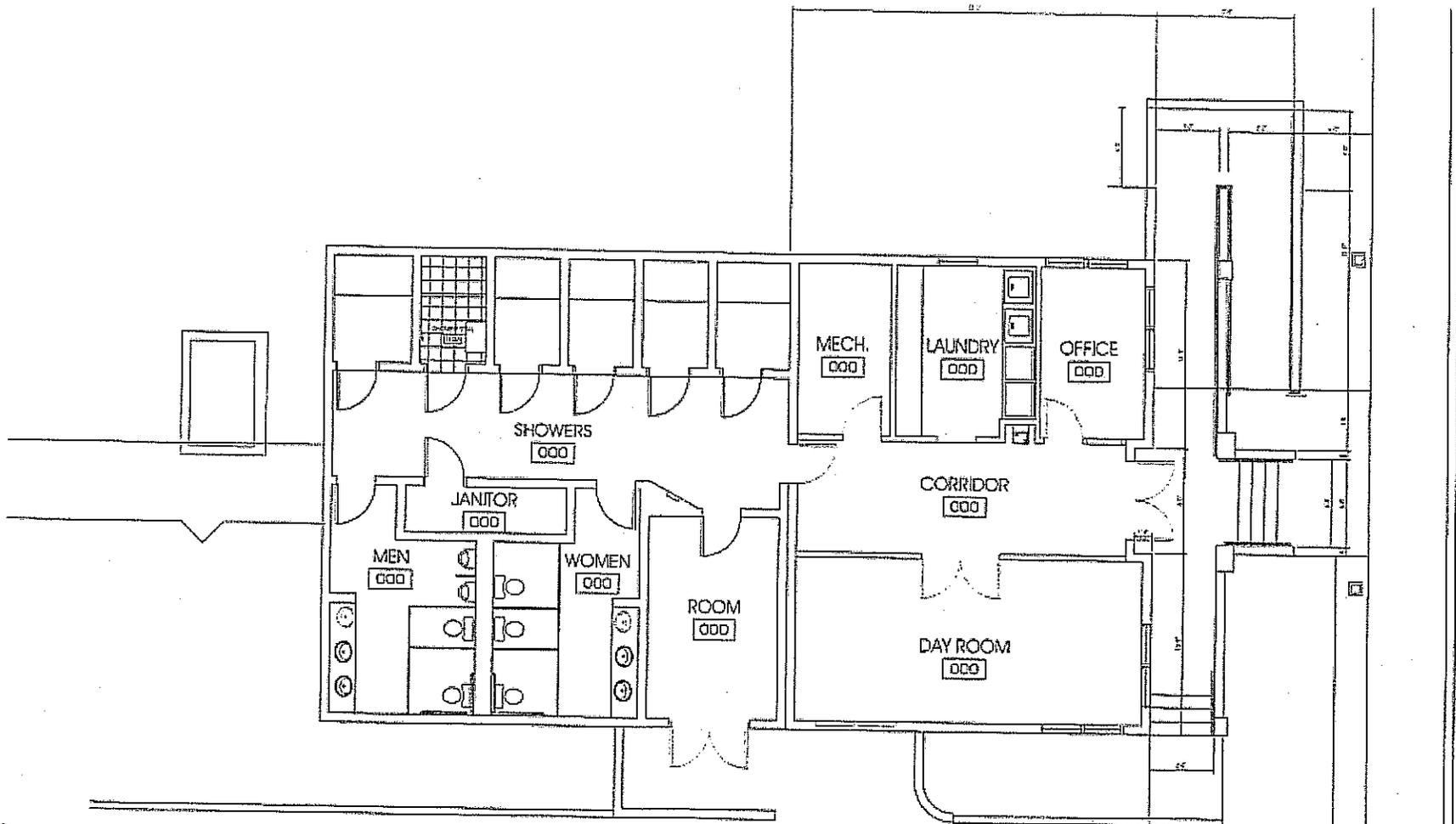
MANISTEE MARINA
EAST ELEVATION
06-23-08



 **ABONMARCHE**
Craftsmanship By Design

