

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Thursday, October 11, 2018

TIME OF MEETING: 4:00 p.m.

PLACE OF MEETING: Muskegon High School Auditorium, 80 W. Southern Avenue

AGENDA

- I. Roll Call
- II. Approval of Minutes from the special meeting of September 13, 2018.
- III. Public Hearings
 - A. Hearing, Case 2018-28: Request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St, by MiCOAST Properties, LLC.
- IV. New Business
- V. Old Business
- VI. Other
- VII. Adjourn

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETING OF THE
CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting, upon twenty-four hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following:

Ann Meisch, City Clerk
933 Terrace Street

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

September 13, 2018

Chairperson T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, J. Montgomery-Keast, B. Mazade, B. Larson, M. Hovey-Wright

MEMBERS ABSENT: S. Gawron, excused; J. Doyle, excused; E. Hood, excused; F. Peterson, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: S. Singh, 415 E Laketon Ave; J. Davis

APPROVAL OF MINUTES

A motion to approve the Minutes of the regular Planning Commission meeting of August 16, 2018, was made by J. Montgomery-Keast, supported by B. Larson and unanimously approved.

PUBLIC HEARINGS

2018-27: Request for a special land use permit to allow a gas station at 415 E Laketon Ave, by Surinder Kaur. M. Franzak presented the staff report. The property is located at the southeast corner of the intersection of Wood St. and Laketon Ave and is currently the location of Metro PCS. The applicant is requesting a special use permit to change the use to a gas station, and they intend to add a small addition to host a beer cooler. The lot measures roughly 18,730 square feet, the current building measures 1,251 square feet and the addition would add 560 square feet. The property is zoned B-2, Convenience & Comparison Business District, which allows automobile service stations for the sale of gasoline, oil, tires, muffler tune up, not including major repair such as engine rebuilding, undercoating, and similar industrially-oriented activities, and further subject to the following conditions: 1) The curb cuts for ingress and egress to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the roadway) or from adjacent residential property, and subject to other ordinances of the City; 2) The minimum lot area shall be ten thousand (10,000) square feet, and so arranged that ample space is available for motor vehicles which are required to wait; 3) There shall be provided, on those sides abutting or adjacent to a residential district, a four foot (4') completely obscuring wall or fence. The height of the wall or fence shall be measured from the surface of the ground; 4) All lighting shall be shielded from adjacent residential districts and from abutting streets; and 5) All restroom doors shall be shielded from adjoining residential property.

M. Franzak distributed an updated site plan to the board members and stated that it addressed most of the staff concerns listed in the original staff report mailed to the board, including the issues with traffic flow. They still needed to submit a stormwater management plan but staff could review that to ensure it met the requirements. They also addressed blight issues on the property such as broken concrete. They still needed to add some plantings and a greenbelt, but would need to leave a concrete pad for the bus stop at that location. Franzak stated that the property met the requirements listed above for a Special Use Permit. Notices were sent to properties within 300 feet of this property but no comments were received.

B. Larson asked if the gas station would be affiliated with a major oil company or independently owned. S.

Singh stated that at this point it would be individually owned, although they had contacted some of the major oil companies and were still considering their options. He stated they would be installing new underground tanks and lines, as well as removing any old tanks. They had been in business for 2 years there with the cell phone store so he was aware of the condition of the property. M. Hovey-Wright asked if he had had any input from the neighborhood association regarding alcohol sales. S. Singh stated that they had not applied to sell alcohol at this time and not spoken to the neighborhood association; however, they would likely consider selling beer and wine at a later date as part of a convenience store. J. Davis was the builder and explained the some of the planned improvements to the building. They were going to build an addition for a walk-in cooler, add more glass to the front to improve aesthetics, and install a handicap-accessible entrance. B. Mazade asked if alcohol sales would have any effect the Special Use Permit. M. Franzak stated that it would not.

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

A motion that the request for a special land use permit to allow a gas station at 415 E Laketon Ave be approved, with the conditions that 1) the concrete bus pad must remain on site, 2) a stormwater management plan must be approved by staff, and 3) landscaping and a greenbelt buffer must be added as required by the ordinance and approved by staff, was made by J. Montgomery-Keast, supported by M. Hovey-Wright and unanimously approved, with T. Michalski, J. Montgomery-Keast, B. Mazade, F. Peterson, B. Larson, and M. Hovey-Wright voting aye.

