

CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 28, 2021 @ 5:30 P.M.

**MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440**

AGENDA

- ☐ **CALL TO ORDER:**
- ☐ **PRAYER:**
- ☐ **PLEDGE OF ALLEGIANCE:**
- ☐ **ROLL CALL:**
- ☐ **HONORS, AWARDS, AND PRESENTATIONS:**
- ☐ **A. Senior Power of Produce Volunteer Recognition**
- ☐ **PUBLIC COMMENT ON AGENDA ITEMS:**
- ☐ **CONSENT AGENDA:**
 - A. Approval of Minutes** City Clerk
 - B. Solid Waste Ordinance Amendment** City Manager
 - C. Aquarium Feasibility Study** Economic Development
 - D. Reassignment of Building Contracts for 769 Catawba Avenue and 548 E Dale Avenue** CNS
 - E. Alley Paving Policy** Public Works
 - F. Deer Hunting Ordinance Amendment** Public Works
 - G. Traffic Control Order #71** Public Works
 - H. Water Filtration Plant Fencing – Change Order #001** Public Works
 - I. Administrative Vehicle Replacement** Public Works
 - J. Temporary Art Installation, 1095 Third** Economic Development
 - K. West Urban ARP Development Agreement** City Manager - REMOVED
 - L. Holiday Lights on Western Avenue** City Clerk
 - M. Shoreline Tram Transfer** City Clerk
- ☐ **PUBLIC HEARINGS:**
 - A. Final PUD Approval at Adelaide Point** Planning

☐ **UNFINISHED BUSINESS:**

A. Amendment to the Floodplain Management Ordinance – SECOND READING Planning

B. Rezoning of 1128 Roberts – TABLED on August 24, 2021 Planning

☐ **NEW BUSINESS:**

A. DDA Liquor License – 1208 8th Street Planning

☐ **ANY OTHER BUSINESS:**

☐ **PUBLIC COMMENT ON NON-AGENDA ITEMS:**

- ▶ **Reminder: Individuals who would like to address the City Commission shall do the following:**
- ▶ Fill out a request to speak form attached to the agenda or located in the back of the room.
- ▶ Submit the form to the City Clerk.
- ▶ Be recognized by the Chair.
- ▶ Step forward to the microphone.
- ▶ State name and address.
- ▶ Limit of 3 minutes to address the Commission.
- ▶ (Speaker representing a group may be allowed 10 minutes if previously registered with City Clerk.)

☐ **CLOSED SESSION:**

☐ **ADJOURNMENT:**

ADA POLICY: THE CITY OF MUSKEGON WILL PROVIDE NECESSARY AUXILIARY AIDS AND SERVICES TO INDIVIDUALS WHO WANT TO ATTEND THE MEETING UPON TWENTY-FOUR HOUR NOTICE TO THE CITY OF MUSKEGON. PLEASE CONTACT ANN MARIE MEISCH, CITY CLERK, 933 TERRACE STREET, MUSKEGON, MI 49440 OR BY CALLING (231) 724-6705 OR TTY/TDD DIAL 7-1-1-22 TO REQUEST A REPRESENTATIVE TO DIAL (231) 724-6705.

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: Approval of Minutes
Submitted By: Ann Marie Meisch, MMC	Department: City Clerk
Brief Summary: To approve the minutes of the September 13, 2021 Worksession and September 14, 2021 Regular Meeting.	
Detailed Summary: N/A	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: To approve the minutes.	
For City Clerk Use Only: Commission Action:	

CITY OF MUSKEGON
CITY COMMISSION WORKSESSION

Monday, September 13, 2021
5:30 p.m.
City Commission Chambers

Minutes

2021-73

Present: Mayor Gawron, Vice Mayor Hood, Commissioners Rinsema-Sybenga, Emory, Johnson, and German

Absent: Commissioner Ramsey

Alley Paving Policy

The Department of Public Works Director, Leo Evans, presented an Alley Paving Policy for City Commission consideration. An overview of the process is as follows:

Citizens organize amongst their block and complete a (3) three-page application to petition the city to have their alley paved. Application requires designation of a Block Captain to serve as the single point of contact, information on the specific alley, and a roll for the parcels with alley frontage.

The city staff will review all applications and create a shortlist of alleys to be paved on an annual basis. Alleys will be reviewed and prioritized based on access, ownership, utility conditions, use types/frequency, DPW availability for the work, and neighbor support. Not all alleys are candidates for paving. City staff will communicate with the Block Captain on the findings and recommendations.

Unanimous support is not necessary to proceed, however majority support is necessary, and the higher the support the higher the priority.

Once an alley is selected the Block Captain is responsible to collect the fees associated with the paving request and deliver them to the City. Once paid the City will schedule the work during the available paving season (May – October) based on staff availability. Work will take approximately 1 week to complete and residents are asked to minimize their use of the alley during the work.

Alley paving will consist of a single 12 FT wide lane at approximately 2 inches thickness asphalt. No flare outs or widening will be constructed. Any additional work to extend existing paved driveways to meet the paved alley is the homeowners responsibility. City

will maintain the alley for its useful life, when full replacement is warranted the process must be restarted.

Discussion took place regarding the proposed policy. This item will be considered at a regular meeting in the future.

Draft Deer Hunting Ordinance

Department of Public Works Director, Leo Evans, presented a draft deer hunting ordinance for City Commission Consideration. An overview of the process is as follows:

Parcels would apply for status as a designated Deer Management Area (DMA). Staff would review applications and present a recommendation to the Commission for approval. Staff would review the following in determining their recommendation:

- Size of parcel (Minimum 5 Acres between maximum of 2 parcels)
- Appropriate areas within the parcel
- Number of hunters
- Shooting Direction
- Duration of DMA designation

Public and/or Private parcels could be considered for DMA status; combined public and private parcels, to meet the 5-acre minimum, would not be considered.

Hunters are required to meet all MDNR rules and regulations, only archery hunting is allowed and only during MDNR approved archery seasons. A legal MDNR harvest tag must be possessed by the hunter and used if a deer is harvested.

Hunting within a public land DMA requires issuance of a permit from the City. A city issued permit is not required for private land.

150 FT setback required from any public building, street, and DMA perimeter is required.

Hunters may not trespass for any reason.

Discussion took place regarding the proposed ordinance. This item will be considered at a regular meeting in the future.

ARP Infill Housing Program

City staff has developed and released a Request for Qualifications for homebuilders to participate in our ARP Infill Housing Program. We received a total of four responses.

Staff is recommending that all four builders be selected to submit formal proposals to construct homes as part of the ARP Infill Housing Program. LRS Enterprises submitted to construct five homes; Williams Construction submitted to construct six homes; Kramer Builders submitted to construct three homes, and West Urban Properties submitted to construct the full \$5 Million program. We are using a rough estimate of \$250,000 per home, the actual costs will be determined as the builders bid their specific projects with their subcontractors. The breakdown will look something like this:

Builder/Developer	City ARPA Funds	Developer Funds
LRS Enterprises	\$750,000	\$750,000
Williams Construction	\$750,000	\$750,000
Kramer Builders	\$250,000	\$250,000
West Urban Properties	\$3,250,000	\$3,250,000

Discussion took place regarding the ARP Infill Housing Program. This item will be considered at the September 14, 2021 regular City Commission meeting.

Arena Buildout – Carlisle's

Carlisle's restaurant is officially moving forward at Mercy Health Arena. Staff is seeking approval to perform the construction activities.

After more than two years of planning, we have started demolition of the front entryway at the arena to accommodate the facility's newest restaurant. There are a number of logistics related to the construction timing that is resulting in a logical path forward that includes the City managing the construction project and timeline.

There are a number of key milestones that we must hit, including the two greatest issues: moving doors for the opening of the hockey season in October, and building in compliance with our liquor license. Our lease with Carlisle's calls for them to begin construction after the DDA liquor license is secured – that may take much of October and is not acceptable to the Lumberjacks. To expedite the process, the Arena is seeking to undertake and manage the construction efforts. We would enter into the construction contract with Platinum Construction (Carlisle's contractor). Carlisle's ownership group would then pay us in full once construction is complete. Not that we have their bank approval letter, and their financing is already set. The buildout will take 8-10 weeks at an estimated cost of \$647,202.49.

Discussion took place regarding the Arena Buildout for Carlisle's. This item will be considered at the September 14, 2021 regular City Commission meeting.

Marihuana Facilities Update

Jill Montgomery-Keast from Public Health Muskegon County updated the City Commission on how funding is being used to provide education, communication, and outreach related to the use of marihuana. The education is harm-reduction focused. Discussion took place about partnering with the Health Department on the education campaign.

Mike Franzak, Planning Manager, updated the City Commission on Social Equity grants that have been awarded. Two have been awarded. Mr. Franzak also provided some suggested amendments to the Social Equity grant program. The Planning Department is also working the County Clerk to hold an expungement clinic.

Mike went on to provide the Commission with some suggested Zoning changes that will be discussed at an upcoming Planning Commission meeting. The suggestion includes some rezoning in the Lakeside area to allow for certain marihuana license types. The current zoning in that area does not allow for most of these types of businesses.

Public Comment – No public comments were received.

Adjournment – The Worksession meeting adjourned at 8:36 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk

CITY OF MUSKEGON

CITY COMMISSION MEETING

SEPTEMBER 14, 2021 @ 5:30 P.M.
MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, MI at 5:30 p.m., Tuesday, September 14, 2021, Mr. George Munroe, Evanston Avenue Baptist Church, opened the meeting with a prayer, after which the Commission and public recited the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen J. Gawron, Vice Mayor Eric Hood (arrived at 5:36), Commissioners Ken Johnson, Dan Rinsema-Sybenga, and Teresa Emory, City Manager – Frank Peterson, City Attorney John Schrier, and City Clerk Ann Meisch.

Absent: Commissioners Willie German and Michael Ramsey

PUBLIC COMMENT ON AGENDA ITEMS: Public comments were received.

2021-84 CONSENT AGENDA:

A. Approval of Minutes City Clerk

SUMMARY OF REQUEST: To approve the minutes of the August 24, 2021 Regular Meeting.

STAFF RECOMMENDATION: To approve the minutes.

B. Financing 100-Foot Mid Mount Tower Ladder Truck Finance

SUMMARY OF REQUEST: At this time, we are seeking authorization to enter into a lease agreement with Team Financial for the purchase of a 100-foot Mid Mount Tower Ladder Truck.

At the August 10, 2021 City Commission meeting the Commission voted to purchase two Fire Trucks. By the end of September, the 100-foot Mid Mount Tower Ladder Truck will be ready to purchase for \$1,370,873. At this time, we are seeking authorization to enter into a lease agreement with Team Financial. The

proposed terms are for a five -year lease at 1.78% interest rate with the City purchasing the truck at the end of the lease for \$1. There is a one-time \$500.00 processing fee.

AMOUNT REQUESTED: \$1,370,873.00

AMOUNT BUDGETED: \$286,740.00 for 5 years

FUND OR ACCOUT: General – 101-50336-5700

STAFF RECOMMENDATION: To approve the lease agreement with Team Financial.

C. Increase in General Fund Transfer to Mercy Health Arena and the Public Service Building Finance

SUMMARY OF REQUEST: The Mercy Health Arena fund and the Public Service Building fund require a larger transfer from the General fund then what was budgeted to prevent a deficit. Mercy Health Arena needs an additional \$25,000 transferred from the General Fund and the Public Service Building needs an additional \$425,000 transferred from the General Fund.

Based on financial results for the fiscal year end June 30, 2021 the Mercy Health Arena and the Public Service Building fund required a larger transfer from the General Fund then what was budgeted in the 4th quarter reforecast, to prevent a fund deficit. The Mercy Health Arena fund needs to be increased from \$700,000 to \$725,000 and the Public Service Building fund needs to be increased from \$200,000 to \$625,000.

AMOUNT REQUESTED: \$1,350,000 AMOUNT BUDGETED: \$900,000

FUND OR ACCOUNT: 101, 254, 642

STAFF RECOMMENDATION: To approve the increase to the General Fund transfers for the Mercy Health Arena to \$725,000 and the Public Service Building to \$625,000.

D. Western Avenue ADA Work Public Works

SUMMARY OF REQUEST: Staff is requesting authorization to partner on several projects along Western Avenue to improve the ADA Access throughout the corridor.

The City Commission allocated \$200,000 towards ADA work in the FY 21/22 budget as shown in line 101-91116. City staff is proposing a series of partnerships

along Western Avenue to enhance the accessibility and pedestrian experience along the corridor.

Frauenthal

The Frauenthal is underway installing a snow melt system on the sidewalk in front of the Frauenthal and the Hilt Building as a part of their capital project which also includes replacing the ceiling of the Hilt Building basement which is under the sidewalk. The snowmelt system will be installed, operated and maintained by the Frauenthal at no cost to the City. Staff is seeking permission to allocate \$120,000 towards the cost of removing and replacing the existing sidewalk in partnership on the project.

Staff is seeking to utilize the remaining \$80,000 towards two projects along Western Avenue and possibly supplement with additional Major Street dollars if necessary. An exact split between these two is yet to be determined.

3rd – 4th Block (West Half)

This project will involve removal of several parallel parking spaces along Western Avenue and widening the sidewalk. Instead of a barrier curb a gutter will be placed along the edge of the roadway allowing for the area formerly used by the parallel parking spaces to be either used as additional pedestrian space and/or parallel parking spaces. This is a half-block long model similar to what the City of Detroit completed on Bagley Street -

<https://detroit.curbed.com/2020/1/16/21068713/bagley-street-mexicantown-detroit-shared-street> The goal is to create a barrier free interface from building face to building face that can be used as the situation dictates. This would be a trial concept to prove the notion for later use on a large scale.

1st – 2nd Block (West Half / North Side)

This project would be a partnership with the Leonard to eliminate several angle parking spaces on Western in front of the Leonard, and several parallel spaces along 2nd Street adjacent to The Leonard. The goal of this project would be to offer increased pedestrian and plaza space for use as social district space, and/or in conjunction with a future restaurant type operation located on the ground floor of The Leonard.

In all of these projects the split of this \$200,000 may not fully fund the project and additional funds may be required. This proposal is just the first step in funding each of these projects.

AMOUNT REQUESTED: \$200,000

AMOUNT BUDGETED: \$200,000

FUND OR ACCOUNT: 101-91116

STAFF RECOMMENDATION: Authorize staff to utilize the \$200,000 allocation for ADA Projects in partnership with multiple projects along Western Avenue.

E. Extension of CHOP Contract Public Works

SUMMARY OF REQUEST: Staff is requesting authorization to extend an existing contract with CHOP Tree Service during Fiscal Year 21/22 in the amount of \$75,000 for As-Needed Forestry Services.

The City Commission allocated \$75,000 towards Contractual Forestry Work under line 101-70771-5300 in the 21/22 Fiscal Year. Staff is requesting authorization to extend our existing contract with CHOP, Inc. who was the low bidder selected for the same work during the 20/21 Fiscal Year. CHOP, Inc. has been a great contractor and helped partner with us successfully complete several forestry projects during the previous fiscal year.

Staff has previously utilized CHOP for work outside of the road right-of-way when performing tree work on development projects, and for large scale projects where CHOP can provide increased resources to address large projects (Lakeside Cemetery & Musketawa Trail).

Staff is requesting to award the \$75,000 budgeted to CHOP as an extension for the 21/22 Fiscal Year and not repost the work for competitive bids. During the previous bidding cycle CHOP was the only bid accepted. A copy of the bid sheet submitted during the 20/21 open competitive bidding is provided for reference.

AMOUNT REQUESTED: \$75,000 AMOUNT BUDGETED: \$75,000

FUND OR ACCOUNT: 101-70771-5300

STAFF RECOMMENDATION: Authorize staff to extend the existing contract with CHOP Tree Service in the amount of \$75,000 for completion during the 21/22 Fiscal Year.

F. Laketon Trail Lighting Public Works

SUMMARY OF REQUEST: Staff is requesting authorization to award a contract to J&J Electrical LLC for the construction of lights along a portion of the Laketon Trail.

Staff solicited bids for a project to install trail lighting on a portion of the Laketon Trail between Peck and 7th Street. This area is located within the marihuana district and the existing street lights along Laketon Avenue are all on the south

side of the street, across from the path leading to less than desirable lighting levels along the pathway in particular at the street crossings. Bids were received on August 24, 2021 with the low bid coming from J&J in the amount of \$94,037.00.

Staff has not worked with J&J previously and conducted a meeting with them on August 30, 2021 to assess their understanding of the project and gauge their ability to complete the work. It is the opinion of staff that J&J fully understands the project and is appropriately positioned to complete the work as outlined.

The original bid did not include the installation of receptacles on the poles. As such staff requested a price to add this into the project which was quoted at \$7,379.00. Adding this amount to the original bid creates a proposed contract cost of \$101,416 which is still below the 2nd lowest bidder.

The funding for this project is derived from the Marijuana Business Fees collected. Business are required to install decorative lighting on their site or make a donation to the city to install lighting elsewhere. In 20/21 the City collected \$66,965 from this fee with anticipation of collecting an additional \$30,000 during the current fiscal year. Staff felt that the use of the lighting on the path in the marijuana district improved an existing problem and also focused those dollars back to the primary area that generated the revenue. The project will need to be included in a future reforecast of the budget if approved.

J&J Electrical LLC is located within the City of Muskegon.

AMOUNT REQUESTED: \$101,416.00 AMOUNT BUDGETED: \$0

FUND OR ACCOUNT: 101

STAFF RECOMMENDATION: Authorize staff to approve a contract with J&J Electrical LLC in the amount of \$101,416.00 for the construction of a pedestrian lighting system along the Laketon Avenue Trail between Peck and 7th.

G. Police Cruiser Replacement Public Works

SUMMARY OF REQUEST: The Equipment Division is requesting permission to purchase three (3) Chevy Tahoes to replace existing vehicles in the Police Department fleet.

Tahoes will be purchased from Berger Chevrolet, the Mi-Deal contract holder. The price of this vehicle is \$38,836.00 each for a total price of \$116,508.00 coming from the Equipment budget. These vehicles were budgeted for replacement in the 21/22 budget.

AMOUNT REQUESTED: \$116,508 AMOUNT BUDGETED: \$117,000

FUND OR ACCOUNT: Equipment

STAFF RECOMMENDATION: Authorize staff to purchase three (3) Chevy Tahoes replacement vehicles for Police Department.

H. Special Event Fee Waiver Form Public Works

SUMMARY OF REQUEST: To amend the current Special Event Fee Waiver Form to allow some fees to be waived at the staff level.

This is the same application that was presented at the July Work Session. Event fees under \$2,500 would be eligible to be waived at various percentages based on the answers to the questions on the form. Fees over \$2,500 will still go before the Commission.

STAFF RECOMMENDATION: Approve the revisions to the Special Event Fee Waiver Application for events scheduled in 2022 and authorize staff to waive fees for events scheduled in 2022 and authorize staff to waive fees per the stated requirements when less than \$2,500.

I. Sanford Street and Glenside Phase 2 Engineering Assistance Public Works

SUMMARY OF REQUEST: Staff is requesting authorization to approve the Professional Services Agreement with Prein & Newhof to provide comprehensive engineering services for the design of water and sewer projects schedule for construction in 2023 and planned for financing within the state revolving loan fund programs during state fiscal year 2022.

Staff is planning to pursue two (2) primary water/sewer projects as a part of the State of Michigan Revolving Loan programs (DWRP/SRF) during the State 2022 Fiscal Year. These projects would be constructed during 2023.

Sanford Street

This is the last phase of a three-phase project of which Prein & Newhof has completed the prior two phases. The first was completed in 2020 and included work on several alleys in addition to work on Jefferson and Strong. The second was completed in 2021 and included work on Peck Street. This project will include complete water/sewer upgrades on Sanford from Merrill south to Laketon. In addition, staff is proposing to fund the remainder of Sanford Street north to Apple as ineligible (SRF/DWRP) expense. The project will include a substantial reduction in the width of Sanford Street (40 Ft – 27 Ft) and is proposed to replace one of the sidewalks with a bike path that will connect from the Laketon to Lakeshore Trails.

Glenside Phase 2

The first phase of this project was completed in 2020 and included work on Westwood Street. This project will be focused on Hadden Street which will allow for the eventual abandonment of the utilities in the non-existent alley between Westwood and Hadden.

Both projects are budgeted in the 21/22 budgets and will also have allocations included in the future 22/23 and 23/24 fiscal years. The two projects represent an approximately \$8.5M Investment of which nearly \$2.5M will be forgiven through the loan program based on our qualification as a disadvantaged community.

AMOUNT REQUESTED: \$862,300 (FY 21/22, 22/23, & 23/24)

AMOUNT BUDGETED: \$400,000 (FY 21/22)

FUND OR ACCOUNT: 202/590/591

STAFF RECOMMENDATION: Authorize staff to sign the professional services agreement with Prein & Newhof to provide Engineering Services for the water, sewer, road, and bike path projects on Sanford Avenue and Glenside Phase 2.

J. Bulk Sticker Fee Adjustment Public Works

SUMMARY OF REQUEST: Staff is requesting Commission approval to adjust the user fee for Bulk Item stickers from the current rate of \$2/EA or 6 for \$10 to a new proposed rate of \$3/EA and 4 for \$10.

Staff is planning to increase the user fee for bulk item stickers and begin to offer free bags with the purchase of a sticker. Residents purchasing a sticker would be able to take one bag per sticker. Two bag options would be provided; a heavy duty 60-gallon bag for miscellaneous items; or a larger thin bag for wrapping a mattress. The hope is this program will save someone from having to make separate stop to purchase bags and stickers and make it into a single stop operation.

STAFF RECOMMENDATION: Authorize a change to the Bulk Item Sticker pricing in the user fee schedule to \$3 per each or 4 each for \$10.

K. Amendment to the Floodplain Management Ordinance Planning

SUMMARY OF REQUEST: Staff-initiated request to amend Sections 26-401 through 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels from the National Flood Insurance Program.

The only change is to the Flood Insurance Rate Map panels listed in Section 26-403.

STAFF RECOMMENDATION: To approve the request to amend Sections 26-401 through 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels from the National Flood Insurance Program.

L. Sale – 239 Monroe Avenue Planning

SUMMARY OF REQUEST: City staff is seeking authorization to sell the City-owned home at 239 Monroe Ave. to Dakota J. Crow and Annah Crow.

The city constructed this house as part of the phase two of our infill housing program. Our contract to construct the home was \$164,470. We also anticipated \$11,512 in sales commissions. There are additional costs \$7,286.12 (switching the range from electric to gas, changing laminate counter tops in the kitchen from solid to surface, discount kitchen sink, hook up new single-bowl undermount sink & permits, fees, dumpster.) The accepted purchase price is \$177,900.

STAFF RECOMMENDATION: Authorize the Code Coordinator to complete the sale of 239 Monroe Ave, as described in the attached purchase agreement and to have the Mayor and Clerk sign the deed.

M. ARP Infill Housing Program City Manager

SUMMARY OF REQUEST: City staff has developed and released a Request for Qualifications for homebuilders to participate in our ARP Infill Housing Program. We received a total of four responses.

Staff is recommending that all four builders be selected to submit formal proposals to construct homes as part of the ARP Infill Housing Program. LRS Enterprises submitted to construct five homes; William Construction submitted to construct six homes; Kramer Builders submitted to construct three homes, and West Urban Properties submitted to construct the full \$5Million program. We are using a rough estimate of \$250,000 per home, but the actual costs will be determined as the builders bid their specific projects with their subcontractors. The breakdown will look something like this:

Builder/Developer	City ARP Funds	Developer Funds
LRS Enterprises	\$750,000	\$750,000
Williams Construction	\$750,000	\$750,000
Kramer Builders	\$250,000	\$250,000

West Urban Properties	\$3,250,000	\$3,250,000
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STAFF RECOMMENDATION: Authorize staff to work directly with the following qualified builders: LRS Enterprises, Williams Construction, Kramer Builders, and West Urban Properties to submit formal construction proposals to build a minimum of 40 new single-family homes as part of the ARP Infill Housing Program at a cost not to exceed \$5 Million.

N. Arena Buildout – Carlisle’s City Manager

SUMMARY OF REQUEST: Carlisle’s restaurant is officially moving forward at Mercy Health Arena. Staff is seeking approval to perform the construction activities.

After more than two years of planning, we have started demolition of the front entryway at the arena to accommodate the facility’s newest restaurant. There are a number of logistics related to the construction timing that is resulting in a logical path forward that includes the City managing the construction project and timeline.

There are a number of key milestones that we must hit, including the two greatest issues: Moving doors for the opening of the hockey season in October, and building in compliance with our liquor license. Our lease with Carlisle’s calls for them to begin construction after the DDA liquor license is secured – that may take much of October and is not acceptable to the Lumberjacks. To expedite the process, the Arena is seeking to undertake and manage the construction efforts. We would enter into the construction contract with Platinum Construction (Carlisle’s contractor). Carlisle’s ownership group would then pay us in full once construction is complete. Note that we have their bank approval letter, and their financing is already set. The buildout will take 8-10 weeks at an estimated cost of \$647,202.49.

AMOUNT REQUESTED: \$647,202.49 AMOUNT BUDGETED: \$0

FUND OR ACCOUNT: Arena Fund

STAFF RECOMMENDATION: Approve the expenditure of \$647,202.49 for the construction of Carlisle’s and amend the budget accordingly to account for both the expenditure and the reimbursement in the Arena Fund.

O. Sale – 766 Leonard Economic Development

SUMMARY OF REQUEST: City staff is seeking authorization to sell the city-owned home at 766 Leonard in Jackson Hill to Brittany Dlynn Brown.

The City is constructing this single family detached home as part of our infill housing program. Our contract to construct two homes was for \$425,000, and the estimated finished costs of this home will be \$215,000. We also anticipated \$12,900 in sales commissions. The accepted purchase price is \$200,000, and the incurred sales commissions are \$10,000. The City will not contribute funds toward closing costs outside of the seller's agent commission. The proceeds of this home will repay a portion of the Priority Related Investment made by the Community Foundation for Muskegon County. The sale of the second home in this project should repay the remainder, and any additional funds will reimburse the Economic Development Fund for the \$75,000 in the project.

STAFF RECOMMENDATION: Authorize the City Manager to complete the sale of 766 Leonard Street, as described in the purchase agreement.

P. Community Relations Committee Recommendations City Clerk

SUMMARY OF REQUEST: To appoint Emilio Trejo to the Historic District Commission.

The CRC recommends appointing Emilio Trejo to the vacant position on the Historic District Commission – Term expiring 01/31/2022.

STAFF RECOMMENDATION: To concur with the recommendation of the CRC on the appointment.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to accept the consent agenda as presented.

ROLL VOTE: Ayes: Gawron, Rinsema-Sybenga, Emory, and Johnson

Nays: None

MOTION PASSES

2021-85 PUBLIC HEARINGS:

A. 2020 Consolidated Annual Performance Evaluation Report (CAPER) Hearing Community and Neighborhood Services

SUMMARY OF REQUEST: The CAPER is available on our website for citizen review and comment period of 20 days from September 5 -25, 2021. A public Hearing is another opportunity to comment about the Federal CDBG and HOME program activities performed during the fiscal year 2020 (July 1, 2020 - June 30, 2021).

Citizen input is a necessary process of program activities for the CDBG/HOME annual allocations. The 2020 CAPER is another opportunity to comment on the performance achievements of the annual projects during the Hearing.

STAFF RECOMMENDATION: To conduct a Public Hearing for the 2020 CAPER review.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to close the public hearing.

ROLL VOTE: Ayes: Hood, Rinsema-Sybenga, Emory, Johnson, and Gawron
Nays: None

MOTION PASSES

B. Issuance of a Commercial Facilities Exemption Certificate – 441 W. Western Avenue Planning

SUMMARY OF REQUEST: Pursuant to Public Act 255 of 1978, as amended, PH Holdings LLC (Pigeon Hill Brewing) has requested the issuance of a Commercial Facilities Exemption Certificate. The certificate will freeze the taxable value of the building and exempt the new real property investment from local taxes. The company will be investing \$650,000 in upgrades to the building and will create up to 30 new jobs, which qualifies them for an abatement of four (4) years.

STAFF RECOMMENDATION: To (approve/deny) the request for a Commercial Facilities Exemption Certificate for a period of four (4) years.

PUBLIC HEARING COMMENCED: Joel Kamp, owner, spoke about the project.

Motion by Commissioner Johnson, second by Vice Mayor Hood, to close the public hearing and approve the request for a Commercial Facilities Exemption Certificate for eight (8) years.

ROLL VOTE: Ayes: Rinsema-Sybenga, Emory, Johnson, and Gawron
Nays: Hood

MOTION PASSES

C. Issuance of a Commercial Facilities Exemption Certificate (New Facility) – 639 W Clay Avenue Planning

SUMMARY OF REQUEST: Pursuant to Public Act 255 of 1978, as amended, Indigrow LLC has requested the issuance of a New Facility Commercial Facilities Exemption Certificate. The certificate will reduce the taxable value of the building. The company will be investing \$1,133,351 into the new building addition and will create up to 30 new jobs, which qualifies them for an abatement of 8 years.

This will be an addition to the current building at 639 W Clay Avenue. The new building will receive its own tax abatement and the rehab to the existing building will receive its own tax abatement. This will decrease the amount of tax revenue abated than it would by granting one abatement on the entire project.

STAFF RECOMMENDATION: To (approve/deny) the request for a New Facility Commercial Facilities Exemption Certificate for a period of eight years.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga, to close the public hearing and approve the request for a New Facility Commercial Facilities Exemption Certificate for a period of eight years.

ROLL VOTE: Ayes: Rinsema-Sybenga, Emory, Johnson, Gawron, and Hood

Nays: None

MOTION PASSES

D. Issuance of a Commercial Facilities Exemption Certificate (Restored Facility) – 639 W Clay Avenue Planning

SUMMARY OF REQUEST: Pursuant to Public Act 255 of 1978, as amended, Indigrow LLC has requested the issuance of a Restored Facility Commercial facilities Exemption Certificate. The certificate will freeze the taxable value of the building and exempt the new real property investment from local taxes. The company will be investing \$1,218,561 into restoring the existing building and will create up to 30 new jobs, which qualifies them for an abatement of 8 years.

This will be for the restoration of the existing building at 639 W Clay Avenue. The new building will receive its own tax abatement and the rehab to the existing building will receive its own tax abatement. This will decrease the amount of tax revenue abated than it would by granting one abatement on the entire project.

STAFF RECOMMENDATION: To (approve/deny) the request for a Restored Facility Commercial Facilities Exemption Certificate for a period of eight years.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Emory, to close the public hearing and approve the request for a Restored Facility Commercial Facilities Exemption Certificate for a period of eight years.

ROLL VOTE: Ayes: Emory, Johnson, Gawron, Hood, and Rinsema-Sybenga

Nays: None

MOTION PASSES

E. Camcar Plastics IFT Public Hearing Economic Development

SUMMARY OF REQUEST: Camcar Plastics has requested an Industrial Facilities Tax Abatement for a small new construction addition to their shipping and receiving department at their Glade Street location.

The Tax Incentive Committee has utilized the new Tax Incentive Policy approved by the City Commission to score and make recommendations on several incentive applications recently. Camcar has been working with the division to apply for a Public Act 198 Industrial Facilities Exemption for an 800 square foot expansion to their current facility at 1732 Glade Street. The incentive allowed an eligible entity to apply for a 50% cut in their real property tax liability for up to 12 years, as approved by the local unit of government. The applicant has applied for the full 12-year abatement.

Based on the new policy, due to the taxable value being created (\$72,000), the number of permanent jobs created (3), the Tax Incentive Committee's scoring system dictates a recommendation of 9 years of abatement as opposed to the maximum of 12.

STAFF RECOMMENDATION: To close the Public Hearing and approve the Industrial Facilities Exemption application for Camcar Plastics for a term of nine (9) years.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Commissioner Johnson, second by Commissioner Rinsema-Sybenga, to close the public hearing and approve the Industrial Facilities Exemption application for Camcar Plastics for a term of nine (9) years.

ROLL VOTE: Ayes: Johnson, Gawron, Hood, Rinsema-Sybenga, and Emory

Nays: None

MOTION PASSES

F. Sun Dolphin Drive Industrial Space IFT Transfer Public Hearing Economic Development

SUMMARY OF REQUEST: InSite Real Estate LLC has requested the transfer of an existing Industrial Facilities Tax Abatement for industrial real property they have acquired at 1790 Sun Dolphin Drive.

The new owners of these facilities are leasing them back to the new operators of KL Outdoor, and the facilities onsite are one of several operated locally in the

injection molding company's portfolio. InSite is currently not listed the listed owner of the building on the existing Industrial Facilities Exemption and so they must request a transfer of termination of the incentive. Naturally, they opted for a request to transfer the real property exemption, which is scheduled to terminate December 30, 2026.

The new ownership has recently paid some back property taxes and is eligible to request said transfer.

STAFF RECOMMENDATION: A motion to close the Public Hearing and approve the Industrial Facilities Exemption Transfer for IIP Muskegon, MI (1790 and 1880 Sun Dolphin) LLC as presented.

PUBLIC HEARING COMMENCED: No public comments were received.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Johnson, to close the public hearing and approve the Industrial Facilities Exemption Transfer for IIP Muskegon, MI (1790 and 1880 Sun Dolphin) LLC as presented.

**ROLL VOTE: Ayes: Gawron, Hood, Rinsema-Sybenga, Emory, and Johnson
Nays: None**

MOTION PASSES

G. Trace Analytical IFT Public Hearing Economic Development

SUMMARY OF REQUEST: Trace Analytical has requested an Industrial Facilities Tax Abatement for an 8,000 square foot addition to their location at 2241 Black Creek Road, which would support 18 new employees over the next several years.

The Tax Incentive Committee has utilized the new Tax Incentive Policy approved by the City Commission to score and make recommendations on several incentive applications recently. Trace Analytical Labs has been working with the division to apply for a Public Act 198 Industrial Facilities Exemption for an 8000 square foot expansion to their current facility at 2241 Black Creek Road. The incentive allows an eligible entity to apply for a 50% cut in their real property tax liability for up to 12 years, as approve by the local unit of government. The applicant has applied for the full 12-year abatement.

Based on the new policy, due the taxable value being created (\$600,000), the number of permanent jobs created (18), the Tax Incentive Committee's scoring system dictates a recommendation of 9 years of abatement as opposed to the maximum of 12.

STAFF RECOMMENDATION: A motion to close the Public Hearing and

approve the Industrial Facilities Exemption application for Trace Analytical Labs for a term of nine (9) years.

PUBLIC HEARING COMMENCED: Brad Hilleary, from Trace Analytical Labs, spoke.

Motion by Commissioner Rinsema-Sybenga, second by Commissioner Emory, to close the public hearing and approve the Industrial Facilities Exemption Application for Trace Analytical Labs for a term of nine (9) years.

ROLL VOTE: Ayes: Hood, Rinsema-Sybenga, Emory, Johnson, and Gawron

Nays: None

MOTION PASSES

PUBLIC COMMENT ON NON-AGENDA ITEMS: Public comments were received.

ADJOURNMENT: The City Commission meeting adjourned at 7:37 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC – City Clerk

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 9/28/2021	Title: Solid Waste Ordinance Amendment
Submitted By: LeighAnn Mikesell	Department: Manager's Office
Brief Summary: Staff is seeking approval of an amendment to Chapter 70, Article II of the Code of Ordinances in coordination with the revised Sanitation Policy.	
Detailed Summary: The newly adopted Sanitation Policy includes revised times when refuse collection carts can be placed at the curb and restricts where the carts can be stored. Staff is seeking a change to the Solid Waste ordinance to match the new standards.	
Amount Requested: None	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: To amend and adopt Chapter 70, Article II, Section 31(a) of the Code of Ordinances for Solid Waste.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. ____

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. Chapter 70 Article II of the Code of Ordinances of the City of Muskegon, Michigan, Section 70-31(a) is amended to read as follows:

Sec. 70-31. City refuse collection.