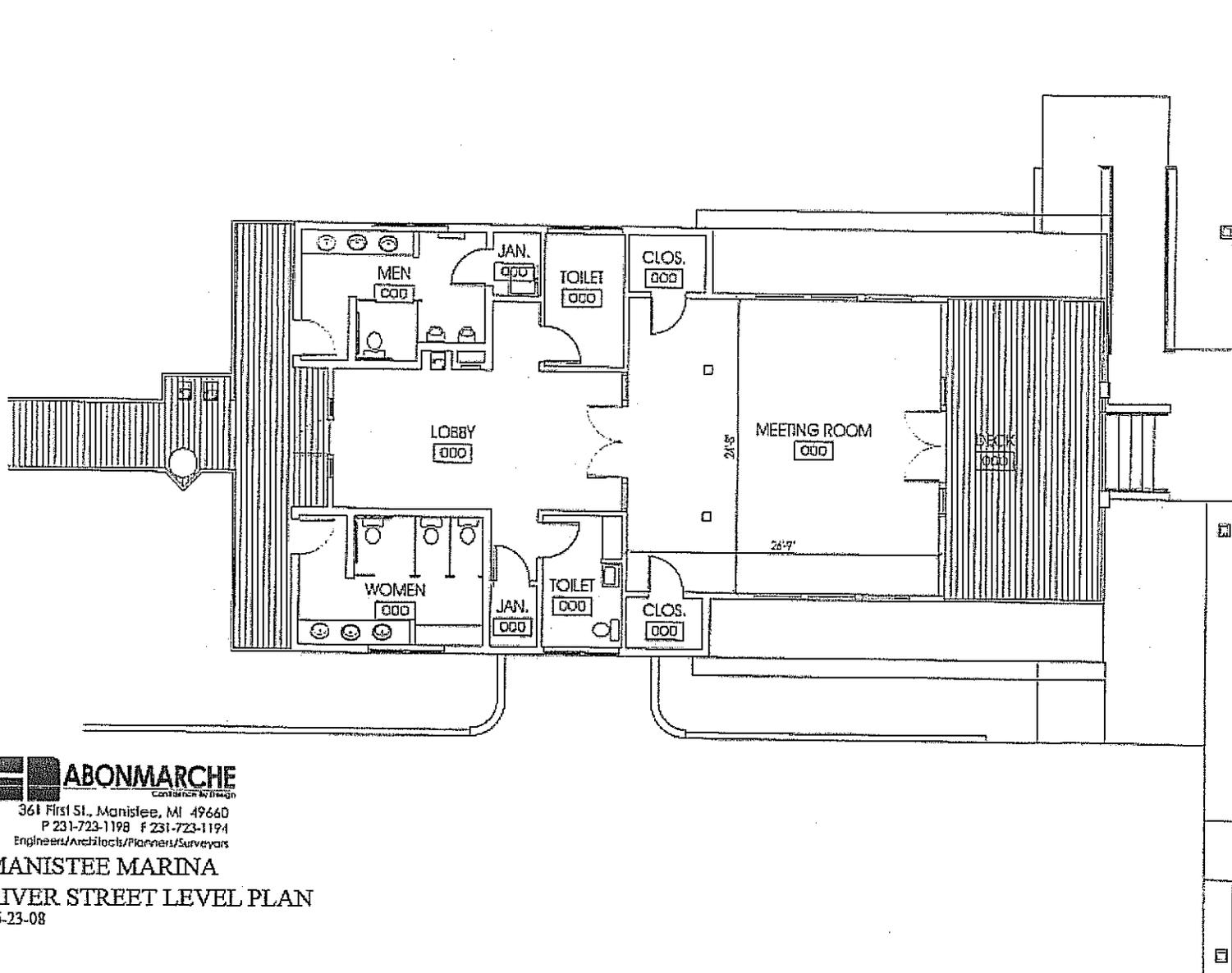
361 First St., Manistee, MI 49660
P 231-723-1198 F 231-723-1194
Engineers/Architects/Planners/Surveyors

