

# MANISTEE CITY PLANNING COMMISSION

Meeting of August 1, 2019 - 7:00 p.m.  
Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan

## AGENDA

### I Call to Order

Pledge of Allegiance

### II Roll Call

### III Approval of Agenda

At this time the Planning Commission may approve the August 1, 2019 Agenda.

### IV Approval of Minutes

At this time Planning Commission may approve the July 19, 2019 meeting Minutes.

### V Public Hearing

1. 168 Harrison Street: Street Vacation Request

### VI Public Comment on Agenda Related Items

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate this portion of the meeting.

### VII New Business

1. 168 Harrison Street: Street Vacation Request
2. 160 10<sup>th</sup> Street Special Use Permit

### VIII Old Business

1. 294 12<sup>th</sup> Street Special Use Permit

### IX Public Comments and Communications

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate this portion of the meeting.

### X Correspondence

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

### XI Staff Reports

1. Marihuana Special Use Permit Process/Update
2. Railroad Relocation

### XII Members Discussion

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

### XIII Adjournment

**CITY OF MANISTEE PLANNING COMMISSION**

70 Maple Street  
Manistee, MI 49660

**MEETING MINUTES**

July 11, 2019

A meeting of the Manistee City Planning Commission was held on Thursday, July 11, 2019 at 7 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Wittlieff followed by the Pledge of Allegiance.

**ROLL CALL**

Members Present: Rochelle Thomas, Marlene McBride, Pamela Weiner, Roger Yoder and Mark Wittlieff

Members Absent: Michael Szymanski and Bob Slawinski

Others: Kyle Storey (City Zoning Administrator), Mike Szokola (GIS/Planner 1), Nancy Baker (Recording Secretary)

**APPROVAL OF AGENDA**

Motion by Commissioner Thomas, second by Commissioner Yoder to approve the July 11, 2019 Agenda as printed.

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

Yes: Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

**APPROVAL OF MINUTES**

Motion by Commissioner McBride, seconded by Commissioner Thomas that the minutes for the June 6, 2019 Planning Commission Meeting be approved as prepared.

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

Yes: Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

**PUBLIC HEARING**

There was no Public Hearing.

**PUBLIC COMMENT ON AGENDA RELATED ITEMS**

Shawn Middleton, 558 First St., has applied for a deck extension to his house. His property is located in the questioned area of waterfront setbacks where the properties do not abut to the water. He requested consideration to allow the construction of his deck and for the Planning Commission to adjust the waterfront setbacks in this area.

**SPECIAL PRESENTATION(S)**

There were no Special Presentations.

**NEW BUSINESS**

**Site Plan Size Requirements**

Mr. Storey stated applications require an 11" x 17" site plan which are very difficult to read. He requested the application site plan requirements be changed to a full-size plan of 24" x 36".

Motion by Commissioner Yoder, seconded by Commissioner Thomas to approve changing the site plan size requirement from 11" x 17" to the full size of 24" x 36".

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

Yes: Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

#### **Home Business Registration Request**

Mr. Storey read the Home-Base Business Registration Request. The Planning Department recommends the Planning Commission consider this Business Land Use application with some conditions. Conditions to be considered: hours of business 9am-5pm, proper ventilation or noxious odor emittance, proper disposal of material per EGLE guidelines and business items be completely contained within the business (not stacked, piled, stored or left outside the business building). The homeowner has contacted the EGLE and received a response giving defined disposal methods that are prohibited.

Mike and Cassandra Munsel, 317 7<sup>th</sup> St, answered questions of their homebased business. They requested clarification regarding the fumes and noises. The business is for small engine business repair.

Mark Lijewski, 375 7<sup>th</sup> St, has concerns of smell and possible noise from the business.

The Planning Commission discussed possible ways to help the business thrive and to accommodate the neighbor(s). Conditions of the permit were discussed: insulation of the west garage wall, venting the ceiling to the east, hours of business 9 am- 5 pm, decibel noise no higher than the highest chainsaw decibel and a sunset clause (if the owners move the business does not move with them or the applicant can terminate the business).

Motion by Commissioner Yoder, seconded by Commissioner McBride to approve the homebased business with the conditions as listed above.

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

Yes: Thomas, Weiner, McBride, Yoder and Wittlieff

No: None

#### **OLD BUSINESS**

##### **900 Vine Street Update**

Mr. Storey stated the business will be putting up a 50' x 6' tall buffer fence with a bench and bushes to offer a privacy smoking area. Mr. Storey stated he will follow up with a site visit.

##### **Sign Ordinance Review**

Mr. Storey stated the sign ordinance has conflicting documentation. It is a word document with tables. He shared sign ordinance examples from other counties which have images with clear definitions. He recommended the sign ordinance be amended with a possible fall timeline. It was suggested that a statement be added so new tenants to a business must come up to code with the sign ordinance. Right now, the signs are in a grandfather clause. Signs that are no longer in use will have ordinance changes.

##### **FEMA Maps Report—Waterfront Yards**

Mr. Storey spoke of the FEMA Map Update. Mr. Szokola explained the VE, AE, AO, A and X FEMA designated areas and flood zones. The FEMA information was comprised from the last 150 storm activities in the last 50 years. A FEMA meeting will be held in Manistee. The public is welcome to attend. FEMA will be available to answer questions on particular parcels and flood insurance. This meeting will be posted in the local newspaper, notice mailings to the townships, on the city and county websites.

Mr. Storey is to issue land use permits for the area in question and to follow the present setbacks for these permits.

The Planning Commission decided to leave the setbacks as is until after the FEMA meeting. At this time the questions regarding parcels that do and do not abut to the water can be presented to FEMA and receive assistance from FEMA in determining the setback issue. The waterfront setback situation will be revisited after this information is gathered.

**PUBLIC COMMENTS AND COMMUNICATIONS**

There was no Public Comment and Communications.

**CORRESPONDENCE**

There was no Correspondence.

**STAFF**

Mr. Storey and Mr. Szokola reported on several items.

Marihuana Special Use Permit Process/Update: 7 applicants were received, they were reviewed, 1 was complete, several were resubmitted with 1 of them resubmitted before the 30-day deadline and 3 after the deadline. A Special Public Hearing will be needed to have the Planning Commission review these plans. It was decided to set the meeting for Thursday, August 15<sup>th</sup> at 3 pm. A meeting location will be announced at a later date. Decision announcements will be made at the Planning Commission September regular meeting.

Hollander Development Street Vacation/PUD: The street vacations are for future affordable housing development. The vacation request is being worked through and will be brought to the Planning Commission in the near future. The location of this development is at the Oleson Lumberyard area.

294 12<sup>th</sup> Street Development Draft: This is a self-storage building. They have reapplied for a special permit. There are 5 or more phases that need to be accomplished to complete the development.

Housing North Meeting: Housing needs have been looked at for the cost of living, the need for affordable and lower income housing in Manistee.

Trail Update: Sidewalk inventory has been completed. A table for the trail segments will be set up at Onekama's block party, other county events and the outlet sales in Manistee. The public have communicated a great interest in trail development. Many have shown an interest in volunteering to help with the trails.

**MEMBERS DISCUSSION**

The Commissioners complimented the staff on their hard work and the many areas that are being worked on.

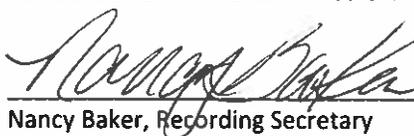
**ADJOURNMENT**

Motion by Commissioner Yoder, seconded by Commissioner Thomas that the meeting be adjourned.

MOTION PASSED UNANIMOUSLY. Meeting adjourned at 8:51 pm.

The next regular meeting of the Planning Commission will be held on August 1, 2019.

MANISTEE PLANNING COMMISSION

  
Nancy Baker, Recording Secretary



**PLANNING DEPARTMENT**  
**Kyle Storey**  
**Zoning Administrator**  
**395 Third St. Manistee, Michigan 49660**  
(231) 398-3576  
Fax (231) 398-3526  
kstorey@manisteecountymi.gov

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Date: 7/25/2019

To: Manistee City Planning Commission

From: Kyle Storey – City of Manistee Zoning Administrator

Subject: 168 Harrison St. Street Vacation

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Dear Commission,

A street vacation has been requested for 168 Harrison Street Manistee, MI 49660. The former Olson Lumber yard owner, Art Olson, has signed off on the vacation request in support. Attached is the paperwork for the street vacation request. For reference the definition of street vacation is as follows:

- A type of easement in which a private property owner transfers the right-of-way of a public street to another private property owner.

The street vacation applicant, Joe Hollander, is in attendance for the Public Hearing regarding this issue and may answer any questions the Planning Commission has.