- (a) *Placement of refuse.* Unless authorized by section 70-4(b), every owner and occupant of a residential unit for which city refuse collection service is afforded under this chapter shall place all accumulated and acceptable refuse for collection in a mixed refuse collection cart supplied by the city or its contractor which cart shall be tightly sealed, with excess mixed refuse in additional mixed refuse bags with authorized stickers attached. Mixed refuse collection carts and additional refuse bags intended for collection with stickers attached shall be placed by the owner and occupant of the residential unit at the curb in front of the residence not earlier than 4:00 p.m. of the day preceding the collection day and not later than 6:00 a.m. of the day of collection. Mixed refuse collection carts shall be removed by the owner and occupant of the residential unit not later than 7:00 a.m. of the day after the collection day and stored in a discrete location 10 feet behind the front face of the residence or in a screened location. - Additional refuse bags intended for collection shall not be broken nor weigh more than 30 pounds when filled. The owner and occupant shall not place or cause to be placed by unacceptable items in any additional refuse bag or mixed refuse collection cart intended for collection. No person shall place refuse materials of any kind of the premises of or in front of a residence for city collection service, except refuse originating in that residence.

2. This Ordinance is to become effective ten (10) days after adoption.

Ayes:

Nays:

First Reading:

Second Reading:

CERTIFICATE

The undersigned, being the duly qualified Clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the ____ day of _____, 2021, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: _____, 2021

Ann Marie Meisch, MMC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

TO: ALL PERSONS INTERESTED

Please take notice that on _____, 2021, the City Commission of the City of Muskegon amended subsection (a) of Chapter 70, Article II, Section 70-31 of the Muskegon City Code, summarized as follows:

1. Section 70-31(a) is amended to require removal of mixed use refusal carts by 7:00 a.m. on the day after the collection day and specify locations for storage of the carts~~mixed refuse collection carts and refuse bags to be placed in front of the residence after 4:00 p.m. on the day preceding the collection day.~~

Copies of the ordinance may be viewed and purchased at a reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

Published: _____, 2021

CITY OF MUSKEGON

By _____
Ann Marie Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 9-28-2021	Title: Aquarium Feasibility Study
Submitted By: Peter Wills	Department: Economic Development
Brief Summary: Staff is requesting authorization to commit funds for the City to be included in a Feasibility Study as one of two potential locations for the construction of an aquarium facility in the west Michigan region. The Feasibility Study would be coordinated by the John Ball Zoo (JBZ) in Grand Rapids and conducted by Zoo Advisors, Inc.	
Detailed Summary: The JBZ is currently exploring the viability of building a large scale aquarium in the West Michigan area to compete with similar major marine attractions across the United States. Staff initiated contact with JBZ officials earlier this Spring to assess the impact of locating this pivotal tourist destination within the City. The City is an established tourism and cultural destination throughout the region and is supported by area educational and Great Lakes environmental research institutions. Exploring the potential of adding a conservation, research and community education aquatic asset to our lakeshore community could realize greater social resiliency and further catapult our local and regional economy's as a premier national tourism destination. The City continues to reclaim its former industrial waterfront for a mix of uses designed to enhance public waterfront access and further connect to our vibrant downtown and other recreational activities. Four phases of the 9-12 month Feasibility Study process would include Concept Development (2-3mo), Preliminary Research Study (3-4mo), Project Modeling (2-3mo), and Economic Impact (2mo). Results of the Study would further develop the aquarium concept, assess the operational feasibility of locations in the City of Muskegon and Kent County, establish attendance estimates, project preliminary capital investment of construction, and develop economic impacts associated with construction and operation of the facility in both potential locations. JBZ has proposed a cost-sharing arrangement for the total cost of the \$227,585 Study. One-third of the fee would be paid by the City of Muskegon, one-third by Kent County, and the remainder by JBZ. Based on estimates of a 2018 JBZ Feasibility Study, a \$150M aquarium investment would, at minimum, result in a \$100M impact on the regional economies. According to their website, <i>Zoo Advisors is a full-service planning and consulting firm focused on helping zoos, aquariums, and conservation organizations advance their missions, increase impact, and grow sustainably.</i> The expense will need to be included in a future reforecast of the budget if approved.	
Amount Requested: \$75,000	Amount Budgeted: \$0
Fund(s) or Account(s):	Fund(s) or Account(s):

Recommended Motion: To authorize the commitment of funds to include the City of Muskegon in a Feasibility Study as a potential location for the construction of an aquarium facility in the west Michigan region.

Check if the following Departments need to approve the item first:

Police Dept. ☐

Fire Dept. ☐

IT Dept. ☐

For City Clerk Use Only:

Commission Action:



JOHN BALL ZOO // AQUARIUM FEASIBILITY & ECONOMIC IMPACT RESEARCH

September 9, 2021

Mr. Peter D'Arienzo
CEO
John Ball Zoo
1300 W. Fulton Street
Grand Rapids, MI 49504

Dear Peter:

Thank you for the opportunity to discuss your vision for a new aquarium in the West Michigan region. We value our long-standing relationship with the John Ball Zoo team, and appreciate the chance to discuss this exciting project with you. In this document, we have laid out a roadmap for how Zoo Advisors can help your organization take the crucial first steps towards turning your vision for the aquarium into a reality.

As the conversation surrounding the potential aquarium has evolved, we understand that there are currently two locations under consideration: Kent County and Muskegon. Throughout our discussions with you, we have begun to explore the pros and cons of each location. This engagement would represent a more formal exploration of that topic (as well as many others) pursuant to the creation and operation of the facility.

As we have spoken about, we believe the appropriate next step along this journey is to conduct combined feasibility and economic impact studies. By assessing the feasibility and impact of the project as envisioned in each location, your organization will be equipped with credible, expert assessments that appeal to donors and give them confidence that you have done the proper due diligence, as well as demonstrate the long-term financial sustainability of the organization. The work will also define the advantages and disadvantages of each location, and how the composition of the aquarium's operational funding could be different in one or the other.

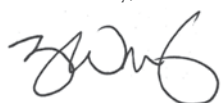
Our firm is uniquely positioned to provide you with these services. We are not attractions generalists: we are laser-focused on this profession. We have completed numerous feasibility and economic impact assessments for zoos and aquariums all over the world, and there is simply no other firm so specifically equipped to provide these services to you.

For this work, we would team with three long-time Zoo Advisors partners to complete the project: (1) Studio Hansen | Roberts (Seattle, WA); (2) H2R Market Research (Springfield, MO); and (3) Oxford Economics (Oxford, UK). We have worked with these partners on numerous comparable projects in the recent past, and have detailed their roles below.

On the pages that follow, we have provided background on our team, expertise, experience, and philosophy, as well as a high-level description of how we would approach the engagements in question, as well as fee estimates.

Zoo Advisors' reputation and success is built on forging long-term partnerships, and we hope to continue our partnership with your team now and into the future. Again, we appreciate this opportunity and would be privileged to reengage with you. Please reach out at any time if you have questions.

Sincerely,



Zachary Winfield
Vice President
Zoo Advisors



WHY ZOO ADVISORS?



FIRM PROFILE: ZOO ADVISORS

Zoo Advisors, LLC is a full-service planning and consulting firm with a laser focus on advancing the missions of zoo and aquariums, particularly AZA accredited institutions. We do this by providing a comprehensive suite of services connecting mission, margin, and impact. We are proud of our more than a century of collective experience in the industry. David Walsh, ZA's Founder and Principal, is a respected industry leader who works collaboratively to offer visionary ideas for growth while accommodating the day-to-day needs of his clients.

We balance mission and margin. Zoo Advisors' philosophy is to create an optimized balance between the client's mission and its need for fiscal sustainability. We have helped many of your colleagues create high performing organizations and can leverage that expertise for you. Our team has extensive experience in working with zoos of all sizes across the country. We have helped develop innovative and ground-breaking plans for more than 100 AZA accredited institutions. We regularly provide expert counsel to zoo and aquarium leaders across the country.

We value data-driven decisions and are experts in data and analytics. Zoo Advisors was built on the principle of strengthening zoos' missions and impacts by maximizing their financial margins. We have an innate ability to assess financials, numbers, and metrics; analyze trends; and uncover opportunities that can help the Zoo realize its vision. This expertise will lend itself to conducting a project for the Zoo that encompasses all aspects of the operation.

We bring people together and build bridges. One of Zoo Advisors' strengths is our ability to bring together a diverse group of stakeholders, unite them behind a common vision, and develop an actionable plan to achieve success. Many of our projects involve multiple boards; city, state and county governments; and wide-ranging stakeholders. Our extensive expertise with assessing and analyzing a broad array of data, inputs, and feedback and then identifying key and useful findings demonstrates our ability to listen to many voices, yet come up with focused solutions that work for everyone. Our work is based in understanding, not assumptions. In short, Zoo Advisors offers you:

- Decades of experience representing more than 125 zoo and aquarium related projects
- Expertise in multiple disciplines
- Hands-on operational experience
- Insider knowledge with an outsider viewpoint
- Innovative and creative thinking
- A commitment to conservation

CONSERVATION PHILOSOPHY

At Zoo Advisors, we've thought a lot about conservation and how we can best help our clients influence change and create a brighter future for the environment and the wild things and wild places we cherish. We've brought together a team with not only an abiding commitment to conservation, but also experience and knowledge in the practice. We've helped our clients develop thoughtful goals, we've supported AZA in its mission, and we've been there ourselves, designing and implementing conservation initiatives as employees and board members. Here's what we believe:

Conservation doesn't stand alone. It's not only at the heart of an organization, but should be integrated throughout its culture, its business, and its people.

- **We need to be bold advocates**, to get out in front with our knowledge, our passion, our experience, and our resources. It's not enough to be the "experts," or "trusted resources"; we need to be the champions.
- **We should lead the way** and demonstrate a path to a brighter future for wildlife by our actions, creating opportunities for citizen involvement and measuring our impact. We must "walk the walk," not just "talk the talk."
- **Our organizations need a vision and a plan** for conservation that is firmly grounded in sound fiscal practices and a sustainable business plan. Our "mission" and our "margin" go hand in hand.

Zoo Advisors supports our clients in their mission of wildlife conservation and encourages a bolder and more sustainable approach to conservation.

Our team brings incomparable experience and commitment to conservation and we are proud to continue our clients' work on behalf of the wild world and the increasingly important role of zoos and aquariums in its future.

FIRM PROFILE: STUDIO HANSEN | ROBERTS

Studio Hansen | Roberts is a 10-person, high-expertise, hands-on design firm with a singular focus specializing only in zoos and aquariums. The principals - Becca Hanson, David Roberts, Keith McClintock and Jason Hill - are involved in every aspect of design in collaboration with one another, our staff and consultants, and the zoo's staff. Our experience is both broad and deep with projects that span North America and around the world. We are innovators by nature and, while our principals have over 140 years of combined zoo design experience to rely on, we take nothing for granted as we seek new ways to enable animals to lead rich and fulfilling lives; operational and construction strategies that stand the test of time; and engagement strategies that make visitors feel that their lives have been blessed and enriched by the experience.

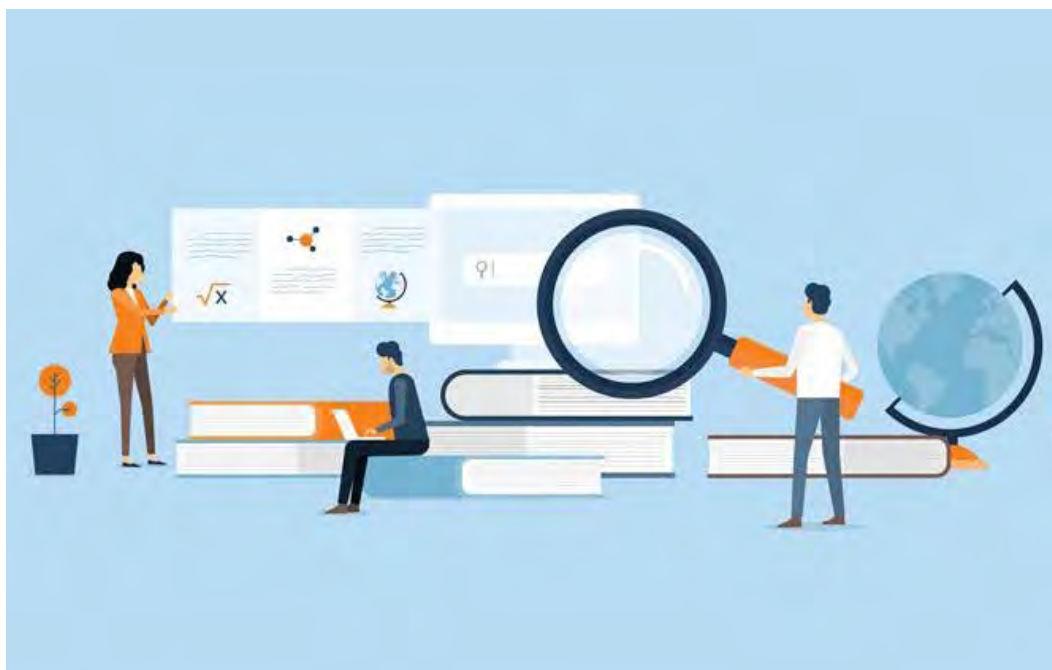
SH | R principals have worked on the concept development of the National Aquarium of Peru, the Aquarium at Kansas City Zoo, exhibits at the Monterey Bay Aquarium, Omaha's Henry Doorly Zoo, and the "first-of-its-kind" Galapagos Exhibit at the Houston Zoo including Sea Lions, Penguins, and a Shark and Sea Turtle Reef. We work worldwide looking for new ways to help institutions improve the care of their animals, connect with their visitors, economically house their animals, drive down recurring utilities costs, and walk the walk of a conservation organization. In our minds, there is nothing like a world class aquarium to achieve these goals.



FIRM PROFILE: H2R MARKET RESEARCH

H2R Market Research is an international award-winning research firm that specializes in providing market research measurements in all areas impacting consumer quality of life. The company is jointly owned by Jerry Henry (CEO) and Jill Mowris (President). Together, their combined expertise in the research industry spans more than 40 years and includes a full menu of qualitative and quantitative methodologies. The H2R Market Research team is comprised of nearly 20 employees including consumer insight analysts, focus group moderators, programmers and statisticians from a variety of marketing and research backgrounds. We are proud to serve several world-class and internationally recognized clients and business partners in industries ranging from travel and tourism, to healthcare, hospitality and financial institutions.

Our collective areas of expertise include quantitative analysis, focus group moderation, advanced statistical analysis, questionnaire development, fieldwork services across various methodologies and more. At H2R Market Research we have embraced changes in our market space and use a holistic approach to ensure the customer's voice is heard across multiple touch points as applicable. We believe that innovation and our commitment to best-in-class customer service make us a unique vendor in the field of research.



FIRM PROFILE: OXFORD ECONOMICS

Oxford Economics is one of the world's foremost independent global advisory firms, providing reports, forecasts and analytical tools on 200 countries, 100 industrial sectors and over 3,000 cities. Our best-of-class global economic and industry models and analytical tools give us an unparalleled ability to forecast external market trends and assess their economic, social and business impact. Headquartered in Oxford, England, with regional centers in London, New York, and Singapore, Oxford Economics has offices across the globe in Belfast, Chicago, Dubai, Miami, Milan, Paris, Philadelphia, San Francisco, and Washington DC, we employ over 250 full-time staff, including 150 professional economists, industry experts and business editors—one of the largest teams of macroeconomists and thought leadership specialists.

Tourism Economics is an Oxford Economics company with a singular objective: combine an understanding of the travel sector with proven economic tools to answer the most important questions facing our clients. More than 500 companies, associations, and destination work with Tourism Economics every year as a research partner. We bring decades of experience to every engagement to help our clients make better marketing, investment, and policy decisions. Tourism Economics operates out of regional headquarters in Philadelphia and Oxford, with offices in Belfast, Dubai, Frankfurt, and Ontario.



SELECT CLIENT LIST

Our team has provided services to over 100 clients worldwide, including the following:

AQUARIUMS

- Albuquerque BioPark Aquarium
- Aquarium of Niagara
- Branson Aquarium at the Boardwalk
- Brevard Aquarium
- Kansas City Aquarium
- Lubbock Aquarium
- Maria Mitchell Association Aquarium
- National Aquarium of Peru
- Monterey Bay Aquarium
- North Carolina Aquariums
- OdySea Aquarium
- Oman Aquarium
- Oregon Coast Aquarium

ZOOS

- Abilene Zoo
- Akron Zoo
- Alexandria Zoo
- Brevard Zoo
- Buffalo Zoo
- Buttonwood Park Zoo
- Cameron Park Zoo
- Central Florida Zoo
- Chattanooga Zoo
- Cleveland Zoological Society
- Como Park Zoo
- Dallas Zoological Society
- Denver Zoo
- El Paso Zoological Society
- Elmwood Park Zoo
- Fresno Zoo
- Gladys Porter Zoo
- Great Plains Zoo & Delbridge Museum
- Happy Hollow Park & Zoo
- Honolulu Zoological Society
- Hutchinson Zoo
- Indianapolis Zoo
- John Ball Zoo
- Kansas City Zoo
- Little Rock Zoo
- Los Angeles Zoo
- Magnetic Hill Zoo
- Miller Park Zoo
- Naples Zoo
- Nashville Zoo

- National Zoological Park
- NEW Zoo
- Oakland Zoo
- Palm Beach Zoo
- Phoenix Zoo
- Point Defiance Zoo
- Potawatomi Zoo
- Pueblo Zoo
- Racine Zoo
- Red River Zoo
- Reid Park Zoological Society
- Roger Williams Park Zoo
- Rosamond Gifford Zoo
- Saint Louis Zoo
- San Diego Wildlife Alliance
- San Francisco Zoological Society
- Santa Ana Zoo
- Sedgwick County Zoo
- Sunset Zoo
- Tampa's Lowry Park Zoo
- The Living Desert
- Topeka Zoo
- Toronto Zoo
- Tulsa Zoo
- Turtle Back Zoo
- Woodland Park Zoo
- Zoo Knoxville
- Zoo Miami
- Zoological Society of Milwaukee

OTHER ORGS.

- Arizona-Sonora Desert Museum
- Bonita Wonder Gardens
- Butterfly Pavilion
- Chicago Botanic Garden
- Dian Fossey Gorilla Fund
- DuMond Conservancy
- Environmental Learning Center
- Garden Conservancy
- Maria Mitchell Association
- Maymont
- Millenium Park Grand Rapids
- Tracy Aviary
- Yukon Wildlife Preserve

OUR APPROACH

As we have discussed, in this document we have detailed a phased approach with results that will provide you:

- The opportunity and space to further develop the aquarium concept with facilitation from some of the brightest minds in attractions design;
- A credible and realistic assessment of the feasibility of operating an aquarium in both Kent County and Muskegon;
- Long-term projections of visitation, cost to operation, and revenues;
- An analysis of how operational funding composition would be required to change in one location versus the other;
- A high-level assessment of the likely capital investment required to construct the facility; and,
- In-depth assessment of economic impacts associated with the construction and operation of the facility in both potential locations.

METHODOLOGY

This project will ultimately demonstrate not only the feasibility of constructing and operating a top-tier aquarium in Muskegon or Kent County, but the massive positive impact on the regional economies that the project would lead to. We understand that there are numerous projects under consideration, but this work will conclusively show that the aquarium concept stands above the pack in terms of economic impact, positive impacts on the operations of partner organizations in the region, quality of life benefits, and the effect on elevating West Michigan into the top tier of United States tourism destinations.

The methodology that we are proposing leverages the unique expertise of each of our partner firms. The roles of each firm are summarized here:

Zoo Advisors would oversee and manage all aspects of the work from start to finish, take the lead role in creating the final pro forma projection models for the aquarium, and be responsible for making the assessment of the project's feasibility and all reporting. We would act as the primary project manager, liaison between the client and all other parties, and facilitator of each phase of the process.

Studio Hansen|Roberts would be the project's design lead, co-facilitating the concept development and design charrette process with Zoo Advisors, developing design imagery and narratives, and determining the capital cost estimates for construction.

H2R Market Research would co-facilitate the design, development, deployment, and analysis of the primary market research study.

Oxford Economics would develop the economic impact study, using the projections developed by Zoo Advisors as inputs.

Ultimately, the process of assessing the feasibility and economic impact of the proposed aquarium would take place in four phases, each utilizing deliverables from the prior phase as inputs: concept development is an input for primary market research; market research is an input for projection modeling; projection modeling is an input for economic impact analysis. Thus, by engaging our team to conduct this work, the John Ball Zoo organization will capture not only an economy of scale, but the benefit of seamless transition from one required step to the next.

PHASE I: CONCEPT DEVELOPMENT

While there have been initial discussions around the issue of what the exact vision for the proposed aquarium is, the first step in our proposed process is to invest time and energy to develop that vision into a workable concept for testing. At this time, the vision is purely conceptual and without much detail or consideration to such areas as physical space, guest experience, and collections plans. While these considerations (among many others) will go through numerous iterations before a shovel ever breaks ground, our goal for this first phase will be to develop a succinct, workable concept that stakeholders can rally around as a “starting place” for future discussions. Not only will this phase provide space and time to explore creative concepts from various perspectives, but it will result in a cohesive sketch of a concept that can then be tested with potential constituents in the next phase. This clarity of concept is critical: the idea for this attraction is not a small, “strip-mall” style aquarium. Rather, it is a visionary concept on par with the best aquarium experiences in the world. In short, at the end of this phase, the stakeholder team will be able to describe in scope and character the visitor experience and operative foundation at the proposed aquarium.

To accomplish this, Zoo Advisors and Studio Hansen | Roberts will work with the stakeholders to define the major components and key experiences of the potential aquarium over the course of several workshops.

There are multiple sites currently under consideration for the proposed aquarium, and these discussions are still evolving. We have reviewed the sites and offered our preliminary perspective on the pros and cons of each. For the purposes of this early-phase work, the selection of a specific site is not required, and we will move forward under the assumption that the ultimate site will be either immediately proximate to an urban core in either Kent County or Muskegon, or accessible by means of transportation infrastructure.

We propose the use of three design workshops to help visualize the John Ball Zoo's goals for this new facility. The effort would begin with a 3-hour design charrette facilitated by Studio Hansen | Roberts' senior staff. We will spend that time with the project's stakeholders to discuss goals and aspirations for the project, review imagery and ideas from comparable facilities around the world, generate new ideas based on natural ecosystems, and discuss key guest experiences of the proposed facility.

After this workshop, SH|R will take the generated ideas and develop a range of solutions with several experience concepts to review with the stakeholders. In a second design charrette, we will present those ideas to the stakeholder group for discussion and feedback that will ultimately lead to a preferred option.

With this concept defined, the team will generate a list of the major components, including suggested sizes, an experience diagram map that shows how a visitor might move through these components, and a written narrative to describe the experience.

Lastly, concepts will be turned into a final experience map and narratives, and a high-level assessment of the cost to construct the aquarium as envisioned, which will all be presented in the third and final workshop. SH|R will also develop two hand-drawn concept diagrams and two photo-realistic renderings for future use, such as in fundraising or other materials. If required, additional renderings/concept drawings could be produced for an added fee.



Hand-drawn concept diagram



Photo-realistic rendering

Final deliverables for this first phase would include:

- Aquarium diagram map
- Experience narrative
- Major component list
- High-level capital construction estimate
- Two hand-drawings and two photo-realistic design renderings

PHASE II: PRIMARY RESEARCH STUDY

In this second phase, we would take the concepts developed during Phase I and put them to work. Using the concepts as a basis to design and deploy a professionally managed survey panel, we would test the concepts with a scientifically valid and demographically aligned sample of potential visitors to the aquarium to determine their intent to visit, and identify a preliminary pricing schema for admission.

We would survey respondents from the general population marketplaces of both Kent County and Muskegon, as well as from primary tourism feeder markets (e.g. Chicago, Cincinnati, Detroit, Indianapolis, Milwaukee, Pittsburgh, etc.). We envision a panel reaching at least 900 respondents in each location (1,800 in total), which would be large enough to achieve a high level of confidence in the findings. Consumer responses would be used to fuel the testing and evaluation, attendance potential, pricing evaluation, competitive set comparison analysis, and top-box adjustment factors, as well as an overarching summary analysis.

The key analysis method for this would be the Gabor-Granger Price Demand Exercise. This exercise utilizes three different price points to gauge price elasticity. The evaluation examines the degree to which demand is expected to be impacted as price changes.

Concurrently, we would conduct a benchmark analysis of comparable aquarium facilities around the United States, assessing their respective market penetrations within the context of their market regions, and testing our findings against this group as a check on our findings.

The key deliverables of this phase would be represented by a quantitative analysis of and presentation on:

- Likely attendance by location;
- Price elasticity and demand by location;
- Competitive set comparisons (local and regional); and,
- Benchmark results.

These findings are absolutely critical in the third phase of this engagement, when we would use these quantitative outputs as inputs in projection modeling.

PHASE III: PRO FORMA MODELING

During the third phase, our team would work to create two discrete 10-year pro forma models for the aquarium as envisioned—one each for Kent County and Muskegon. As attendance is the lifeblood of any visitor facility, this model would lean heavily on the primary research from the prior phase, especially in area of attendance and admissions pricing. The model would include detailed annual projections for operating areas such as:

- Attendance quantities and composition
- Membership/annual pass program
- On-site spending (e.g. per capita spend on retail, food service, programming, etc.)
- Secondary revenue modeling (e.g. boat rides, diving with sharks, touch tanks, etc.)
- Expense categories (e.g. personnel, administration, animal care, maintenance, utilities, etc.)

These detailed models will demonstrate the capacity of the aquarium operation to financially support itself in each location, showing to what extent revenues could be generated to support operations, and how much (if any) on-going public support would be required in each location to ensure sustainability over time. The results of this modeling will give a clear indication of whether and how the project as envisioned is operationally feasible in each location. For example, our work may indicate that a higher level of public support may be necessary in one location or the other, which will inform important decisions and discussions, particularly in the context of the economic impact study that will be generated in the next phase.

The deliverables from this phase would include:

- A detailed report summarizing all work to date, including concept development, primary market research, and projection modeling;
- Our assessment of the feasibility of the aquarium as envisioned;
- The capital estimates to build the aquarium;
- Recommendations on next steps; and,
- A final presentation of findings (either virtually or in-person) to any interested parties

Where applicable, sections of the final report would be divided by location.

PHASE IV: ECONOMIC IMPACT ASSESSMENT

During the last phase of this engagement, our team would quantify the full economic impact of the aquarium in both locations, beginning with construction impacts. The analysis would be extended over a 10-year horizon and will separately evaluate the impacts of each revenue and expense source, including, for example, visitor programs, retail activity, membership programs, etc. We will individually evaluate the spending of local visitors as well as out-of-town guests in both Muskegon and Kent County, and measure the effects of their spending on site and in the surrounding communities.

This process will utilize several key data sources as inputs—

Operations Data: Using the projection models developed in the prior phase, we will combine and collate key operations and financial activity, including attendance data; capital expenditure plans; direct expenditures; and all revenue sources.

Tourism Economics: Oxford Economics will draw from its own analysis of visitor spending to the region. This includes survey data from Longwoods International on the spending patterns of visitors and their work for Travel Michigan. From these datasets, Oxford will analyze the spending of the aquarium visitors in other parts of the economy. This will include transportation, hospitality, restaurants, retail, recreation, entertainment, and other services.

Bureau of Labor Statistics and Bureau of Economic Analysis: Data on employment and personal income by industry will enable our team to compare the impacts of the aquarium to other industries and quantify its share of the local economy and contribution to the museum and broader attractions industry.

Census Bureau: Data on revenue, establishments, payroll, employment and capital expenditures by industry will provide further benchmark comparisons.

STR: STR is the standard bearer of US hotel industry data. STR will provide data on local demand and room revenue as a measure of overall hotel visitor demand over time.

Drawing on our analysis, our team will utilize an Input-Output (I-O) model for both Kent County and Muskegon geographies as developed by IMPLAN to trace the full extent of industry impacts. IMPLAN is recognized as an industry standard in I-O models. An I-O model represents a profile of an economy by measuring the relationships among industries and consumers. For example, an I-O model tracks the flow of revenue to wages, profits, capital, taxes and suppliers. The supplier chain is also traced to food wholesalers, to farmers, and so on. In this way, the I-O model allows for the measurement of the direct and indirect sales generated by, for example, an aquarium visit or hotel stay.

The model also calculates the induced impacts of spending. Induced impacts represent benefits to the economy as incomes earned as a result of the aquarium-driven spending are spent in the local economy, generating additional sales, jobs, taxes, and income.

IMPLAN calculates three levels of impact – direct, indirect, and induced – for a broad set of indicators including: (1) business sales (also called gross output); (2) personal income; (3) employment; and (4) federal, state, and local taxes by type.

The team will develop a clear and graphical report of the results with narrative explaining key concepts and their importance. The report will be accessible to the layperson with a view towards a diverse set of audiences including legislators, the media, and other stakeholders.

A single final report (with corresponding sections for each of Kent County and Muskegon) will be developed to present not only the figures but their meaning in relevant ways. These findings will include the following:

- Impact type (sales, income, employment, tax detail)
- Impact level (direct, indirect, induced)
- Growth and cumulative impacts over 10 years
- Share of total and visitor economy employment and income over time
- Contribution to taxes over time
- Economic benefits accruing to other industries because of the aquarium (e.g. aviation, hotel, restaurant, auto rental)
- Impacts by major activity
- Description of community and halo impacts. This will include the potential benefits to conferences & conventions, demand for partner attractions, real estate, and general economic development.

Ultimately, the outcome of this process will provide to the team a credible estimate of what is sure to be a massive economic benefit to the communities that the aquarium will serve, and establish the project as not only a wise investment, but one that has the potential to contribute to the elevation of either Kent County or Muskegon into a premier destination for tourists.

TIMELINE & FEE ESTIMATE

We estimate this complete engagement could be completed in to 9 to 12 months. As requested, we have provided a breakdown by phase below:

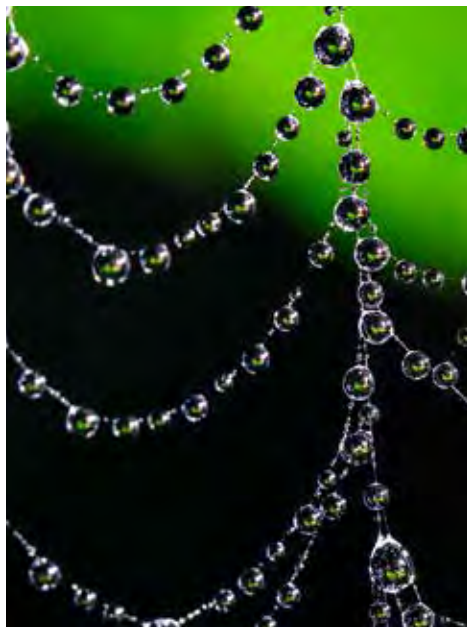
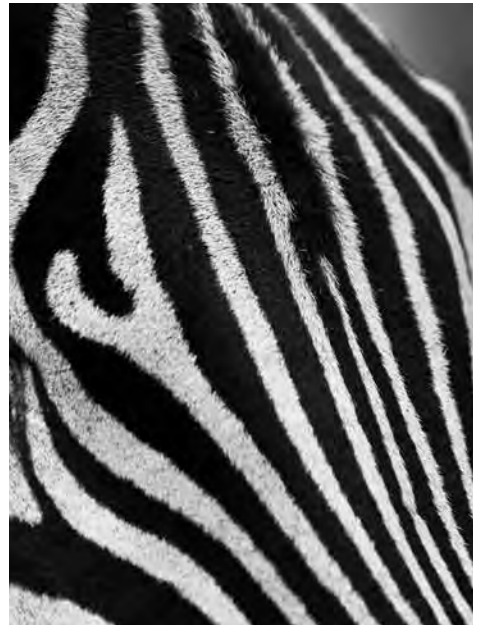
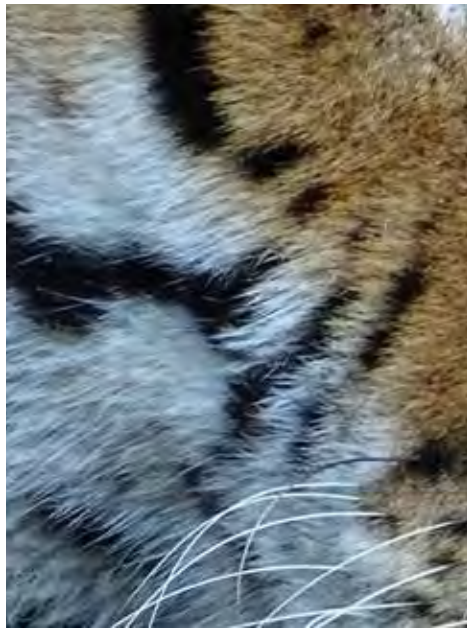
- Phase I: Concept Development 2-3 Months
- Phase II: Primary Research Study 3-4 Months
- Phase III: Projection Modeling 2-3 Months
- Phase IV: Economic Impact 2 Months

Estimated fees by phase are:

PHASE I	\$37,110
PHASE II	\$55,000
PHASE III	\$68,595
PHASE IV	\$66,880
TOTAL:	\$227,585

In order to ensure an equitable distribution of expense between all stakeholders in the outcomes of this assessment, a cost-sharing arrangement has been discussed. One-third of the fee will be paid by representatives of the City of Muskegon, one-third by representatives of Kent County, and the remainder by John Ball Zoo. The arrangement will ensure that no work product specific to one party will be subsidized or influenced by payment from the other, and that no party will be the beneficiary of favor or preference. Deliverables pertaining specifically to either Kent County or the City of Muskegon will be clearly delineated in the final report.

Thank you again for the opportunity to discuss our services with you. We would be extremely pleased to partner with you on this worthy endeavor. We look forward to continued conversations.



WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: Re-assignment of Building Contracts for 769 Catawba Avenue and 548 E Dale Avenue
Submitted By: Oneata Bailey	Department: CNS
Brief Summary: To award the Building Contracts of the rehabilitation of <i>769 Catawba Avenue</i> and <i>548 E. Dale Avenue</i> to Nassau Construction for the City of Muskegon's Homebuyers Program.	
Detailed Summary: Both contracts were previously awarded to Mike Murphy, Custom Exteriors, LLC. Unfortunately, Mr. Murphy is not able to fulfill his contract to rehabilitate 769 Catawba Avenue. and 548 E Dale Avenue. CNS is requesting that the 2 rehabilitation projects be awarded to the second bidder- Nassau Construction (See bids); Nassau Construction is a MBE (Minority Business Enterprise) and WBE (Woman-owned Business Enterprise) with a history of working with the city since 2018 for our Homebuyers, Lead Safe Muskegon and Muskegon County Senior Millage programs.	
Amount Requested: \$ 91,910- Catawba Avenue \$81,231- Dale Avenue	Amount Budgeted: \$220,000.00
Fund(s) or Account(s): HOME Program	Fund(s) or Account(s): HOME 2020
Recommended Motion: To award Nassau Construction the rehabilitation contracts for 769 Catawba Avenue and 548 E Dale Avenue	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only:	

Commission Action:

MEMO

**Community and
Neighborhood Services**
City of Muskegon
933 Terrace
Second Floor
Muskegon, MI 49442
Ph: 231-724-6717
Fax: 231-726-2501

Date: August 18, 2021
To: Bidders regarding 769 Catawba Ave
From: Oneata Bailey, Director
Community and Neighborhood Services
City of Muskegon
Re: Bid Results

Community and Neighborhood Services received the following bid proposals:

<u>CONTRACTOR</u>	<u>Total Bid Price*</u>
Mike Murphy	\$89,264
Nassau Construction	\$91,910

The City of Muskegon reserves the right to accept or reject any and all bids. The City of Muskegon is also not restricted to accept the lowest bid.

We appreciate everyone's interest in being a part of the City of Muskegon's neighborhood revitalization efforts. The selected bidder will be contacted in the next few days.

OB

MEMO

**Community and
Neighborhood Services**
City of Muskegon
933 Terrace
Second Floor
Muskegon, MI 49442
Ph: 231-724-6717
Fax: 231-726-2501

Date: August 18, 2021

To: Bidders regarding 548 E Dale Ave.

