

**CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES**

November 6, 2023

J. Doyle called the meeting to order at 4:05 p.m. and roll was taken.

MEMBERS PRESENT: J. Seyferth, K. Johnson, B. Mazade, J. Montgomery-Keast, E. Hood
(arrived at 4:22pm), D. Keener
MEMBERS ABSENT: T. Michalski
MEMBERS EXCUSED: J. Doyle, S. Blake
STAFF PRESENT: M. Franzak, S. Pulos, J. Pesch, J. Eckholm
OTHERS PRESENT: J. Rooks, R. Charron

APPROVAL OF MINUTES

None.

OLD BUSINESS

None.

NEW BUSINESS

A motion to have Bryon Mazade chair the meeting in the absence of the chair and vice-chair was made by J. Seyferth, supported by J. Montgomery-Keast and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2023-30: Request for preliminary and final Planned Unit Development approval at 2400-2850 Lakeshore Dr, by Parkland Acquisition Six, LLC.

SUMMARY

1. The properties are zoned I-2, General Industrial and OSR, Open Space Recreation. The applicant is proposing a mixed-use development under the Planned Unit Development section of the zoning ordinance. The I-2 section of the ordinance states "Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the I-2 General Industrial District is to allow mixed land uses, which are compatible to each other." The Planning Commission must vote on approval or denial of the preliminary PUD and also vote on a recommendation of the final PUD to the City Commission.
2. The site is currently under environmental review and cleanup.
3. The development could include up to 2,314 units (18.8 D.U/AC). This would include single-family houses, townhouses, small condo buildings (10-12 units each), large apartment/condo

buildings (48 units each) and mixed-use apartments (55 units total). Some of the proposed single-family lots to the east of the proposed restaurant could be combined to create larger buildable lots. Please see the enclosed documents depicting the design guidelines that each housing type will have to follow.

4. The development proposes 42,780 sf of retail/office space. Buildings A1-A4 and MU1-MU-4 would allow for permitted uses allowed in the B-2 district of the zoning ordinance.
5. The development would be accessed by three public streets that enter the development off of Lakeshore Dr. Sidewalks have been proposed near every cross street located off of the south side of Lakeshore Dr.
6. The proposed marina includes 251 private boat slips and 1400 linear feet of transient spaces.
7. Residential lots abutting the water could potentially apply for permits from EGLE for individual boat docks that would need their own separate permits.
8. Please see the site regulation standards listed on the site plan. The tallest buildings on the site would be the multi-family buildings along Lakeshore Dr at six stories.
9. Street trees will be provided every 34-45 feet.
10. The bike path along Lakeshore Dr has been moved off-street.
11. Wayfinding signage will be placed throughout the development to direct pedestrians to publicly-accessible amenities.
12. Sidewalks, bike paths, and walking paths are depicted in red on the site plan.
13. The proposed restaurant/music venue will have quiet hours from 11 p.m. to 10 a.m.
14. The proposed streets are public and there will be not fences/gates within the development except piers 1-4, dog park, sports courts, playgrounds, pools, dumpsters and above ground utility screening.
15. All public amenities will be owned and maintained by the development association in perpetuity. Public amenities include:
 - Fishing and kayak launch (#17 on site plan)
 - Break wall/fishing/shopper docks (#27)
 - Restaurant with public restrooms (#13)
 - Nature boardwalk (#15)
 - Public parklet with fishing dock (#16)
 - Public fishing and kayak launch (#17)
 - Multi-modal trail connector (#18)
 - Dog Park and pollinator garden (#22)
 - Playground (#23)
 - Woodland preservation area and on-leash dog park (#24)
16. Please see the enclosed Phasing Plan.
17. A proposed traffic circle has been added after receiving public feedback but will need to be

further studied for applicability. The developer does own the two properties on the south side of Lakeshore Dr needed to accommodate a traffic circle.