Thank you,

Kyle Storey  
Manistee County Planner  
City of Manistee Zoning Administrator



Planning & Zoning  
 395 Third Street  
 Manistee, MI 49660  
 231.723.6041 (phone)  
 231.398.3526 (fax)

## Street or Alley Vacation Request Form

Please Print

Vacation of a Public Right-of-way Requirements		
<p><i>Requests must be received 30 days prior to the City of Manistee Planning Commission meeting to be placed on the agenda. Requests require a Public Hearing and Council Approval. Notice shall include publication in a newspaper, posting in City Hall, and notification by first class mail of all parties within 300 feet of the affected portion of street/alley. Applicants must furnish title work to show all easements.</i></p>		
Applicant Information		
Property Address: <u>168 HARRISON ST.</u>	Parcel # <u>SEE ATTACHED</u>	
Name of Owner #1: <u>IRENE R. OLSON ET AL.</u>		
Mailing Address: <u>507 NINTH ST, MANISTEE, MI 49660</u>		
Phone #: <u>231-723-3563</u>	Cell#:	e-mail: <u>olson/nubeca@gmail.com</u>
Property Address:	Parcel #	
Name of Owner #2:		
Mailing Address:		
Phone #:	Cell#:	e-mail:
Property Address:	Parcel #	
Name of Owner #3:		
Mailing Address:		
Phone #:	Cell#:	e-mail:
Property Address:	Parcel #	
Name of Owner#4:		
Mailing Address:		
Phone #:	Cell#:	e-mail:
Site Plan Requirements		
<p>The applicant is responsible to provide a survey showing the streets and street names and lot dimensions of all parcels involved in the vacation and legal descriptions of the proposed resulting parcels. The Planning Commission reserves the right to require additional information necessary to meet the requirements of the Zoning Ordinance.</p>		
Authorization		
<p>By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms that the information included in this application is correct.</p>		
Applicant #1 Signature: <u>Arthur D. Olson</u>	Date: <u>7-1-19</u>	
<u>HOLLANDER DEVELOPMENT CORP., OPTION HOLDER</u>		
Applicant #2 Signature: <u>By: [Signature]</u>	Date: <u>6/29/19</u>	
Applicant #3 Signature: _____	Date: _____	
Applicant #4 Signature: _____	Date: _____	
<input checked="" type="checkbox"/> Fee of \$750.00 and Site Plan for project attached (permit cannot be issued without site plan)		
Office Use Only		
Fee: <input checked="" type="checkbox"/> \$750.00	Receipt # <u>192878</u>	
Signature: <u>[Signature]</u>	Date: <u>JUL 16 2019</u>	

Street or Alley Vacation Request

Page 1 of 1  
*Edward Bradford*  
 CITY TREASURER



**LEGAL DESCRIPTION PROVIDED:**

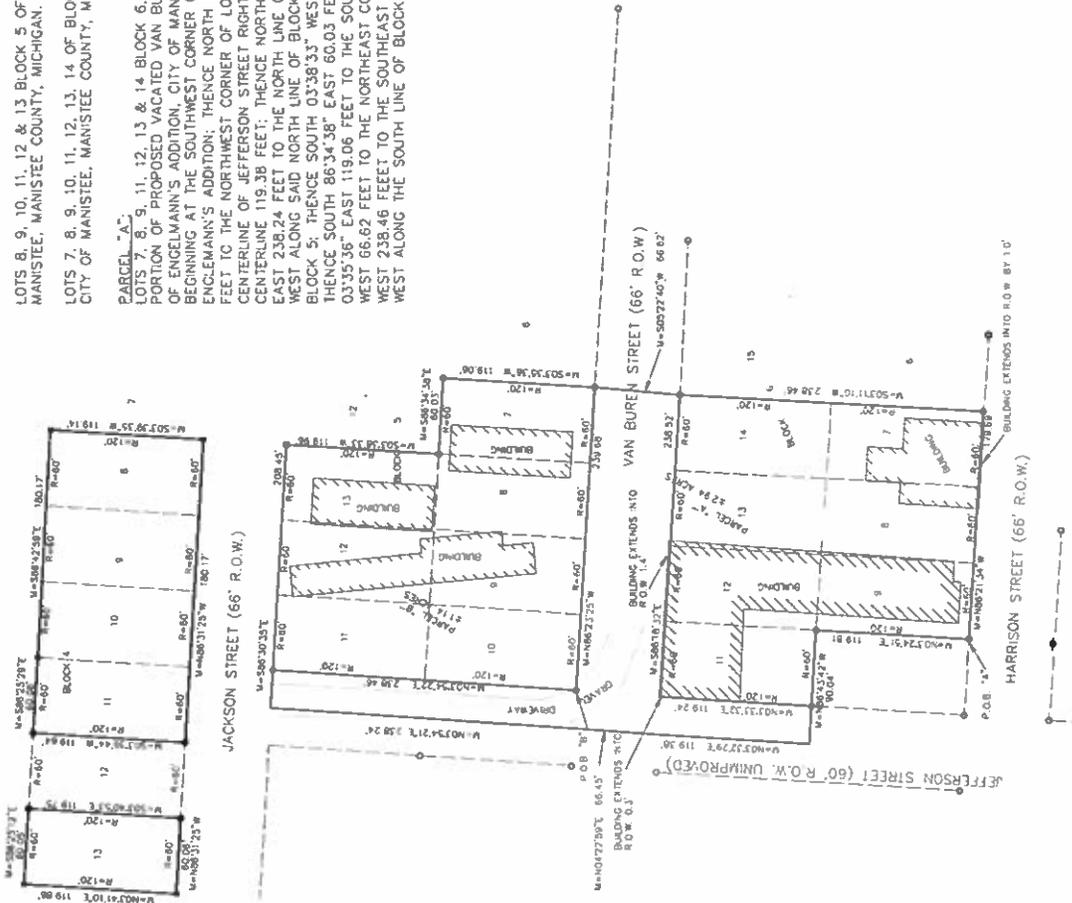
LOTS 8, 9, 10, 11 & 13 BLOCK 4 OF THE AMENDED MAP OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

LOTS 8, 9, 10, 11, 12 & 13 BLOCK 5 OF THE AMENDED MAP OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

LOTS 7, 8, 9, 10, 11, 12, 13, 14 OF BLOCK 6 OF THE AMENDED MAP OF ENGELMANN'S ADDITION CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

**PART 7A:**

LOTS 7, 8, 9, 11, 12, 13 & 14, BLOCK 6, AND LOTS 7, 8, 9, 10, 11, 12 & 13, BLOCK 5, AND A PORTION OF PROPOSED VACATED VAN BUREN AND JEFFERSON STREETS ALL IN THE AMENDED 1 OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, BLOCK 6 OF THE AMENDED MAP OF ENGELMANN'S ADDITION; THENCE NORTH 03°24'51" EAST ALONG THE WEST LINE OF LOT 9, 119. FEET TO THE NORTHWEST CORNER OF LOT 9; THENCE NORTH 86°43'42" WEST 90.04 FEET TO CENTERLINE OF JEFFERSON STREET RIGHT OF WAY; THENCE NORTH 03°32'29" EAST ALONG SAID CENTERLINE 119.38 FEET; THENCE NORTH 04°22'59" EAST 66.45 FEET; THENCE NORTH 03°54'21" EAST 238.24 FEET TO THE NORTH LINE OF BLOCK 5 EXTENDED WEST; THENCE SOUTH 86°30'35" WEST ALONG SAID NORTH LINE OF BLOCK 5, 208.45 FEET TO THE NORTHEAST CORNER OF LOT 12 BLOCK 5; THENCE SOUTH 03°38'33" WEST 119.96 FEET TO THE SOUTHEAST CORNER OF LOT 12; THENCE SOUTH 86°34'38" EAST 60.03 FEET TO THE NORTHEAST CORNER OF LOT 7; THENCE SOUTH 03°35'35" EAST 119.06 FEET TO THE SOUTHEAST CORNER OF LOT 7; THENCE SOUTH 05°22'40" WEST 66.62 FEET TO THE NORTHEAST CORNER OF LOT 14, BLOCK 6; THENCE SOUTH 05°11'10" WEST 238.46 FEET TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 6; THENCE NORTH 86°21'34" WEST ALONG THE SOUTH LINE OF BLOCK 6 179.89 FEET TO THE POINT OF BEGINNING.



SCALE: 1"=50'

- - - - - UNIMPROVED  
 - - - - - RECORD  
 - - - - - CONCRETE MONUMENT  
 - - - - - SURVEY  
 - - - - - RECORDED

BY:	DESCRIPTION:	BY:
 <b>NORLUND &amp; ASSOCIATES,</b> Providing Complete Engineering & Surveying Services 14000 E. 14th St., Suite 100 Grand Rapids, MI 49508 Phone: 616-941-8340 Fax: 616-941-8341		
CLIENT:	HOLLANDER DEVELOPMENT	DATE: APR 25, 2019
DRAWN BY:	CRS	CHECK:
SCALE:	1"=50'	JOB NUMBER:
DESCRIPTION:	OLSON LUMBER PROJECT	1110-004



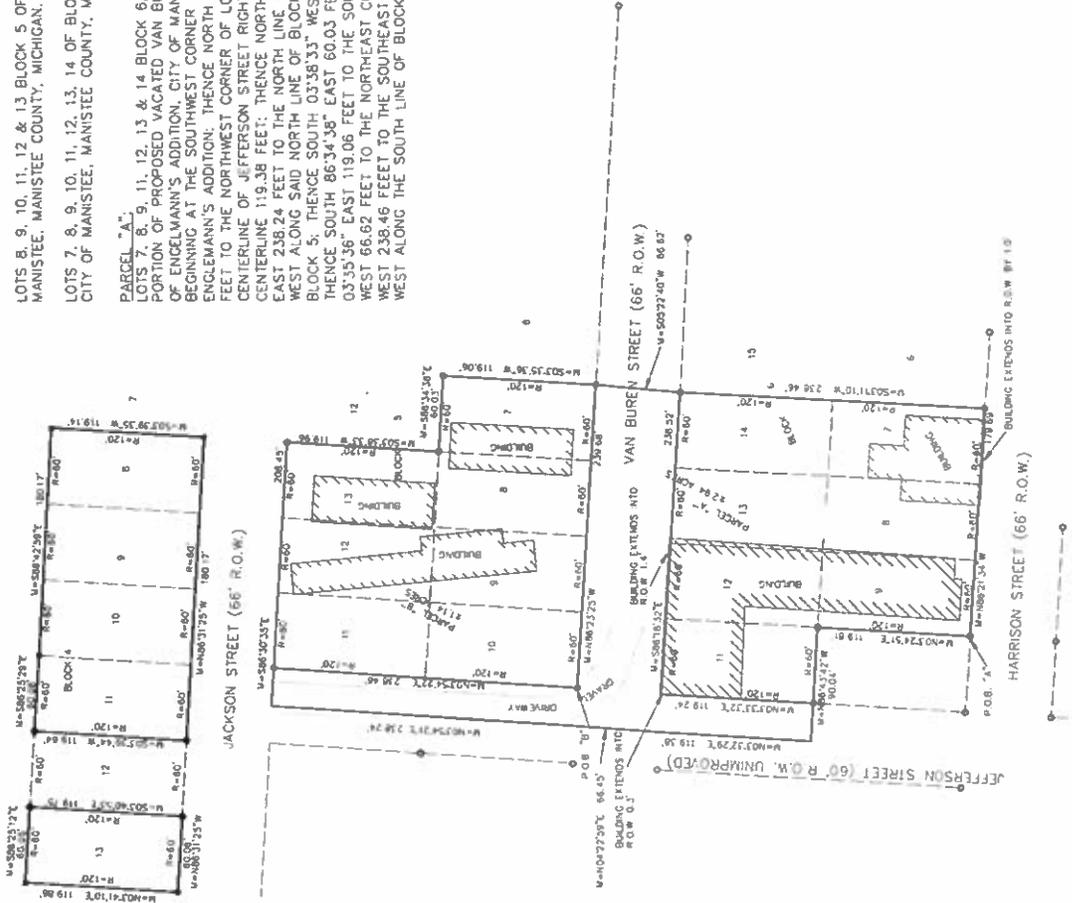
**LEGAL DESCRIPTION PROVIDED:**

LOTS 8, 9, 10, 11 & 13 BLOCK 4 OF THE AMENDED MAP OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