From: Oneata Bailey, Director
Community and Neighborhood Services
City of Muskegon

Re: Bid Results

Community and Neighborhood Services received the following bid proposals:

<u>CONTRACTOR</u>	<u>Total Bid Price*</u>
Mike Murphy	\$78,568
Nassau Construction	\$81,230

The City of Muskegon reserves the right to accept or reject any and all bids. The City of Muskegon is also not restricted to accept the lowest bid.

We appreciate everyone's interest in being a part of the City of Muskegon's neighborhood revitalization efforts. The selected bidder will be contacted in the next few days.

OB

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: Sept 28 th , 2021	Title: Alley Paving Policy
Submitted By: Leo Evans	Department: Public Works
Brief Summary: Staff is requesting approval of the attached Alley Paving Policy effective for the 2022 Calendar Year.	
Detailed Summary: The draft Alley Paving policy was discussed at the September 13 th , 2022 Work Session meeting. Minor adjustments to the draft policy were made to clarify the difference between "Residential" and "Non-Residential" parcels.	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: Approve the Alley Paving Policy.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	



ALLEY PAVING POLICY

EFFECTIVE: January 1, 2022

PURPOSE

The City of Muskegon maintains alleys within every neighborhood of the city. A majority of the existing alleys are gravel, with very few having been improved to a paved surface. To facilitate improved access in the alleys and to reduce maintenance expenses on the gravel alleys the city is adopting the below policy to facilitate paving of alleys where it is in the best interest of all parties.

GOALS

The City of Muskegon maintains this policy with the goals of:

- Improving access to and use of the existing network of alleys
- Optimizing the use of a traditionally underutilized public space
- Fostering relationships amongst block neighbors towards a common goal
- Reducing maintenance cost and expense of gravel alleys
- Reduction of blight associated with underutilized alleys

APPLICATION PROCESSING & FEES

Applications will be accepted year round on the attached form. Each application shall be prepared and submitted by a designated Block Captain whom shall be the single point of contact relative to the paving request.

Staff will review all applications and annually make a recommendation on alleys to be targeted for paving in a given year. The number and location of alleys selected for paving will be based on staff availability and staff concurrence that the alley is a good candidate for paving. Staff will review the alley for access issues, ownership, utility conditions, use types/frequency, neighbor support for the paving, and other features.

Once an alley has been determined eligible for paving the City will contact the designated Block Captain and inform them of the decision. The Block Captain is then responsible to collect fees from the block and provide payment to the DPW offices before paving can be scheduled.

Fees for Alley Paving will be as follows:

- \$300 / Residential Parcel
- \$1,000 / Non-Residential Parcel

For the purposes of this policy “Residential Parcel” shall be defined as any parcel with a Zoning Code that includes the term “Residential” in the Zoning Code and/or Description. Non-Residential Parcel shall refer to any other parcel not captured by the above definition of a Residential Parcel. Municipally owned parcels are exempt from payment, all other parcels including non-profit and religiously operated are subject to the fee requirements.

Fees for alley paving are designed to offset a portion of the cost for the asphalt material used to pave the alley. This figure is competitively bid on an annual basis with the current (2021) price being \$69.50/Ton. A typical 400 FT long alley requires approximately 60 Tons of asphalt to pave (\$4,170 – Material Costs).

Fee collection and submittal shall be the sole responsibility of the Block Captain. No special assessments will be executed by the City to support fee collection.

ALLEY PAVING PROCESS

The City will schedule paving throughout the traditional paving season depending on when fees are paid and when staff is available. Alley paving carries less priority than repairs to roadways, and schedule will be subject to change throughout the typical paving season (May 1 – October 31).

City staff will communicate with the Block Captain approximately one (1) week ahead of the paving to inform them of the planned schedule. The Block Captain shall be responsible to inform the neighbors of the schedule.

From start to finish paving will take approximately 3-5 days to complete depending upon the complexity. To the greatest extent possible the City requests that residents arrange for alternative access to minimize their need to use the alley. Residents of the block will need to park on adjacent streets whenever possible to ensure the alley is free and clear for work to proceed.

Alley paving will include paving of a single twelve (12) foot wide lane. No flare out or widening of the pavement will be made to meet adjacent driveways or provide additional space for parking, storage of trash cans, or any other use. Any additional paving requested shall be the responsibility of the requesting property owner. The alley will be graded and paved with an approximately two (2) inch thick layer of asphalt. Any utility manhole covers will be adjusted flush with the surface of the alley pavement.

The pavement will be maintained by the City of Muskegon for its useful life. When the useful life of the pavement has expired and full replacement is required a new application shall be submitted and payment due.

Return completed application to the following:
City of Muskegon Public Works Department
1350 East Keating Avenue
Muskegon, MI 49442

► **ALLEY PAVING FEES**

RESIDENTIAL PARCEL	\$300 Per Parcel
NON-RESIDENTIAL PARCEL	\$1,000 Per Parcel

► **I. DESIGNATED BLOCK CAPTAIN**

NAME	
ADDRESS	
PHONE	
EMAIL	

► **II. ALLEY INFORMATION**

CROSS STREETS	
PARALLEL STREETS	
EXISTING ALLEY MATERIAL	
SPECIAL CONSIDERATIONS	

► III. NEIGHBOR / PARCEL INFORMATION

[illegible]

► **IV. LIABILITY WAIVER**

APPLICANT(S) voluntarily agree, understand and recognize that participants will have no right to make a claim or file a lawsuit against the City in relation to the alley paving operations.

► **V. REQUIREMENTS OF ALLEY PAVING**

1. Applicant shall comply with all rules and regulations of the City of Muskegon Alley Paving policy.
2. Applicant shall comply with all City of Muskegon Ordinances.
3. Applicant shall save the City of Muskegon harmless from all claims.
4. The appointed fees must be collected by the Block Captain and paid in full to the City prior to any work being scheduled.
5. Block Captain shall be the sole point of contact for the project and shall be responsible to coordinate and communicate with other alley users on the project details.
6. The City reserves the right to make final determination on which alleys are suitable for paving and to prioritize the paving schedule.
7. Alley paving shall include a single twelve (12) foot wide lane at two (2) inches thickness from cross street to cross street. No additional paving requests will be considered. Residents are responsible to separately arrange for any additional paving requests.

With my signature, I certify that I have read and agree to the City of Muskegon Alley Paving Policy and all items listed on this application. I further certify that I have contacted all parcels on the affected block with alley frontage and have indicated their address and noted their support/opposition to the alley paving as outlined in the form.

I agree to abide by all applicable ordinances & regulations.

Signature of Block Captain

Date

CITY STAFF USE ONLY: APPROVED / DENIED

NAME/TITLE: _____

DATE: _____

FEE: _____

NOTES: _____

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: Sept 28 th , 2021	Title: Deer Hunting Ordinance Amendment
Submitted By: Leo Evans	Department: Public Works
Brief Summary: Staff is requesting approval of an amendment to Chapter 6 of the Code of Ordinances to incorporate the new Section 6-19 which provides for limited archery hunting options within the City of Muskegon.	
Detailed Summary: The draft Archery Hunting ordinance was discussed at the September 13 th , 2021 Commission Work Session meeting. No revisions have been made to the draft ordinance that was presented at that meeting.	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: To amend Chapter 6 of the City Code of Ordinances with the addition of Section 19.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN
ORDINANCE NO. ____

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

1. Chapter 6 of the Code of Ordinances of the City of Muskegon, Michigan, Section 6-19 is adopted to read as follows:

Sec. 6-19. Archery Hunting.

The City may allow limited archery hunting within the boundaries of the City for the purposes of limiting the urban deer population that may cause or threaten the safety of vehicular travel, damage to public and private landscaping, negative effects on local ecology and the regeneration of native vegetation, decrease in the overall health of the deer herd, and an increase in the risk of cervid disease transmission.

1. Area. Hunting may only occur in Deer Management Areas (“DMAs”) designated and approved by the City Commission under this Section. City Staff is authorized to create an application process for potential DMAs and shall make recommendations to City Council regarding other conditions, including but not limited to, the appropriate areas, number of hunters, hunt locations, shooting direction/ shooting lanes, and on-site inspections related to the use of the DMAs. The City Commission has final authority to approve, deny, or set conditions for all authorized DMAs.
 - a. Private Land. Landowners may apply to have their property designated as a DMA provided the area is at least five (5) contiguous acres. Two landowners may jointly apply for a DMA where two or more adjoining parcels combined meet the five (5) contiguous acre requirement. Landowners’ DMA application shall include the requested number of hunters and other information as required by the DMA application.
 - b. Public Land. City staff shall recommend appropriate public property as DMAs.
2. Licensed Hunting. Archery hunters meeting the requirements established by the State of Michigan Department of Natural Resources (“DNR”) may hunt deer within those areas designated as DMAs by the City, subject to all of the following conditions:
 - a. Permit. Hunters must obtain a permit issued by the City to hunt within a public land DMA. City Staff is authorized to establish an application process and procedures for obtaining a hunting permit, which may include the submission of fees, applicable personal information, consent to a background check and other requirements as established by the City. City Staff shall make a final recommendation to the City Commission regarding each issuance of

such permits. The City Manager, shall at all times have the right to amend, revoke, or set conditions on the permits issued under this subsection.

- b. Time. Hunting may only occur on the dates and times designated by the DNR where use of bow or cross-bow to harvest deer is permitted or duration of the DMA, whichever is shorter.
 - c. DNR Rules and Regulations. All hunters must observe all DNR hunting regulations and requirements, including all safety considerations.
 - d. Setback. No hunter shall hunt within or attempt to take a deer within a distance of one hundred and fifty (150) feet from any public building, public street, or perimeter of any DMA. No hunter shall hunt within or attempt to take a deer within a distance of one hundred and fifty (150) feet from any private building without the written approval from the applicable property owner.
 - e. Bows/ Cross-Bows. Hunters shall not carry an uncased bow or cross-bow within one hundred (100) feet of any residence, public street, or public building. A hunter's use of a bow or cross-bow under this Section is not a violation of Section 54-61 of the Code of Ordinances of the City.
 - f. Post-Hunt Information. Upon the completion of the hunting season or duration of the DMA, each hunter shall submit to the City the total number of deer harvested, dates hunted, estimated number and gender of deer observed, and other information as required by the City.
 3. Other Requirements. The City reserves the right to establish further and different criteria for the authorization of DMAs and hunter permits, including but not limited to, pre-hunt safety courses, liability waivers, hunter's safety course/ hunting license confirmation, or other criteria as determined to be in the City's best interest.
 4. Proviso. The City reserves the right to amend the hunter permit and DMA application and selection process at any time, including but not limited to, the number of hunters per DMA, residency, hunter competency, random selection, or other criteria as determined to be in the City's best interest.
2. This Ordinance is to become effective ten (10) days after adoption.

Ayes:

Nays:

First Reading:

Second Reading:

CERTIFICATE

The undersigned, being the duly qualified Clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the ____ day of _____, 2021, at which meeting a quorum was present and remained throughout, and that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

Date: _____, 2021

Ann Marie Meisch, MMC
City Clerk

Publish: Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

TO: ALL PERSONS INTERESTED

Please take notice that on _____, 2021, the City Commission of the City of Muskegon amended Chapter 6 of the Muskegon City Code, summarized as follows:

1. Section 6-19 is adopted relating to the establishment of a limited archery deer hunt within the City.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten (10) days from the date of this publication.

Published: _____, 2021

CITY OF MUSKEGON

By _____
Ann Marie Meisch, MMC
City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: Sept 28, 2021	Title: Traffic Control Order #71
Submitted By: Doug Sayles/Leo Evans	Department: Traffic/Engineering
Brief Summary: Staff is requesting approval of Traffic Control Order #71-(2021).	
Detailed Summary: To approve the submitted Traffic Control Order, #71-(2021) for the installation of "Yield Signs" at East and West bound Ada Avenue @ Williams Street..	
Amount Requested: N/A	Amount Budgeted: N/A
Fund(s) or Account(s): N/A	Fund(s) or Account(s): N/A
Recommended Motion: Approve Traffic Control Order #71-(2021).	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

City of Muskegon

Traffic Control Order

No. 71-(2021)

The following regulatory sign(s) shall be Installed/Removed at/from the location(s) specified below under location in accordance with the Michigan Manual of Uniform Traffic Control.

Device/Regulatory Sign(s) to be Installed/Removed: *Installation of "Yield Signs" on East and West bound Ada Avenue @ Williams Street.*

Location: *Ada Avenue @ Williams Street.*

Recommendation:

_____ Date: ____/____/____
Director of Public Works

_____ Date: ____/____/____
Police Chief

_____ Date: ____/____/____
City Manager

Commission Approval (required for Permanent TCO only):

_____ Date: ____/____/____
Commission Action #

Installation/removal

Date assigned: ____/____/____ By: _____
Traffic Supervisor

Date completed: ____/____/____ By: _____
Traffic Department Employee

☐ **Temporary;** does not require Commission Action, good for 90-days from Installation/Removal Date.

☐ **Permanent;** requires Commission Action

WATCH MUSKEGON

Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: Water Filtration Plant Fencing – Change Order #001
Submitted By: Joe Buthker	Department: Public Works - Filtration
Brief Summary: Staff is seeking approval of a change order with Fence Consultants for \$23,260.35 for the fencing project at the Water Filtration Plant. This change order includes the use of Ultra Aluminum fencing in place of the originally proposed black vinyl coated chain link fencing.	
Detailed Summary: The City Commission previously approved a proposal from Fence Consultants to replace the Water Filtration Plant fencing on the east side of the plant property. The project included the replacement of the existing chain link fencing with black vinyl coated chain link fencing. Upon further discussion with city staff, it was decided to investigate the cost of using decorative aluminum fencing that would match the existing fencing on the west side of the Water Filtration Plant. City staff is now recommending that Ultra Aluminum fencing be used instead of the originally proposed black vinyl coated chain link fencing. This upgrade will improve the appearance along the east side of the plant and provide continuity with the existing fencing that was upgraded in 2018. Fence Consultants issued a change order for an additional \$23,260.35 for the Ultra Aluminum fencing. The \$38,545.86 proposal that was previously approved included \$4,040.91 to upgrade from aluminized chain link to black vinyl coated chain link. This option will not be utilized with the approval of the Ultra Aluminum fencing, making the additional cost to this project \$19,219.44. The cost of the change order will be covered from savings in other budgeted projects and addressed in a future budget reforecast if needed.	
Amount Requested: \$19,219.44	Amount Budgeted: \$0
Fund(s) or Account(s): 591-92034-5346	Fund(s) or Account(s): 591-92034-5346
Recommended Motion: Authorize staff to approve the change order from Fence Consultants for \$23,260.35 for the replacement of the fencing and gate on the east side of the Water Filtration Plant property with Ultra Aluminum fencing.	

Check if the following Departments need to approve the item first:

Police Dept. ☐

Fire Dept. ☐

IT Dept. ☐

For City Clerk Use Only:

Commission Action:



Fence Consultants Change Order Proposal

Project Name:	Muskegon Water Filtration Plant	Change Order #:	1
Location:	1900 Beach Street	Initiation Date:	9/21/2021
		Customer PO/Contract #:	N/A
Sold to:	CITY OF MUSKEGON	PO/Contract for:	

CITY OF MUSKEGON and FENCE CONSULTANTS agree to make the following changes in the PO/Contract:

☒ Addition	Qty.	Item	Per Unit	Total
	1	Change Approximatly 544' Galvanized Chain Link Fence	\$ 23,260.35	\$ 23,260.35
		to Ultra Aluminum Industrial UAS 100 Spear Top 6' Tall	\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -

☐ Deduction	Qty.	Item	Per Unit	Total
	1		\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -
			\$ -	\$ -

Comments:	25' of panels and 1 - 25' Gate to have tight picket spacing per UL 325
-----------	--

The original PO/Contract sum was:	\$ 34,504.95
Net change by previous authorized change orders:	
The PO/Contract sum prior to this change order was:	\$ 34,504.95
The PO/Contract sum will be increased by this change order:	\$ 23,260.35
The PO/Contract sum will be decreased by this change order:	\$ -
The new PO/Contract sum including this change order will be:	\$ 57,765.30
The PO/Contract time will be changed by this number of days:	

Change order requested by:

Project Administrator	James Gutman	Date:	9/21/2021
Signed:	<u>James Gutman</u>	Date:	9/21/2021

Fence Consultants of West MI
Address: 615 11th St NW, Grand Rapids MI 49504

Not valid until signed by Sold To. Signature of Sold To indicates agreement herewith, including any adjustment in the PO/Contract sum or PO/Contract time.

- ☐ **CITY OF MUSKEGON** signature below validates this request as official change to contract. No further documentation needed.
- ☐ **CITY OF MUSKEGON** signature below authorizes Fence Consultants to proceed based on this proposal.
- ☐ **CITY OF MUSKEGON** will issue official change order.

Signature _____ Date _____



The Ultra Aluminum Industrial UAS 100 Spear Top fencing that will match the existing fencing on the west side of the Water Filtration Plant.

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 9/28/2021	Title: Administrative Vehicle Replacement
Submitted By: Joe Buckingham	Department: Equipment
Brief Summary: The Equipment Division is requesting permission to purchase two Chevy Blazer's from Berger Chevrolet the State Mi-Deal contract holder. The price of this vehicle is \$32,936.00 each for a total price of \$64,872.00 coming from the Equipment budget.	
Detailed Summary:	
Amount Requested: \$64,872.00	Amount Budgeted: \$85,000.00
Fund(s) or Account(s): Equipment	Fund(s) or Account(s):
Recommended Motion: Authorize staff to move forward with purchase.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	



WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 9-28-2021	Title: Temporary art installation, 1095 Third
Submitted By: Dave Alexander	Department: Economic Development
Brief Summary: The City Commission is asked to approve the use of the exterior of the city-owned, former Catholic Social Services building for a temporary photo exhibit through the end of the year.	
Detailed Summary: Local photographer Patrick Thompson of Pat ApPaul Photography has requested to use the exterior of the city-owned, former Catholic Social Services building at 1095 Third to present The Stand photo exhibition through the end of the year. The city is seeking a new owner to redevelop the office building in Midtown. The current exterior will be removed. The exhibit will be taken down if a new owner needs the exterior before the end of the year. The Lemonade Stand of Muskegon is a residential home in the heart of downtown and Nelson Neighborhood supporting those with mental health and addiction issues. Thompson visually captured The Stand in a work that has been published in a book and in a multi-media presentation. The Stand images would be temporarily attached to the outside of the building along Third Street for public viewing.	
Amount Requested: None	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To authorize Patrick Thompson of Pat ApPaul Photography in Muskegon to use the exterior of the 1095 Third for The Stand Photo Exhibition through the end of 2021 or the building is needed by a new owner for redevelopment.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

Please Consider *The Stand* for exhibition.

The Lemonade Stand of Muskegon is a member-run, mental health day center, in the heart of Nelson. The center has run for over 20 years, and I have been documenting it and its members since 2018. This documentation has led to a Multimedia Exhibition and Book called *The Stand*.

A portion of *The Stand* was recently published by Second Wave Media, you can find the story at https://www.secondwavemedia.com/lakeshore/features/lemonade_stand.aspx

I wish to exhibit *The Stand* on the external walls of the former Catholic Charities building, facing 3rd street. By partnering with the city and exhibiting *The Stand* in the center of the community we will connect neighbors to the wider conversation around Mental health and addiction. *The Stand* shows how mental health and addiction affect our immediate neighbors and the exhibition will generate conversation moving Muskegon towards being a more inclusive city.

The Stand exhibition will run from the end of September to January, weather permitting. I will then move the exhibition to a covered public space for the community to interact with through the winter.

I have printed *The Stand* on heavy-duty vinyl, a lightweight material. I will anchor the 10 5x3.5 foot prints to the exterior walls via 2-inch screws, around 6 screws per image. The images will be placed one each between the windows facing 3rd street.

THE STAND - *"When they take away our responsibility, its like they take our soul"*

On a slow quiet street in the Nelson neighborhood of downtown Muskegon, MI, sits a small unassuming craftsman house. Like many of the houses around it, built during the economic booms of this boom and bust midwestern town, this house has seen its share of love and neglect. But unlike the houses around it, and unknown to many in the community, for the last 20 years, this house has been home to hundreds of neighbors needing family and support. With nothing out of the ordinary setting this house aside from the others, apart from a small, letter-sized sign nailed above the porch that reads "The Lemonade Stand of Muskegon", this house is nothing but ordinary, it is an oasis for many in the community who struggle with mental health and/or addiction issues, who not only are looking for support but who also wish to be the support that others may need. As Judie, founder and president of the Lemonade Stand shared "When life gives you lemons, you make lemonade, and that's where the name came from".

THE STAND can be viewed in its entirety in book form only.

Pat ApPaul,

Is a Welsh Documentary Photographer based in Michigan USA. He has worked in both Palestine and Iraqi Kurdistan, documenting life as well as working with Non Governmental Organisations.

You can contact Pat ApPaul at: pat.appaul@gmail.com



M
M
MICHIGAN HIGH SCHOOL
CLASS OF 2021



CATHOLIC
CHARITIES
WEST MICHIGAN



WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: September 28,2021	Title: Holiday Lights on Western Avenue
Submitted By: Ann Meisch	Department: City Clerk
Brief Summary: Terry Puffer has approached the City with a commitment to raise \$30,000 to decorate the downtown with colorful lights. It's a program he would like to add to each year. We have reached out to Lakeshore Aquascape who can do the decorating. They need to start in two weeks and require half down.	
Detailed Summary: Terry Puffer is working to secure \$15,000 in sponsors to get the project going. Once he does, we are asking permission to sign an agreement with Lakeshore Aquascape in the amount of \$30,000. If Mr. Puffer is not able to secure the additional \$15,000, the city will need to pay that amount from its PR fund.	
Amount Requested: Up to \$15,000	Amount Budgeted:
Fund(s) or Account(s): Public Relations	Fund(s) or Account(s):
Recommended Motion: To authorize the Clerk to sign an agreement for \$30,000 in holiday lighting with Lakeshore Aquascape once the \$15,000 in donations are secured.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: 9/28/2021	Title: Shoreline Tram Transfer
Submitted By: Ann Meisch	Department: City Clerk
Brief Summary: We are seeking approval to accept the gift of an 18-seat Tram, being gifted by Ramos Towing. Acceptance of the gift will allow the City to add the vehicle to the City's insurance. Ramos Towing donates hundred of hours paying their staff to run the Shoreline Tram for City events at no charge while paying \$1,000 per month in insurance costs.	
Detailed Summary:	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To authorize the City Clerk to sign the Gift Agreement for Shoreline Tram gifted by Ramos Towing.	
For City Clerk Use Only: Commission Action:	

GIFT AGREEMENT FOR SHORELINE TRAM

This Agreement is made by and between **Ramos Enterprises, L.L.C.**, a Michigan limited liability company, of 2462 S. Getty, Muskegon, Michigan 49444 ("Grantor"), and the **City of Muskegon**, a Michigan municipal corporation, of 933 Terrace St., Muskegon, Michigan 49440-1397 ("Grantee"), with reference to the following:

Background

Grantor owns an 18-seat tram vehicle commonly known as the "Shoreline Tram" (VIN: GHTKJ 40 7248 291) (the "Tram"). Grantor desires to gift the Tram to Grantee, and Grantee desires to accept the Tram from Grantor, on the terms and subject to the conditions set forth in this Agreement.

Agreement

1. **Gift and Transfer.** Grantor agrees to transfer, and Grantee agrees to accept, the Tram on the terms and conditions contained in this Agreement. The gift and transfer of the Tram may be referred to herein as the "Transfer" and shall be closed on the date of Closing (defined below).

2. **Grantor's Representations.** Grantor represents and warrants that it is the sole owner of the Tram. Further, to the best of Grantor's knowledge, Grantor represents and warrants that the Tram is free and clear of any liens and that there are no outstanding disputes or claims in connection with the Tram.

3. **Inspections by Grantee and Condition of Tram.** Grantor makes no representations or warranties as to the condition of the Tram except as specifically stated in this Agreement. Grantee is familiar with the condition of the Tram, and therefore agrees to purchase it in its present "AS-IS" condition. Grantee waives Grantee's right and opportunity to any further inspections of the Tram before Closing.

4. **Closing.** The closing ("Closing") of this Transfer shall be at a time and location mutually acceptable to the parties, but in no event later than December 31, 2021. At Closing, Grantor shall deliver a bill of sale and certificate of title to the Tram conveying title of the Tram to Grantee. The parties shall also execute and deliver such other documents as may be reasonably required to close this transaction.

5. **Storage of the Tram.** The parties acknowledge and agree that the Tram is currently located and stored at Grantor's real property located at 2462 S. Getty Street, Muskegon, Michigan 49444 (the "Premises"). Following Closing, the parties agree that the Tram shall continue to be located at the Premises at no additional charge to Grantee.

6. **Use of the Tram.** Following Closing, the parties acknowledge and agree that Grantor and Grantor's designated employees and agents shall have the right to continue using the Tram for certain events. Grantor agrees to provide Grantee with reasonable prior notice before such use. Grantor shall also be permitted to lease the Tram to third parties for certain events in Grantor's reasonable discretion; provided, however, the driver of the Tram for such events must either (i) be an employee or agent of Grantor and properly licensed and insured to drive the Tram, or (ii) must be an individual mutually agreed upon in writing by Grantor and Grantee who is properly licensed and insured to drive the Tram. Grantor shall be permitted to retain all proceeds from its own use of the Tram or its permitted rental of the Tram following Closing.

7. **Insurance.** Immediately following Closing of the Transfer, Grantee shall be responsible for procuring and maintaining all necessary insurance associated with Grantee's

ownership and use of the Tram. To the extent permitted by Grantee's insurance carrier, Grantee shall name Grantor as an additional insured on such policy and provide Grantor with a copy of the insurance policy. To the extent Grantor uses the Tram after Closing or permits an authorized third party's use of the Tram after Closing (as provided in Section 6 of this Agreement), Grantor agrees to ensure Grantee is listed as an additional insured party on such policy of Grantor or such policy of the authorized third party, as the case may be, prior to such use of the Tram.

8. **Indemnification.** Grantor agrees to indemnify and hold harmless Grantee, its directors, managers, officers, employees, and agents, from and against any and all damages, loss, theft, or destruction of the Tram, and against all losses, liabilities, damages, injuries, claims, demands, proceedings, costs, and expenses of every kind and nature, including reasonable attorney fees arising out of and in connection with Grantor's use and operation of the Tram.

9. **Notice.** All notices, approvals, consents and other communications required under this Agreement shall be in writing and shall be deemed given: (i) when delivered in person; (ii) when sent by fax or email; (iii) when sent by a nationally-recognized receipted overnight delivery service with delivery fees prepaid; or (iv) when sent by United States first-class, registered, or certified mail, postage prepaid. The notice shall be effective immediately upon personal delivery or upon transmission of the fax or email; one day after depositing with a nationally recognized overnight delivery service; and five days after sending by first class, registered, or certified mail.

Notices shall be sent to the parties as follows:

To Grantor: Ramos Enterprises, L.L.C.
Attn: Mary Beth Ramos
2462 S. Getty
Muskegon, MI 49444
Email: marybeth@ramosautobody.com

To Grantee: City of Muskegon
Attn: Ann Marie Meisch
933 Terrace St.
Muskegon, MI 49440
Email: ann.meisch@shorelinecity.com

10. **Miscellaneous.**

a. **Governing Law.** This Agreement shall be governed by and interpreted in accordance with the law of the state of Michigan.

b. **Entire Agreement.** This Agreement constitutes the entire agreement of the parties and supersedes any other agreements, written or oral, that may have been made by and between the parties with respect to the subject matter of this Agreement. All contemporaneous or prior negotiations and representations have been merged into this Agreement.

c. **Amendment.** This Agreement shall not be modified or amended except in a subsequent writing signed by all parties.

d. **Binding Effect.** This Agreement shall be binding upon and enforceable by the parties and their respective legal representatives, permitted successors, and assigns.

e. **Counterparts.** This Agreement may be executed in counterparts, and each set of duly delivered identical counterparts which includes all signatories, shall be deemed to be one original document.

f. **Full Execution.** This Agreement requires the signature of all parties. Until fully executed, on a single copy or in counterparts, this Agreement is of no binding force or effect and if not fully executed, this Agreement is void.

The parties have executed this Agreement to be effective as of the last date set forth below.

Grantor – Ramos Enterprises, L.L.C.

By: _____
Name: Mary Beth Ramos
Title: Member
Date: _____

Grantee – City of Muskegon

By: _____
Name: Ann Marie Meisch
Title: City Clerk
Date: _____

BILL OF SALE

Ramos Enterprises, L.L.C., a Michigan limited liability company ("Grantor"), for the consideration provided in that certain Gift Agreement for Shoreline Tram of even date between Grantor and the **City of Muskegon**, a Michigan municipal corporation ("Grantee"), the receipt of which is acknowledged, transfers and conveys to the following vehicle commonly known as the "Shoreline Tram":

VIN: GHTKJ 40 7248 291
Make: Harlan
Model: Tug
Year: 1985

In "AS IS" condition, no warranties or representations regarding the vehicle's condition is given.

Grantor agrees to sign the vehicle title over to Grantee who will immediately obtain a new title at the Secretary of State Office.

Grantor –

By: _____
Name: Mary Beth Ramos
Title: Member
Date: _____



Agenda Item Review Form

Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: Final PUD Approval at Adelaide Point
Submitted By: Mike Franzak	Department: Planning
Brief Summary: Request for final Planned Unit Development (PUD) approval for a mixed-use development at 920/1148/1204 W Western Ave.	
Detailed Summary: The Planning Commission unanimously recommended approval (5-0, 4 members absent) at their September 15 meeting, with the following conditions: 1. A stormwater permit is obtained from the Muskegon County Drain Commissioners Office. 2. Staff approves an amended site plan that addresses the comments from the Public Works, Fire and Planning Departments.	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To approve the request for final Planned Unit Development (PUD) approval for a mixed-use development at 920/1148/1204 W Western Ave with the following conditions: 1) A revised site plan that addresses narrower streets and water main and fire hydrants locations is approved by staff 2) The site plan receives a stormwater permit from Muskegon County Drain Commissioners Office 3) A development agreement that establishes public accesses requirements is approved by the City Commission	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action	

Planning Commission Staff Report Excerpt

SUMMARY

1. The proposed PUD consists of two privately-owned parcels (1148 & 1204 W Western) and a portion of the charter park at Hartshorn Marina (920 W Western). The usage of the charter park would be done through a shared access agreement. The size of the entire project is 37.3 acres.
2. There are three underlying zoning designations within the proposed PUD; Lakefront Recreation, Heavy Industrial and Form Based Code, Neighborhood Edge.
3. The land uses associated with the PUD include light industrial, boat storage, multi-family residential, retail and a new marina and boat launch.
4. The new streets (Adelaide Ave, Adelaide Dr, Adelaide Circle) will be publicly owned and maintained.
5. Public access to the site will increase significantly, especially to the lakeshore. The bike path would be repositioned slightly, moving it closer to the water. The three peninsulas will be publicly accessible and a fishing pier will be constructed at the end of the peninsula on the charter park property. That peninsula is currently gated and only accessible to those utilizing the small boat basin. The gate will be removed to allow for public access to all. The 30 slips at the former small boat basin would be removed, but 70 transient slips would be available at the new marina. The former small boat basin would be used as another boat launch with a lift that can launch boats up to 100 feet, an amenity the City currently does not possess. The launch would be operated by the developer but would remain open for public use.
6. A detailed site plan (C-1.00) and illustrative map (V-2.00) can be found inside of the PUD Submittal. Within the site plan map, you will also see a chart that depicts the building heights/sizes, unit counts and parking information. A larger copy of this document has been separately included in your packet. Staff agrees that parking needs can be met through shared parking by different uses and elimination of some required spaces due to certain reductions.
7. Any approvals will be contingent upon issuance of a stormwater permit from the Muskegon County Drain Commissioners Office. The stormwater management plan is currently under review at that office.
8. The Public Works and Fire Department offices are still working with the applicant on the location of fire hydrants and water main at the northern end of the site. Public Works desires to see all of the public water main located within the public right-of-way. All approvals should be contingent up staff approving these measures.
9. The Planning Department would like to see buildings C5 and C6 contribute more to the public realm and pedestrian experience on Western Ave. This is the area that has the underlying form based code zoning, which was intended to create more walkable, pedestrian oriented developments. Regarding this development, its obvious that the waterfront is the key feature. However, staff believes that some modifications to these buildings could help draw people into the development and other future developments on the south side of Western Ave. Staff would recommend that these buildings be located closer to Western Ave and incorporate pedestrian-scaled elements such as transparent windows and adequate entrances along the front façade.
10. The Planning Department would also encourage the proposed parallel parking spaces on Adelaide Circle be reduced from 10 feet to 7 feet, which could reduce the size of the ROW by up to 6 feet.
11. Staff is currently working with the developer on these staff comments and they are preparing to present new materials at the meeting that will address these issues.
12. The developer is currently finalizing the phasing plan and will present it at the meeting.

Aerial Map

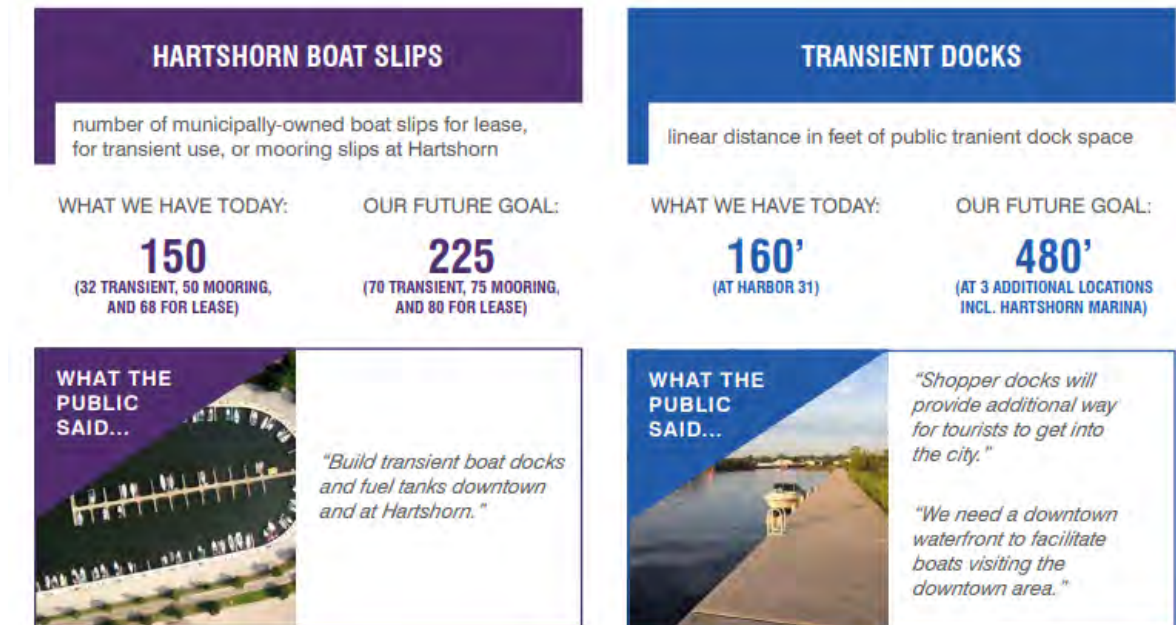


Zoning Map

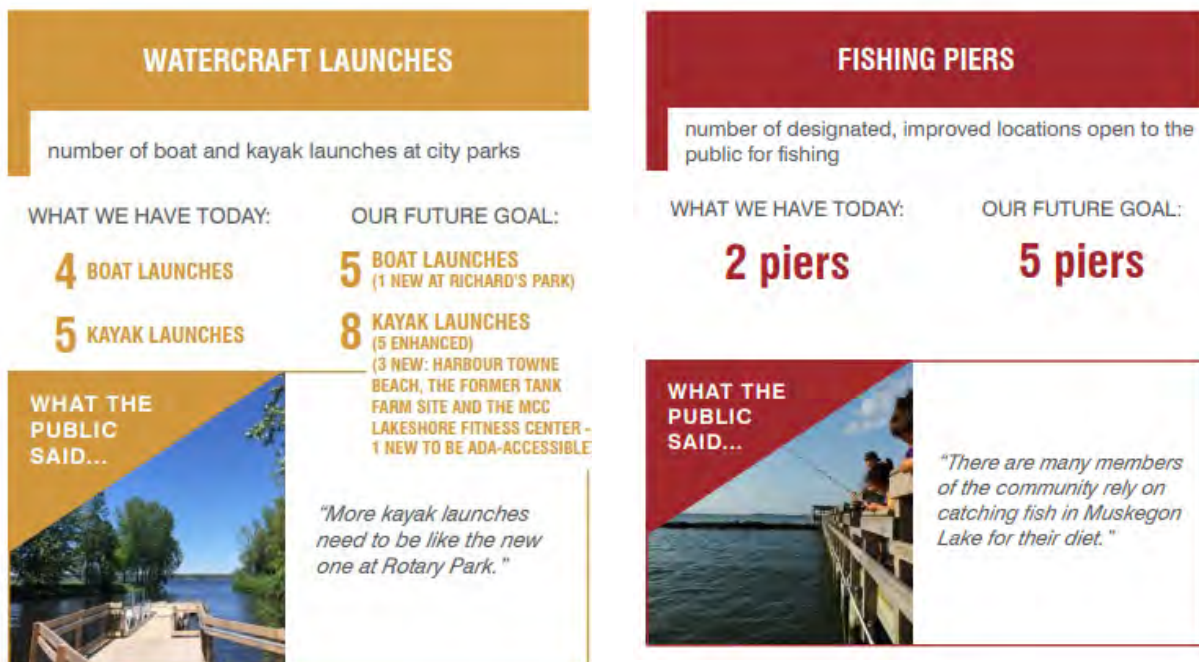


STAFF RECOMMENDATION

Staff recommends approval of the plan with the inclusion of the staff comments. The Imagine Muskegon Lake Plan discusses 12 important “metric and measureable” goals for public amenity features that residents identified along Muskegon Lake. This development will help address nine of these goals.