MANISTEE MARINA
WATER SIDE ELEVATION
06-23-08



361 First St., Manistee, MI 49660
 P 231-723-1198 F 231-723-1194
 Engineers/Architects/Planners/Surveyors

MANISTEE MARINA
 MARINA LEVEL PLAN
 06-23-08



ABONMARCHE

Contractors by Design

361 First St., Manistee, MI 49660

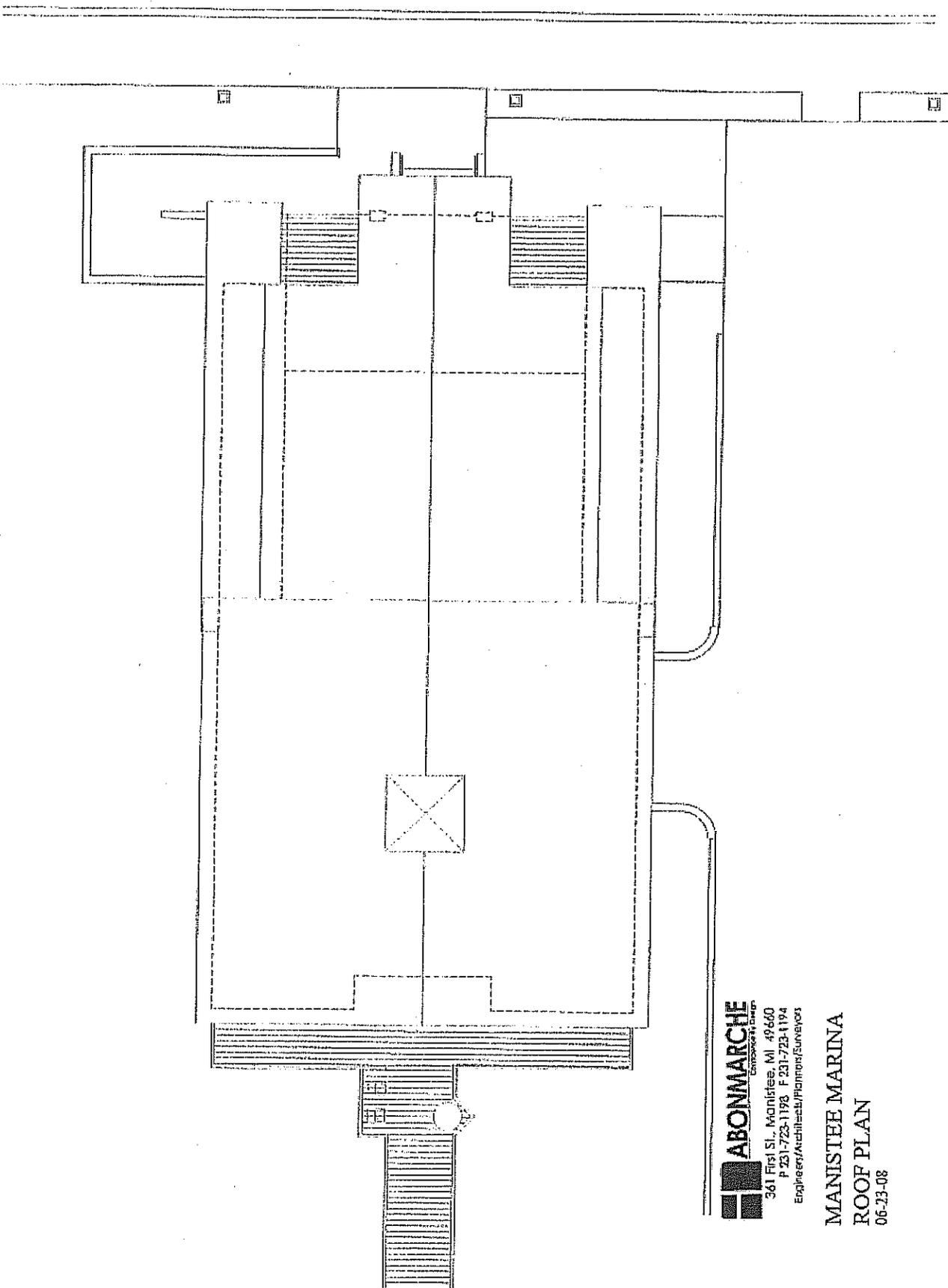
P 231-723-1198 F 231-723-1194

Engineers/Architects/Planners/Surveyors

MANISTEE MARINA

RIVER STREET LEVEL PLAN

06-23-08



ABONMARCHÉ
Contractors & Design
361 First St., Manistee, MI 49660
P 231-723-1193 F 231-723-1194
Engineers/Architects/Planners/Surveyors

MANISTEE MARINA
ROOF PLAN
06-23-08

MEMORANDUM

TO: Jon Rose, Director of Community Development
City of Manistee

FROM: Jay Kilpatrick, AICP
Michael Clark, Planner

DATE: June 20, 2008

RE: Review of Goals

This memo is in response to your request for a review of the goals formed by the Planning Commission. Each goal has been reviewed based on how it addresses the four criteria as presented in the March 3, 2008 memo. The criteria for each goal are as follows:

- defines a desired end;
- is stated in positive terms;
- is bold, but realistic and;
- reflects a consensus.

Infrastructure

1. *Manistee will have a strong infrastructure that supports all current businesses, residents, visitors and that encourages future development. In addition to traditional infrastructure components, Manistee will also be positioned with current technology and support systems to remain an excellent choice for its residents and businesses.*

This goal is stated in positive terms and likely reflects a consensus, however it may not fully define a desired end or be bold. Further explanation of what would constitute a strong infrastructure and how it will encourage future development may strengthen this goal. Greater clarity may be achieved with the objective statements. For example, saying, "The City of Manistee will establish regulations to encourage the use of alternative energy where appropriate," may help provide a tangible concept for the end for this goal.