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LOTS 7, 8, 9, 10, 11, 12, 13, 14 OF BLOCK 6 OF THE AMENDED MAP OF ENGELMANN'S ADDITION CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

**PARCEL "A"**  
 LOTS 7, 8, 9, 11, 12, 13 & 14 BLOCK 6, AND LOTS 7, 8, 9, 10, 11, 12 & 13 BLOCK 5 AND A PORTION OF PROPOSED VACATED VAN BUREN AND JEFFERSON STREETS ALL IN THE AMENDED 1 OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, BLOCK 6 OF THE AMENDED MAP OF ENGELMANN'S ADDITION; THENCE NORTH 03°24'51" EAST ALONG THE WEST LINE OF LOT 9, 119. FEET TO THE NORTHWEST CORNER OF LOT 9; THENCE NORTH 86°43'42" WEST 90.04 FEET TO CENTERLINE OF JEFFERSON STREET RIGHT OF WAY; THENCE NORTH 03°32'29" EAST ALONG SAIL CENTERLINE 119.38 FEET; THENCE NORTH 04°22'58" EAST 66.45 FEET; THENCE NORTH 03°54'21" EAST 238.24 FEET TO THE NORTH LINE OF BLOCK 5 EXTENDED WEST; THENCE SOUTH 86°30'35" WEST ALONG SAID NORTH LINE OF BLOCK 5, 208.45 FEET TO THE NORTHEAST CORNER OF LOT 12 BLOCK 5; THENCE SOUTH 03°38'33" WEST 119.96 FEET TO THE SOUTHEAST CORNER OF LOT 12 THENCE SOUTH 86°34'38" EAST 60.03 FEET TO THE NORTHEAST CORNER OF LOT 7; THENCE S1 03°35'36" EAST 119.06 FEET TO THE SOUTHEAST CORNER OF LOT 7; THENCE SOUTH 05°22'40" WEST 66.62 FEET TO THE NORTHEAST CORNER OF LOT 14, BLOCK 6; THENCE NORTH 03°11'10" WEST 238.46 FEET TO THE SOUTHEAST CORNER OF LOT 7, BLOCK 6; THENCE NORTH 86°21'34" WEST ALONG THE SOUTH LINE OF BLOCK 6 179.59 FEET TO THE POINT OF BEGINNING.



SCALE 1"=50'  
 BUILDING FOOTPRINT  
 EXISTING CONCRETE MONUMENT  
 NEW CONCRETE MONUMENT  
 MEASURED  
 RECORDED

<b>INA</b>		<b>NORDLUND &amp; ASSOCIATES,</b> Providing Complete Engineering & Surveying Services Lansing, MI 48223 Phone: 313-487-4444 Fax: 313-487-4444	
CLIENT:	HOLLANDER DEVELOPMENT	DRAWN BY:	GRS
SCALE:	1"=50'	CHECK:	
DATE:	APR 25, 2019	JOB NUMBER: 1110-004	
DESCRIPTION: OLSON LUMBER PROJECT			







1890

MANISTEE RIVER

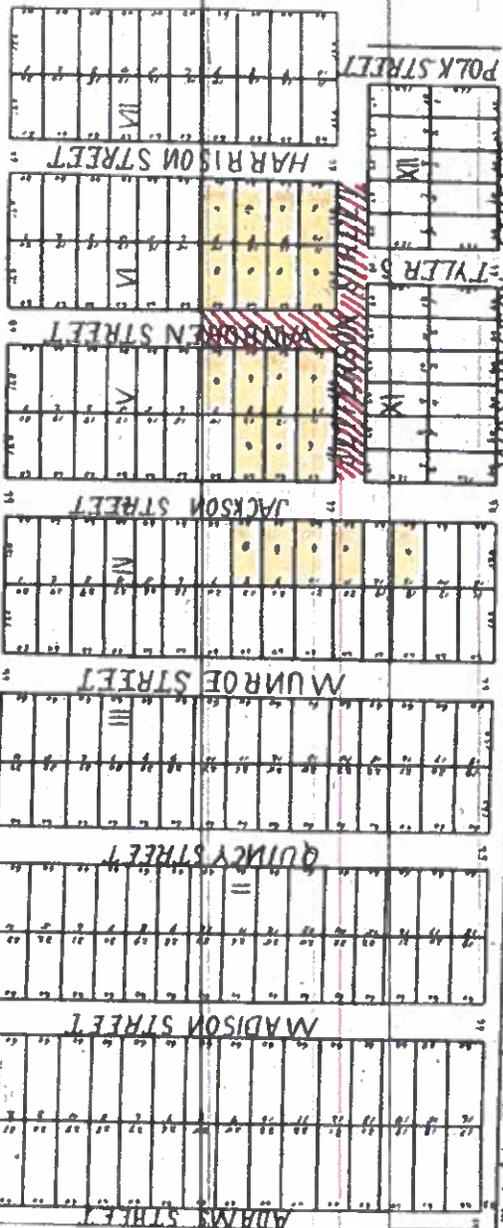
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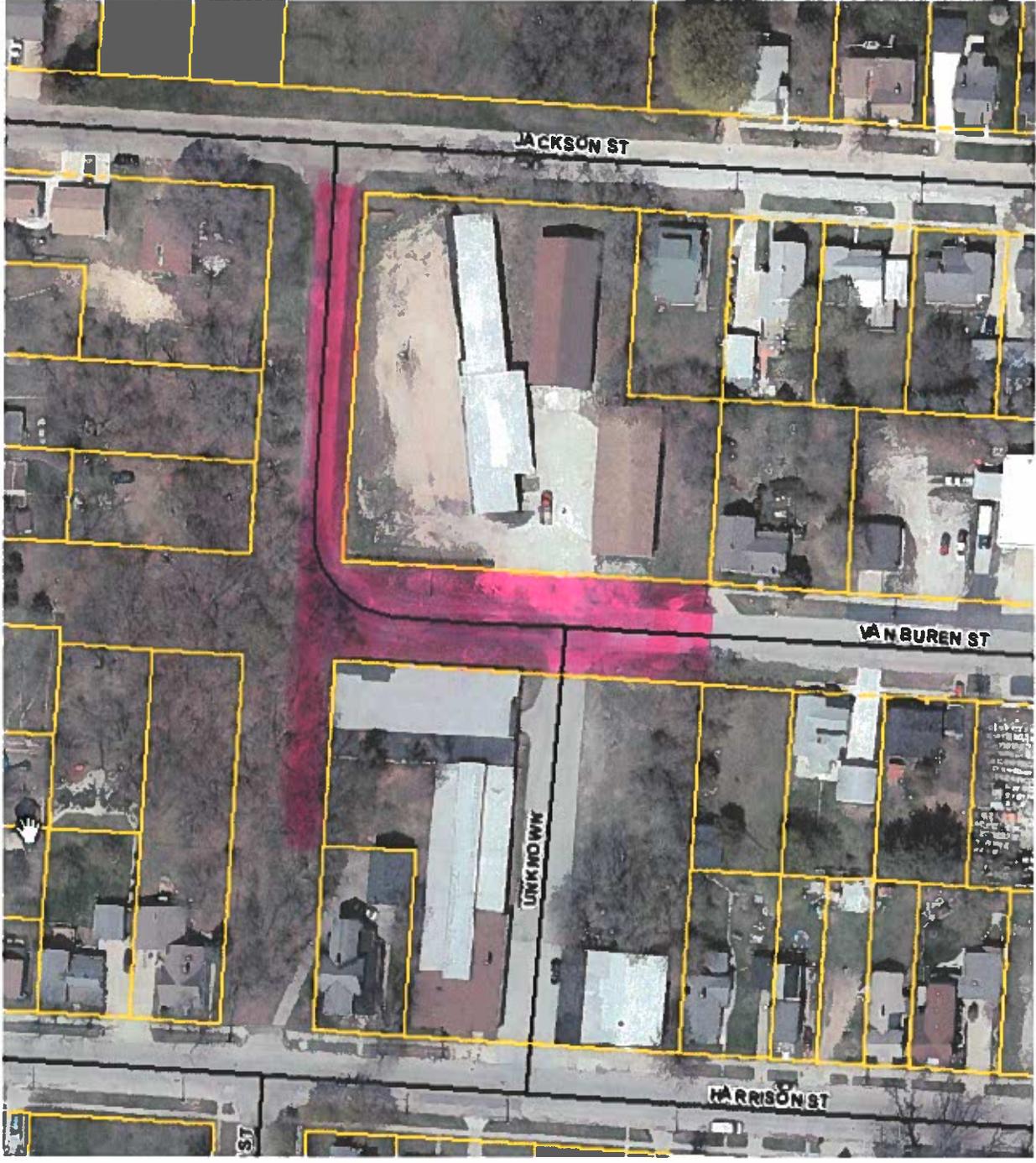
Map of Englewood's Mill Place in Manistee Mich.  
Part I

MANISTEE LAKE

LAKE STREET



Map of the Englewood's Mill Place in Manistee Mich.  
Part II  
Town of Manistee, Mich. 17th Dist. Section 1, 18th Range  
Laid out on lots and measured on the plan of the land 1888  
Charles Rowland Sawyer



LEGAL DESCRIPTION PROVIDED:

LOTS 8, 9, 10, 11 & 13 BLOCK 4 OF THE AMENDED MAP OF EN  
MANISTEE, MANISTEE COUNTY, MICHIGAN.