Increased boat slips, including transient slips.



An additional boat launch, which includes a boat lift that can accommodate 100' long boats.

A new fishing pier on the Hartshorn Peninsula



Much more of the site will be publicly accessible, including increased public access to two of the peninsulas. The bike path will remain along the water (will actually get closer to the water)

An increase in access to the waterfront. New sidewalks within the development accessible to the public.



A new bike path "cut through" that will allow pedestrians the ability to bypass the waterfront bike path for a more direct route along Western Ave. New parking spaces at the end of Western Ave for pedestrians that would like to park and bike.

WATERFRONT DEVELOPMENT

in general, the amount of private development along the Muskegon Lake shoreline

WHAT WE HAVE TODAY:

Ample land for private development/redevelopment

OUR FUTURE GOAL:

INCREASE HIGH-DENSITY, MIXED-INCOME HOUSING INCLUDING ATTACHED SINGLE-FAMILY AND MULTI-FAMILY AND INCREASE MIXED-USE DEVELOPMENT

WHAT THE PUBLIC SAID...



"So much of the lakeshore is underutilized."

"We can't have more of the same development in Muskegon. Time for something new and innovative."

Addition of high density housing and mixed-use buildings.

Ideas and Vision Plan from Imagine Muskegon Lake



A WATERFRONT RESIDENTIAL WITH FORMAL GREENSPACE AND BIKE + PEDESTRIAN ACCESS AND CONNECTION



B VILLAGE GREEN WITH FOCAL POINT



C BEACH



D PIER WITH TERMINATED VISTA AND DESTINATION OVERLOOK



E MARINA WITH ADJACENT RESIDENTIAL REDEVELOPMENT

F CRUISE SHIP DOCK AT HERITAGE LANDING

G SMALL BLOCK SIZES WITH PARKING INTERNAL TO THE BLOCK TO HUMANIZE STREET SPACES

H RE-ALIGNED WESTERN AVENUE TO DEFLECT AND TURN INTO MIDWINTER AVENUE - FOCAL BUILDING AT DEFLECTED TURN

I INFILL FOCUSED ON RESIDENTIAL HOUSING VARIETY

J TRANSIENT BOAT DOCKS

K BOAT STORAGE COMPARTMENTS INTERNAL TO THE BLOCK AND SHIELDED FROM THE NEW STREET WITH BUILDINGS

L MULTI-USE TRAIL DEFLECTION TO PROVIDE ALTERNATE ROUTE ALONG LAKESHORE AS TRAIL CHANGES TO PROMENADE

M INTERSECTION REPAIR AT DIVISION ST. + WESTERN AVE. - SIMILAR TO 7TH STREET REPAIR (REFER TO INTERSECTION REPAIRS IN THIS CHAPTER)

N ENHANCED GOOSEWALK AT DOG PARK - SIMILAR TO ITEM #1 FOR 3RD STREET REPAIR (REFER TO INTERSECTION REPAIRS IN THIS CHAPTER)

O INTERSECTION REPAIR TO CONNECT WESTERN AVENUE ACROSS SEAWAY/SHORELINE DRIVE - SIMILAR TO 1ST STREET REPAIR (REFER TO INTERSECTION REPAIRS IN CHAPTER CENTRAL WATERFRONT DISTRICT)

P ENHANCED STREETSCAPE TO PROVIDE HIGH QUALITY PUBLIC REALM AND A GATEWAY FEATURE INTO RESIDENTIAL AREA

Q VALUABLE PARK LAUNCH (EXACT LOCATION TO BE DETERMINED THROUGH PARTNERSHIP WITH LOCAL WILDLIFE ORGANIZATIONS)

WESTERN WATERFRONT ACTIVITY CENTER ILLUSTRATIVE: VISION PLAN



**CITY OF MUSKEGON
RESOLUTION #2021-**

**RESOLUTION TO APPROVE THE FINAL PLANNED UNIT DEVELOPMENT FOR
920/1148/1204 W WESTERN AVE (ADELAIDE POINT)**

WHEREAS, a petition for final Planned Unit Development at 920/1148/1204 W Western Ave has been received; and,

WHEREAS, proper notice was given by mail and publication and public hearings were held by the City Planning Commission and by the City Commission to consider said petition, during which all interested persons were given an opportunity to be heard in accordance with provisions of the Zoning Ordinance and State Law; and

WHEREAS, the Planning Commission and staff have recommended approval of the Final Planned Unit Development and associated site plan with the following conditions 1) A revised site plan that addresses narrower streets and water main and fire hydrants locations is approved by staff 2) The site plan receives a stormwater permit from Muskegon County Drain Commissioners Office; and

NOW, THEREFORE, BE IT RESOLVED that the recommendation by staff and the Planning Commission be accepted and the amendment to the final Planned Unit Development is hereby approved with the conditions listed above.

Adopted this 28th day of September, 2021

Ayes:

Nays:

Absent:

By: _____
Stephen J. Gawron
Mayor

Attest: _____
Ann Meisch
Clerk, City of Muskegon

CERTIFICATE
(Final PUD at 920/1148/1204)

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 28th day of September, 2021, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan of 1976, as amended, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2021.

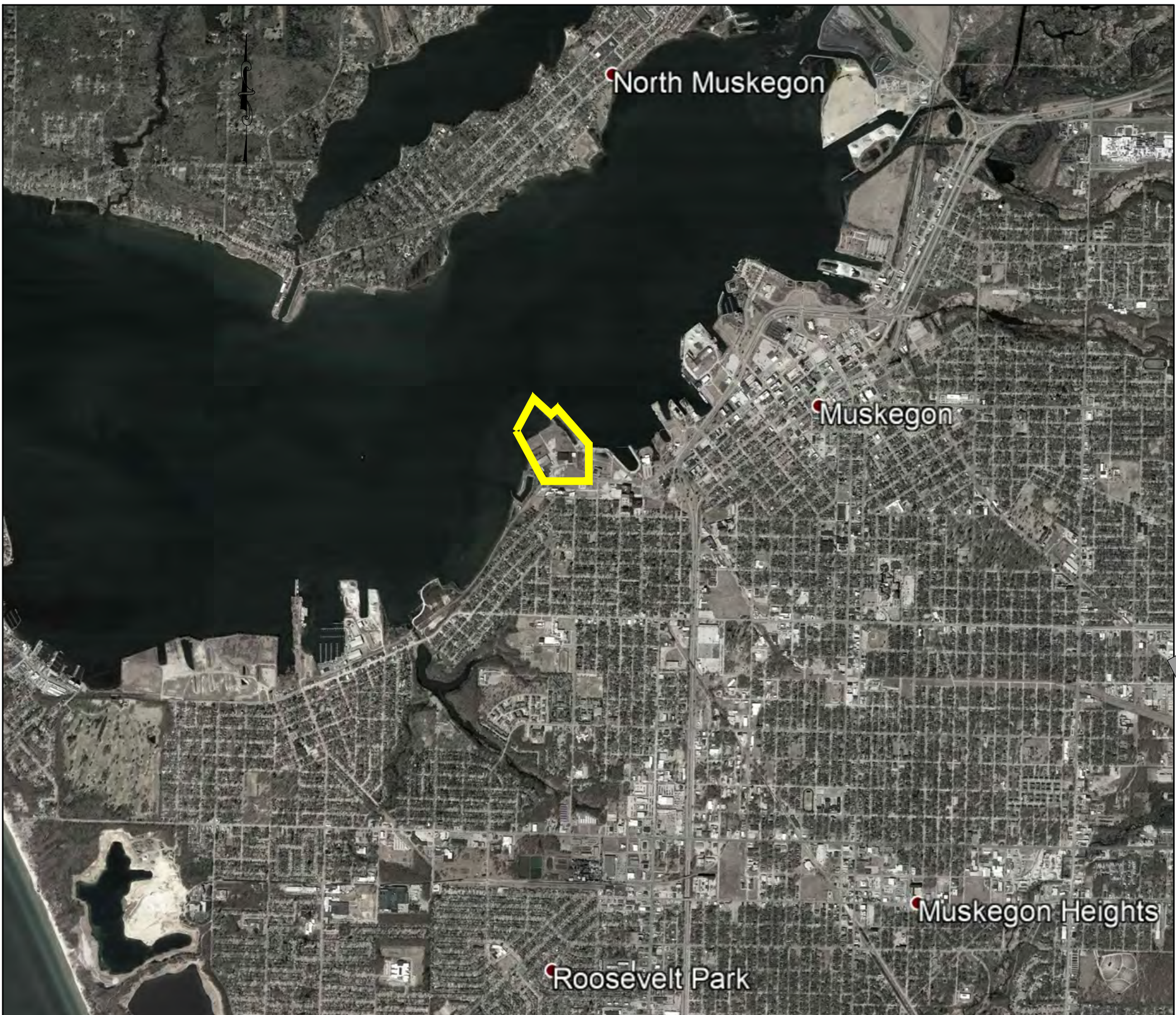
Ann Meisch
Clerk, City of Muskegon

ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

PUD SUBMITTAL

PERMIT INFORMATION			
AGENCY	PERMIT NO	DATE AUTHORIZED	EXPIRATION DATE
MDEQ			
USACE			

MUSKEGON CITY CONTACTS		
TITLE	NAME	CONTACT
MAYOR	STEPHEN GAWRON	(231) 724-6701
CITY MANAGER	FRANK PETERSON	(231) 724-6724
PLANNING AND ECONOMIC DEVELOPMENT DIRECTOR	LEIGHANN MIKESELL	(231) 724-6702
COUNTY WATER COMMISSIONER	BRENDA MOORE	(231) 724-6219
FIRE MARSHALL	MAJOR METCALF	(231) 724-6702
COMMISSIONER	TERESA EMORY	(231) 724-6701
COMMISSIONER	WILLIE GERMAN JR.	(231) 724-6701
COMMISSIONER	MICHAEL RAMSEY	(231) 724-6701
COMMISSIONER	ERIC HOOD	(231) 724-6701
COMMISSIONER	DAN RINSEMA-SYBENGA	(231) 724-6701
COMMISSIONER	KEN JOHNSON	(231) 724-6701



Sheet List Table	
Sheet Number	Sheet Title
V-0.01	COVER SHEET
V-1.00	SITE SURVEY
V-1.11	SITE SURVEY - PARCEL 1
V-1.12	SITE SURVEY - PARCEL 2
V-1.20	EXISTING CONDITIONS
V-1.11	EXISTING ZONING
V-1.12	PROPOSED ZONING
V-2.10	EXISTING IMPERVIOUS CONDITIONS
V-1.30	SHEET LAYOUT
V-2.00	ILLUSTRATIVE MP
V-3.00	SPACE PLAN
C-1.00	SITE PLAN
C-1.01	SITE PLAN
C-1.02	SITE PLAN
C-1.03	SITE PLAN
C-1.04	SITE PLAN
C-2.00	HARDSCAPE PLAN
C-3.00	LAYOUT PLAN
C-3.01	LAYOUT PLAN
C-3.02	LAYOUT PLAN
C-3.03	LAYOUT PLAN
C-3.04	LAYOUT PLAN
C-4.00	UTILITY PLAN
C-4.01	UTILITY PLAN
C-4.02	UTILITY PLAN
C-4.03	UTILITY PLAN
C-4.04	UTILITY PLAN
C-5.00	GRADING PLAN
C-5.01	GRADING PLAN
C-5.02	GRADING PLAN

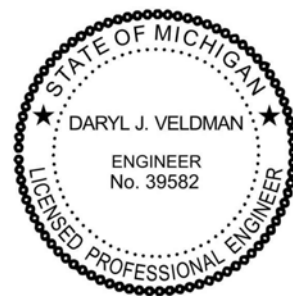
C-5.03	GRADING PLAN
C-5.04	GRADING PLAN
C-7.00	SIGNAGE PLAN
C-7.01	SIGNAGE PLAN
C-7.02	SIGNAGE PLAN
C-7.03	SIGNAGE PLAN
C-7.04	SIGNAGE PLAN
C-7.10	SIGNAGE DETAILS
C-8.00	LIGHTING PLAN
C-8.01	LIGHTING PLAN
C-8.02	LIGHTING PLAN
C-8.03	LIGHTING PLAN
C-8.04	LIGHTING PLAN
C-8.21	LIGHTING DETAILS
L-2.00	LANDSCAPE PLAN
L-2.01	LANDSCAPE PLAN
L-2.02	LANDSCAPE PLAN
L-2.03	LANDSCAPE PLAN
L-2.04	LANDSCAPE PLAN
L-3.10	LANDSCAPE SECTIONS
L-3.20	LANDSCAPE SECTIONS
L-5.10	LANDSCAPE DETAILS
L-5.20	LANDSCAPE DETAILS
A-2.01	1ST FLOOR PLAN
A-2.02	2ND FLOOR PLAN
A-2.03	3RD FLOOR PLAN
A-3.01	ELEVATIONS
A-3.02	ELEVATIONS
A-3.03	3D VIEWS
A100	GROUND & TYPICAL FLOOR PLANS
A200	ELEVATIONS



CONTACT:
ADELAIDE POINT QOZB,LLC
RYAN LEESTMA
1204 W. WESTERN, MUSKEGON, MI 49441
(616) 633-6020



EDGEWATER RESOURCES, LLC
518 BROAD ST.
ST. JOSEPH, MI 49085



DARYL J. VELDMAN
EN# 39582



MICHAEL H MEYERS
LA# 3331001540



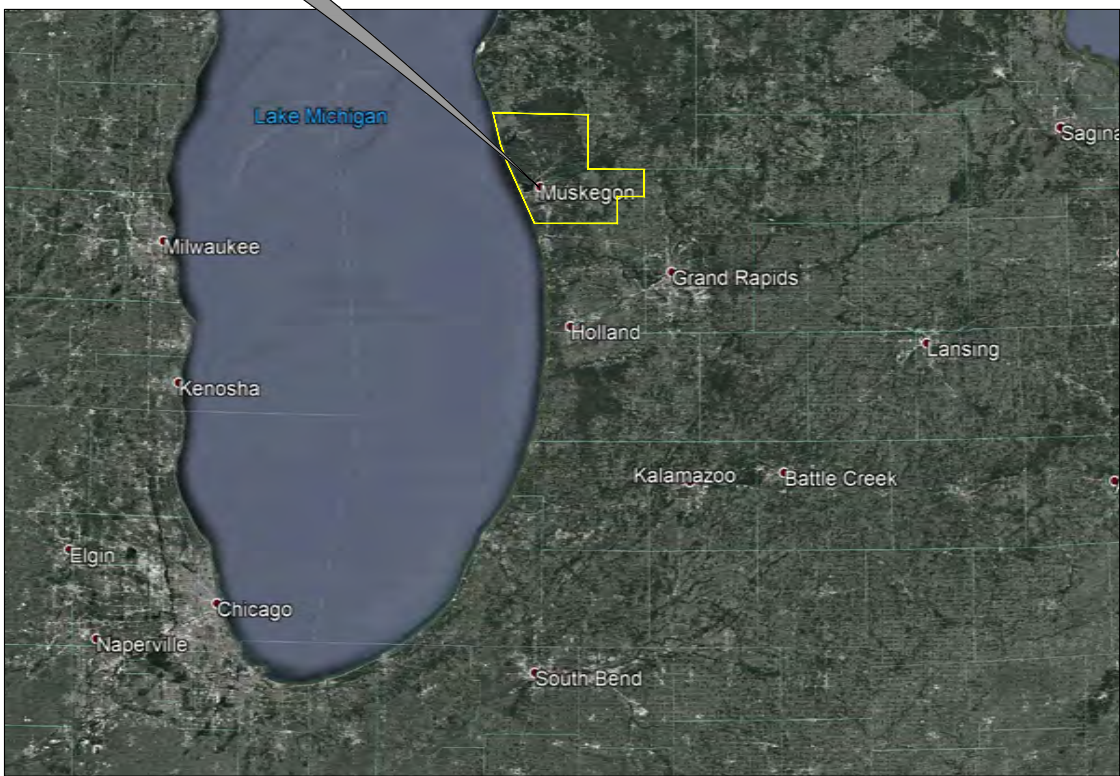
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KORB + ASSOCIATES ARCHITECTS
648 PLANKINTON AVE.
SUITE 240
MILWAUKEE, WI 53203

SUBMITTED BY:
Jason Korb, AIA

Michigan Registration no: 1301057053



MUSKEGON COUNTY, MICHIGAN



Project :



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

Consultants:



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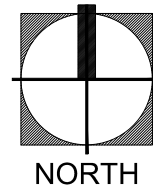


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P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:



Date: 8/9/2021
Project No: 21-004



Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE SURVEY

Sheet Number: V-1.00

Project :



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Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE SURVEY - PARCEL 2

Sheet Number:

V-1.12



Property Description (from Commitment No. 333521LKS)

That part of Blocks 578, 579 and 580 of the Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan and a 30 foot cultural right of way between said Blocks, described as follows: Commence at the Southeast corner of lot 4, Block 577 of said Revised Plat thence South 88°15'00" West along the Southerly line of said Block 577 extended (also being the Northerly line of Western Avenue) 147.15 feet for a point of beginning; thence North 15°45'50" West 256.10 feet; thence North 31°37'25" East 41.00 feet; thence North 55°15'15" East 89.20 feet; thence North 35°45'50" West 127.65 feet; thence North 2°52'00" West 553.00 feet; thence South 55°13'00" West 243.00 feet; thence North 34°47'00" West 330 feet, more or less, to the shore of Muskegon Lake (to a point hereinafter referred to as Point "B") recommence at the point of beginning; thence South 84°15'00" West along the Northerly line of Western Avenue 18.65 feet; thence Southwesterly along said Northerly line of Western Avenue along the arc of a 430.61 foot radius curve to the left, a distance of 158.31 feet (the long chord of said curve bears South 77°14'00" West 157.44 feet and the central angle of said curve is 21°04'00") to the Westerly line of the Northeastly 200 feet of said Block 580; thence North 35°02'10" West along said Westerly line of said Northeastly 200 feet, a distance of 850 feet, more or less, to the shore of Muskegon Lake (to a point hereinafter referred to as Point "C"); thence Northwesterly, Southeasterly and Northeasterly along the shore of Muskegon Lake, 1300 feet, more or less, from said Point "C" to said Point "B".

EXCEPT:

That part of the above described parcel that lies within the Chesapeake and Ohio Railroad right of way as recorded in Liber 703, Page 134.

ALSO EXCEPTING FROM THE ABOVE DESCRIPTION: That part of Blocks 578 and 580 of the Revised Plat (of 1903) of the City of Muskegon, Muskegon County, Michigan, described as: Commencing at the Southeast corner of lot 4, Block 577 of said Revised Plat (of 1903); thence South 88°16'42" West along the Northerly right of way line of Western Avenue 147.60 feet; thence North 01°15'15" West 256.10 feet; thence North 32°02'28" East 41.00 feet; thence North 55°40'08" East 89.20 feet; thence North 35°29'57" West 127.65 feet; thence North 02°17'17" West 553.00 feet; thence South 55°13'33" West 243.00 feet; thence North 34°22'07" West 235.52 feet to the point of beginning; thence South 50°44'04" West 329.75 feet; thence South 20°19'59" West 56.30 feet; thence South 23°5'54" East 405.55 feet; thence North 36°34'00" West along the Northeast line of Lakeshore 1/40th Harbor, as recorded in Liber 1290, Page 64 and amended in Liber 1295, Page 438, 86.43 feet; thence North 23°5'35" West 327.11 feet; thence North 20°19'09" East 107.14 feet; thence North 50°44'04" East 535.70 feet; thence South 33°52'57" East 16.68 feet to the point of beginning.

Current tax parcel number: 61-24-025-100-0003.00
Property address: 1204 W. Western Ave, Muskegon, MI 49441.

Notes Corresponding the Title Commitment No. 333521LKS, Schedule B, Section II

- Exception (2) This parcel is subject to the terms, conditions and provisions which are recited in the City of Muskegon Resolution No. 2001-43(g) recorded in Liber 3252, Page 103. **Affects the subject property and plotted hereon.**
- Exception (3) This parcel is subject to the terms, conditions and provisions which are recited in the City of Muskegon Declaration of Taking 2003-63(g) recorded in Liber 3252, Page 105. **Affects the subject property and plotted hereon.**
- Exception (4) This parcel is subject to the terms, conditions and provisions which are recited in the Conservation Easement recorded in Liber 3901, Page 398. **Affects the subject property and plotted hereon.**
- Exception (5) This parcel is subject to the terms, conditions and provisions which are recited in the Notice of Grant of Easement recorded in Liber 3901, Page 399. **Affects the subject property and plotted hereon.**

SURVEYOR'S CERTIFICATE

To: TCF National Bank
Adelaide Pointe COGS LLC
Transation Title Agency of Michigan Lakeshore
Old Republic National Title Insurance Company

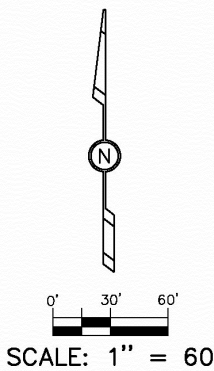
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 8, 9, 11, 13, 16 and 18 of Table A Hereof. The field work was completed on December 16, 2019.

March 16, 2021

Brent M. Feyen
Brent M. Feyen
55904

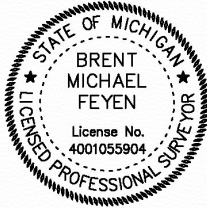
Notes:

- Bearings are based on the Northerly line of Western Avenue = S88°15'00"W
- Legal Descriptions and recorded easement information is based on Transation Title Agency of Michigan Lakeshore Division Commitment No. 333521LKS, Revision No. 3, dated March 4, 2021.
- A portion of this property lies within a Special Flood Hazard Area (Zone AE), as identified by the Federal Insurance Administration, Department of Homeland Security. This property also lies within Zone X (0.2% annual chance flood hazard, areas of 1% annual chance flood hazard with average depth less than one foot or with drainage areas of less than one square mile) and Zone Y (area of minimal flood hazard) as identified on Flood Insurance Rate Map Community Panel No. 26121C0257D, dated July 6, 2015, published by the Federal Emergency Management Agency. The Zone areas shown hereon are depicted by scaled map location and graphic plotting only.
- Utilities shown hereon are based on field observed evidence only and should not be interpreted as the only utilities in the area. No plans have been furnished to the surveyor to determine location of underground utilities.
- This site contains no parking spaces as identified by painted striping on a blacktop surface.
- On the date of this survey there was no visible evidence of current earth moving work, building construction or building additions.
- The existing buildings and improvements shown hereon are based on a previous field survey by Exvel Engineering Inc. File No. S192107, dated March 11, 2020. No field work has been performed to reflect any changes that may have occurred since the date of that survey.



LEGEND

- = IRON STAKE FOUND
- = IRON STAKE SET
- = MAG NAIL FOUND
- = MONUMENT
- = UTILITY POLE & GUY WIRE
- = SIGN
- = BOLLARD
- = HYDRANT
- = WATERMAIN VALVE
- = POST INDICATOR VALVE
- = CATCH BASIN
- = MANHOLE
- = CABLE TV BOX
- = BURIED GAS LINE MARKER
- = FENCE LINE
- = OVERHEAD WIRES



ALTA/NSPS LAND TITLE SURVEY

RE: 1204 W. WESTERN AVE
FOR: TRANSACTION TITLE AGENCY
ATTN: SHARLENE SHINLEDOCKER
570 SEMINOLE ROAD, SUITE 102
MUSKEGON, MI 49444

PART OF SECTION 25, 110N, R17W, CITY OF MUSKEGON, MUSKEGON COUNTY, MICHIGAN

DATE:	REVISION:	DATE:	REVISION:	DATE:	REVISION:
02/16/21	02/16/21	02/16/21	02/16/21	02/16/21	02/16/21



planners - engineers - surveyors
522 Clyde Park, E.W. - Grand Rapids, MI 49509
Phone: (616) 331-3600 www.exelengineering.com

DRAWN BY: BM/FAH
APPROVED BY: BM/FAH
DATE: 02/16/21
DATE: 02/16/21
SHEET 1 of 1



Legend:

- SANITARY SEWER MANHOLE
- STORMWATER MANHOLE
- WELL
- UTILITY POLE
- WATER HYDRANT
- SANITARY SEWER MANHOLE
- WATER METER
- CATCH BASIN

Project :



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Consultants:

Edgewater
resources
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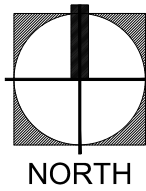


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SITE LOCATION:



Date: 8/9/2021
Project No: 21-004



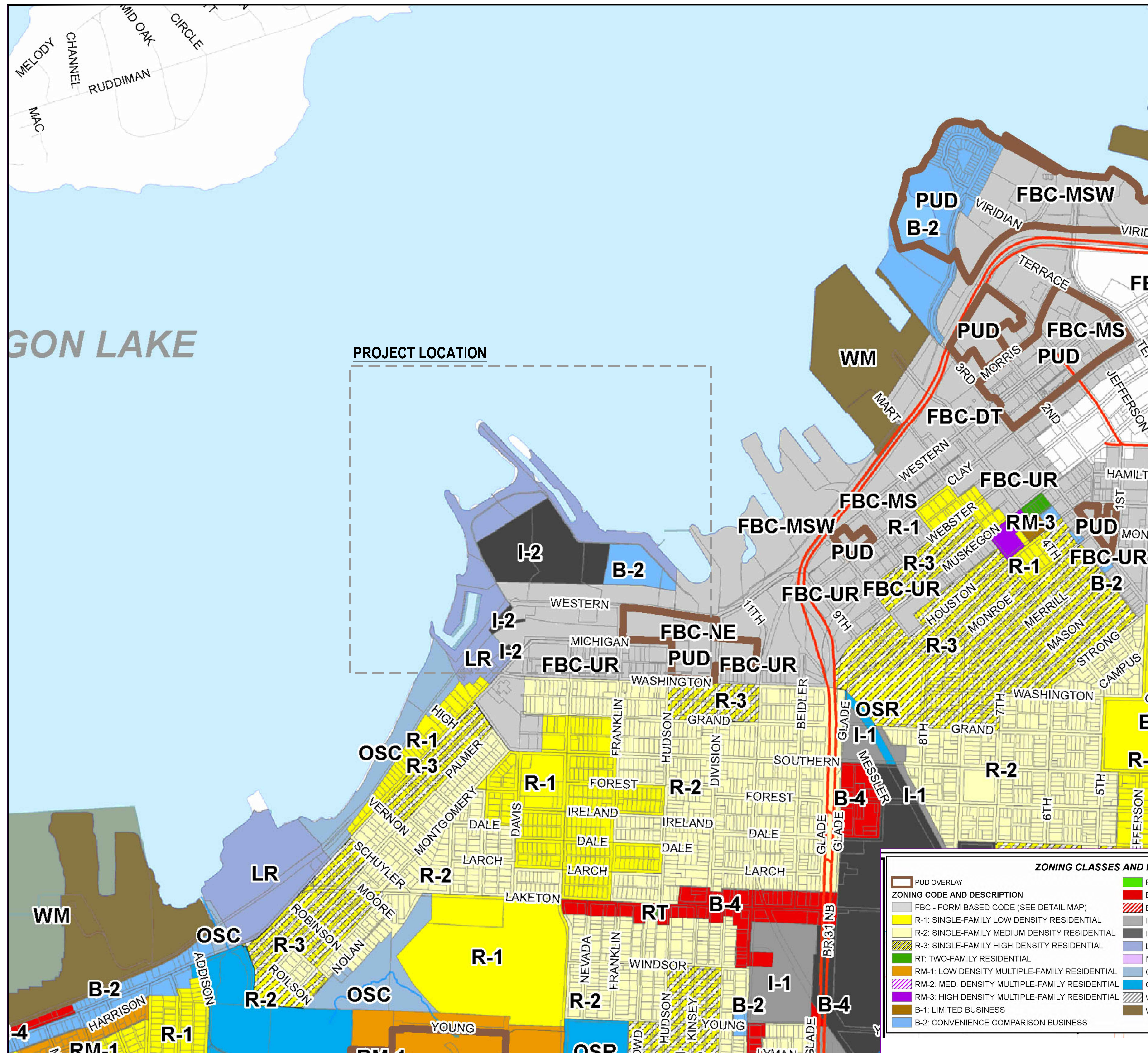
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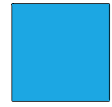
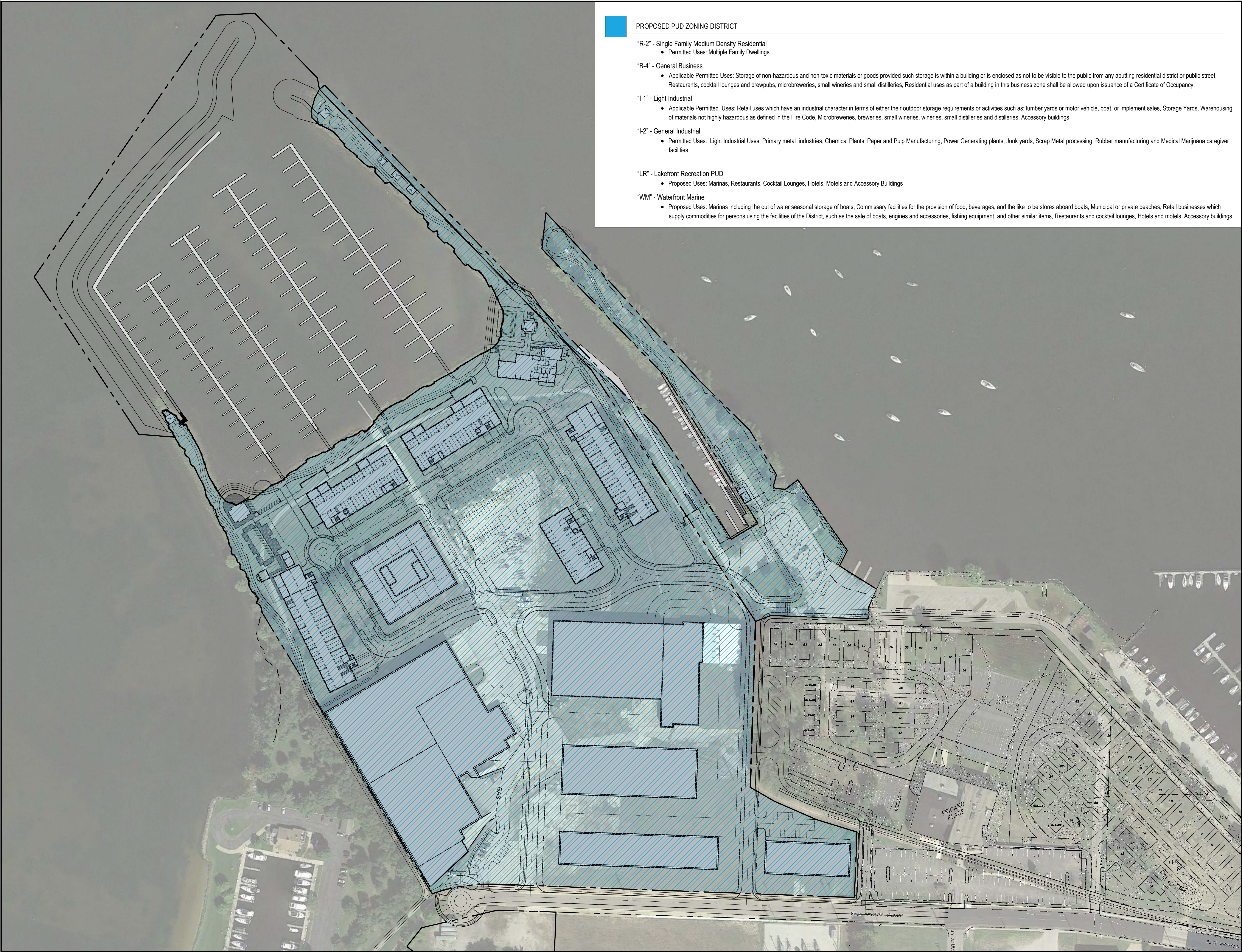
Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: EXISTING CONDITIONS

Sheet Number: V-1.20





PROPOSED PUD ZONING DISTRICT

- "R-2" - Single Family Medium Density Residential
- Permitted Uses: Multiple Family Dwellings
- "B-4" - General Business
- Applicable Permitted Uses: Storage of non-hazardous and non-toxic materials or goods provided such storage is within a building or is enclosed as not to be visible to the public from any abutting residential district or public street, Restaurants, cocktail lounges and brewpubs, microbreweries, small wineries and small distilleries, Residential uses as part of a building in this business zone shall be allowed upon issuance of a Certificate of Occupancy.
- "I-1" - Light Industrial
- Applicable Permitted Uses: Retail uses which have an industrial character in terms of either their outdoor storage requirements or activities such as: lumber yards or motor vehicle, boat, or implement sales, Storage Yards, Warehousing of materials not highly hazardous as defined in the Fire Code, Microbreweries, breweries, small wineries, wineries, small distilleries and distilleries, Accessory buildings
- "I-2" - General Industrial
- Permitted Uses: Light Industrial Uses, Primary metal industries, Chemical Plants, Paper and Pulp Manufacturing, Power Generating plants, Junk yards, Scrap Metal processing, Rubber manufacturing and Medical Marijuana caregiver facilities
- "LR" - Lakefront Recreation PUD
- Proposed Uses: Marinas, Restaurants, Cocktail Lounges, Hotels, Motels and Accessory Buildings
- "WM" - Waterfront Marine
- Proposed Uses: Marinas including the out of water seasonal storage of boats, Commissary facilities for the provision of food, beverages, and the like to be stores aboard boats, Municipal or private beaches, Retail businesses which supply commodities for persons using the facilities of the District, such as the sale of boats, engines and accessories, fishing equipment, and other similar items, Restaurants and cocktail lounges, Hotels and motels, Accessory buildings.