PUBLIC COMMENTS

1. Roger Rappaport: He stated that he has not heard the legal opinion about this case. He said that the contamination, PFAS, SAPPI's stated deed restrictions on the site should be considered. He also stated that Pure Muskegon did do a cleanup of the site and the company hired, Fishbeck, did a report of that cleanup where it talks about site safety. He said that he did not recall whether or not any of those recommendations were implemented and believed this site to be just like Hoeker chemical, are not viable to build on.
2. Dave Medendorp, 2314 Harrison: He stated that he is directly on this site. He talked about after the SAPPI demolition that he has gotten a bonus view for the time being and that he loves looking at the water. He went on to say that he thinks that the proposed development will be a different kind of beautiful and will love to look at the new house being built there too. He believes that people will not buy there if there is an environmental concern and the project will fail. He feels lucky to have Jon Rooks in our community.
3. Jon Ritter, 281 Seminole, Pure Muskegon Attorney: He stated that the PC voted unanimously in favor of the project at the last meeting but due to a clerical error, some residents within 300ft did not receive notice. He stated that no comments/problems from those additional person noticed has been heard against the project. He stated that there were two choices with this case – to either leave it vacant industrial land or have it be a wonderful waterfront development.
4. Tom Krusniak, 3406 Fulton: He talked about an area off the shoreline of the project, 150 ft in diameter where no vegetation would grow. He talked about how fisherman still fished the area. He went on to say that we should try to avoid a Lake Macatowa situation and that aesthetics are important and that Europe and South America do "it" right. He also talked about how people like to look at water so much that Edgewater Street should have an access toll because so many people use that area to do so. He also will miss losing some of the view blocked by the potential project.
5. Rob Raffson, 1314 11t: He is a profession engineer and environmental engineer for the last 40 years, 25 of which have been as a brownfield developer. It takes a lot of effort to achieve safety through the necessary level of cleanliness is achieved to take the property from a contaminated industrial site to a residential development. He stated that we don't want to be in a situation like others when this have been attempted. He stated that the city has a responsibility to future residents to be environment clean and safe. He said that the density of the project is concerning because of the limited infrastructure support in regards to roadways in the proximity.

CLOSE PUBLIC HEARING – MOTION

A motion to close the public hearing was made by J. Seyferth, supported by J. Montgomery-Keast and unanimously approved.

1st MOTION

J. Seyferth moved, seconded by D. Keener moved, that the request for preliminary Planned Unit Development approval at 2400-2850 Lakeshore Dr be approved, contingent upon the acquisition of the property by Parkland Acquisition Six, LLC based on the PUD review standards listed in Article 21, number 1, part C - 1 through 7 of the zoning ordinance.

ROLL CALL VOTE

K. Johnson: Yes	B. Mazade: Yes	J. Montgomery-Keast: Yes
E. Hood: Yes	D. Keener: Yes	J. Seyferth: Yes

MOTION PASSES

2nd MOTION

K. Johnson moved, seconded by J. Montgomery-Keast, that the request for final Planned Unit Development approval at 2400-2850 Lakeshore Dr be recommended to the City Commission for approval contingent upon the acquisition of the property by Parkland Acquisition Six, LLC based on the PUD review standards listed in Article 21, number 1, part C - 1 through 7 of the zoning ordinance, with the following conditions:

1. A traffic study be conducted, reviewed, and published by the Public Works Director.
2. A stormwater permit is granted from the Engineering Department.
3. A utility plan is approved by the Public Works Director.
4. All applicable permits from various State Departments are obtained.
5. A revised plan showing fire access to the marina slips is approved by the Fire Marshall.
6. A landscape management plan for a native vegetation planting zone around the waterfront homes, paths and patios within 30 feet of the ordinary high-water mark shall be submitted by the developer and approved by the Public Works Director.

ROLL CALL VOTE

K. Johnson: Yes	B. Mazade: Yes	J. Montgomery-Keast: Yes
E. Hood: Yes	D. Keener: Yes	J. Seyferth: Yes

MOTION PASSES

UPDATES ON PREVIOUS CASES

None.

OTHER

None.

ADJOURN

There being no further business, the meeting was adjourned at 5:03 pm.