LOTS 8, 9, 10, 11, 12 & 13 BLOCK 5 OF THE AMENDED MAP OF  
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LOTS 7, 8, 9, 10, 11, 12, 13, 14 OF BLOCK 6 OF THE AMENDED  
CITY OF MANISTEE, MANISTEE COUNTY, MICHIGAN.

PARCEL "A"

LOTS 7, 8, 9, 11, 12, 13 & 14 BLOCK 6, AND LOTS 7, 8, 9, 10  
PORTION OF PROPOSED VACATED VAN BUREN AND JEFFERSON S  
OF ENGELMANN'S ADDITION, CITY OF MANISTEE, MANISTEE COUN  
BEGINNING AT THE SOUTHWEST CORNER OF LOT 9, BLOCK 6 OF  
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WEST 238.46 FEET TO THE SOUTHEAST CORNER OF LOT 7, BL  
WEST ALONG THE SOUTH LINE OF BLOCK 6 179.69, FEET TO TH

FEET (66' R.O.W.)

-M-50522'40"W 66.02'

IS INTO R.O.W. BY 10'



# THIS IS NOT A TAX BILL

## Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1993, Sec. 211.24 (c) and Sec 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

<b>FROM</b> CITY OF MANISTEE MOLLY WHETSTONE, CITY ASSESSOR 70 MAPLE ST MANISTEE, MI 49660	<b>PARCEL IDENTIFICATION</b> PARCEL CODE NUMBER: 5151-146-718-13 PROPERTY ADDRESS:  <b>MANISTEE, MI 49660</b>
<b>NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:</b> OLSON IRENE R ETAL 507 NINTH ST MANISTEE MI 49660	<b>PRINCIPAL RESIDENCE EXEMPTION</b> % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 201 (201 COMMERCIAL)**

**PRIOR YEAR'S CLASSIFICATION: 201 (201 COMMERCIAL)**

The change in taxable value will increase/decrease your tax bill for this year by approximately: \$59	PRIOR AMOUNT YEAR 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	41,339	42,331	992
2. ASSESSED VALUE:	50,500	50,500	0
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	50,500	50,500	0
5. There WAS/WAS NOT a transfer of ownership on this property in 2018 . WAS NOT			

**The 2019 Inflation rate Multiplier is: 1.024**

**Legal Description:** AMENDED MAP OF ENGELMANN'S ADD LOTS 7 THRU 13 BLOCK 5 [WEST END OF VAN BUREN ST.] [(SALE(86) 3475 7336 (02) 3817 5429 (04) 3918 5201

**March Board of Review Appeal Information:**

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at [www.michigan.gov/taxes](http://www.michigan.gov/taxes). Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 618 (L-4035). Petition to the Board of Review

**March Board of Review Information:**

**THE BOARD OF REVIEW WILL MEET ON WEDNESDAY, MARCH 13TH FROM 3:00 TO 9:00, THURSDAY, MARCH 14TH FROM 9:00 TO 3:00 PLEASE CALL 231-398-2802 TO SCHEDULE AN APPOINTMENT TO APPEAR BEFORE THE BOARD OF REVIEW, THIS WILL PREVENT YOU FROM WAITING IN LINE TO APPEAR. PLEASE CHECK YOUR PRINCIPAL RESIDENCE EXEMPTION LISTED ON THE NOTICE TO VERIFY IT IS CORRECT.**

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.  
 Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.  
 State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.  
 IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

**HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012.** If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.

**Notice of Assessment, Taxable Valuation, and Property Classification**

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

<b>FROM</b> CITY OF MANISTEE MOLLY WHETSTONE, CITY ASSESSOR 70 MAPLE ST MANISTEE, MI 49660	<b>PARCEL IDENTIFICATION</b> PARCEL CODE NUMBER: 5151-146-720-13 PROPERTY ADDRESS: 190 VAN BUREN ST MANISTEE, MI 49660
<b>NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL:</b> OLSON IRENE R ETAL 507 NINTH ST MANISTEE MI 49660	<b>PRINCIPAL RESIDENCE EXEMPTION</b> % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 201 (201 COMMERCIAL)**

**PRIOR YEAR'S CLASSIFICATION: 201 (201 COMMERCIAL)**

The change in taxable value will increase/decrease your tax bill for this year by approximately <b>\$92</b>	PRIOR AMOUNT YEAR 2018	CURRENT TENTATIVE AMOUNT YEAR 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	64,935	66,493	1,558
2. ASSESSED VALUE:	71,200	73,800	2,600
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	71,200	73,800	2,600
5. There WAS/WAS NOT a transfer of ownership on this property in 2018 . WAS NOT			

**The 2019 Inflation rate Multiplier is: 1.024**

**Legal Description:** AMENDED MAP OF ENGELMANN'S ADD LOTS 7, 8, 9, 11, 12, 13 & 14 BLOCK 6 PADDR: 166 HARRISON ST & 190 VAN BUREN ST [(SALE(86) 3475 7336 (02) 3817 5429 (04) 3918 5201

**March Board of Review Appeal Information:**

The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at [www.michigan.gov/taxes](http://www.michigan.gov/taxes). Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 618 (L-4035), Petition to the Board of Review.

**March Board of Review Information:**

**THE BOARD OF REVIEW WILL MEET ON WEDNESDAY, MARCH 13TH FROM 3:00 TO 9:00, THURSDAY, MARCH 14TH FROM 9:00 TO 3:00 PLEASE CALL 231-388-2802 TO SCHEDULE AN APPOINTMENT TO APPEAR BEFORE THE BOARD OF REVIEW, THIS WILL PREVENT YOU FROM WAITING IN LINE TO APPEAR. PLEASE CHECK YOUR PRINCIPAL RESIDENCE EXEMPTION LISTED ON THE NOTICE TO VERIFY IT IS CORRECT.**

Not less than 14 days before the meeting of the Board of Review, the assessment notice shall be mailed to the property owner.

Property taxes were calculated on the Taxable Value (see line 1 above). The Taxable Value number entered in the "Change from Prior Year to Current Year" column, does not indicate a change in your taxes. This number indicates the change in Taxable Value.

State Equalized Value is the Assessed Value multiplied by the Equalized Factor, if any. State Equalized Value must approximate 50% of the market value.

IF THERE WAS A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value will be the same as your 2019 State Equalized Value.

IF THERE WAS NOT A TRANSFER OF OWNERSHIP on your property in 2018, your 2019 Taxable Value is calculated by multiplying your 2018 Taxable Value by 1.024 (Inflation Rate Multiplier for the current year). Physical changes in your property may also increase or decrease your Taxable Value. Your 2019 Taxable Value cannot be higher than your 2019 State Equalized Value.

The denial of an exemption from the local school operating tax for "qualified agricultural properties" may be appealed to the local Board of Review. The denial of an exemption from the local school operating tax for a "homeowner's principal residence" may be appealed to the Michigan Tax Tribunal by the filing of a petition within 35 days of issuance of this notice. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.



**Notice of Assessment, Taxable Valuation, and Property Classification**

This form is issued under the authority of P.A. 206 of 1993, Sec. 211.24 (c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM CITY OF MANISTEE MOLLY WHETSTONE, CITY ASSESSOR 70 MAPLE ST MANISTEE, MI 49660	<b>PARCEL IDENTIFICATION</b> PARCEL CODE NUMBER: 5151-146-715-01 PROPERTY ADDRESS:
NAME AND ADDRESS OF OWNER OR PERSON NAMED ON ASSESSMENT ROLL: OLSON IRENE R ETAL 507 NINTH ST MANISTEE MI 49660	<b>PRINCIPAL RESIDENCE EXEMPTION</b> % Exempt As "Homeowners Principal Residence": .00% % Exempt As "Qualified Agricultural Property": .00% % Exempt As "MBT Industrial Personal": .00% % Exempt As "MBT Commercial Personal": .00% Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 402 (402 RESIDENTIAL-VACANT)

PRIOR YEAR'S CLASSIFICATION: 402 (402 RESIDENTIAL-VACANT)

The change in taxable value will increase/decrease your tax bill for this year by approximately: \$8	PRIOR AMOUNT YEAR: 2018	CURRENT TENTATIVE AMOUNT YEAR: 2019	CHANGE FROM PRIOR YEAR TO CURRENT YEAR
1. TAXABLE VALUE (Current amount is tentative):	5,538	5,670	132
2. ASSESSED VALUE:	8,300	8,300	0
3. TENTATIVE EQUALIZATION FACTOR: 1.000			
4. STATE EQUALIZED VALUE (Current amount is tentative):	8,300	8,300	0
5. There WAS/WAS NOT a transfer of ownership on this property in 2018. WAS NOT			

The 2019 Inflation rate Multiplier is: 1.024

Legal Description: AMENDED MAP OF ENGELMANN'S ADD LOTS 8, 9, 10, 11 & 13 BLOCK 4 (NORTH SIDE OF JACKSON ST) [(SALE(77) 3354 2317,384 (86) 3475 7336 (02) 3817 5429 (04) 3918 5201