Walkability / Non-Motorized Community

1. *Manistee will have an extensive and safe system of walkways with universal access to effectively and efficiently connect its residents and visitors to businesses, schools, parks, beaches, and waterfront.*

This goal is consistent with all four criteria.

Green Initiative

2. *Manistee will be federally recognized as a "Green Community". It will be utilizing "% Renewable energy including energy generation and energy conservation; it will have "% recycled programs in operation; it will require new businesses to demonstrate "green" development plans.*

This goal is stated in the positive. However, does it reflect a community consensus? The goal is bold, however depending on the percentages desired, it may not be realistic. Requiring that new business demonstrate "green" development plans could be challenged because current enabling legislation does not address this concept. Therefore, one objective might be to evaluate the extent of the City's authority for such a mandate. Alternatively, the city may provide incentives such as reduced setback requirements, increased density, or similar benefits for developers who demonstrate green development plans.

Note that the EPA Green Community Program does not list specific standards for overall communities; however, the EPA recommends that individual projects utilize alternative energy for 10% of its total usage.

Maintain Small Town Character

3. *Manistee's small town character will be preserved by maintaining property, continuing improvements to the downtown, protecting existing neighborhoods, and caring for the beaches and parks located within the City.*

This goal is stated in positive terms and likely reflects a consensus, however it is not particularly bold as it describes something currently being done which will likely continue. It may be made more explicit by focusing on some of the descriptive elements (i.e. downtown or neighborhoods) and describing what they will be like in 25 years.

Housing Choices and Opportunities

4. *The City will have stable neighborhoods with socio-economic diversity and a blend of singles, retirees, and families.*

This goal is consistent with all four criteria.

Intergovernmental Cooperation

5. *All of the local and regional planning and governmental bodies will be working collaboratively to enhance a steady and smart growth for Northwest Michigan - A Planning Coalition or Alliance will be created for Manistee Lake.*

This goal is consistent with all four criteria.

Natural Resources / Parks

6. *Manistee's parks, beaches, waterways and natural resources will be maintained in a clean and healthy state while being preserved and protected for future generations as a premier destination in Northwest Michigan.*

This goal is stated in positive terms and likely reflects a consensus. The part of the goal referring to becoming a premier destination in Northwest Michigan is bold yet realistic. The goal however may not fully define a desired end because the goal only seeks to maintain the existing condition of the parks, beaches, waterways, and natural resources. Greater clarity may be achieved with the objective statements.

Growth Management

7. *Manistee will have a smart balance of residential, industrial and business development while maintaining its unique character. Manistee will have "100%" of its industrial park and "100%" of the renaissance zone occupied. Manistee will have a thriving downtown with "100%" of its buildings occupied with businesses and residential living.*

Meets all four criteria and is a very compelling and well stated goal.

MEMORANDUM

TO: Jon Rose, Director of Community Development
City of Manistee

FROM: Michael Clark, Planner
Jay Kilpatrick, AICP

DATE: June 20, 2008

RE: Viewshed and View Corridor Protection

Per the work scope, this memo provides an overview of alternative techniques to protect viewsheds and view corridors. This report follows research of techniques, processes, and ordinance language adopted by other municipalities.

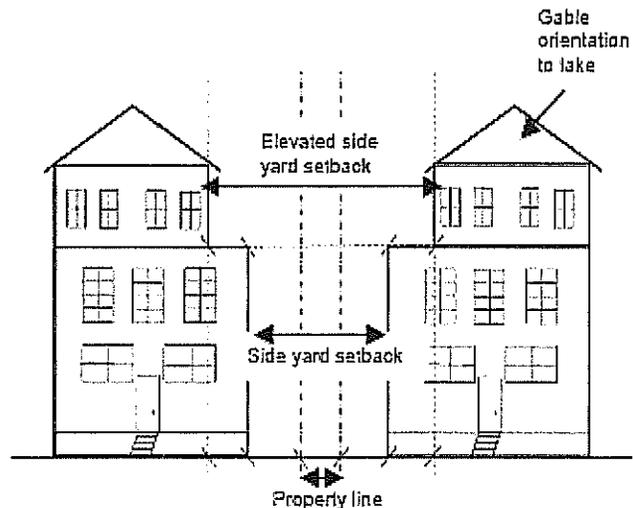
The main difference between viewsheds and view corridors is how they are framed. A view corridor is typically the quick glimpse of a focal point off in the distance between two buildings, down a road, or through a row of trees. A view shed is an unobstructed sweeping panoramic view, often from an elevated point or within an open area.