NEW BUSINESS

None

OLD BUSINESS

None

OTHER

There being no further business, the meeting was adjourned at 4:30 p.m.

dr

STAFF REPORT

October 11, 2018

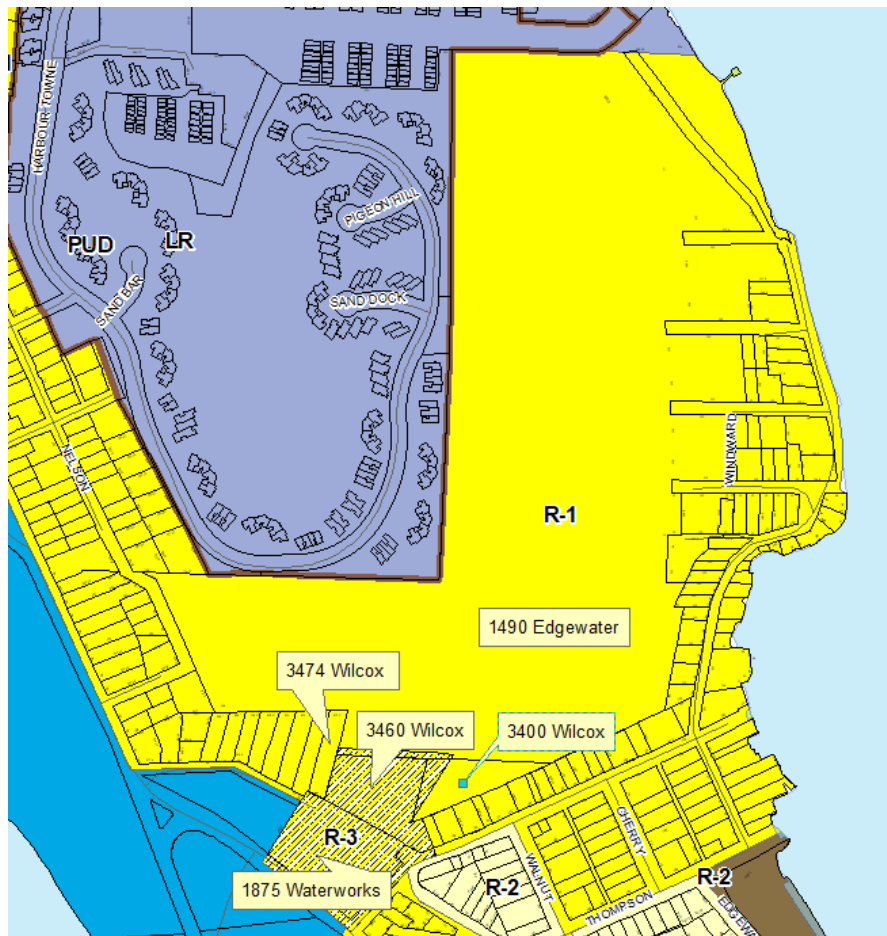
Hearing, Case 2018-28: Request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St, by MiCOAST Properties, LLC.

SUMMARY

1. All of the properties are currently zoned single family residential. The PUD is required to allow for a mixture of residential uses and recreational uses and flexibility on lots size and setback requirements. Although setbacks are not currently defined, it is anticipated that they will be smaller than the city's requirements for R-1 districts and more closely aligned with the density of R-3 districts. Some of the lots may also be smaller than the requirements of the R-1 district.