Project :



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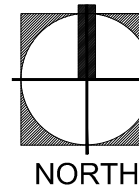


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SITE LOCATION:



Date: 8/9/2021
Project No: 21-004



Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: PROPOSED ZONING

Sheet Number: V-1.12



Legend:

EXISTING HARDSCAPE

EXISTING STRUCTURE

CITY PARCEL (4.16 ACRES)

PRIVATE PARCEL (32.88 ACRES)

EXISTING HARDSCAPE ON PRIVATE PROPERTY: 360,770 SF
EXISTING STRUCTURE ON PRIVATE PROPERTY: 215,540 SF
IMPERVIOUS SURFACE ON PRIVATE PROPERTY: 576,310 SF

EXISTING HARDSCAPE ON PUBLIC PROPERTY: 65,617 SF
EXISTING STRUCTURE ON PUBLIC PROPERTY: 605 SF
IMPERVIOUS SURFACE ON PUBLIC PROPERTY: 66,222 SF

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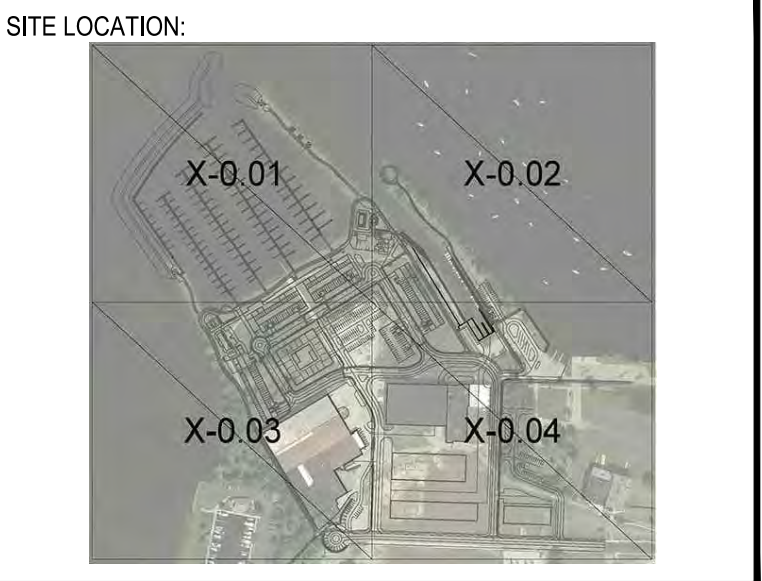
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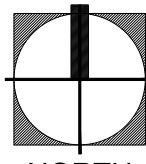


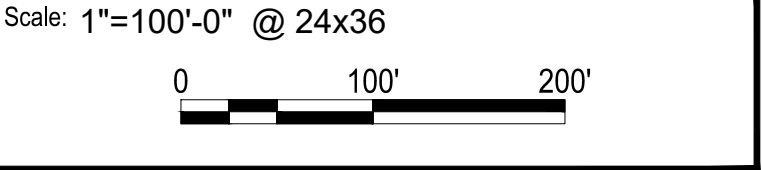
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Date:	8/9/2021
Project No:	21-004
 NORTH	

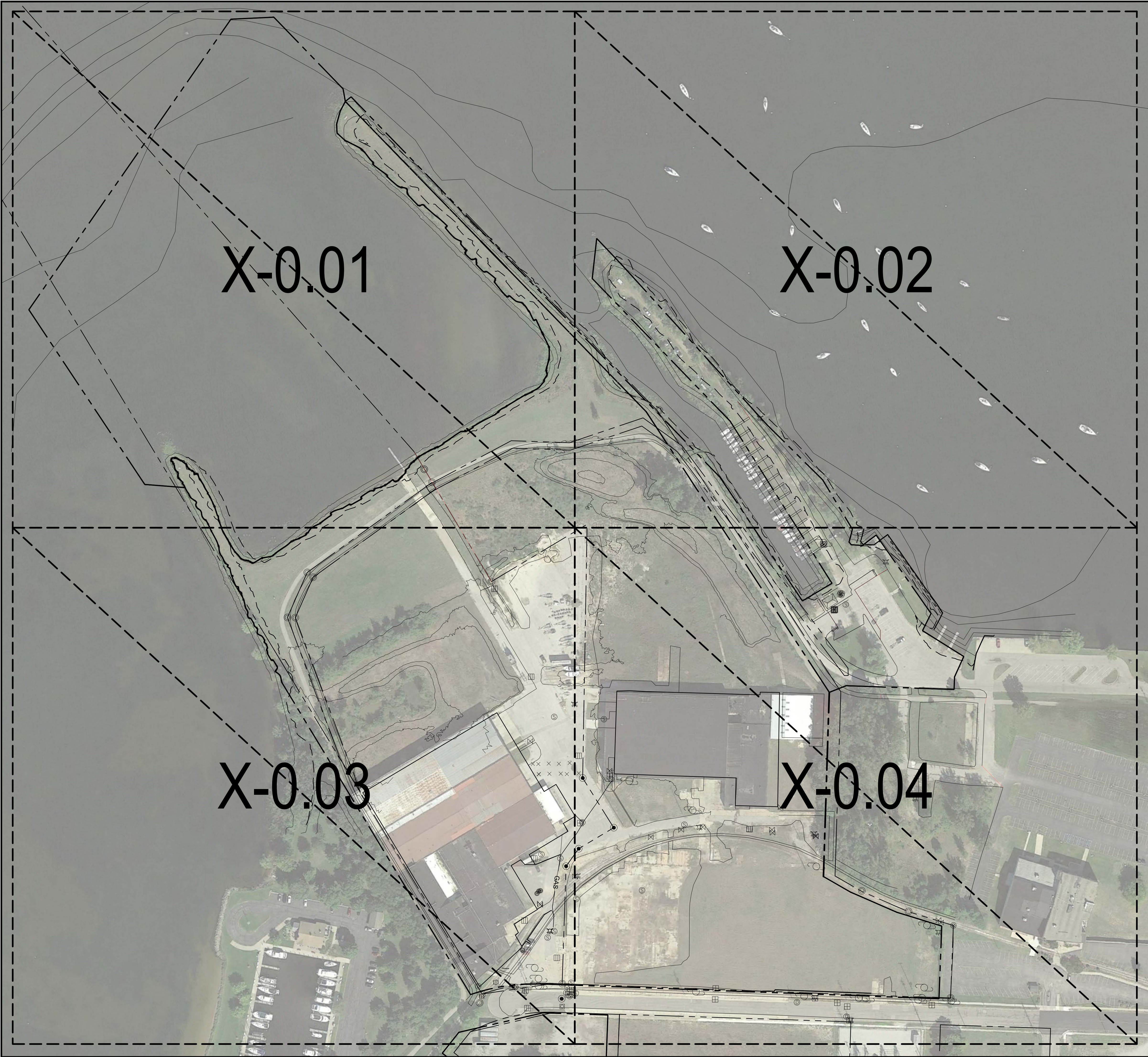


Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: EXISTING IMPERVIOUS CONDITIONS

Sheet Number: V-2.10



Project :



ADELAIDE POINTE
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SITE LOCATION:



Date: 7/20/2021

Project No: 21-004



Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SHEET LAYOUT

Sheet Number: V-1.30



SHEET NOTES:

- C

COMMERCIAL BUILDINGS

C1

ADELAIDE POINTE OFFICES

C2

LIGHT INDUSTRY

C3

WAREHOUSING / BOAT STORAGE

C4

WAREHOUSING / BOAT STORAGE

C5

RETAIL /BOAT SERVICE / BOAT STORAGE

C6

WAREHOUSING / BOAT STORAGE

C7

WAREHOUSING / BOAT STORAGE

C8

WAREHOUSING / BOAT STORAGE

C9

WAREHOUSING / BOAT STORAGE
- R

RESIDENTIAL BUILDINGS

R1

CONDOMINIUM BUILDING

R2

CONDOMINIUM / COMMERCIAL

R3

CONDOMINIUM / COMMERCIAL

R4

CONDOMINIUM BUILDING

R5

CONDOMINIUM BUILDING

R6

APARTMENT BUILDING
- B

MIXED USE BUILDING / AMENITIES

B1

SALES / RETAIL / RESTAURANT

B2

BAR / GRILL

B3

BOATER SERVICES

B4

RESTROOMS / PAVILION

B5

POOL
- M

MARINA / MARINA SERVICES

M1

WET SLIP MARINA

M2

TRANSIENT SLIPS

M3

SLIP ACCESS POINT

M4

ROCK GROINS

M5

SLIP WELL / RAMPS

M6

FUEL DOCKS
- A

PUBLIC AMENITIES

A1

BIKE & PEDESTRIAN TRAILS

A2

WEST POINT PARK

A3

LINEAR PARKS

A4

EAST BASIN PARK

A5

FISHING PIER

A6

PAVILIONS

A7

BIKE RACKS

A8

EVENT LAWN

A9

ON STREET PARKING

A10

OFF STREET PARKING

A11

RESTROOMS

A12

PARKING GARAGE ACCESS

Project :



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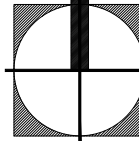
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SITE LOCATION:



Date:8/11/2021

Project No:21-004



NORTH

Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase:

PUD SUBMITTAL

Sheet Title:

ILLUSTRATIVE MP

Sheet Number:

V-2.00

P:\2021\21-004 APCAD\SHETS\PUDIV-SHEETS\V-2.00 ILLUSTRATIVE MASTER PLAN.DWG



LEGEND:

- | | |
|---|--------------------------------------|
|  | PRIVATE OWNERSHIP (1,027,560sq.ft.) |
|  | PUBLIC RIGHT OF WAY (200,759 sq.ft.) |
|  | PUBLIC EASEMENT (91,258 sq.ft.) |
|  | PUBLIC PARK (138,204 sq.ft.) |

Project :



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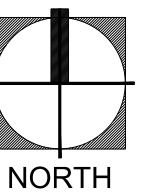


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Seal:

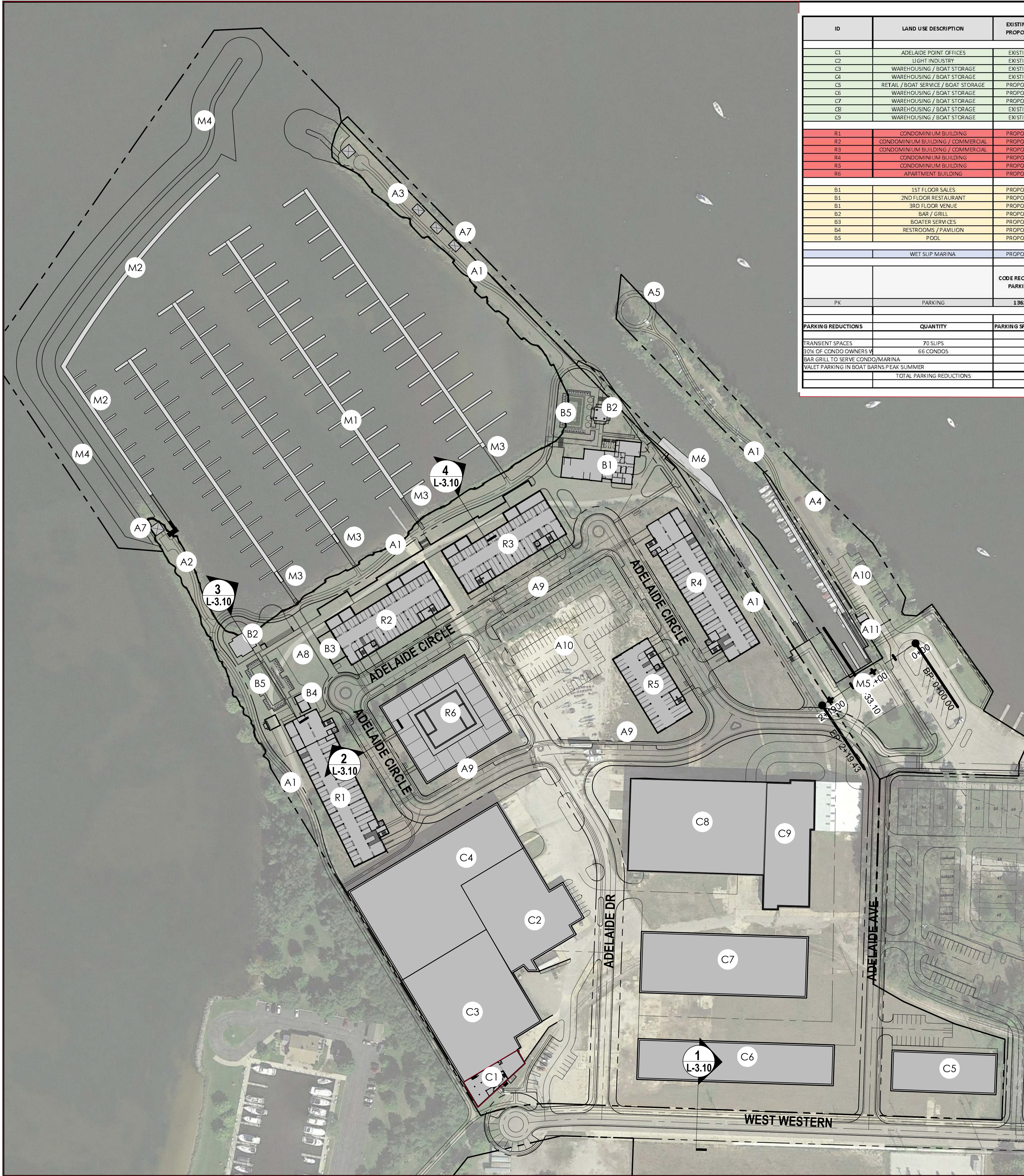
Project Phase: PUD SUBMITTAL

Sheet Title:

SPACE PLAN

Sheet Number:

V-3.00



ID	LAND USE DESCRIPTION	EXISTING / PROPOSED	BUILDING HEIGHT	FLOORS	RESIDENTIAL SQUARE FEET	COMMERCIAL SQUARE FEET	UNITS	PARKING RATIO-STALLS/UNIT OR SF	PARKING REQUIRED BY CODE	PARKING PROVIDED	BIKE PARKING PROVIDED
C1	ADELAIDE POINT OFFICES	EXISTING				9000		1 PER 400 SF USABLE FA	14	16	4
C2	LIGHT INDUSTRY	EXISTING				31850		1 PER EMPLOYEE	6	6	
C3	WAREHOUSING / BOAT STORAGE	EXISTING				43450		1 PER EMPLOYEE	2	2	
C4	WAREHOUSING / BOAT STORAGE	EXISTING				54530		1 PER EMPLOYEE	2	2	
C5	RETAIL / BOAT SERVICE / BOAT STORAGE	PROPOSED	45'			16500		1 PER 400 SF USABLE FA	17	21	4
C5	WAREHOUSING / BOAT STORAGE	PROPOSED	80'			30800		1 PER BAY	14	14	
C7	WAREHOUSING / BOAT STORAGE	PROPOSED	80'			39275		1 PER BAY	24	24	
C8	WAREHOUSING / BOAT STORAGE	EXISTING				48475		1 PER EMPLOYEE	1	1	
C9	WAREHOUSING / BOAT STORAGE	EXISTING				23170		1 PER EMPLOYEE	1	1	
R1	CONDOMINIUM BUILDING	PROPOSED	82	6	123180		55	2 PER UNIT	110	57	72
R2	CONDOMINIUM BUILDING / COMMERCIAL	PROPOSED	82	6	109798	2400	40	2 PER UNIT	96	78	40
R3	CONDOMINIUM BUILDING / COMMERCIAL	PROPOSED	82	6	109798	2400	40	2 PER UNIT	96	78	40
R4	CONDOMINIUM BUILDING	PROPOSED	82	6	123180		55	2 PER UNIT	110	57	72
R5	CONDOMINIUM BUILDING	PROPOSED	82	6	81756		30	2 PER UNIT	60	36	30
R6	APARTMENT BUILDING	PROPOSED	200	15	481674		160	2 PER UNIT	320	420	200
B1	1ST FLOOR SALES	PROPOSED				8840		1 PER 800 SF	11		
B1	2ND FLOOR RESTAURANT	PROPOSED	51	3		5020	393	1/2 MAX OCCUPANCY	157		8
B1	3RD FLOOR VENUE	PROPOSED				4952	355	1/2 MAX OCCUPANCY	178		
B2	BAR / GRILL	PROPOSED	18	1		4000	200	1/2 MAX OCCUPANCY	100		12
B3	BOATER SERVICES	PROPOSED	30	1		2400		1 PER EMPLOYEE	2		4
B4	RESTROOMS / PAVILION	PROPOSED	18	1		800		N/A			0
B5	POOL	PROPOSED				4300		N/A			0
	WET SLIP MARINA	PROPOSED					270	1.5			
		CODE REQUIRED PARKING	PARKING REDUCTIONS	ADJUSTED PARKING REQUIREMENT	PROVIDED STRUCTURE PARKING	PROVIDED ON-STREET PARKING	PROVIDED OFF-STREET PARKING	WAREHOUSE PARKING	TOTAL PROVIDED PARKING SPACES	PARKING ABOVE ADJUSTED REQUIREMENT	BIKE RACKS INTERIOR/EXTERIOR
PK	PARKING	1361	404	957	726	54	141	87	1008	51	486
PARKING REDUCTIONS		QUANTITY	PARKING SPACE REDUCTIONS								
TRANSIENT SPACES		70 SLIPS									
30% OF CONDO OWNERS		66 CONDOS									
BAR GRILL TO SERVE CONDO/MARINA											
VALET PARKING IN BOAT BARN'S PEAK SUMMER											
		TOTAL PARKING REDUCTIONS									
		404									

SHEET NOTES:

- C

COMMERCIAL BUILDINGS

C1

ADELAIDE POINT OFFICES

C2

LIGHT INDUSTRY

C3

WAREHOUSING / BOAT STORAGE

C4

WAREHOUSING / BOAT STORAGE

C5

RETAIL /BOAT SERVICE / BOAT STORAGE

C6

WAREHOUSING / BOAT STORAGE

C7

WAREHOUSING / BOAT STORAGE

C8

WAREHOUSING / BOAT STORAGE

C9

WAREHOUSING / BOAT STORAGE
- R

RESIDENTIAL BUILDINGS

R1

CONDOMINIUM BUILDING

R2

CONDOMINIUM / COMMERCIAL

R3

CONDOMINIUM / COMMERCIAL

R4

CONDOMINIUM BUILDING

R5

CONDOMINIUM BUILDING

R6

APARTMENT BUILDING
- B

MIXED USE BUILDING / AMENITIES

B1

SALES / RETAIL / RESTAURANT

B2

BAR / GRILL

B3

BOATER SERVICES

B4

RESTROOMS / PAVILION

B5

POOL
- M

MARINA / MARINA SERVICES

M1

WET SLIP MARINA

M2

TRANSIENT SLIPS

M3

SLIP ACCESS POINT

M4

ROCK GROINS

M5

SLIP WELL / RAMPS

M6

FUEL DOCKS
- A

PUBLIC AMENITIES

A1

BIKE & PEDESTRIAN TRAILS

A2

WEST POINT PARK

A3

LINEAR PARKS

A4

EAST BASIN PARK

A5

FISHING PIER

A6

PAVILIONS

A7

BIKE RACKS

A8

EVENT LAWN

A9

ON STREET PARKING

A10

OFF STREET PARKING

A11

RESTROOMS

A12

PARKING GARAGE ACCESS



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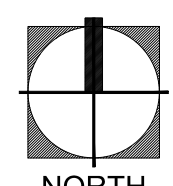
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SITE LOCATION:



Date: 8/11/2021

Project No: 21-004



NORTH

Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE PLAN

Sheet Number: C-1.00



SHEET NOTES:

- C** COMMERCIAL BUILDINGS
- C1 ADELAIDE POINTE OFFICES
 - C2 LIGHT INDUSTRY
 - C3 WAREHOUSING / BOAT STORAGE
 - C4 WAREHOUSING / BOAT STORAGE
 - C5 RETAIL /BOAT SERVICE / BOAT STORAGE
 - C6 WAREHOUSING / BOAT STORAGE
 - C7 WAREHOUSING / BOAT STORAGE
 - C8 WAREHOUSING / BOAT STORAGE
 - C9 WAREHOUSING / BOAT STORAGE
- R** RESIDENTIAL BUILDINGS
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 - B3 BOATER SERVICES
 - B4 RESTROOMS / PAVILION
 - B5 POOL
- M** MARINA / MARINA SERVICES
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 - M3 SLIP ACCESS POINT
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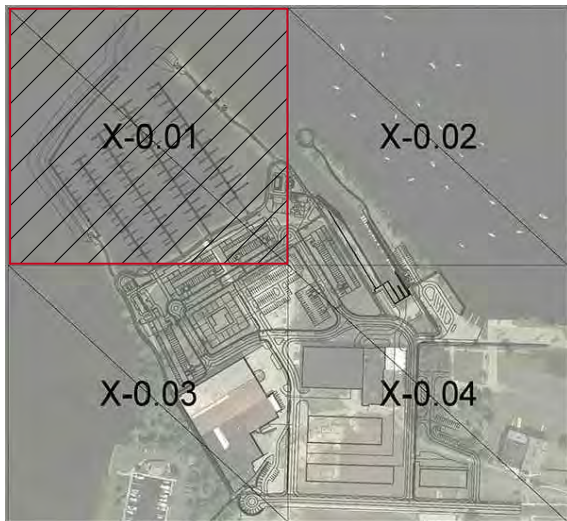


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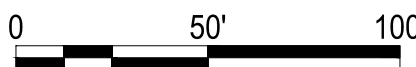
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Project No: 21-004



Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE PLAN

Sheet Number:

C-1.01



SHEET NOTES:

- C

COMMERCIAL BUILDINGS

C1

ADELAIDE POINTE OFFICES

C2

LIGHT INDUSTRY

C3

WAREHOUSING / BOAT STORAGE

C4

WAREHOUSING / BOAT STORAGE

C5

RETAIL /BOAT SERVICE / BOAT STORAGE

C6

WAREHOUSING / BOAT STORAGE

C7

WAREHOUSING / BOAT STORAGE

C8

WAREHOUSING / BOAT STORAGE

C9

WAREHOUSING / BOAT STORAGE
- R

RESIDENTIAL BUILDINGS

R1

CONDOMINIUM BUILDING

R2

CONDOMINIUM / COMMERCIAL

R3

CONDOMINIUM / COMMERCIAL

R4

CONDOMINIUM BUILDING

R5

CONDOMINIUM BUILDING

R6

APARTMENT BUILDING
- B

MIXED USE BUILDING / AMENITIES

B1

SALES / RETAIL / RESTAURANT

B2

BAR / GRILL

B3

BOATER SERVICES

B4

RESTROOMS / PAVILION

B5

POOL
- M

MARINA / MARINA SERVICES

M1

WET SLIP MARINA

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TRANSIENT SLIPS

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SLIP ACCESS POINT

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ROCK GROINS

M5

SLIP WELL / RAMPS

M6

FUEL DOCKS
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PUBLIC AMENITIES

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BIKE & PEDESTRIAN TRAILS

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WEST POINT PARK

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A6

PAVILIONS

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BIKE RACKS

A8

EVENT LAWN

A9

ON STREET PARKING

A10

OFF STREET PARKING

A11

RESTROOMS

A12

PARKING GARAGE ACCESS

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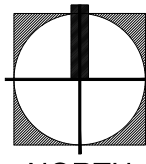
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Project No: 21-004



NORTH

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Seal:

Project Phase:

PUD SUBMITTAL

Sheet Title:

SITE PLAN

Sheet Number:

C-1.02

P:\2021\21-004 APCAD\SHEETS\PUD\IC-SHEETS\IC-1.00 SITE PLAN.DWG



SHEET NOTES:

- C** COMMERCIAL BUILDINGS
- C1 ADELAIDE POINTE OFFICES
 - C2 LIGHT INDUSTRY
 - C3 WAREHOUSING / BOAT STORAGE
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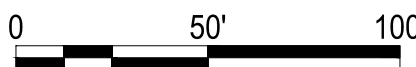
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Project No: 21-004



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Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE PLAN

Sheet Number:

C-1.03



SHEET NOTES:

- C COMMERCIAL BUILDINGS
 - C1 ADELAIDE POINTE OFFICES
 - C2 LIGHT INDUSTRY
 - C3 WAREHOUSING / BOAT STORAGE
 - C4 WAREHOUSING / BOAT STORAGE
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 - C6 WAREHOUSING / BOAT STORAGE
 - C7 WAREHOUSING / BOAT STORAGE
 - C8 WAREHOUSING / BOAT STORAGE
 - C9 WAREHOUSING / BOAT STORAGE
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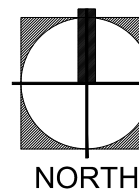


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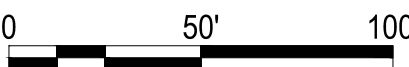
SITE LOCATION:



Date: 8/11/2021
Project No: 21-004



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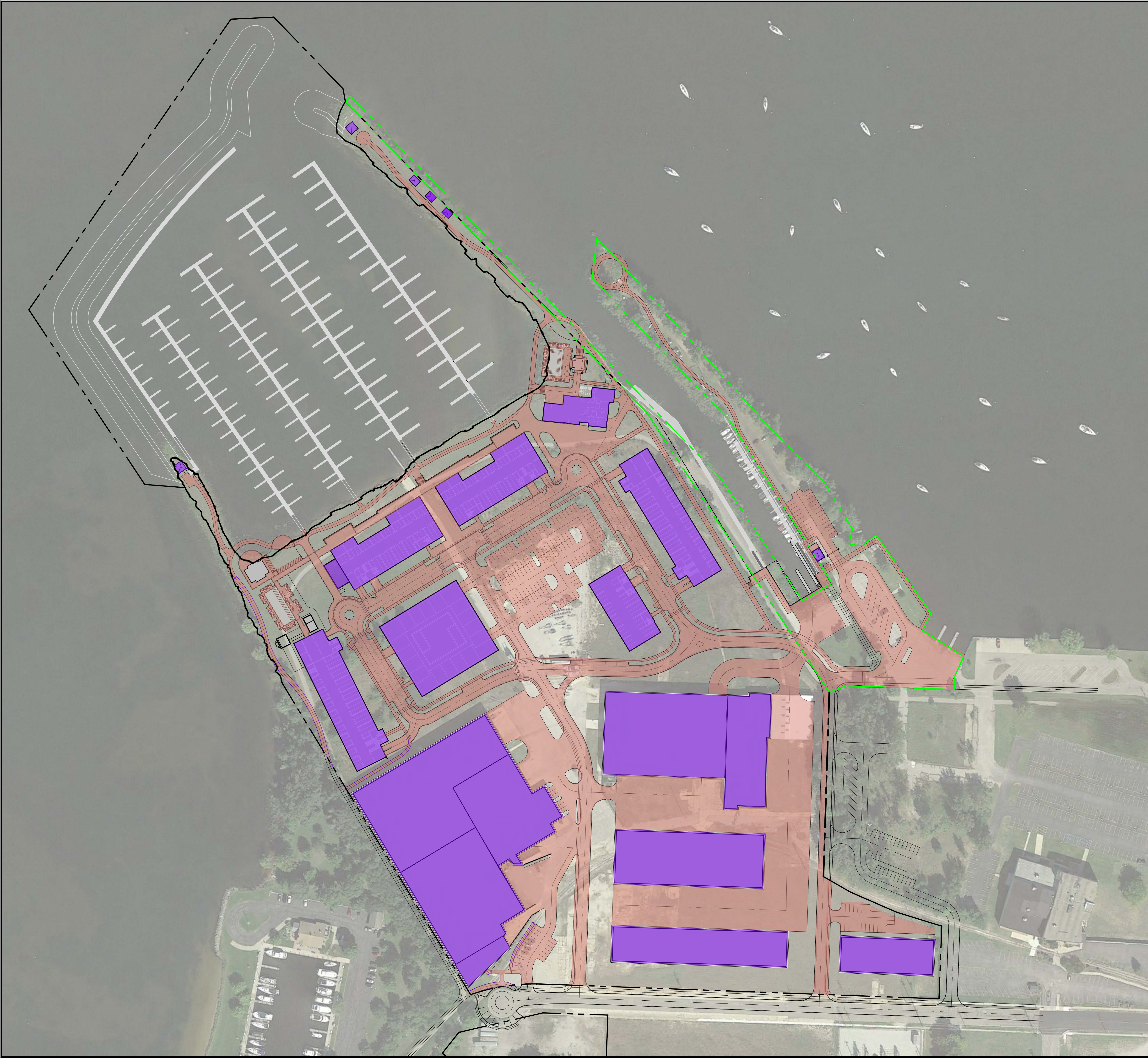
Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SITE PLAN

Sheet Number:

C-1.04



Legend:

EXISTING HARDSCAPE

EXISTING STRUCTURE

CITY PARCEL (4.16 ACRES)

PRIVATE PARCEL (32.88 ACRES)

EXISTING HARDSCAPE ON PRIVATE PROPERTY: 585,961 SF
EXISTING STRUCTURE ON PRIVATE PROPERTY: 445,020 SF
IMPERVIOUS SURFACE ON PRIVATE PROPERTY: 1,030,981 SF

EXISTING HARDSCAPE ON PUBLIC PROPERTY: 65,273 SF
EXISTING STRUCTURE ON PUBLIC PROPERTY: 499 SF
IMPERVIOUS SURFACE ON PUBLIC PROPERTY: 65,772 SF

Project :



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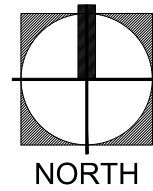


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SITE LOCATION:



Date: 8/5/2021
Project No: 21-004



Scale: 1"=100'-0" @ 24x36
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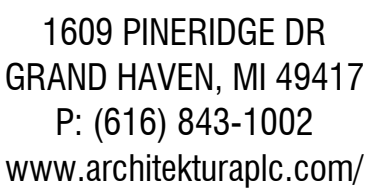
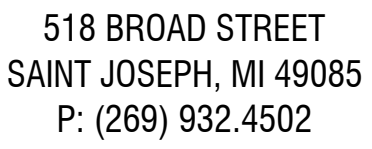
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Sheet Title: HARDSCAPE PLAN

Sheet Number: C-2.00



Consultants:

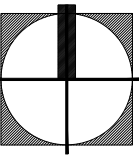


SITE LOCATION:



Date: 8/12/2021

Project No: 21-004



NORTH

Scale: 1"=100'-0" @ 24x36



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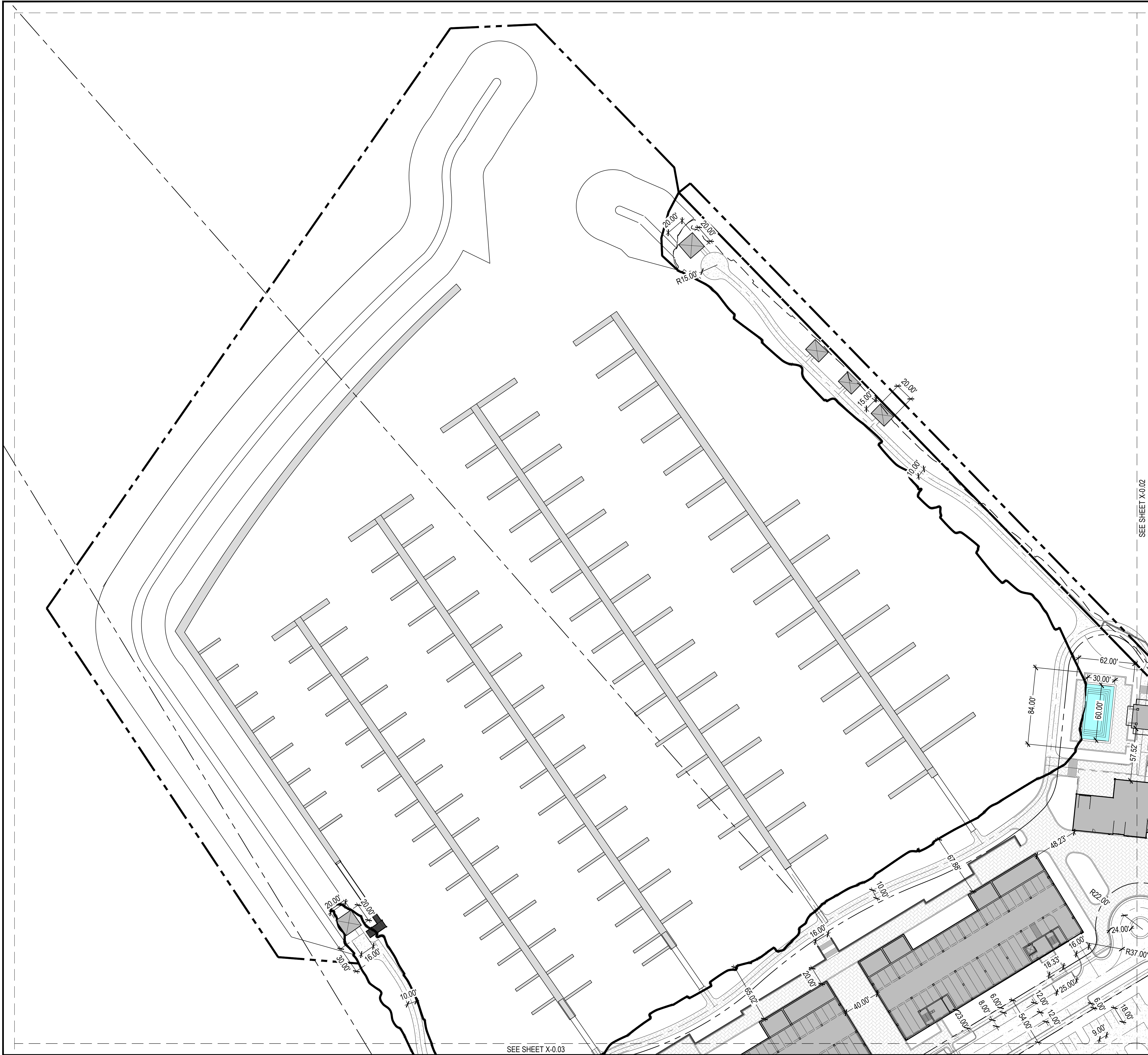
Project Phase: PUD SUBMITTAL

Sheet Title:

LAYOUT PLAN

Sheet Number:

C-3.00



SEE SHEET X-0.03

SEE SHEET X-0.02

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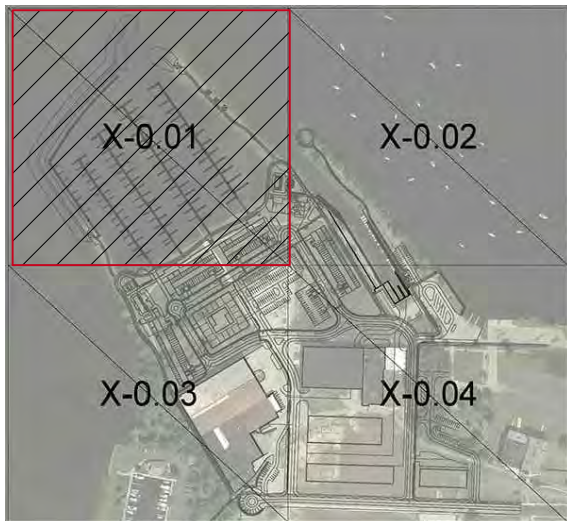


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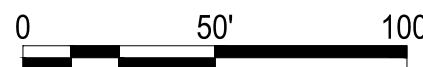