Process: The first step in establishing a viewshed protection ordinance is the creation of a viewshed and view corridor inventory. A combination of tours, workshops, and charrettes would allow the City to identify viewsheds or corridors that focus around particular elements such as natural features including the river, lakes, hillside, scenic vistas, and man-made elements such as an historic building. Additionally, the City should identify what aspects of those views would need to be protected.

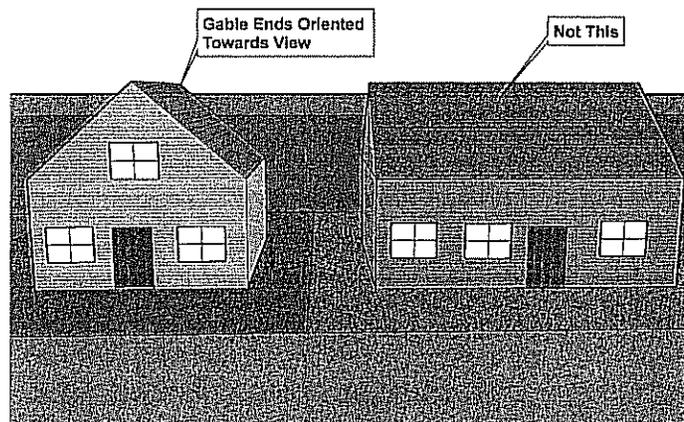
The remaining step would be to identify appropriate techniques to incorporate into the ordinance. These techniques could be added to design standards, as part of a stand-alone set of regulations, or they could be included as part of an overlay district. Below are some of the techniques used by other municipalities to protect viewsheds and view corridors.

Building Height: Building height limitations have been used to protect viewsheds. By allowing increased building height further from a point of interest or regulating building height based on surrounding building heights and features, a community can prevent property owners from blocking important views of other property owners. The City of St. Joseph established an overlay district, which regulates building heights based on the existing topography and distance from the water.

Elevated Side Yard Setbacks: Elevated setbacks will allow the distance between the sidewalls of adjacent buildings to increase as the elevation increases. For example, a structure may only have a 10-foot side yard setback at grade, but it will also have a 15-foot elevated setback for the third floor. This reduces the bulk of a building while opening up the view for upper floors in addition to opening up corridors for air and sunlight to pass through.

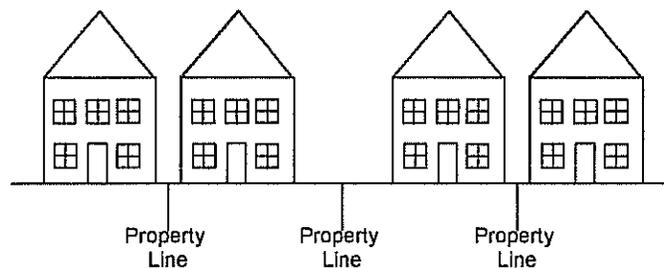


Building Orientation: When the gable ends are oriented toward the view, a greater corridor is provided above the sloped roof. For example, the City of Grand Haven requires the following:



“Rooflines with the lowest elevation at or above 20 feet above the median natural grade for the most proximate side of the building footprint shall be pitched at slopes of not less than 6:12. Where important viewsheds exist and for viewsheds of any upgradient improved properties, gable ends of roofs shall face generally easterly toward Lake Michigan and dormers on northerly or southerly roof faces and skylights that project above the predominate roof deck by more than six inches shall not be located at an elevation greater than 25 feet above the median natural grade for the most proximate side of the building footprint.”

Side Yard Requirement: Another technique is allowing flexible setbacks to allow developments to maximize openings between buildings. For example, instead of requiring a uniform 10-foot side yard setback, a community could reduce one side yard setback to 5 feet, if the other side is 15 feet, and require the adjacent property to do the same, creating a 30-foot opening between buildings.



Maximum Building Width: Limiting the total building width can prevent large continuous buildings from being located along desirable viewsheds. One example of this is in East Bay Township where the maximum building width

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June 20, 2008

Page 3

between US 31 North and Grand Traverse Bay is limited to 150 feet as measured parallel to US-31 North.

View Corridor Analysis: The City could also create language to require a view corridor analysis be prepared by the applicant as part of the site plan submittal. This would help to sensitize applicants to the issue and provide the Planning Commission with documentation to evaluate.