	R-1	R-2	R-3
Min Lot Size	6,000 sf	4,000 sf	3,000 sf
Min Lot Width	50 ft	40 ft	30 ft
Max Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Front Setbacks	Minor Street: 15 feet	Minor Street: 10 feet	Minor Street: 10 feet
Rear Setback	30 ft	20 ft	15 ft
Side Setbacks:	1 story: 6 2 story: 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5

Zoning Map

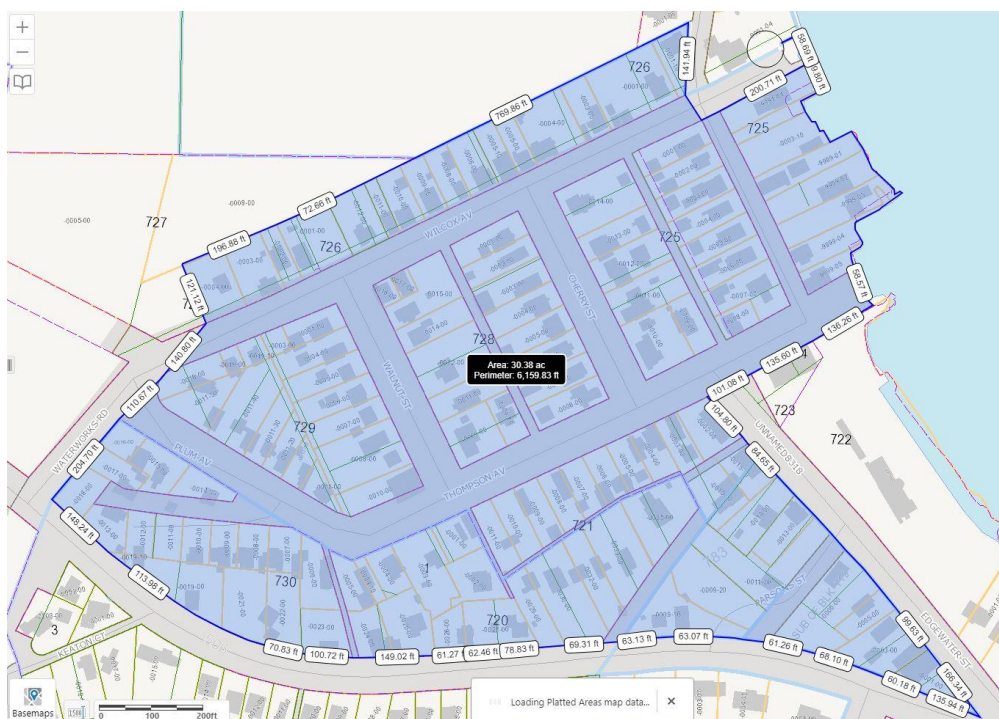


2. The zoning ordinance defines density as the number of dwelling units situated on or to be developed on a net acre (or smaller unit) of land, which shall be calculated by taking the total gross acreage and subtracting surface water, undevelopable lands (e.g., wetlands) and the area in rights-of-way for streets and roads. Then, the developable square feet is divided by the minimum lot size required by the ordinance. Using this formula, the density of this development would be 280 units within 40.53 net developable acres (6.9 units per acre). This is less than the 7 units per acre that has historically been allowed in R-1 districts, our least dense zoning designation in the city. The chart below shows the net developable acreage and how many homes could be developed using the current zoning designations of R-1 (37.21 acres in this plan) and R-3 (3.32 acres in this plan) without a PUD. This breaks down to 318 units. This development is only requesting 280 units.

Density Calculation

	Totals	R-1 Zoning	R-3 Zoning
Total site	82.83	76.97	5.86
ROW for Streets	-15	-14	-1
Wetland Area	-3.7	-3.7	0
Surface Water/Floodplain	-12	-12	0
Storm Ponds	-2	-1.85	-0.15
Steep Slopes	-9.6	-8.21	-1.39
Net Developable Acres	40.53	37.21	3.32
Net Developable Square Feet		1,620,868	144,619
Minimum Lot Size - Sq Ft		6,000	3,000
Allowed Dwelling Units	318	270	48
Net Density Per Acre	7.8	7.3	14.5