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Project No: 21-004



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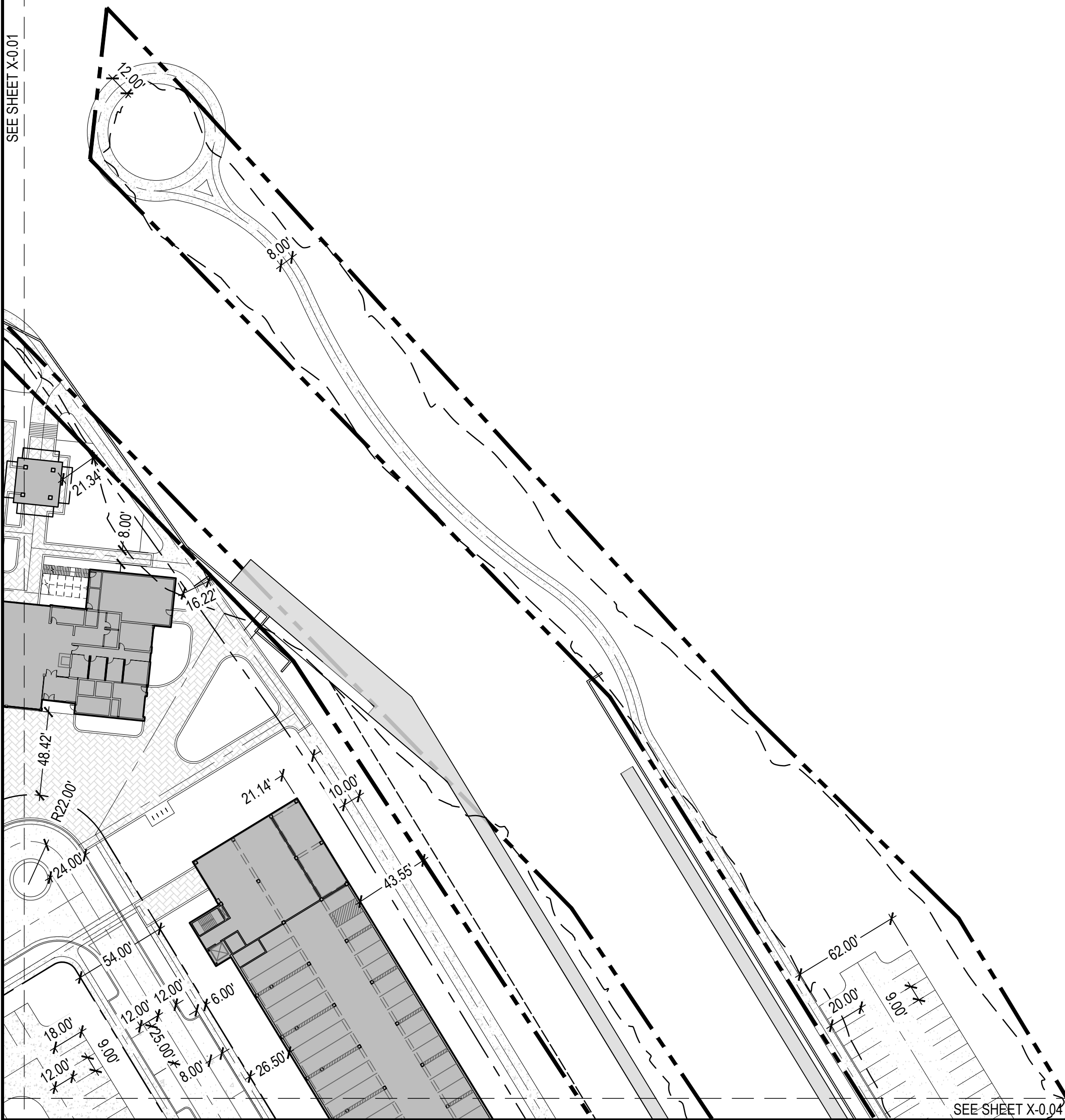
Project Phase: PUD SUBMITTAL

Sheet Title: LAYOUT PLAN

Sheet Number:

C-3.01

SEE SHEET X-0.01



SEE SHEET X-0.04

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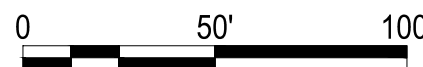
Date: 8/12/2021

Project No: 21-004



NORTH

Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase:

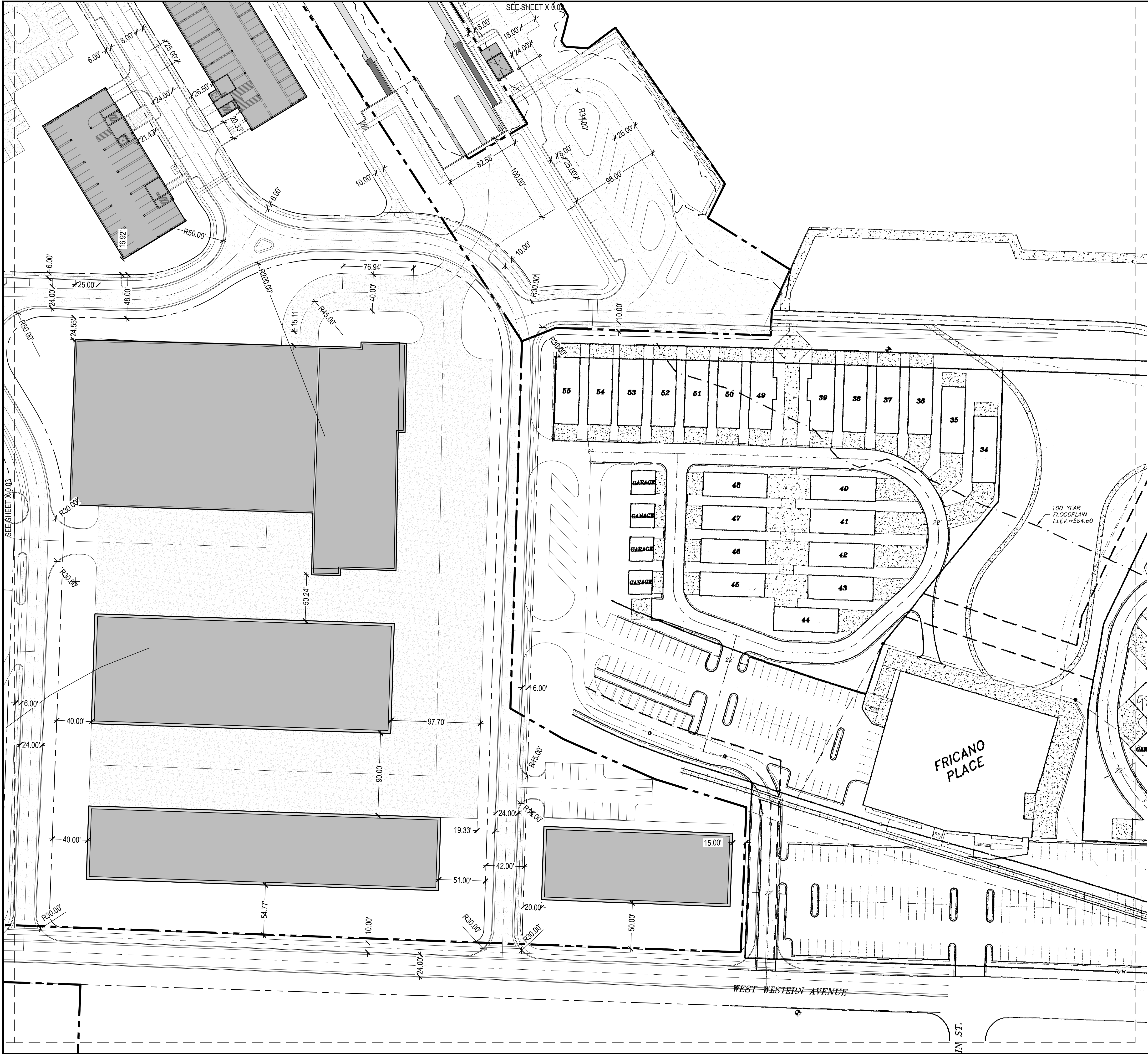
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Sheet Title:

LAYOUT PLAN

Sheet Number:

C-3.02



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SITE LOCATION:

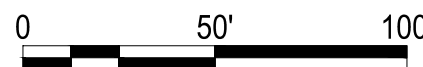


Date: 8/12/2021

Project No: 21-004



Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: LAYOUT PLAN

Sheet Number: C-3.04



LEGEND

- STORM SEWER
- SANITARY SEWER
- GAS LINE
- WATER LINE
- ELECTRIC
- TRANSFORMER
- WATER VAULT
- FIRE HYDRANT
- STORM WATER QUALITY UNIT

Project :



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Consultants:



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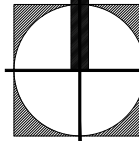
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Date:	8/11/2021
Project No:	21-004



NORTH

Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: UTILITY PLAN

Sheet Number: C-4.00



LEGEND

STORM SEWER

SANITARY SEWER

GAS LINE

WATER LINE

ELECTRIC

TRANSFORMER

WATER VAULT

FIRE HYDRANT

STORM WATER QUALITY UNIT

Project :



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P: (269) 932.4502
www.edgewaterresources.com

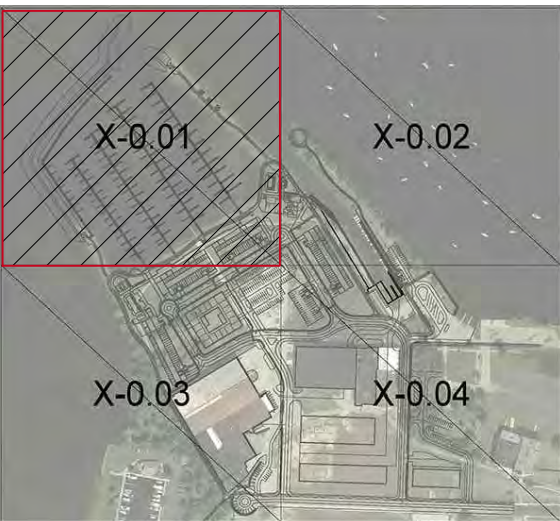


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GRAND HAVEN, MI 49417
P: (616) 843-1002
www.architekturaplc.com/



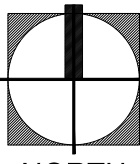
648 N. PLANKINTON AVE.
SUITE 240
MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:



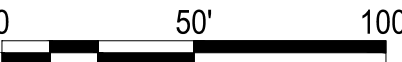
Date: 8/11/2021

Project No: 21-004



NORTH

Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: UTILITY PLAN

Sheet Number: C-4.01



LEGEND

STORM SEWER

SANITARY SEWER

GAS LINE

WATER LINE

ELECTRIC

TRANSFORMER

WATER VAULT

FIRE HYDRANT

STORM WATER QUALITY UNIT

Project :



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Consultants:


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SAINT JOSEPH, MI 49085
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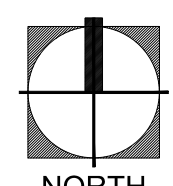

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www.architekturaplc.com/

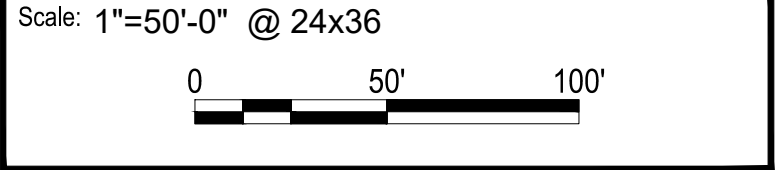

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Date: 8/11/2021

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Project Phase:

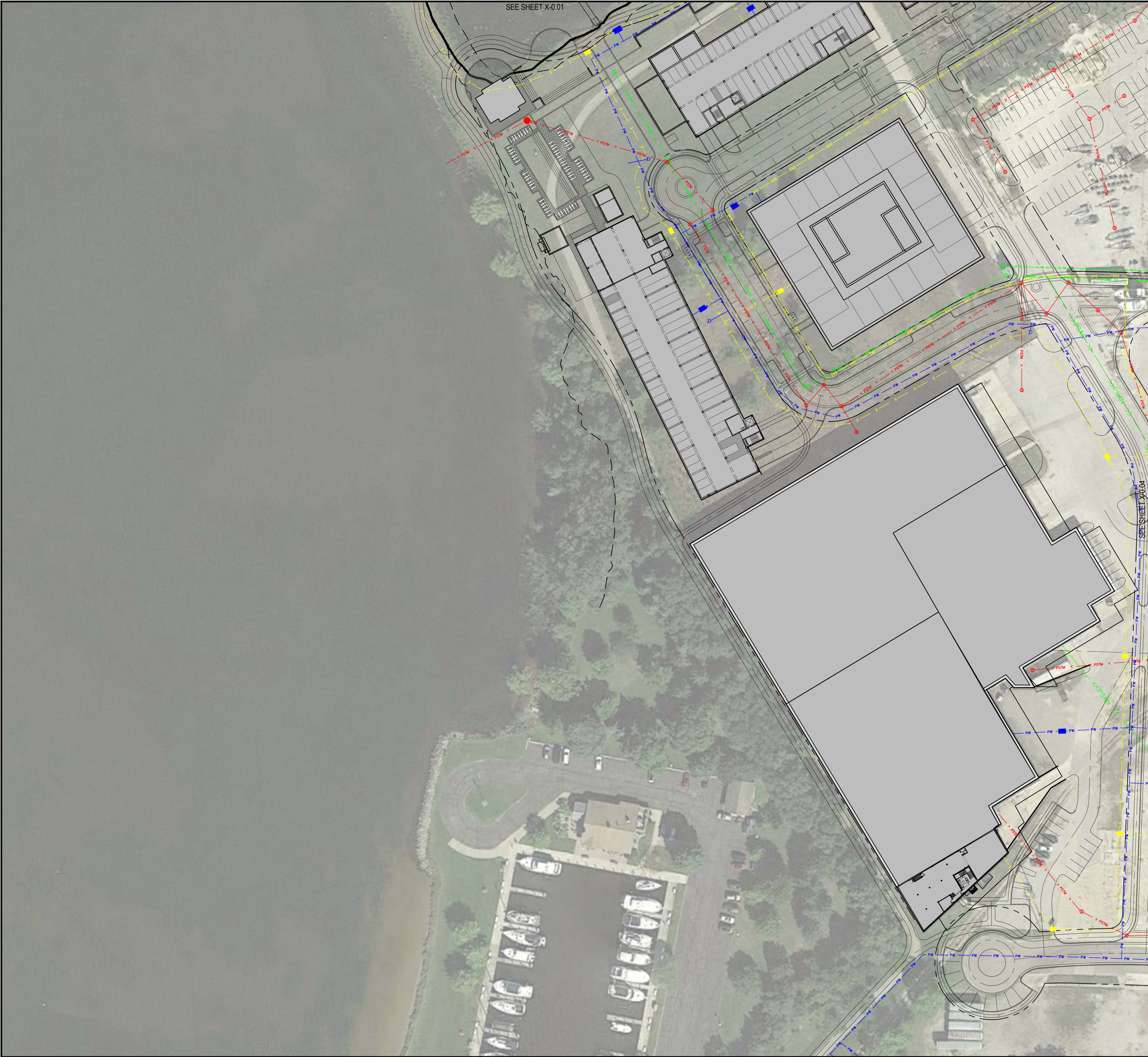
PUD SUBMITTAL

Sheet Title:

UTILITY PLAN

Sheet Number:

C-4.02



LEGEND

STORM SEWER

SANITARY SEWER

GAS LINE

WATER LINE

ELECTRIC

TRANSFORMER

WATER VAULT

FIRE HYDRANT

STORM WATER QUALITY UNIT

Project :



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1204 WEST WESTERN AVENUE
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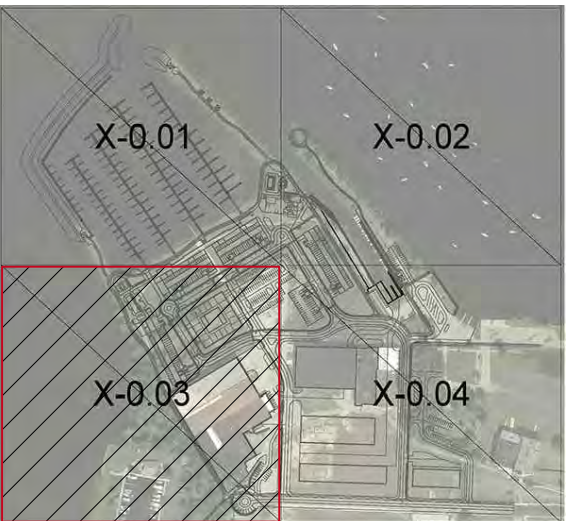
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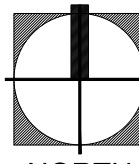

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MILWAUKEE, WI 53203
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SITE LOCATION:



Date: 8/11/2021

Project No: 21-004


NORTH

Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: UTILITY PLAN

Sheet Number: C-4.03



LEGEND

- STORM SEWER
- SANITARY SEWER
- GAS LINE
- WATER LINE
- ELECTRIC
- TRANSFORMER
- WATER VAULT
- FIRE HYDRANT
- STORM WATER QUALITY UNIT

Project :



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1204 WEST WESTERN AVENUE
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Consultants:



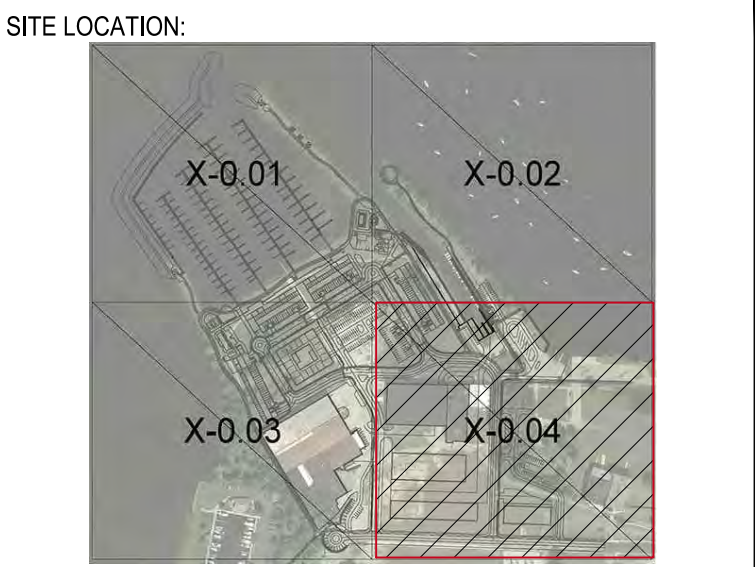
Edgewater
resources
518 BROAD STREET
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P: (269) 932.4502
www.edgewaterresources.com



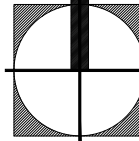
architektura
1609 PINERIDGE DR
GRAND HAVEN, MI 49417
P: (616) 843-1002
www.architekturapl.com/



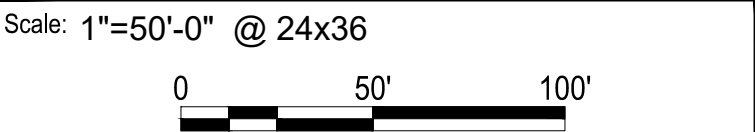
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Project No:	21-004



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Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: UTILITY PLAN

Sheet Number: C-4.04



LEGEND

- 584 ■■■■ PROPOSED CONTOUR / ELEVATION
- FFE + 590 PROPOSED FINISH FLOOR ELEVATION

Project :



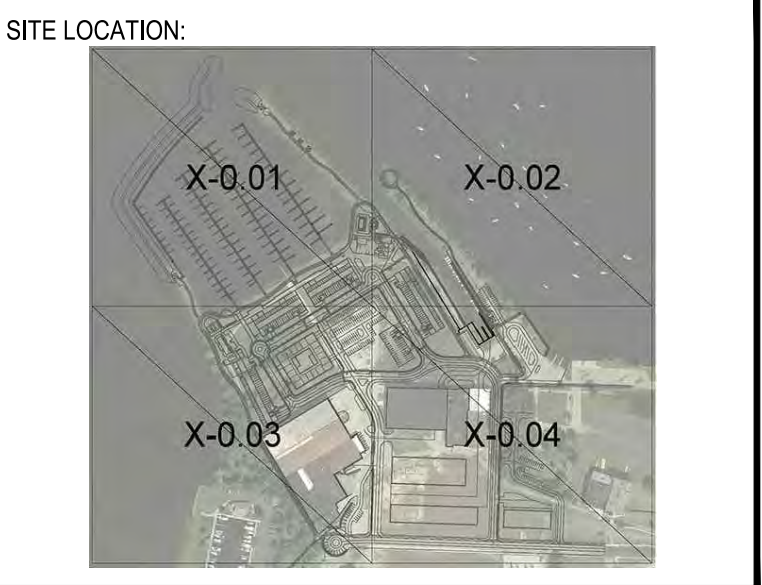
ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
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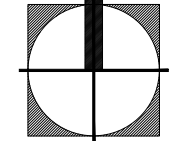
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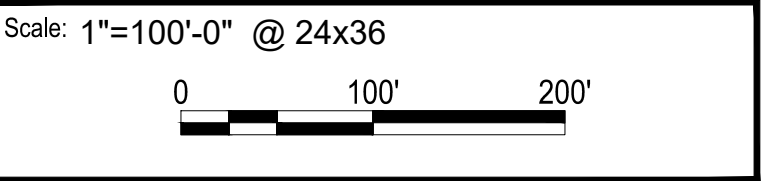
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Project No:	21-004
 NORTH	



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GRADING PLAN

Sheet Number: C-5.00



LEGEND

- 584 PROPOSED CONTOUR / ELEVATION
- FFE + 590 PROPOSED FINISH FLOOR ELEVATION

Project :



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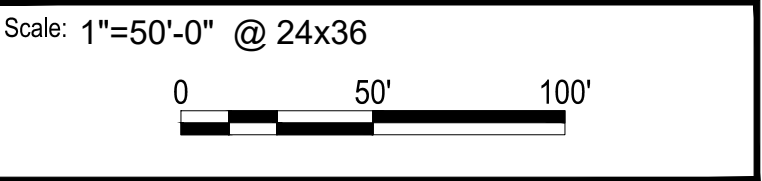
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Date:	8/11/2021
Project No:	21-004



NORTH



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GRADING PLAN

Sheet Number: C-5.01



LEGEND

- 584 PROPOSED CONTOUR / ELEVATION
- FFE + 590 PROPOSED FINISH FLOOR ELEVATION

Project :



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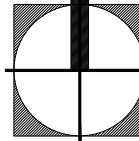
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SITE LOCATION:



Date:	8/11/2021	 NORTH
Project No:	21-004	

Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GRADING PLAN

Sheet Number:

C-5.02



LEGEND

- 584 --- PROPOSED CONTOUR / ELEVATION
- FFE + 590 PROPOSED FINISH FLOOR ELEVATION

Project :



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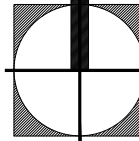
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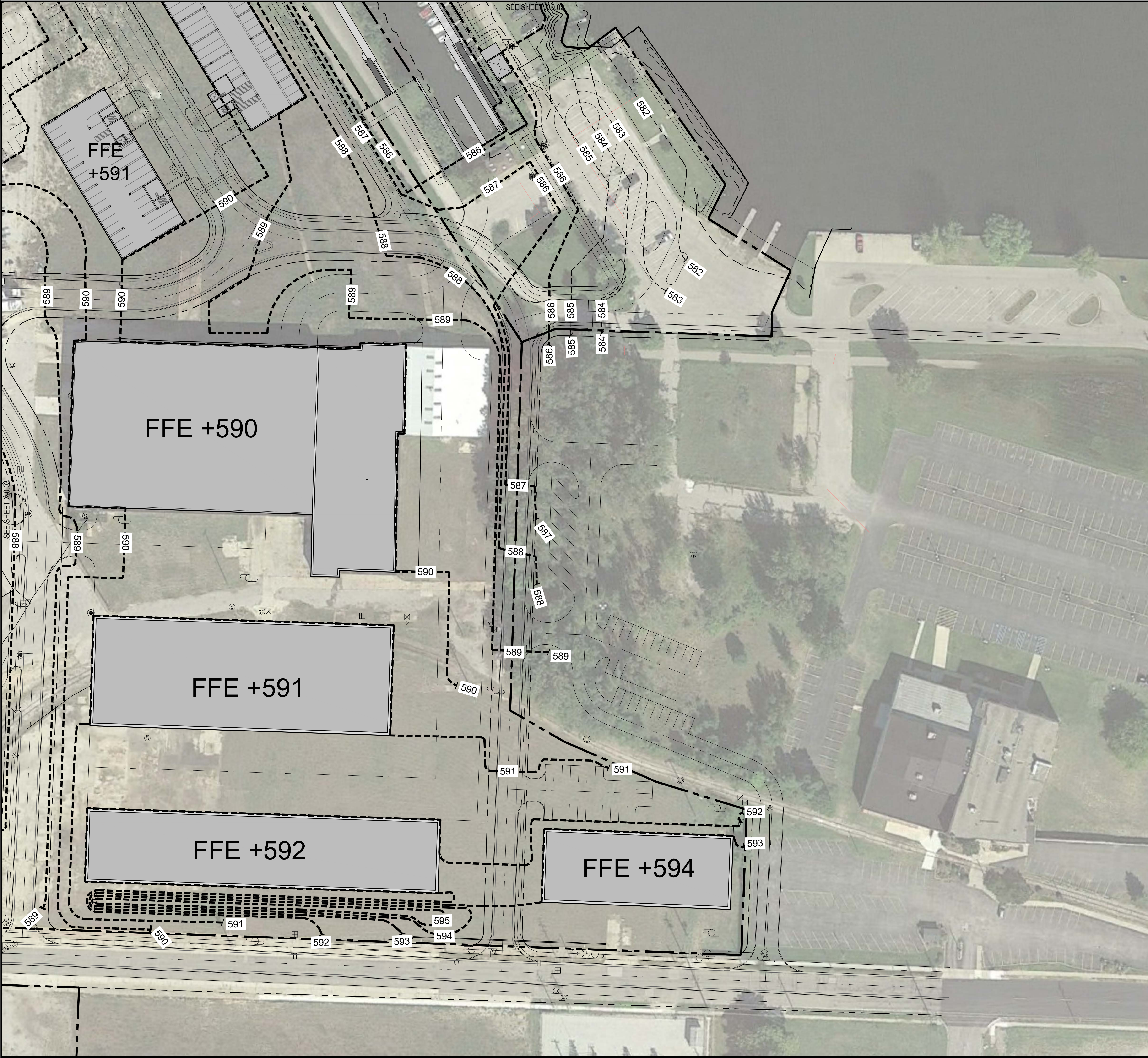
Date:	8/11/2021
Project No:	21-004
 NORTH	
	

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GRADING PLAN

Sheet Number: C-5.03



LEGEND

- 584 PROPOSED CONTOUR / ELEVATION
- FFE + 590 PROPOSED FINISH FLOOR ELEVATION

Project :



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1204 WEST WESTERN AVENUE
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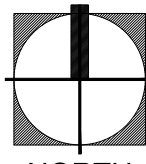

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SITE LOCATION:


Date: 8/11/2021
Project No: 21-004


NORTH

Scale: 1"=50'-0" @ 24x36

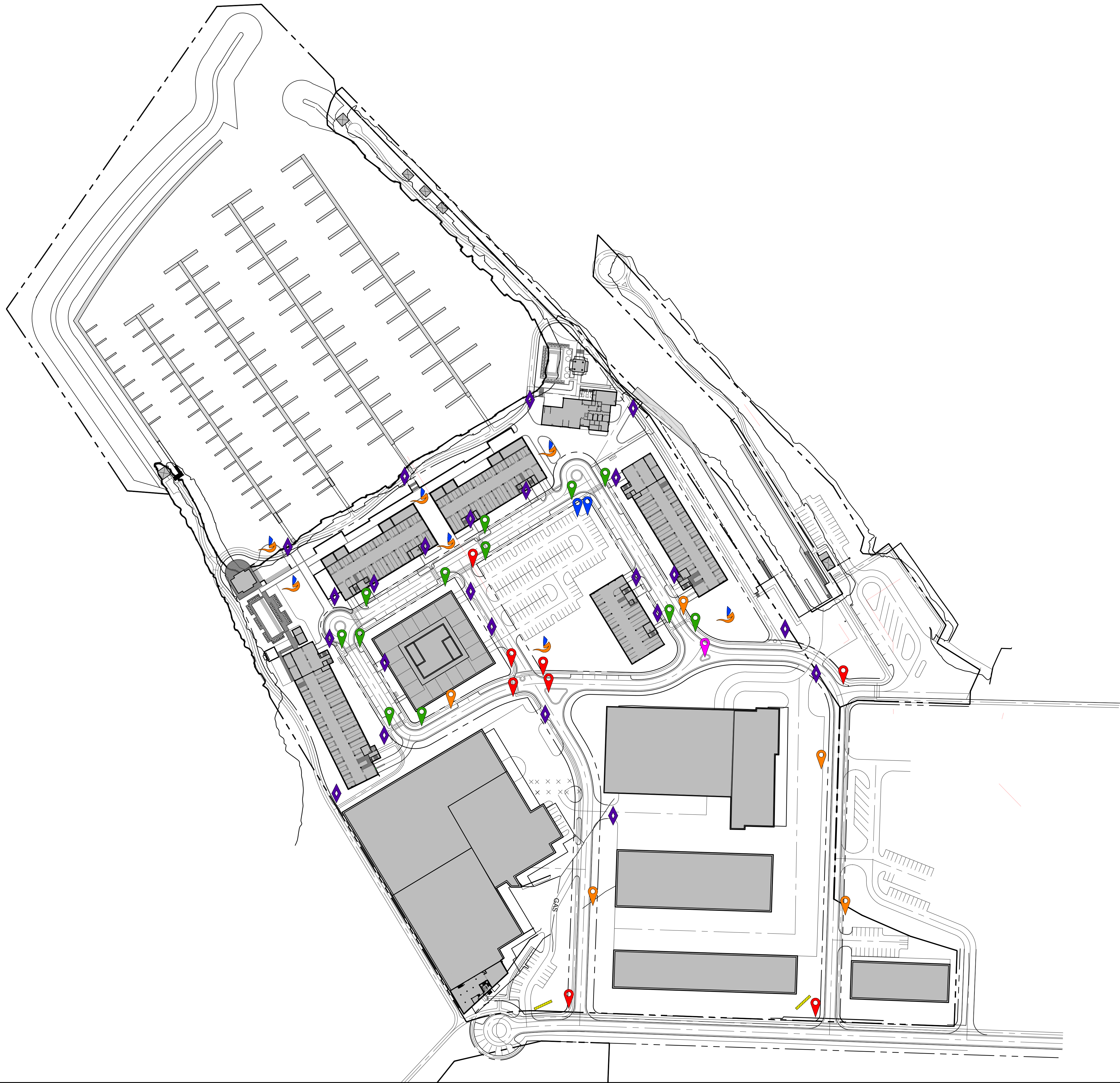


Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GRADING PLAN

Sheet Number: C-5.04



DECORATIVE ARRIVAL SIGNAGE

SCULPTURE ART

GENERAL WAYFINDING

RESERVED PARKING ONLY (ADA)
R7-8 (12"x18")
1 EA. - 3 LB. POST (15 FT)
EXACT QUANTITY AND LOCATION TO BE DETERMINED WITH FINAL DESIGN

STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')

STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')
CROSS TRAFFIC DOES NOT STOP
W4-4P (24"x12")

SPEED LIMIT 20
R2-1 (24"x30")
5.0 SFT SIGN
1 EA. - 3 LB. POST (15 FT)

YIELD HERE TO PEDESTRIANS
R1-5A (26"x48")
12.0 SFT SIGN
2 EA. - 3 LB. POST (30 FT)

Project :



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
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<https://www.adelaidepointe.com>

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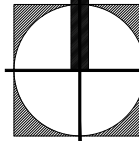
648 N. PLANKINTON AVE.
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SITE LOCATION:



Date: 8/11/2021

Project No: 21-004



NORTH

Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase:

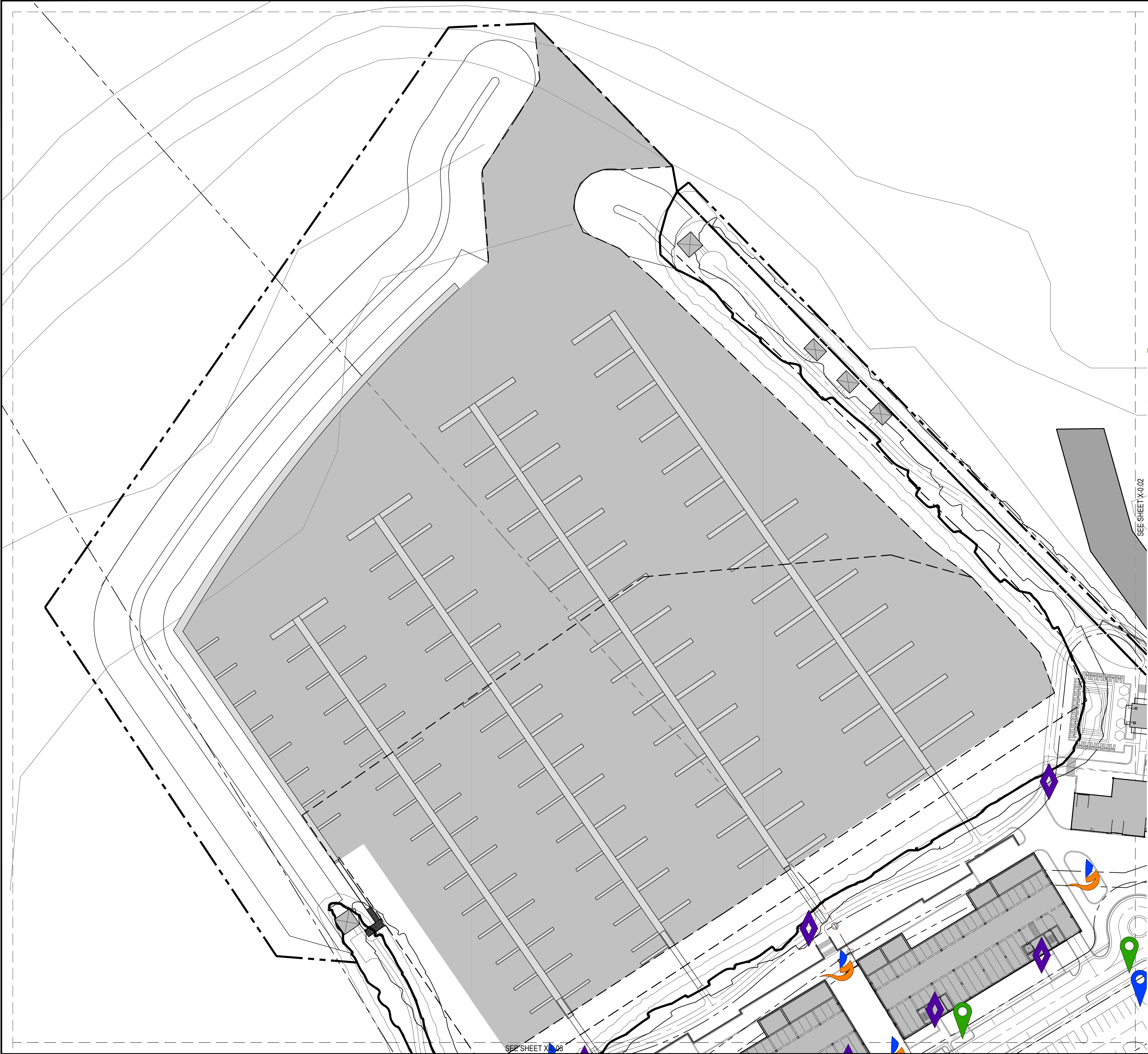
PUD SUBMITTAL

Sheet Title:

SIGNAGE PLAN

Sheet Number:

C-7.00



DECORATIVE ARRIVAL SIGNAGE

SCULPTURE ART

GENERAL WAYFINDING

RESERVED PARKING ONLY (ADA)
R7-8 (12"x18")
1 EA. - 3 LB. POST (15 FT)
EXACT QUANTITY AND LOCATION TO BE DETERMINED WITH FINAL DESIGN



STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')



STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')
CROSS TRAFFIC DOES NOT STOP
W4-4P (24"x12")



CROSS TRAFFIC DOES NOT STOP

SPEED LIMIT 20
R2-1 (24"x30")
5.0 SFT SIGN
1 EA. - 3 LB. POST (15 FT)



YIELD HERE TO PEDESTRIANS
R1-5A (26"x48")
12.0 SFT SIGN
2 EA. - 3 LB. POST (30 FT)



Project :