**March Board of Review Appeal Information:**  
 The Taxable Value, the Assessed Value, the State Equalized Value, the Property Classification, or the Transfer of Ownership may be appealed by filing a protest with the Local Board of Review. Protests are made to the Board of Review by completing a Board of Review Petition Form. A Petition Form may be obtained directly from the local unit or from the State Tax Commission at [www.michigan.gov/taxes](http://www.michigan.gov/taxes). Click on Property Taxes Box, then click on Forms and Instructions, then Board of Review to obtain Form 618 (L-4035). Petition to the Board of Review

**March Board of Review Information:**  
**THE BOARD OF REVIEW WILL MEET ON WEDNESDAY, MARCH 13TH FROM 3:00 TO 9:00, THURSDAY, MARCH 14TH FROM 9:00 TO 3:00 PLEASE CALL 231-398-2802 TO SCHEDULE AN APPOINTMENT TO APPEAR BEFORE THE BOARD OF REVIEW, THIS WILL PREVENT YOU FROM WAITING IN LINE TO APPEAR. PLEASE CHECK YOUR PRINCIPAL RESIDENCE EXEMPTION LISTED ON THE NOTICE TO VERIFY IT IS CORRECT.**

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Filing a protest at the Board of Review is necessary to protect your right to further appeal valuation and exemption disputes to the Michigan Tax Tribunal and classification appeals to the State Tax Commission. Properties classified Commercial Real, Industrial Real or Developmental Real may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing a petition by May 31. Commercial Personal, Industrial Personal, or Utility Personal Property may be appealed to the regular March Board of Review or to the Michigan Tax Tribunal by filing of a petition by May 31 if a personal property statement was filed with the local unit prior to the commencement of the Board of Review as provided by MCL 211.19, except as otherwise provided by MCL 211.9m, 211.9n and 211.9o. The petition must be a Michigan Tax Tribunal form or a form approved by the Michigan Tax Tribunal. Michigan Tax Tribunal forms are available at [www.michigan.gov/taxtrib](http://www.michigan.gov/taxtrib).

HOMEOWNER'S PRINCIPAL RESIDENCE AFFIDAVIT INFORMATION REQUIRED BY P.A. 114 OF 2012. If you purchased your principal residence after May 1 last year, to claim the principal residence exemption, if you have not already done so, you are required to file an affidavit by June 1 for the immediately succeeding summer tax year levy and all subsequent tax levies or by November 1 for the immediate succeeding winter tax levy and all subsequent tax levies.





**PLANNING DEPARTMENT**  
**Kyle Storey**  
**Zoning Administrator**  
**395 Third St. Manistee, Michigan 49660**  
(231) 398-3576  
Fax (231) 398-3526  
kstorey@manisteecountymi.gov

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Date: 7/26/2019

To: City of Manistee Planning Commission

From: Kyle Storey – City of Manistee Zoning Administrator

Subject: Special Use Permit #PC-2018-05

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Dear Commissioners,

Parcel #51-712-475-10 has transferred ownership and thus the approved Special Use Permit pertaining to the usage for Marihuana Facilities (Marihuana Grower) has transferred ownership to new owner as well. Attached are documents including:

- Staff Memo from April 2018 (misdated 2017) outlining the Special Use Permit Request
- Special Use Permit Application and narrative from previous land owner
- Approved Special Use Permit from May 3, 2018

The new owner will attend the Planning Commission meeting to answer any questions the PC may have pertaining to this Special Use Permit transference.

I have contacted both the previous owner and new owner to garner letters of authorization and adherence.

Thank you,

Kyle Storey  
Manistee County Planner  
City of Manistee Zoning Administrator

# Marihuana Districts Manistee, MI





NINE ST

TENTH ST

MANISTEE ST

TWELFTH ST

TWELFTH ST

VINE ST

MAIN ST

## Questions / Facts

- Easement from tracks
- State Approved Modular Bldg (?)
  - setbacks
- Stay in compliance w/ Existing
  - ↳ signoff (2)
- ~~Guards (Armed on Premises)~~
- ~~40 Employees~~
- Solar / Wind (2)



# Memorandum

TO: Planning Commissioners  
FROM: Denise Blakeslee, Planning & Zoning Director  
DATE: April 27, 2017  
RE: Lakeside Cultivation, LLC -160 Tenth Street

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

Commissioners, we have received a request from Lakeside Cultivation, LLC -160 Tenth Street for a Special Use Permit for Marihuana Facility (Marihuana Grower) as shown on Site Plan prepared by Lake Michigan Surveying, LLC, File No. 2018030. There is no change to the site except for the addition of a fence and designating the parking spaces (striping). The proposed nine parking spaces meet the requirements of the ordinance. The City Engineer, DPW Director and Public Safety/Fire Department have reviewed the request and there are the following findings:

The City Engineer has reviewed the proposed odor control measures as required under Section 1851.B.2.a which reads:

- a. *Odor. As used in this subsection, building means the building, or portion thereof, used for marihuana production or marihuana processing.*
- 1) *The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.*
  - 2) *The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter (s) shall be rated for the applicable CFM.*
  - 3) *The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.*
  - 4) *Negative air pressure shall be maintained inside the building.*
  - 5) *Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.*
  - 6) *An alternative odor control system is permitted if the special use permit applicant submits and the municipality accepts a report by a mechanical engineer licensed in the State of Michigan demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required. The municipality may hire an outside expert to review the alternative system design and advise as to its comparability and whether in the opinion of the expert it should be accepted.*

In response to staff's inquiry regarding the standard a letter from Boardwell Mechanical Services, Inc. was submitted stating how to address the issue. This letter detailing the proposed system was reviewed by the City Engineers office and a response was sent to the designer on April 26, 2018.

Marihuana Facility was added to the Zoning Ordinance on March 2, 2018. This is the first request that we have received since it was added to the Ordinance. The process that the City has established for Marihuana Facilities is:

1. Applicant must receive a Special Use Permit from the Planning Commission, then
2. The applicant can apply for a Marihuana License from the City Clerk, then
3. The applicant can apply for the license from the State of Michigan.

When working on the Resolution to approve staff noted that Section 1851.1.b reads:

- b. At the time of application for a special use permit the marihuana facility must be licensed by the State of Michigan and then must be at all times in compliance with the laws of the State of Michigan including but not limited to the Michigan Medical Marihuana Act, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; and the Marihuana Tracking Act, MCL 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan.

After discussing the matter with the City Attorney it was determined that if the Commission wishes to approve the permit the following condition should be included:

- ***The Special Use Permit will be void in the event that the applicant is unable to be licensed by the State of Michigan***

When the project was reviewed by Public Safety/Fire recommends that the following conditions be placed if the Commission wishes to approve the permit:

- ***The gas meter needs protection from cars by the installation of poles (bollards).***
- ***The shrubbery and wood between the tracks and the building needs to be cleaned up.***
- ***A knox box will need to be installed.***
- ***The Fire Department reserves the right to inspect and approve the building and its components.***
- ***The Fire Department needs access to the back of the building by either a drive, off the alley, to the back of the building with a gate, or a similar setup coming off the front. The drive would need to be maintained and accessible. The key for the gate could be in the knox box.***
- ***Cameras are to be on all four sides of the building to cover all of the grounds. This may require more than one camera per side as there is a lot of area.***
- ***Exterior lighting is to be installed on all four sides of the building. All should be activated by dusk, not by motion. Lighting is to comply with Section 525 of the Zoning Ordinance.***
- ***A security system is to be installed. Public Safety will review the proposed system prior to installation and inspect the system after installation.***

Staff also recommends that the following conditions included:

- ***The odor control system will be installed and shall include an activated carbon canister type system for exhaust air leaving the building. The City Engineer will have final review and approval of the system to ensure the proposed system filters are sized properly for the proposed air flow rates. However, upon operation, the owner will have to verify odors are not leaving the site and will be responsible to upgrade the system, if determined necessary, to reduce odors to an acceptable level.***
- ***Any concerns or outstanding items relating to the request by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued and an updated set of plans be provided for the files.***

The applicant was notified of the conditions on April 27, 2018. They may be able to address some of these itmes before the meeting. In that event, those conditions would be removed from the resolution.

Draft resolutions to approve with conditions or deny the request are enclosed in your packets.