Density of Adjacent Portion of Bluffton – 6.18 Acres per Unit



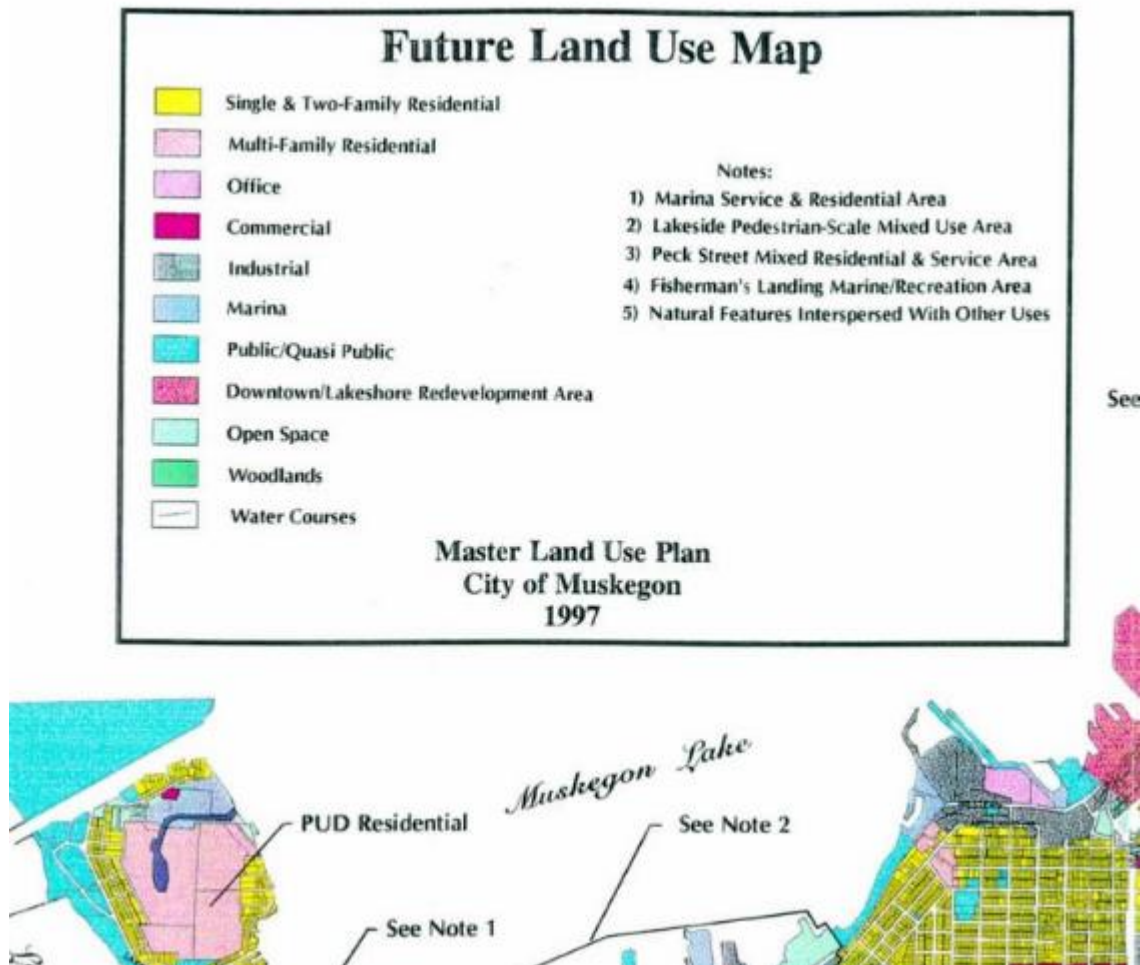
3. The plan proposes three ingress/egress points to the development. The main entrance would be a new road at the intersection of Wilcox/Plum that would traverse over the dune. This road has already received a MDEQ Critical Dune permit. The other two access points to the development are proposed to be gated and only used in case of emergency. These gated locations are on Harbour Towne Circle and Edgewater St.
4. The 12-acre boat basing will be created from excavating existing land. The basin will vary in width from 150' to 400' and contain a variety of shoreline conditions from natural marsh to stone and hard seawall, allowing a variety of uses. It will create one mile of new waterfront, of which about half will be publicly accessible. Residents will have options of over-water decks, docks and boathouses. This basin would require a permit from the Army Core of Engineers and MDEQ.
5. Common amenities include a community building, fitness center, pool, boardwalks, bike lanes, parks, trails, pickleball courts and a kayak launch.
6. The plan proposes a majority of the residential units to be detached, however, some attached units can be found throughout the development. These homes are proposed to be up to two stories in height. Live/work homes are proposed on the former Bluffton School property. There is also a proposed condo building that would host 25-30 units in a four-story building. All buildings are setback at least 50 feet from the Harbour Towne development.
7. A traffic study and hydrology study are currently underway.
8. No structures are proposed in critical dune areas.
9. The developers held an informational meeting for the community on September 5 at the country club.
10. Please see the enclosed letters from citizens.