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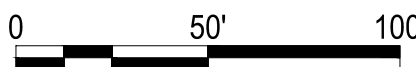
SITE LOCATION:



Date: 8/11/2021
Project No: 21-004



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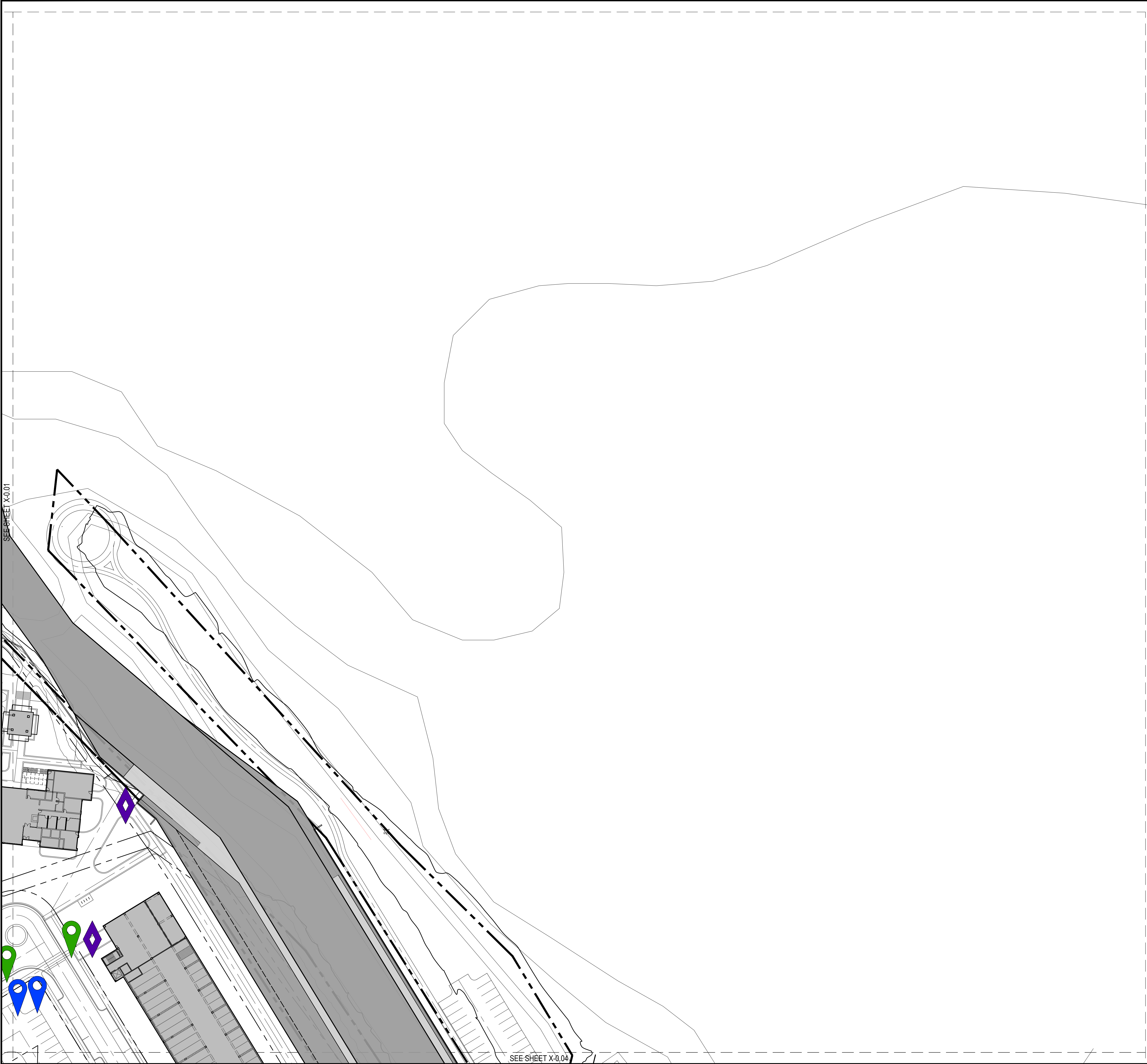


Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: SIGNAGE PLAN

Sheet Number: C-7.01



DECORATIVE ARRIVAL SIGNAGE

SCULPTURE ART

GENERAL WAYFINDING

RESERVED PARKING ONLY (ADA)
R7-8 (12"x18")
1 EA. - 3 LB. POST (15 FT)
EXACT QUANTITY AND LOCATION TO BE DETERMINED WITH FINAL DESIGN



STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')



STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')
CROSS TRAFFIC DOES NOT STOP
W4-4P (24"x12")



CROSS TRAFFIC DOES NOT STOP

SPEED LIMIT 20
R2-1 (24"x30")
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1 EA. - 3 LB. POST (15 FT)



YIELD HERE TO PEDESTRIANS
R1-5A (26"x48")
12.0 SFT SIGN
2 EA. - 3 LB. POST (30 FT)



Project :



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1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

Consultants:



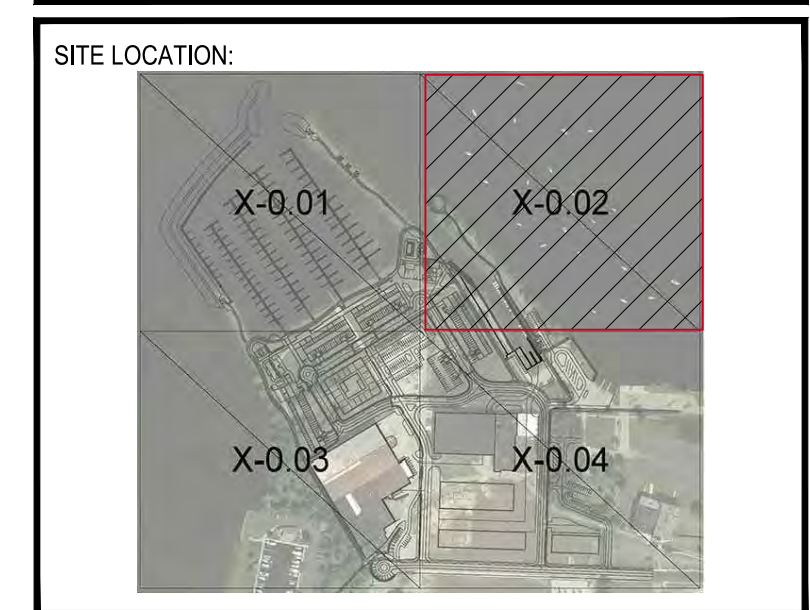
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SAINT JOSEPH, MI 49085
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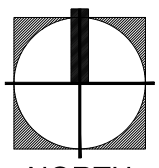


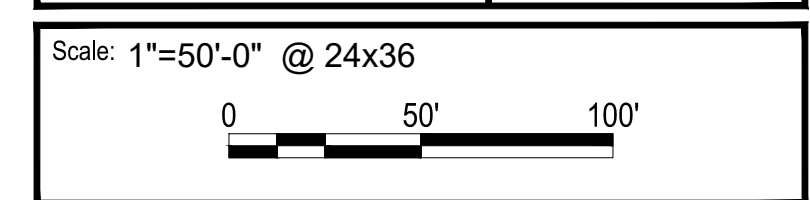
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Project No:	21-004	



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Project Phase: PUD SUBMITTAL

Sheet Title: SIGNAGE PLAN

Sheet Number: C-7.02



Project :



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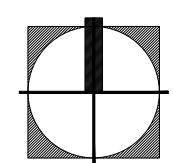
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SITE LOCATION:



Date:	8/11/2021	 NORTH
Project No:	21-004	

Scale: 1"=50'-0" @ 24x36



Seal:

Project Phase:

PUD SUBMITTAL

Sheet Title:

SIGNAGE PLAN

Sheet Number:

C-7.03



DECORATIVE ARRIVAL SIGNAGE

SCULPTURE ART

GENERAL WAYFINDING

RESERVED PARKING ONLY (ADA)
R7-8 (12"x18")
1 EA. - 3 LB. POST (15 FT)
EXACT QUANTITY AND LOCATION TO BE DETERMINED WITH FINAL DESIGN



STOP
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9.0 SFT SIGN, TYPE IIIA
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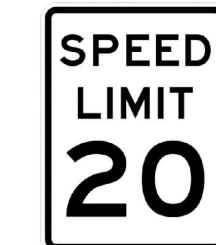


STOP
R1-1 (36"x36")
9.0 SFT SIGN, TYPE IIIA
2 EA. - 3 LB. POST (30')
CROSS TRAFFIC DOES NOT STOP
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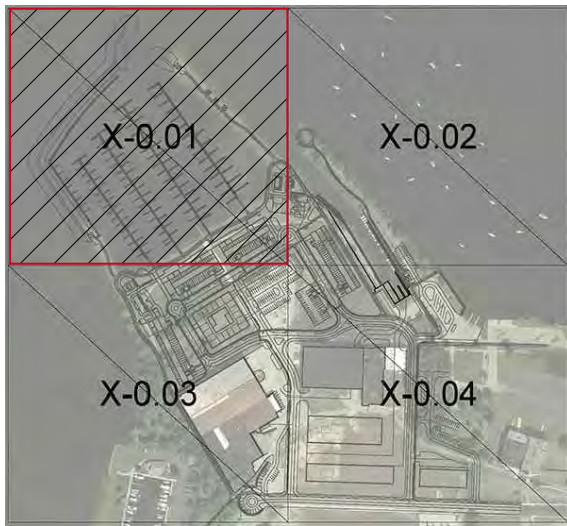
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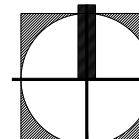
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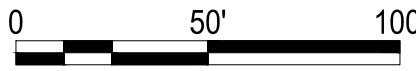


Date: 8/11/2021
Project No: 21-004



NORTH

Scale: 1"=50'-0" @ 24x36

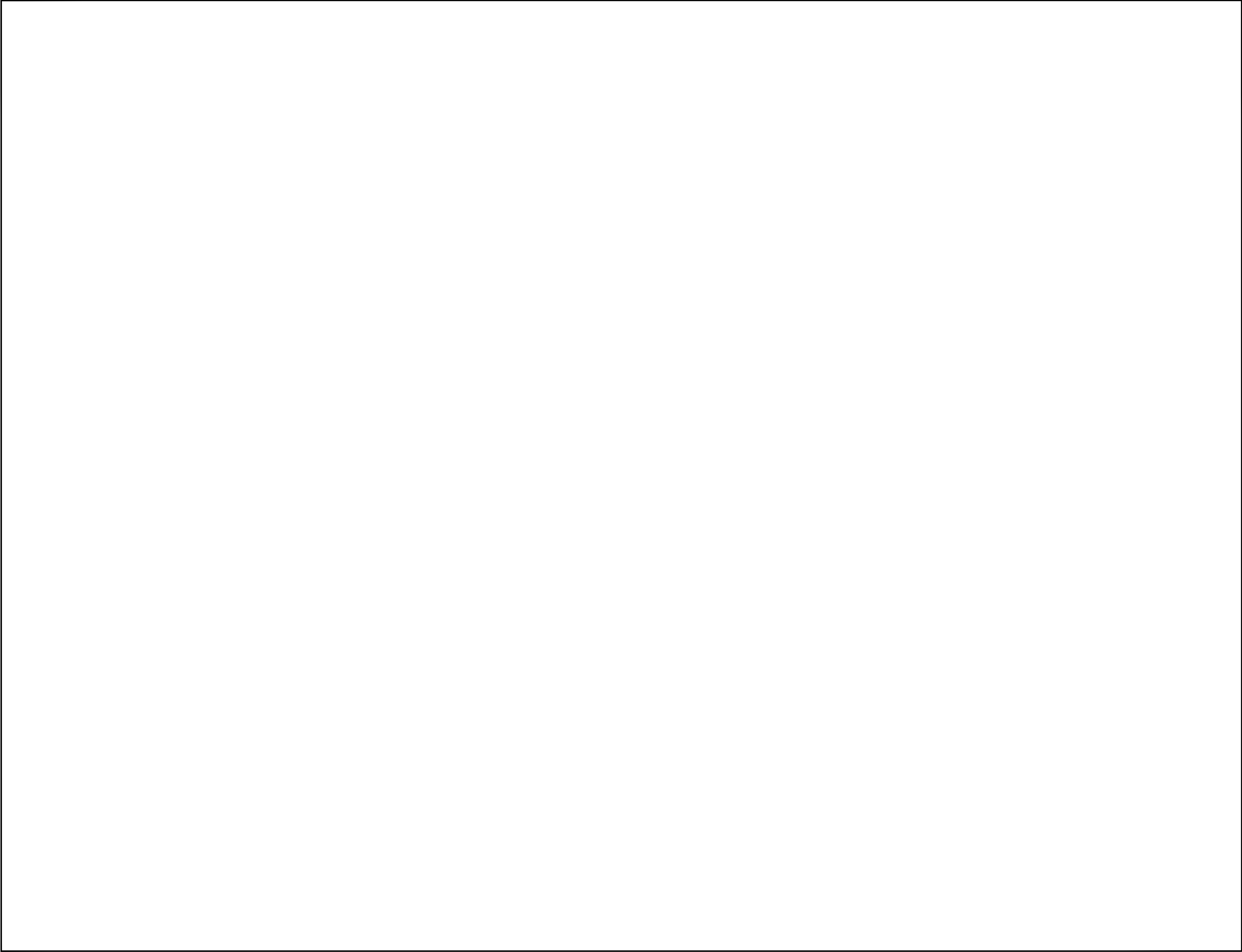


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Project Phase: PUD SUBMITTAL

Sheet Title: SIGNAGE PLAN

Sheet Number: C-7.04



Project :



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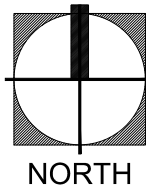
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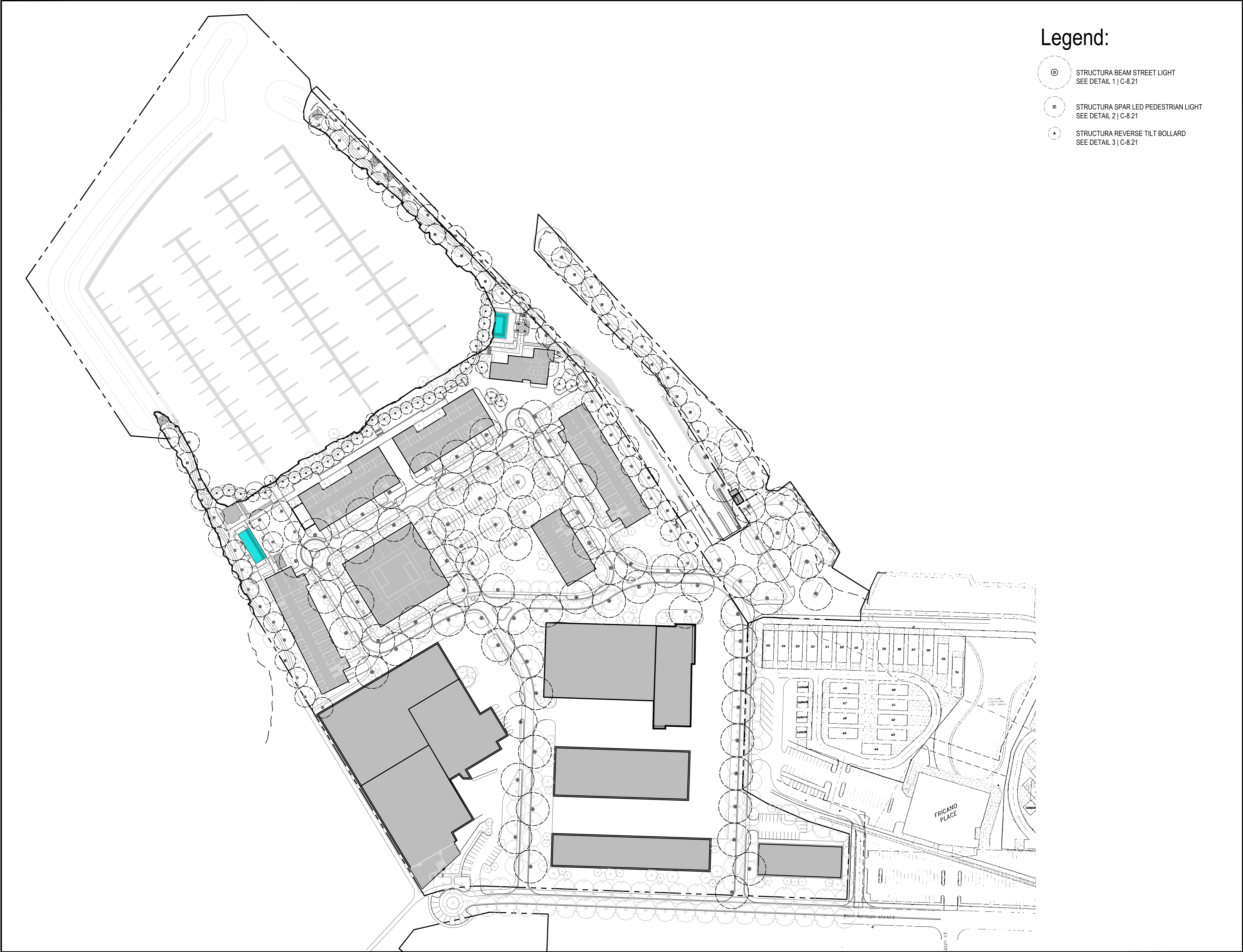


Seal:

Project Phase:
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Sheet Title:
SIGNAGE DETAILS

Sheet Number:
C-7.10



Legend:

- STRUCTURA BEAM STREET LIGHT
SEE DETAIL 1 | C-8.21
- STRUCTURA SPAR LED PEDESTRIAN LIGHT
SEE DETAIL 2 | C-8.21
- STRUCTURA REVERSE TILT BOLLARD
SEE DETAIL 3 | C-8.21

Project :



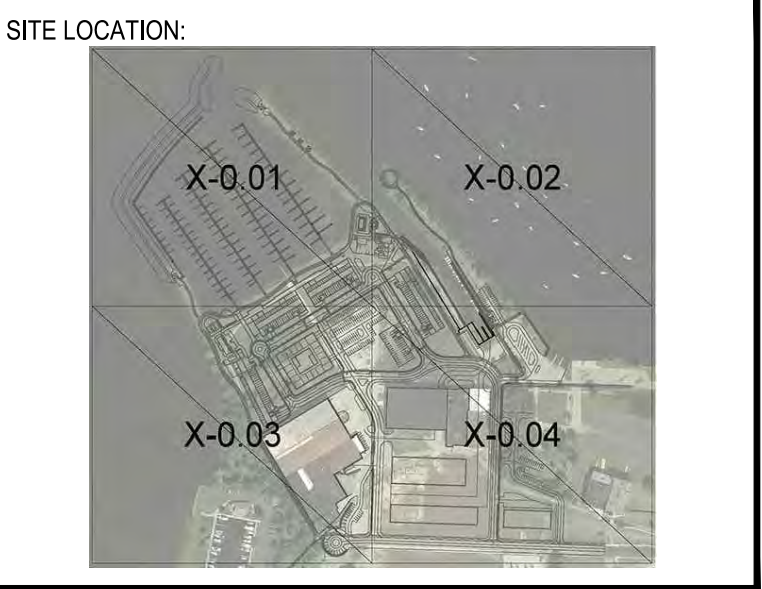
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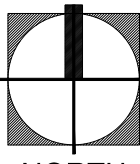
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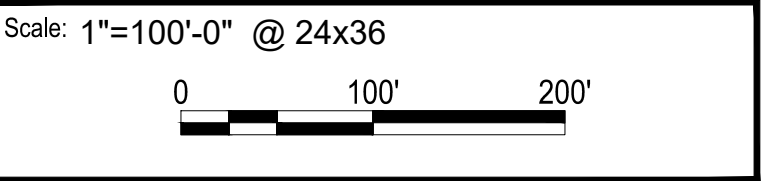

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Sheet Title: LIGHTING PLAN

Sheet Number: C-8.00



Legend:

- STRUCTURA BEAM STREET LIGHT
SEE DETAIL 1 | C-8.21
- STRUCTURA SPAR LED PEDESTRIAN LIGHT
SEE DETAIL 2 | C-8.21
- STRUCTURA REVERSE TILT BOLLARD
SEE DETAIL 3 | C-8.21

Project :



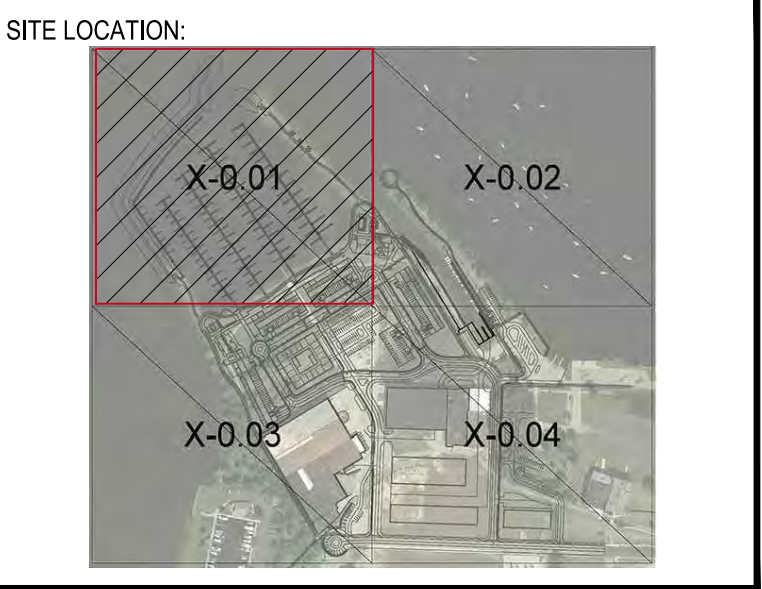
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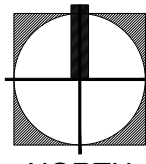
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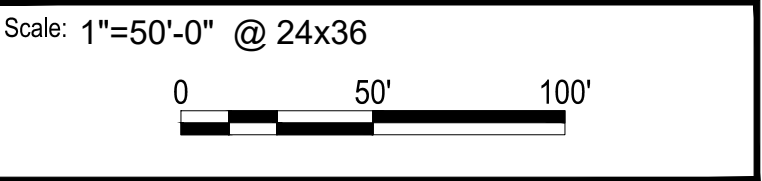
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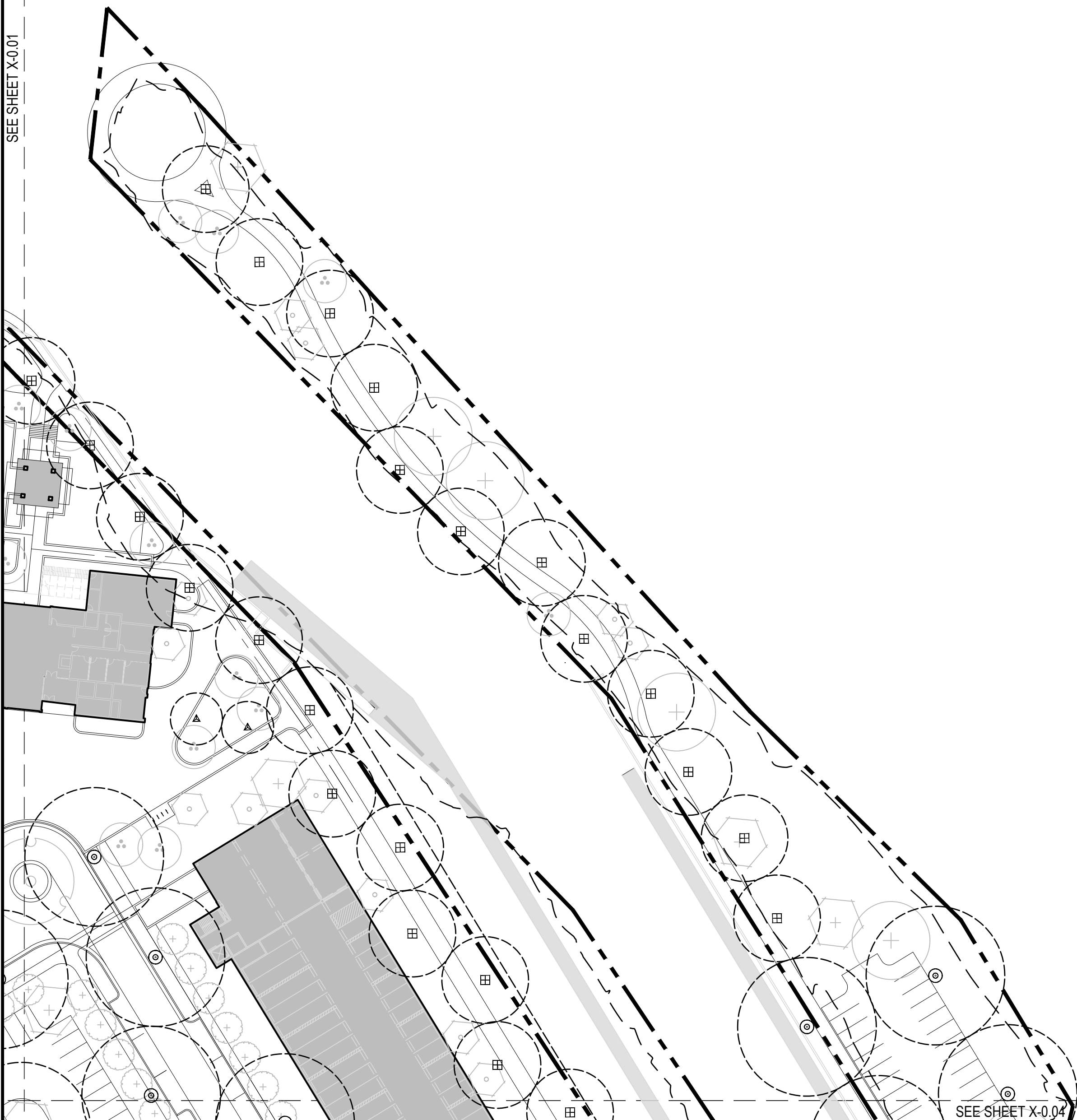
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Project Phase: PUD SUBMITTAL

Sheet Title: LIGHTING PLAN

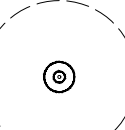
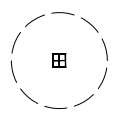
Sheet Number: C-8.01

SEE SHEET X-0.01



SEE SHEET X-0.04

Legend:

-  STRUCTURA BEAM STREET LIGHT
SEE DETAIL 1 | C-8.21
-  STRUCTURA SPAR LED PEDESTRIAN LIGHT
SEE DETAIL 2 | C-8.21
-  STRUCTURA REVERSE TILT BOLLARD
SEE DETAIL 3 | C-8.21

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Date: 8/9/2021
Project No: 21-004



Scale: 1"=50'-0" @ 24x36
0 50' 100'

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: LIGHTING PLAN

Sheet Number: C-8.02



Legend:

- STRUCTURA BEAM STREET LIGHT
SEE DETAIL 1 | C-8.21
- STRUCTURA SPAR LED PEDESTRIAN LIGHT
SEE DETAIL 2 | C-8.21
- STRUCTURA REVERSE TILT BOLLARD
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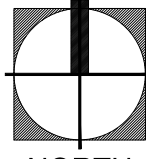
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Date:	8/9/2021	 NORTH
Project No:	21-004	

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Project Phase:

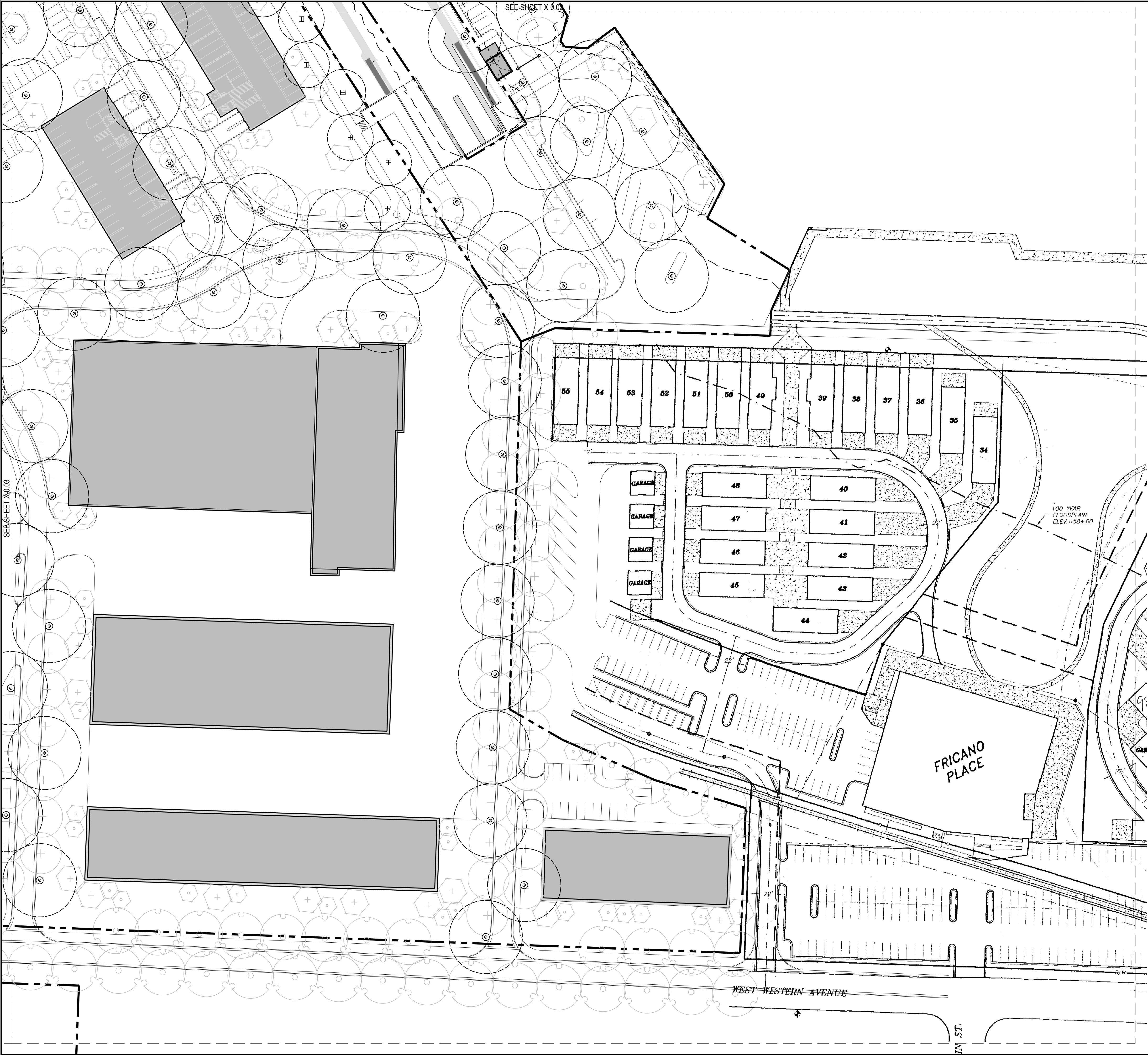
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Sheet Title:

LIGHTING PLAN

Sheet Number:

C-8.03



Legend:

- STRUCTURA BEAM STREET LIGHT
SEE DETAIL 1 | C-8.21
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SEE DETAIL 2 | C-8.21
- STRUCTURA REVERSE TILT BOLLARD
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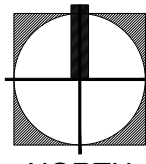


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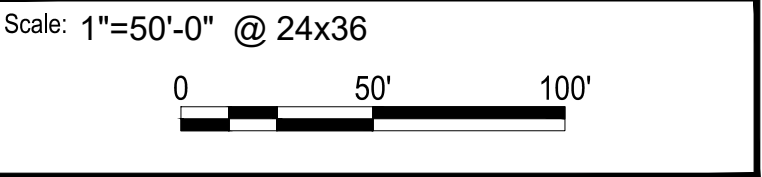


Date: 8/9/2021

Project No: 21-004



NORTH

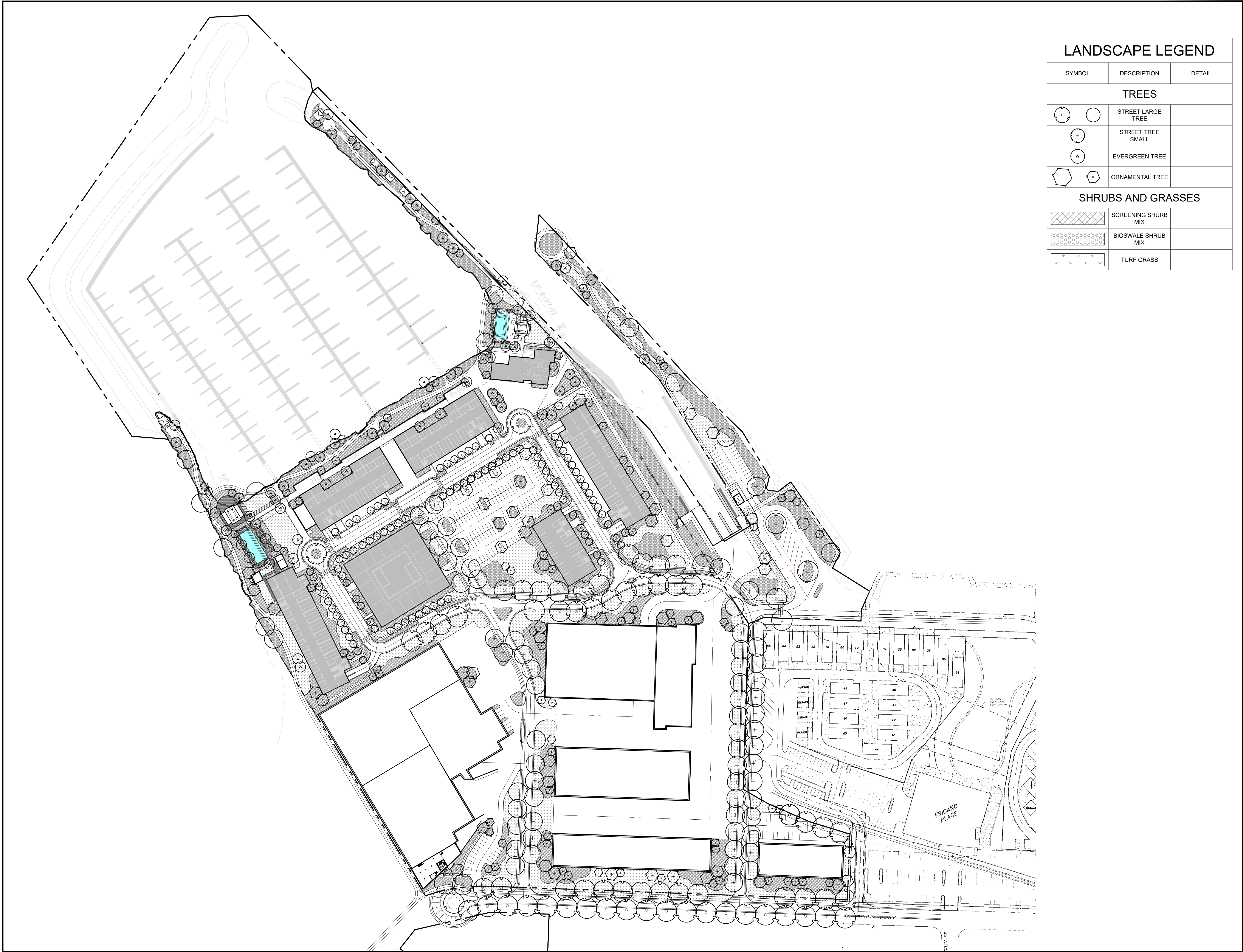


Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: LIGHTING PLAN

Sheet Number: C-8.04



LANDSCAPE LEGEND

SYMBOL	DESCRIPTION	DETAIL
TREES		
	STREET LARGE TREE	
	STREET TREE SMALL	
	EVERGREEN TREE	
	ORNAMENTAL TREE	
SHRUBS AND GRASSES		
	SCREENING SHRUB MIX	
	BIOSWALE SHRUB MIX	
	TURF GRASS	