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

## Special Use Permit Application

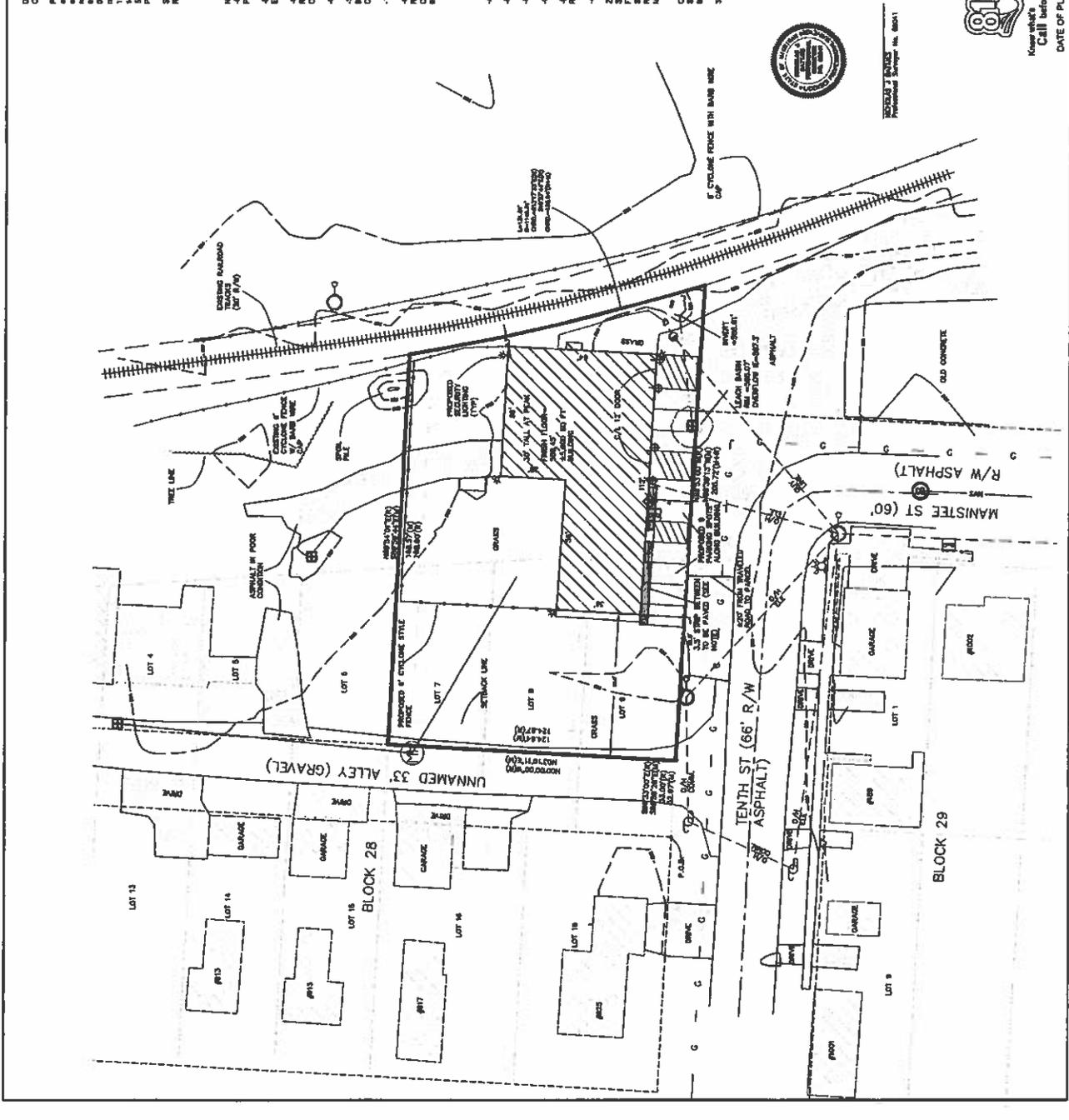
A Detailed Site Plan is required for all Special Uses

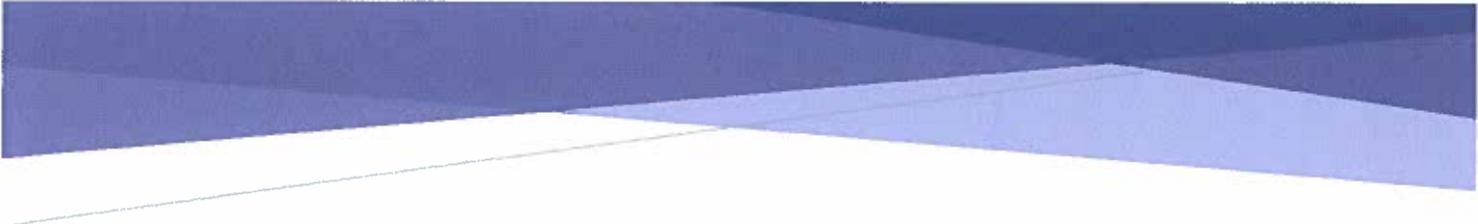
Please Print

Submission of Application		
<p><i>Applications must be submitted 30 days prior to the meeting for review for completeness. Applications shall be submitted through the Zoning Administrator to the Planning Commission. Each application shall be accompanied by the payment of a fee \$750.00 and any applicant escrow payments as required by Section 2701 and in accordance with the schedule of fees adopted by the City Council to cover the costs of processing the application. An application shall be submitted to the Zoning Administrator on a Special Use application form. A Special Use application shall be placed on the agenda of the Planning Commission by the Zoning Administrator within thirty (30) days of the submission of a complete application prepared in accordance with this Zoning Ordinance. An application, which is incomplete or otherwise not in compliance with this Ordinance, shall be returned to the applicant. No application shall be processed until properly prepared and submitted and all required fees and escrow payments paid in full.</i></p>		
Property Information		
Address: 1100 Tenth Street	Parcel # 51-712-475-10	
Manistee, MI 49660		
Applicant Information		
Name of Owner or Lessee: David Casebolt & Nicolas Casebolt		
Address: 4837 Williams St., Montague, MI 49437		
Phone #: 231-740-9740	Cell#:	e-mail: montague3636@gmail.com
Name of Agent (if applicable):		
Address:		
Phone #:	Cell#:	e-mail:
Data Required/Project Information		
Land Area: .54 acres +/-	Zoning Classification: General Industrial	
Present/proposed Land Use: Contractors Facility		
Attach a Detailed Narrative for the following		
<input type="checkbox"/>	A letter or signed narrative describing in detail the proposed special use and detailing why the location selected is appropriate.	
<input type="checkbox"/>	Applicant's statement of the expected effect of the special use on emergency service requirements, schools, storm water systems, sanitary sewer facilities, automobile and truck circulation patterns, and local traffic volumes.	
<input type="checkbox"/>	Any additional material information necessary to consider the impact of the project upon adjacent properties and the general public as may be required by this ordinance, by the City Zoning Administrator or the Planning Commission; including, but not limited to, measures which will be undertaken to control soil erosion, shoreline protection, excessive noise, or adverse impacts of the development on the surrounding properties; elevations on all buildings, including accessory buildings; and, an environmental assessment.	
<input type="checkbox"/>	Supporting statements, evidence, data, information and exhibits that address the standards and requirements for assessing Special Use permit applications as provided in Section 1802.	

<b>Additional Information</b>		
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.		
<b>Special Use review procedures.</b> An application for Special Use Approval shall be processed in accordance with Section 1801.C.		
<b>Issuance of a Special Use permit.</b> Special Use Permits shall be issued in accordance with Section 1801.D.		
<b>Appeals.</b> 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.		
<b>Duration of Approval.</b> The Special Use permit shall become effective upon Planning Commission approval and in accordance with Section 1801.F.		
<b>Amendments.</b> 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.		
<b>Transfers.</b> Transfers shall be handled in accordance with Section 1801.H.		
<b>Expiration.</b> 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: <ol style="list-style-type: none"> <li>1. If replaced or superseded by a subsequent permitted use or Special Use permit.</li> <li>2. If the applicant requests the rescinding of the Special Use permit.</li> <li>3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.</li> <li>4. If the use is abandoned, moved or vacated for a period of one year.</li> </ol>		
<b>Violations.</b> Violations shall be handled in accordance with Section 1801.J.		
<b>Authorization</b>		
<b>CERTIFICATION AND AFFIDAVIT:</b> The undersigned affirm(s) that he/she/they is/are the <input checked="" type="checkbox"/> owner, <input type="checkbox"/> leasee, <input type="checkbox"/> owner's representative, <input type="checkbox"/> contractor involved in the application; and that the information included in this application is correct. Further, if the request is approved, the applicant will comply with all of the requirements of the City of Manistee Zoning Ordinance and certifies that measures proposed to mitigate adverse impacts will be completed in a timely fashion. The undersigned, by signing the Application, agrees to pay any and all fees and escrow payments in full as provided in Article 27.		
Signature: _____	Date: 3-19-18	
Signature: <u>David Caselroff</u>	Date: 3-19-18	
<i>If applicant is Incorporated or a Limited Liability Corporation a copy of the Articles of Incorporation are to be submitted with application.</i>		
<input checked="" type="checkbox"/> By checking this box permission is given for Planning Commission Members to make a site inspection if desired.		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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:		
<b>Office Use Only</b>		
Fee: <input checked="" type="checkbox"/> \$750.00 <input type="checkbox"/> \$ _____	Escrow Payment	Receipt # 158746
Date Received: 4-2-18	Hearing Date: 5-3-18	PC - 2018-05

**DESCRIPTION:** A PARCEL OF LAND BELONGING TO THE CITY OF MANISTEE, COUNTY OF MANISTEE, STATE OF MICHIGAN AND DESCRIBED AS FOLLOWS: Towne of Manistee, Lot 4, Section 12, T21N, R17W, part of Lot 7, 8, & 9, and the portion of the Section 12, T21N, R17W, which is bounded on the north by the right-of-way of Manistee Street, on the east by the right-of-way of Tenth Street, on the south by the right-of-way of Unnamed Alley (Gravel), and on the west by the right-of-way of Manistee Street. The parcel is approximately 1.5 acres in area and is currently zoned R-1 (Residential Single-Family). The proposed project is a 37% coverage impervious structure with a total area of 23,200 sq ft and a frontage of 47 feet. The structure will be used for general industrial purposes and will include a parking area for four employees and five visitors. The site plan shows the proposed building footprint, parking area, and various site improvements including a security fence, lighting, and landscaping. The site is bounded by Manistee Street to the north, Tenth Street to the east, Unnamed Alley (Gravel) to the south, and an existing railroad to the west. The plan also shows existing utility lines and easements. The project is subject to all applicable codes, ordinances, and regulations of the City of Manistee, Michigan. The plan is prepared in accordance with the Michigan Professional Land Surveyor Act and the Michigan Professional Engineer Act. The plan is dated 02/15/18.





# SPECIAL USE PERMIT APPLICATION

Marihuana Grower  
Lakeside Cultivation LLC  
160 10<sup>th</sup> St. Manistee, MI 49660  
Lakeside Cultivation LLC ID: 802177496

## Abstract

This application is to obtain a special use permit for a Michigan Marihuana Grower facility, Lakeside Cultivation LLC, located in the General Industrial zoning of Manistee Michigan.