Critical Dune Map



MASTER LAND USE PLAN RECOMMENDATION

The City's Master Land Use Plan calls for a multi-family residential PUD at this location. Please see the Future Land Use map below.



The sub-area plan for this location also notes that when compared to the Lake Michigan side and the area of the Muskegon Lake channel, the opportunity for public access to the Muskegon Lake shoreline is limited. The creation of a new mile of shoreline, half of which will be publicly accessible, creates a solution to this problem.

The Imagine Muskegon Lake Plan also recommends for residential development at this location. The plan notes that there are opportunities for new housing to maximize view corridors supports the City's tax base, enabling growth in areas with high demand. Access to both Muskegon Lake and Lake Michigan offers residents two different waterfront experiences. Please see the map from the Imagine Muskegon Lake plan below.



PUD REQUIREMENTS

PUD guidelines, as they relate to this development, can be found in the following sections of the zoning ordinance. Zoning ordinance excerpts for these sections have been included in this packet for review.

- Section 403 (Regulations for PUDs in Single Family Residential Districts)
- Section 2101 (General PUD regulations)

Section 2101 “states that a Preliminary PUD submission shall contain a general development plan depicting the proposed locations of streets, parking areas, open spaces, buildings and structures, and their spatial relationships, the relationship to off-site improvements and infrastructure and any unusual topographic features.”

Section 403 “states that the intent of Planned Unit Developments in the single family residential district is to allow for flexibility in the design of housing developments, including but not limited to condominium developments and cluster subdivisions, to allow for the preservation of open space; allow for economies in the provision of utilities and public services; provide recreational opportunities; and protect important natural features from the adverse impacts of development. The Planning Commission, in reviewing and approving a proposed PUD may allow lots within the PUD to be reduced in area and width and setbacks below the minimum normally required by this ordinance in return for common open space where it is determined that the benefits of the cluster approach will decrease development costs, increase recreational opportunities, or

prevent the loss of natural features. The Planning Commission, in its determination, shall consider the densities permitted in the Zoning Ordinance and, if applicable, the land's capability to bear the higher density."

This request meets all of the standards in Sections 403 and 2101. This project fulfills the requirements of Section 403 for the following reasons:

- At 6.9 acres per unit, it is less dense than what is allowed in the underlying R-1 zoning designation. Furthermore, higher density and bonus units can be considered under a PUD where the developer provides additional open space or amenities within the development. This plan provides well above the 15% open space that is required. However, they are not seeking a denser development than is allowed.
- The PUD is being requested to allow for additional housing types and reduced setbacks and lot sizes. This is acceptable because the compact home design creates more recreational opportunities and the prevention of the loss of natural features.

STAFF RECOMMENDATION

Staff recommends approval of the Preliminary PUD because it is consistent with the Master Land Use Plan and it meets the PUD requirements in sections 403 and 2101 of the zoning ordinance.

Staff suggests with the following recommendations to be implemented in the Final PUD submission:

1. Road connections at Edgewater and Harbour Towne Circle will not be gated.
2. Additional road connections shall be made to the fullest extent possible. The map below shows the proposed road connections in this plan in red and the additional staff-requested connections in yellow. Road connections at these locations should extend to the property lines.
3. The parking lot north of the condo building should be more separated from the existing homes. The setback should be increased and it should be fully screened with trees.



DELIBERATION

I move that the request for preliminary Planned Unit Development approval for a mixed-use development at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St be (approved/denied) with the following recommendations for the Final PUD submission:

1. Road connections at Edgewater and Harbour Towne Circle will not be gated.
2. Additional road connections as noted in the staff recommendation are incorporated.
3. The parking lot north of the condo building should be more separated from the existing homes. The setback should be increased and it should be fully screened with trees to create a buffer.