Nicolas Casebolt  
02/24/1990  
4837 Williams St.  
Montague, MI 49437  
[Montague3636@gmail.com](mailto:Montague3636@gmail.com)  
(231)740-9740

David Casebolt  
03/29/1964  
1583 Anchor Ct.  
Whitehall, MI 49461  
[djcasebolt@outlook.com](mailto:djcasebolt@outlook.com)  
(231)670-1358

The Michigan Medical Marihuana Grower permit will adopt the reasonable restrictions to protect the safety and public health of the entire community of Manistee. Character of the neighborhood surrounding will not be adversely affected in any way from our facility. This marihuana facility, Lakeside Cultivation LLC, will maintain its single location and will be licensed under all operations of the Medical Marihuana Facilities Licensing Act. Being authorized under this special use permit will entitle Lakeside Cultivation LLC to cultivate, dry, cure, trim, and package the marihuana for sale to a processor or provisioning center. Compliance of this facility will be under the Michigan Medical Marihuana Act and understands the non-exemption at federal level.

The location of 160 Tenth Street, Manistee, MI 49660 will be appropriate for a Michigan Medical Marihuana Grower facility. This location is in the G-I General Industrial area of Manistee. The building is constructed of steel with a metal roof with 5,600 square feet suitable for a Marihuana Grower facility. This facility is conveniently located near Lake Manistee and is not immersed within the city or near open public locations. The closest public store front, Precision Appliance Service, is on High Street, which is still 528 feet or more from 160 Tenth street. Our facility is conveniently located on the corner of a side road that does not get a lot of traffic. Although there is a railroad that runs behind this facility, there is no stops near this location. The closest schools are Casman Academy, Lincoln School, and Manistee Catholic Central. None of these schools are within 1500 feet of the facility. Lincoln School and Casman Academy being the closest education buildings, are both 1,584 feet or more from the facility. Then Manistee Catholic Central is over 2500 feet from our location. Being that there are only a

few homes sharing the block on 10<sup>th</sup> street, this reflects very little public traffic activity near our location. This location also has both sewer and water as a public Manistee utility.

Lakeside Cultivation LLC projections for the operation will have no adverse effects upon the community or environment. Being that this building is already full developed, there is no need to currently change the structure of the facility. The previous equipped layout at this location will not change in respects to its boundaries and zoning. There will be no intentional soil erosion put in place by our doing, there is no reason to alter the environmental surroundings of this building at this time. Lake Manistee being near the building, shoreline protection will be closely watched and monitored from our location. The railroad track running next to our location is closer to the lakes shoreline and will be influenced by it before our location must consider conservation methods. No lawn fertilizers or weed killers will be used on our property in case of run off to help prevent any contaminants within the lake and surrounding environment. This will help provide continual protection to the Manistee Lake's water quality, and shoreline. Due to required filtration within our facility, there will be no harmful particulates acquiring within the surrounding community. All operations within our facility will be contained and will be limited to the inside of the building. Being that everything will be behind doors, there is no adverse impacts on surrounding properties. There will be no negative effects from our building, located in the General Industrial District, onto adjacent residential areas. Filtration will be secure and consistent to maintain appropriate levels. There will be a secured fence surrounding the building for privacy and security purposes as well. The elevation of the building is also staying the same and no additional accessory buildings will be needed currently.

The land being used and the activities carried out at this location are all consistent with the current Manistee Zoning Ordinance. The grower facility will be confined to the existing designed building. The operations within the facility will not change the character of the area nor the surrounding environment. The building will continue to operate within the General Industrial District and will not disturb the future or current community in any way. The building is equipped with regular public facilities and services. The economic welfare of the community will not be negatively affected in any way by the addition of this marihuana grower facility. There will be no public cost to the community, all funding and equipping will be done by private investors. This facilities operation will not produce any detriments to the community or society. The facility is closed to the public and will not cause any excessive traffic volumes. The noise, vibration, smoke, fumes, and odors will all be contained within the building and will be constantly monitored. Everything within the facility is filtered with the most up to date systems so that no emissions arise within the building nor in the community.

At this time, we would enter into Phase 1 of the Medical Marihuana Grower, entitling us to a 500 plant grow. This can be comfortably confined within the remaining structure and will not require any additional room. After six months to a year of operation under Phase 1, we will progress into Phase 2 of growing. Phase 2 will allow us to grow up to 1500 plants and can also be controlled within the current structure.

Within the confines of our building, the cultivation method to be used will be seed in soil. The growing medium will stay consistent with soil in pots in correspondence to the plants growth. We will treat the grow facility the same as a hospital, cleanliness will be of the utmost importance. In doing so, we will not have the need to use any treatment chemicals that would

contaminate the product or pose as detrimental to the environment and consumer. Additives will be used as needed. The additives used at Lakeside Cultivation LLC will be only of the highest standards, they will be regularly tested for purity. Testing of our product will be done per a Safety Compliance Facility laboratory. The range of quality assurance tests will be done on our product at regular to make sure Lakeside Cultivation LLC is running at its highest potential. There will be a designated locked storage area for all grow additives and potential chemicals.

Being that our company is continually updated with all the regulations, there will be no reason for any additional production run offs or detriments from this facility. Overall Lakeside Cultivation LLC and its location will be unnoticed by the community as a marihuana grower facility and will rather be a perfect fit for a location of the special use permit. Use of the Michigan Medical Marijuana grow permit will fit perfectly into everything Lakeside Cultivation LLC stands for. We will maintain the character represented in the community and hold ourselves to the highest standards.

**SPECIAL USE PERMIT**

**CITY OF MANISTEE**  
70 Maple Street  
Manistee, Michigan 49660

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Permit Holder: **Lakeside Cultivation LLC**  
**David and Nicholas Casebolt**  
Mailing Address: **4837 Williams Street**  
**Montague, MI 49437**

Description of Property affected by Special Use Permit: **160 Tenth Street, Manistee, MI 49660**

**51-712-475-10 – TAX ROLL DESCRIPTION: PT GOVT LOT 4 & PT OF LOTS 7,8 & 9 BLK 28 FREELAND ADD, COM SW COR SD LOT 9, TH E 33 FT TO POB, TH N 124.87 FT TO N LI LOT 7, TH E 168.60 FT TO WLY RR R/W, TH ALG CRVE TO LEFT, RADIUS 1145.9 FT, DIST OF 131.01FT(CHRD BEARS S 16 DEG 27 MIN 44 SEC E 130.94 FT) TO S LI LOT 9 EXT, TH W 205.72 FT TO POB. .54 A\*M/L. SEC 12 T21N R17W. | \_\_\_\_ P. ADDR: 160 10TH STREET**

Description of Special Use Granted, as Permitted in Article #18 Section #1851 Marihuana Facilities

Special Use Permit Application **#PC-2018-05**  
Approved by the Planning Commission on **May 3, 2018**  
As described in **Attachment A - Resolution to Approve**

**PERMIT CONDITIONS AND REQUIREMENTS:**

This permit is issued, subject to the following conditions and/or requirements as contained in Article 18, Section 1802:

**CONDITIONS:**

- ***The Special Use Permit will be void in the event that the applicant is unable to be licensed by the State of Michigan.***
- ***The gas meter needs protection from cars by the installation of poles (bollards).***
- ***The shrubbery and wood between the tracks and the building needs to be cleaned up.***
- ***A knox box will need to be installed.***
- ***The Fire Department reserves the right to inspect and approve the building and its components.***

- *The Fire Department needs access to the back of the building by either a drive, off the alley, to the back of the building with a gate, or a similar setup coming off the front. The drive would need to be maintained and accessible. The key for the gate could be in the Knox box.*
- *Cameras are to be on all four sides of the building to cover all of the grounds. This may require more than one camera per side as there is a lot of area. The Police Department shall have final approval of the height and installation of the cameras and can add cameras as necessary.*
- *Exterior lighting is to be installed on all four sides of the building. All should be activated by dusk, not by motion. Lighting is to comply with Section 525 of the Zoning Ordinance.*
- *A security system is to be installed. Public Safety will review the proposed system prior to installation and inspect the system after installation.*
- *The odor control system will be installed and shall include an activated carbon canister type system for exhaust air leaving the building. The City Engineer will have final review and approval of the system to ensure the proposed system filters are sized properly for the proposed air flow rates. However, upon operation, the owner will have to verify odors are not leaving the site and will be responsible to upgrade the system, if determined necessary, to reduce odors to an acceptable level.*
- *Any concerns or outstanding items relating to the request by the City Engineer, DPW Director or Public Safety shall be addressed before the Special Use Permit can be issued and an updated set of plans be provided for the files.*

#### **TRANSFER OF PERMIT**

This permit is transferable only in accordance with Article 18, Section 1801.H of the ordinance.

#### **EXPIRATION OF PERMIT (as per Article 18 Section 1801.I):**

A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Use permit.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

#### **VIOLATIONS OF PERMIT (see Article 18 Section 1801.J):**

Any violation of the terms, conditions or limitations of a Special Use permit shall be cause for revocation or suspension of the permit. The Planning Commission may either revoke or suspend, pending correction of the violation, any Special Use permit. The act to revoke or suspend the permit shall occur after giving notice to the permit holder, specifying the alleged violation(s) and disclosing when a hearing will be held on the matter. The notice shall be delivered by registered mail. Any interested party may appear in person or by attorney at the hearing. The act to revoke or suspend the permit shall occur after or at the hearing on the matter. Before revoking or suspending the permit, the Planning Commission shall make a finding that a material violation of the Special Use permit exists. The permit holder shall be given reasonable opportunity to correct the violation(s).



**ACKNOWLEDGMENT & RECEIPT OF PERMIT**

I the undersigned do hereby certify that I am the person listed above as the special use permit holder or their authorized legal representative. I further certify that I have read understand and agree to comply with all of the requirements and conditions of this permit, as listed above and in the Manistee City Zoning Ordinance.

**Lakeside Cultivation LLC.**

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF MANISTEE )

\_\_\_\_\_  
David Casebolt Dated

On \_\_\_\_\_, 2018, before me, a Notary Public in and for said County, personally David Casebolt, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

Notary's  
Stamp \_\_\_\_\_  
(Notary's name, county, acting in County,  
and Date Commission expires)

\_\_\_\_\_  
Notary's Signature

**Lakeside Cultivation LLC.**

STATE OF MICHIGAN )  
 ) SS.  
COUNTY OF MANISTEE )

\_\_\_\_\_  
Nicholas Casebolt Dated

On \_\_\_\_\_, 2018, before me, a Notary Public in and for said County, personally Nicholas Casebolt, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

Notary's  
Stamp \_\_\_\_\_  
(Notary's name, county, acting in County,

\_\_\_\_\_  
Notary's Signature

Prepared by:  
DENISE J. BLAKESLEE  
PLANNING & ZONING DIRECTOR  
CITY OF MANISTEE  
70 Maple Street  
Manistee, MI 49660  
231.398.2805

**City of Manistee**  
**Planning Commission Resolution to Approve a**  
**Special Use Permit, Case Number PC-2018-05**  
**Special Use Permit for Marihuana Facilities (Marihuana Grower)**  
**Lakeside Cultivation LLC**  
**David and Nicholas Casebolt**

At a regularly scheduled meeting of the City of Manistee Planning Commission held on May 3, 2018, the following resolution was adopted to approve a Special Use Permit for Marihuana Facilities (Marihuana Grower)

Planning Commissioner Rochelle Thomas moved, supported by Planning Commissioner Roger Yoder the adoption of the following resolution.

**WHEREAS**, on April 2, 2018 a request was received from Lakeside Cultivation LLC (David and Nicholas Casebolt) for a Special Use Permit for Marihuana Facilities (Marihuana Grower), and

**WHEREAS**, Marihuana Facilities are permitted as a Special Use in the General Industrial District, and

**WHEREAS**, 160 Tenth Street is located in the General Industrial District, and

**WHEREAS**, the Planning Commission has provided proper notice and held a public hearing on the request on May 3, 2018, and

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

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

**A. 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 – Section 1851 Marihuana Facilities of the City of Manistee Zoning Ordinance the Planning Commission has reached the following determinations with respect to the Project:**

1. A marihuana grower, marihuana processor, marihuana secure transporter, and marihuana safety compliance facility, in accordance with the provisions of state law, may be permitted through the issuance of a special use permit pursuant to Article 18 Standards and Requirements for Special Uses provided that:
  - a. In the P-D District such uses shall be permitted only as part of a mixed use building or development in which no more than forty-nine percent (49%) of the combined floor area of a building or buildings within the development are utilized and shall be further regulated by the provisions of Section 1858. *n/a property located in the General Industrial District*
  - b. At the time of application for a special use permit the marihuana facility must be licensed by the State of Michigan and then must be at all times in compliance with the laws of the State of Michigan including but not limited to the Michigan Medical Marihuana Act, MCL 333.26421 et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101 et seq.; and the Marihuana Tracking Act, MCL 333.27901 et seq.; and all other applicable rules promulgated by the State of Michigan.
  - c. The use or facility must be at all times in compliance with Chapter 866 Medical Marihuana Facilities all other applicable laws and ordinances of the City of Manistee.
  - d. A marihuana facility, or activities associated with the licensed growing, processing, testing, transporting, or sales of marihuana , may not be permitted as a home business or accessory use nor may they include accessory uses except as otherwise provided in this ordinance.
2. Marihuana Growers and Marihuana Processors. Marihuana growers and marihuana processors shall be subject to the following standards:
  - a. Odor. As used in this subsection, building means the building, or portion thereof, used for marihuana production or marihuana processing.
    - 1) The building shall be equipped with an activated carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter.
    - 2) The filtration system shall consist of one or more fans and activated carbon filters. At a minimum, the fan(s) shall be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter (s) shall be rated for the applicable CFM.

- 3) The filtration system shall be maintained in working order and shall be in use. The filters shall be changed a minimum of once every 365 days.
  - 4) Negative air pressure shall be maintained inside the building.
  - 5) Doors and windows shall remain closed, except for the minimum length of time needed to allow people to ingress or egress the building.
  - 6) An alternative odor control system is permitted if the special use permit applicant submits and the municipality accepts a report by a mechanical engineer licensed in the State of Michigan demonstrating that the alternative system will control odor as well or better than the activated carbon filtration system otherwise required. The municipality may hire an outside expert to review the alternative system design and advise as to its comparability and whether in the opinion of the expert it should be accepted.
- b. All off-street parking shall be in compliance with Section 514 of this Ordinance.
  - c. Landscaping and Buffering shall be provided in accordance with Section 531 of this Zoning Ordinance.
  - d. All exterior lighting shall be in accordance with Section 525 hereof.

**BE IT FURTHER RESOLVED** that the Special Use Permit for Marihuana Facility (Marihuana Grower) complies with the following conditions:

- ***The Special Use Permit will be void in the event that the applicant is unable to be licensed by the State of Michigan.***
- ***The gas meter needs protection from cars by the installation of poles (bollards).***
- ***The shrubbery and wood between the tracks and the building needs to be cleaned up.***
- ***A Knox box will need to be installed.***
- ***The Fire Department reserves the right to inspect and approve the building and its components.***
- ***The Fire Department needs access to the back of the building by either a drive, off the alley, to the back of the building with a gate, or a similar setup coming off the front. The drive would need to be maintained and accessible. The key for the gate could be in the Knox box.***
- ***Cameras are to be on all four sides of the building to cover all of the grounds. This may require more than one camera per side as there is a lot of area. The Police Department shall have final approval of the height and installation of the cameras and can add cameras as necessary.***
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- ***A security system is to be installed. Public Safety will review the proposed system prior to installation and inspect the system after installation.***
- ***The odor control system will be installed and shall include an activated carbon canister type system for exhaust air leaving the building. The City Engineer will have final review and approval of the system to ensure the proposed system filters are sized properly for the proposed air flow rates. However, upon operation, the owner will have to verify odors are not leaving the site and will be responsible to upgrade the system, if determined necessary, to reduce odors to an acceptable level.***

- ***Any concerns or outstanding items relating to the request by the City Engineer, DPW Director or Public Safety shall be address before the Special Use Permit can be issued and an updated set of plans be provided for the files.***

**CITY OF MANISTEE PLANNING COMMISSION:**

**AYES:** Slawinski, Szymanski, Barry, Yoder, Thomas, McBride, Wittlieff

**ABSTAINING:** None

**NAYS:** None

**ABSENT:** None

**MOTION:** Passed 7 to 0

**CERTIFICATION:**

I, Marlene McBride, Secretary of the City of Manistee Planning Commission certify that the foregoing is a true and complete record of action taken by the Planning Commission at their regular meeting of May 3, 2018.

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Marlene McBride, Secretary



**PLANNING DEPARTMENT**  
**Kyle Storey**  
**Zoning Administrator**  
**395 Third St. Manistee, Michigan 49660**  
(231) 398-3576  
Fax (231) 398-3526  
kstorey@manisteecountymi.gov

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Date: 7/25/2019

To: Manistee City Planning Commission

From: Kyle Storey – City of Manistee Zoning Administrator

Subject: 294 12<sup>th</sup> Street Special Use Permit

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Dear Commission,

A Special Use Permit has been applied for at 294 12<sup>th</sup> Street. This new application is a Major substantial change to the existing use. The existing use is a Self-Storage facility with four structures. The new Special Use will request a 5-phase expansion process with additional storage in each phase. The previous, expired, Special Use Permit condition's are attached for your review. The following conditions are questionable to applicant and need Planning Commission review:

- Detention Pond managing stormwater
- Installation of fencing around the facility
- Gate with keypad (electrical lines)
- Four boulevard trees

The Special Use applicant will be in attendance and may answer any questions the Planning Commission has. The Planning Commission may entertain allowing the applicant to apply for the new Special Use Permit without fulfilling the conditions from previous Special Use Permit based on answers to questionable conditions. The proposed site plan for new Special Use Permit is attached as well.

Thank you,

Kyle Storey  
Manistee County Planner  
City of Manistee Zoning Administrator

## **CONDITIONS**

- The detention pond is designed without an emergency spillway. The City Engineer is requiring the pond to be sized for two 100 year 24 hour storm events or utilize the storm sewer along Cypress St as an emergency outlet. The ditch along the north edge of the project could be used for conveyance and pipe the overflow to Cypress St. A new site plan is to be reviewed and approved by the City Engineer showing the management of stormwater before the Special Use Permit can be issued.
- The plan shows the sidewalk constructed along the right of way. The sidewalk is to be placed one foot inside the outer edge of the right of way.
- Phase 2 sidewalks are to be extended to the east property line.
- Twelfth St will be planned for reconstruction within the next 2-3 years. The developer shall work with the City to have a sidewalk constructed in conjunction with the reconstruction of Twelfth Street. Cost of construction of the sidewalk shall be the Developers, and the payment shall be a condition of the Special Use Permit. Funds for the sidewalk construction shall be either escrowed with the City by Developer, secured through a bond acceptable to the City or payment secured by some other method acceptable to the City.
- Hours of operation are limited to 7 am – 10 pm
- A gate with a keypad is required to be installed before the business opens. The key pad will provide a code for customers to access their units during hours of operation. The Police/Fire Department will be provided a method to open the gate in the event of an emergency.
- The installation of fencing around the facility will be considered a minor non substantive change which can be approved by the Site Plan Review Committee.
- In conjunction with the reconstruction of Twelfth Street the applicant is to provide four boulevard trees.

## **TRANSFER OF PERMIT**

This permit is transferable only in accordance with Article 18, Section 1801.H of the ordinance.

## **EXPIRATION OF PERMIT (as per Article 18 Section 1801.I):**

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.