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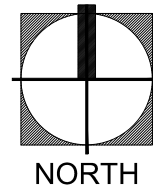


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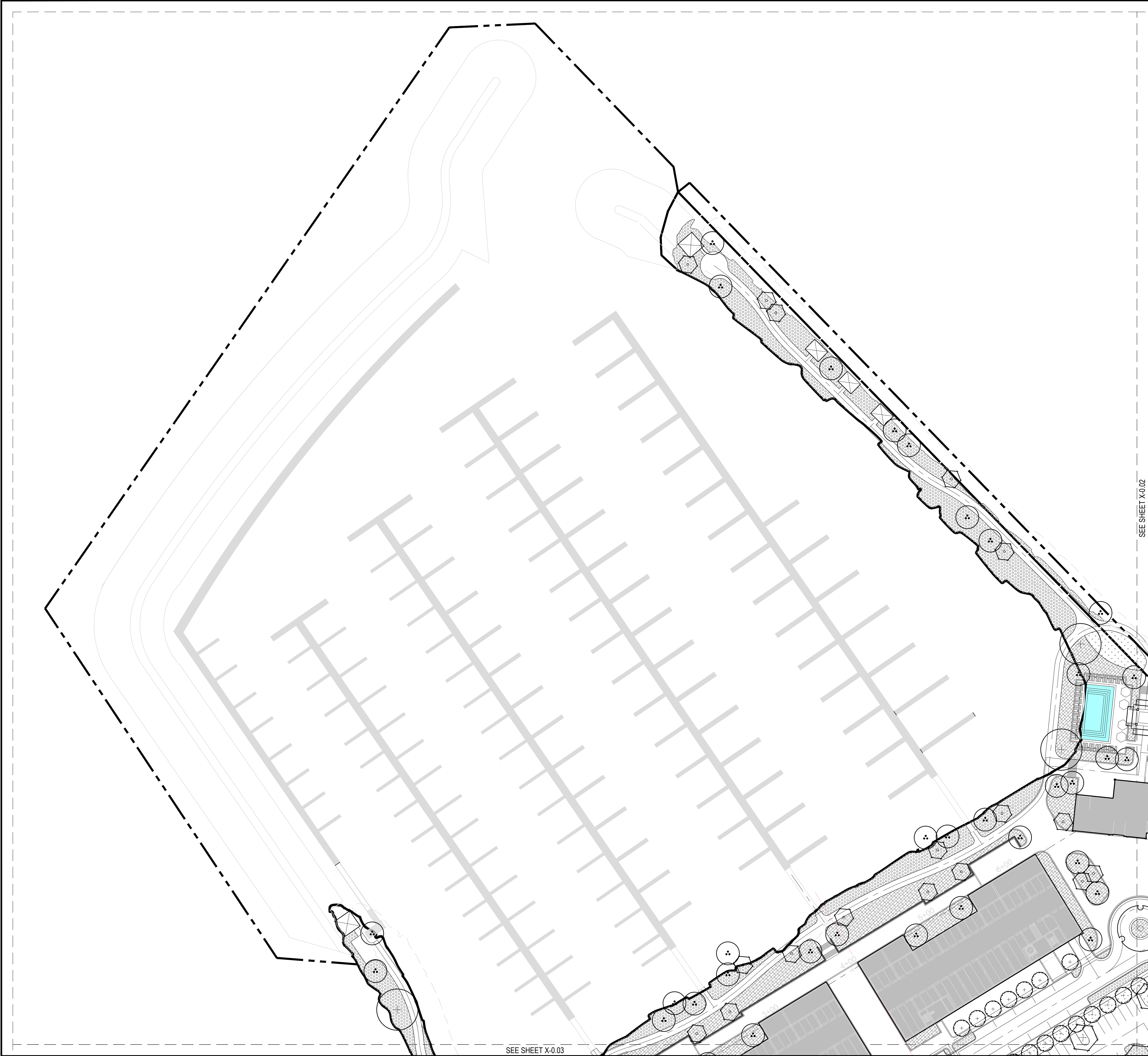
Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: LANDSCAPE PLAN

Sheet Number:

L-2.00



LANDSCAPE LEGEND		
SYMBOL	DESCRIPTION	DETAIL
TREES		
	STREET LARGE TREE	
	STREET TREE SMALL	
	EVERGREEN TREE	
	ORNAMENTAL TREE	
SHRUBS AND GRASSES		
	SCREENING SHRUB MIX	
	BIOSWALE SHRUB MIX	
	TURF GRASS	

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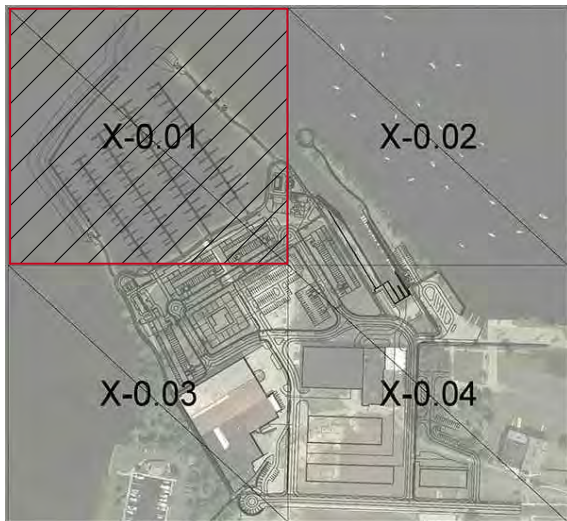


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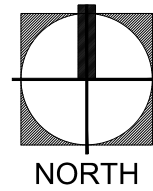


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Scale: 1"=50'-0" @ 24x36
0 50' 100'

Seal:

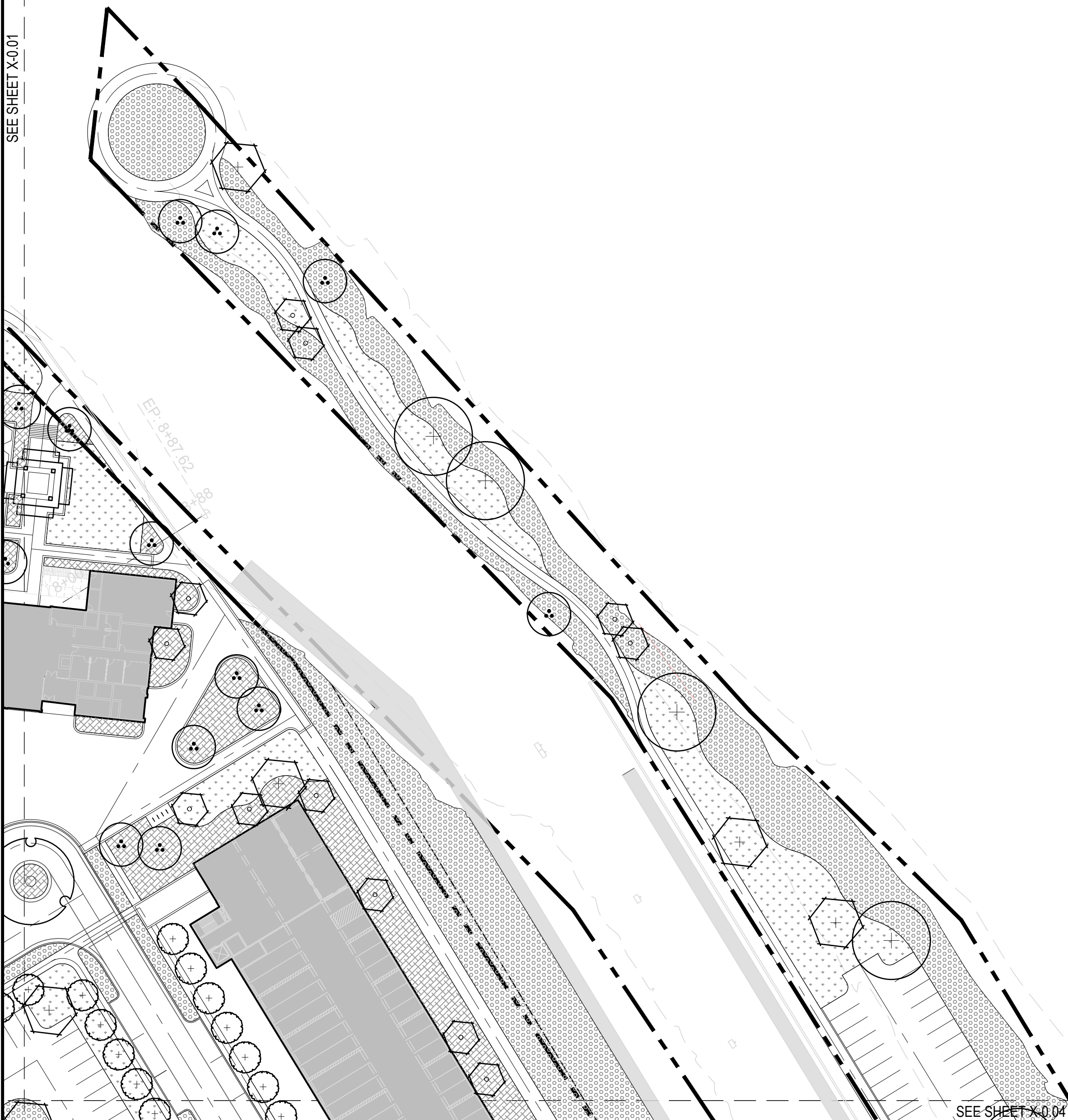
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Sheet Title: LANDSCAPE PLAN

Sheet Number:

L-2.01

SEE SHEET X-0.01



SEE SHEET X-0.04

LANDSCAPE LEGEND

SYMBOL	DESCRIPTION	DETAIL
TREES		
	STREET LARGE TREE	
	STREET TREE SMALL	
	EVERGREEN TREE	
	ORNAMENTAL TREE	
SHRUBS AND GRASSES		
	SCREENING SHRUB MIX	
	BIOSWALE SHRUB MIX	
	TURF GRASS	

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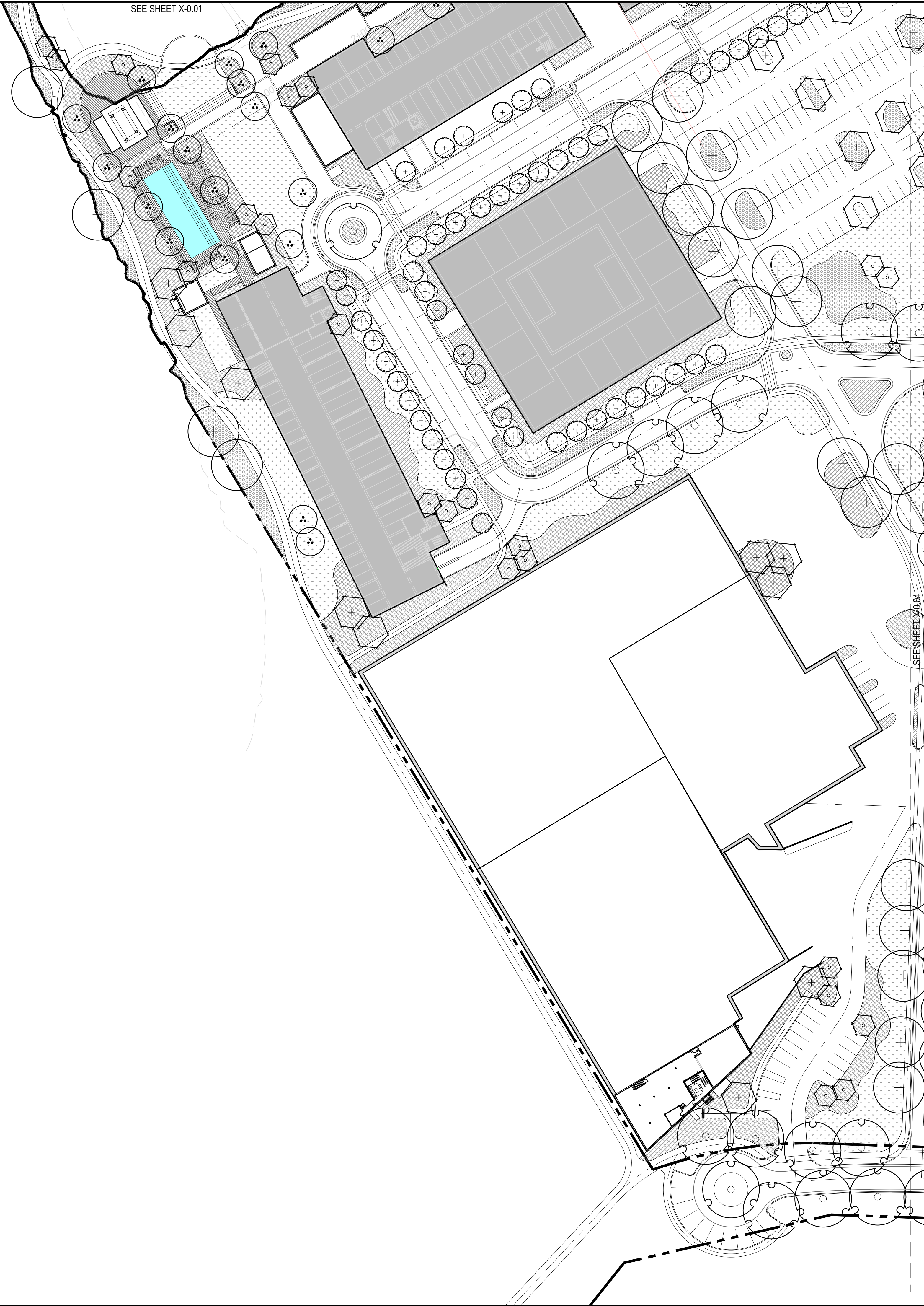
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Project Phase: PUD SUBMITTAL

Sheet Title: LANDSCAPE PLAN

Sheet Number:

L-2.02



LANDSCAPE LEGEND

SYMBOL	DESCRIPTION	DETAIL
TREES		
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	STREET TREE SMALL	
	EVERGREEN TREE	
	ORNAMENTAL TREE	
SHRUBS AND GRASSES		
	SCREENING SHRUB MIX	
	BIOSWALE SHRUB MIX	
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Scale: 1"=50'-0" @ 24x36
0 50' 100'

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: LANDSCAPE PLAN

Sheet Number: L-2.03



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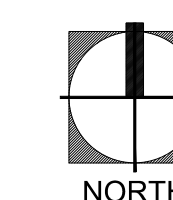
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Scale: 1"=10'-0" @ 24x36



Seal:

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Sheet Title:

LANDSCAPE SECTIONS

Sheet Number:

L-3.10



4 SECTION: WATERFRONT EDGE (TYP.)
SCALE: 1"=10'-0"

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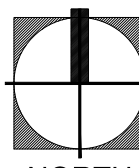
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Project No:	21-004	

Scale: 1"=100'-0" @ 24x36



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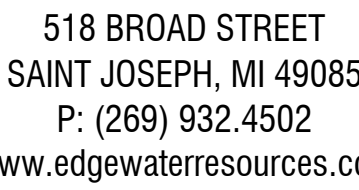
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Sheet Title: LANDSCAPE SECTIONS

Sheet Number: L-3.20



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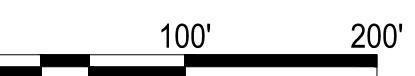


Date: 8/11/2021

Project No: 21-004



Scale: 1"=100'-0" @ 24x36



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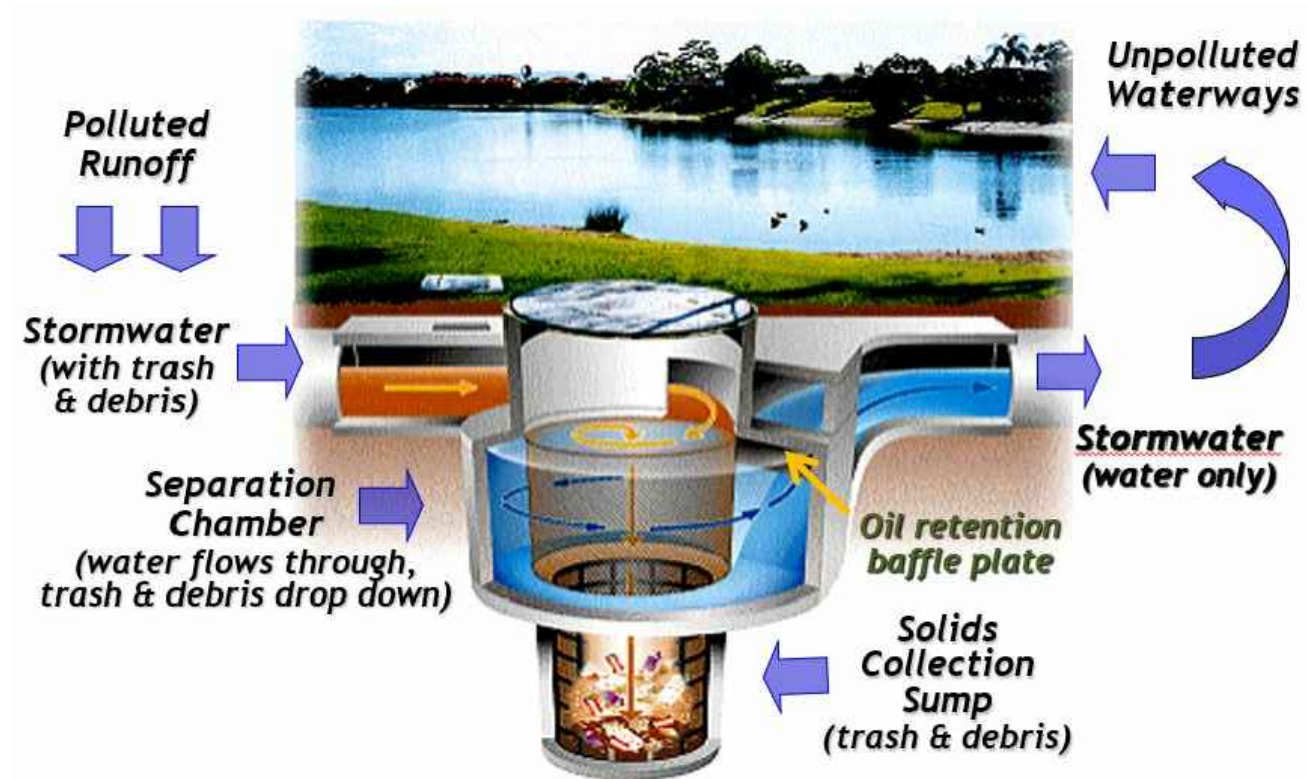
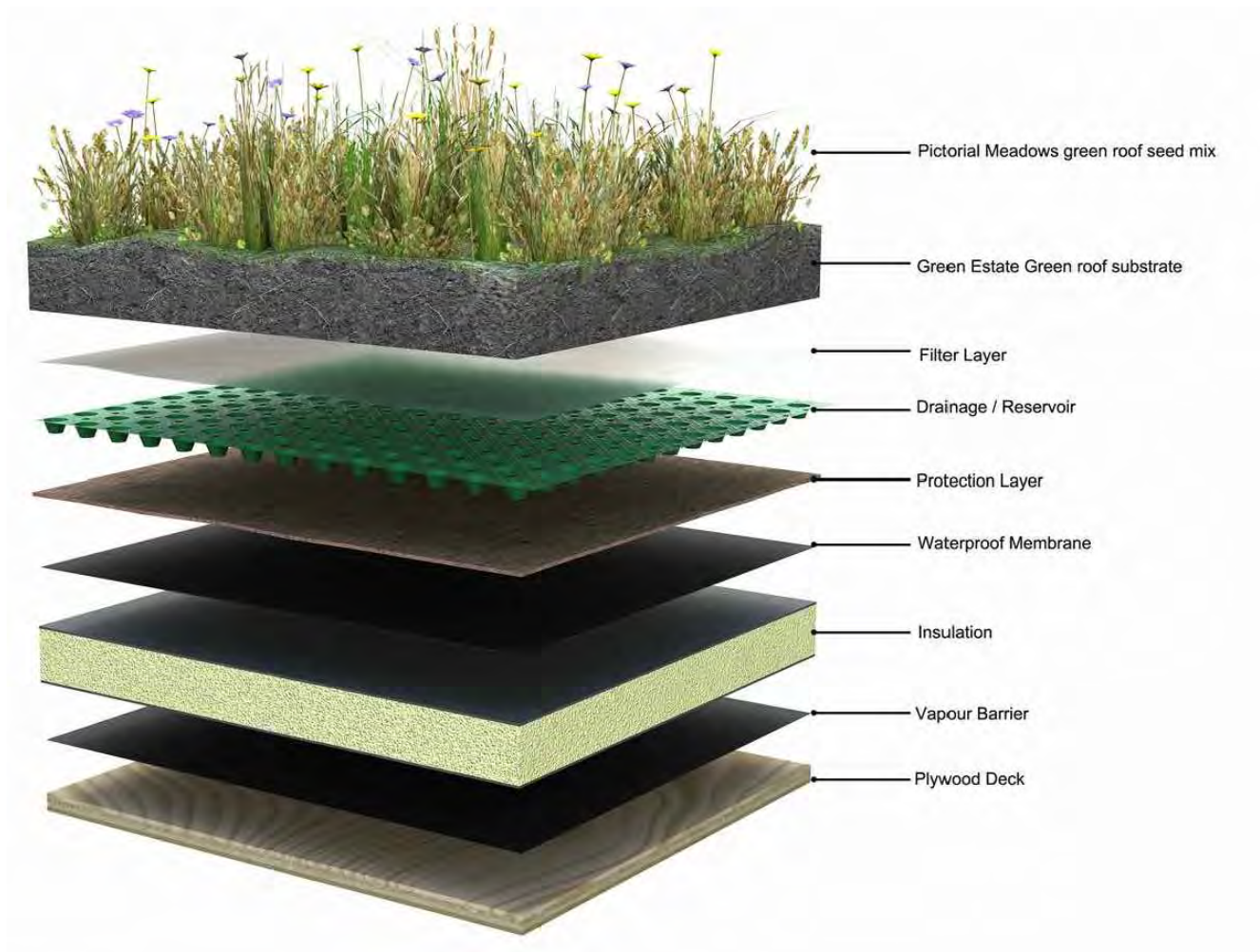
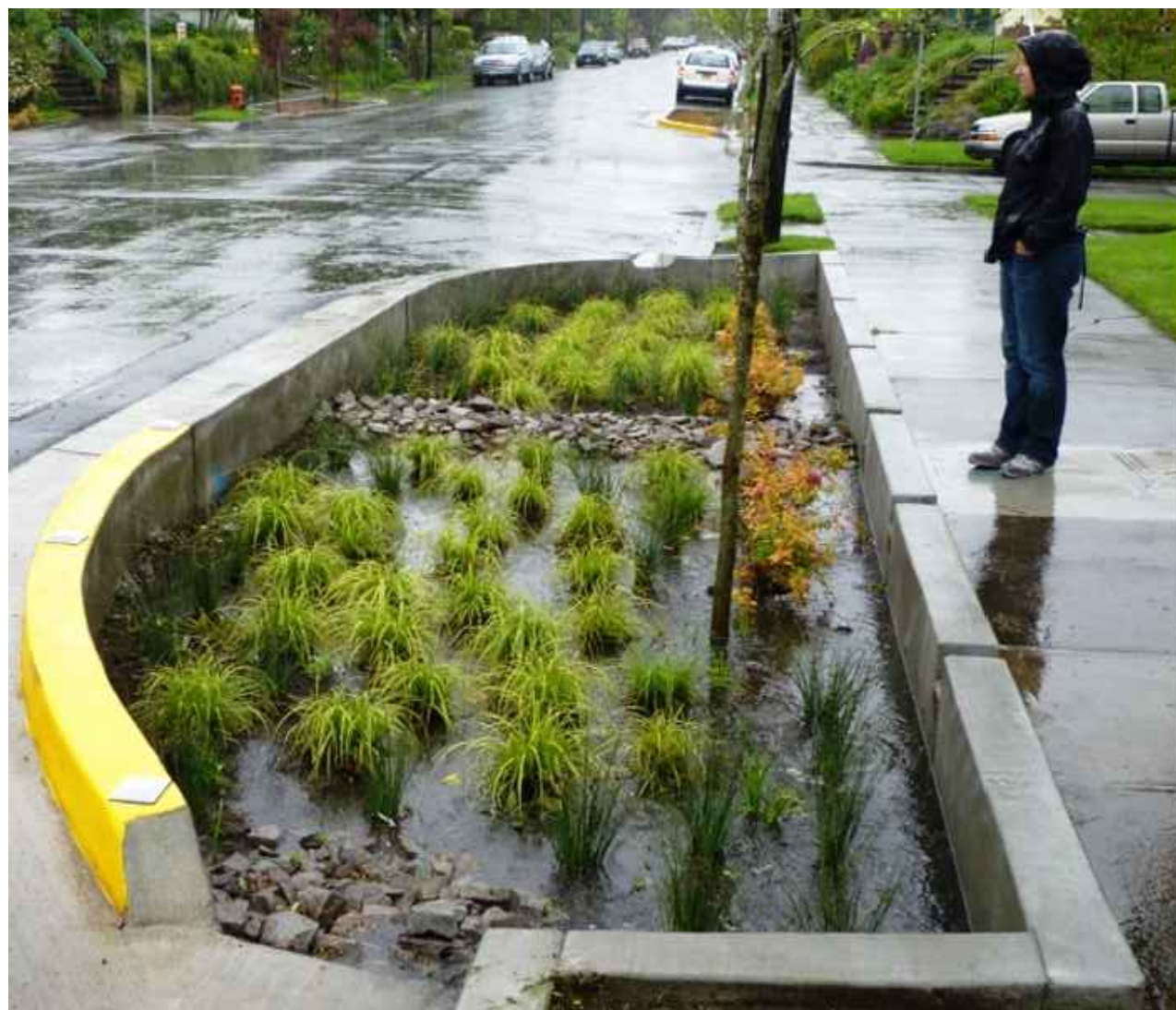
Project Phase: PUD SUBMITTAL

Sheet Title:

LANDSCAPE DETAILS

Sheet Number:

L-5.10



1 STORMWATER QUALITY UNIT

SCALE: NTS

2 NATURALIZED SHORELINE

SCALE: NTS

3 BIOSWALE

SCALE: NTS

4 GREEN ROOF

SCALE: NTS

Scientific Name	Common Name	Sun Exposure	Water Requirements	Mature Height	Planted Size	Hardiness Zone
Trees						
Acer saccharum	Sugar Maple	Full Sun to Part Shade	Medium	40'-80'		3 to 8
Betula pendula	European White Birch	Full Sun to Part Shade	Medium to Wet	30'-40'		2 to 6
Quercus macrocarpa	Burr Oak	Full Sun	Dry to Medium	60'-80'		3 to 8
Quercus robur 'Fastigiata'	Columnar English Oak	Full Sun	Medium	50'-60'		5 to 8
Picea glauca 'Densata'	Black Hill Spruce	Full Sun	Medium	20'-40'		3 to 6
Pinus strobus	White Pine	Full Sun to Part Shade	Medium	50'-80'		3 to 8
Shrubs						
Ceanothus americanus	New Jersey Tea	Full Sun to Part Shade	Dry to Medium	3'-4'		4 to 8
Cephalanthus occidentalis	Buttonbush	Full Sun to Part Shade	Medium to Wet	5'-12'		5 to 9
Cornus amomum	Silky Dogwood	Full Sun to Part Shade	Medium	6'-12'		5 to 8
Ilex verticillata	Winterberry	Full Sun to Part Shade	Medium to Wet	3'-12'		3 to 9
Viburnum prunifolium	Blackhaw Viburnum	Full Sun to Part Shade	Dry to Medium	12'-15'		3 to 9
Grasses						
Andropogon gerardii	Big Bluestem	Full Sun	Dry to Medium	4'-6'		4 to 9
Carex pensylvanica	Pennsylvania Sedge	Part Shade to Full Sun	Dry to Medium	.5'-1'		3 to 8
Panicum virgatum	Switchgrass	Full Sun to Part Shade	Medium to Wet	3'-6'		5 to 9
Schizachyrium scoparium	Little Bluestem	Full Sun	Dry to Medium	2'-4'		3 to 9
Wildflowers						
Asclepias tuberosa	Butterfly Milkweed	Full Sun	Dry to Medium	1'-2.5'		3 to 9
Symphyotrichum novae-angliae	New England Aster	Full Sun	Medium	3'-6'		4 to 8
Echinacea pallida	Pale Purple Coneflower	Full Sun to Part Shade	Dry to Medium	2'-3'		3 to 10
Echinacea purpurea	Purple Coneflower	Full Sun to Part Shade	Dry to Medium	2'-5'		3 to 8
Echinacea purpurea 'Avalanche'	Avalanche Coneflower	Full Sun to Part Shade	Dry to Medium	1'-1.5'		3 to 8
Echinacea x 'Balsomador'	Sombrero Adobe Orange Coneflower	Full Sun to Part Shade	Dry to Medium	1'-2'		4 to 9
Echinacea x 'Daydream'	Daydream Coneflower	Full Sun	Dry to Medium	1'-2'		4 to 10
Liatris spicata	Spiked Gayfeather	Full Sun	Medium	2'-4'		3 to 8
Lobelia cardinalis	Cardinal Flower	Full Sun to Part Shade	Medium to Wet	2'-4'		3 to 9
Rudbeckia triloba	Brown Eyed Susan	Full Sun to Part Shade	Medium	5'		3 to 9
Solidago canadensis	Canada Goldenrod	Full Sun	Medium	4'-5'		3 to 9
Symphyotrichum ericoides	Heath Aster	Full Sun	Dry to Medium	1'-3'		3 to 10

1

LANDSCAPE SCHEDULE

SCALE: NTS

2

LANDSCAPE PALETTE

SCALE: NTS



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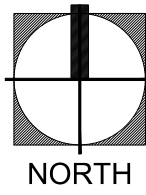
1609 PINERIDGE DR
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P: (616) 843-1002
www.architekturaplc.com/

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648 N. PLANKINTON AVE.
SUITE 240
MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:



Date: 8/11/2021
Project No: 21-004



Scale: 1"=100'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

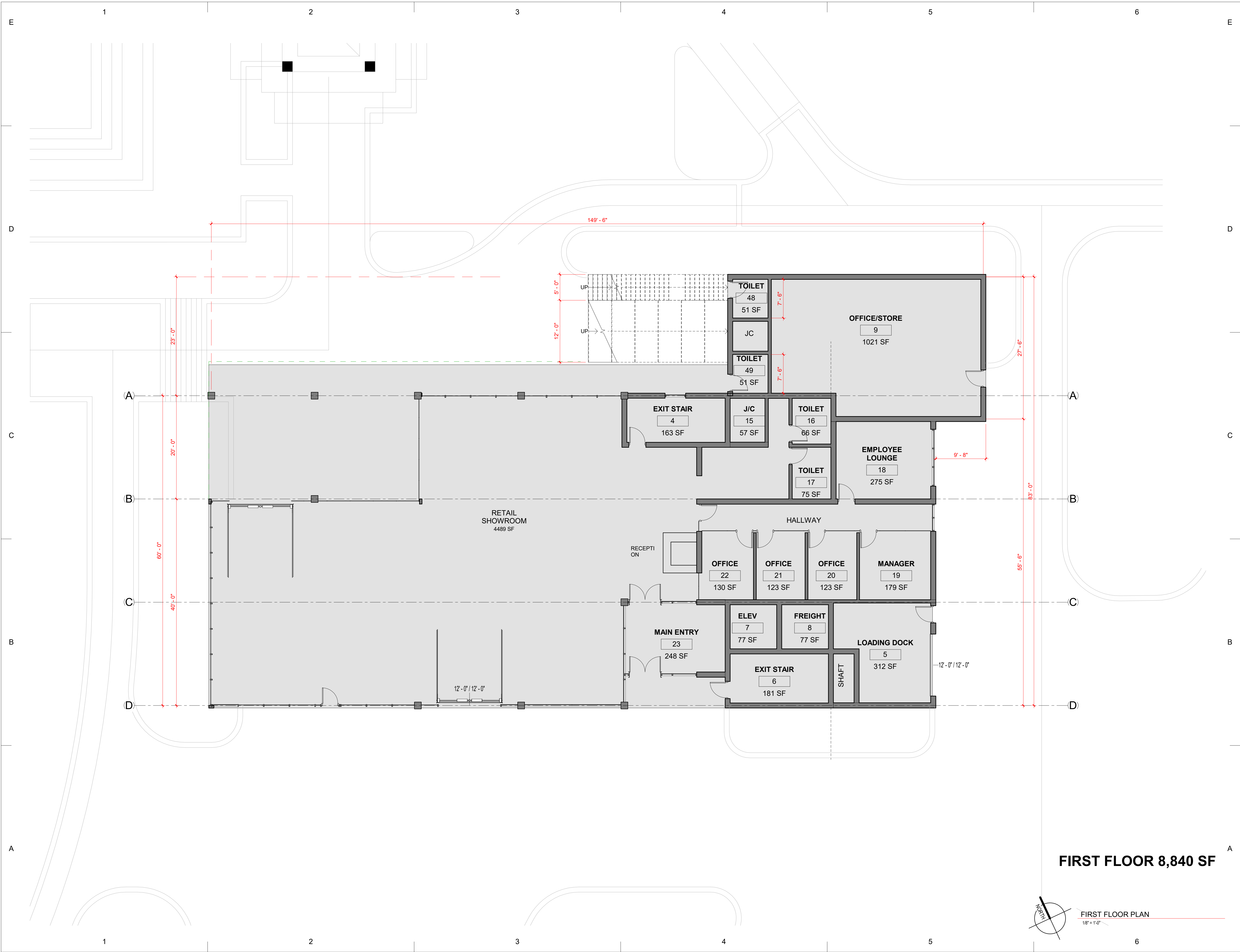
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LANDSCAPE DETAILS

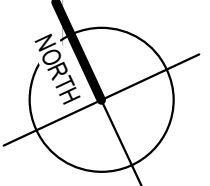
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FIRST FLOOR 8,840 SF



FIRST FLOOR PLAN
1/8" = 1'-0"

Project:



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

Consultants:



Edgewater
resources
518 BROAD STREET
SAINT JOSEPH, MI 49085
P: (269) 932.4502
www.edgewaterresources.com

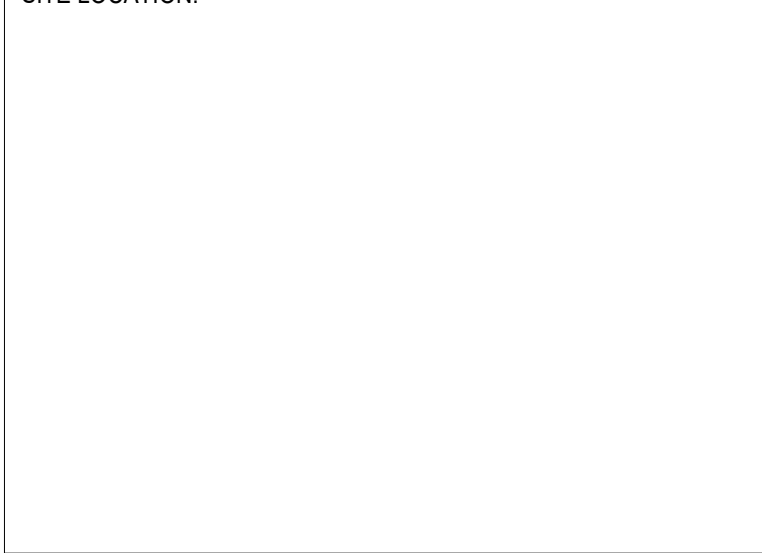


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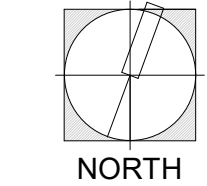


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AVE.
SUITE 240
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SITE LOCATION:



Date: 10 AUGUST 2021
Project No: 1201



NORTH

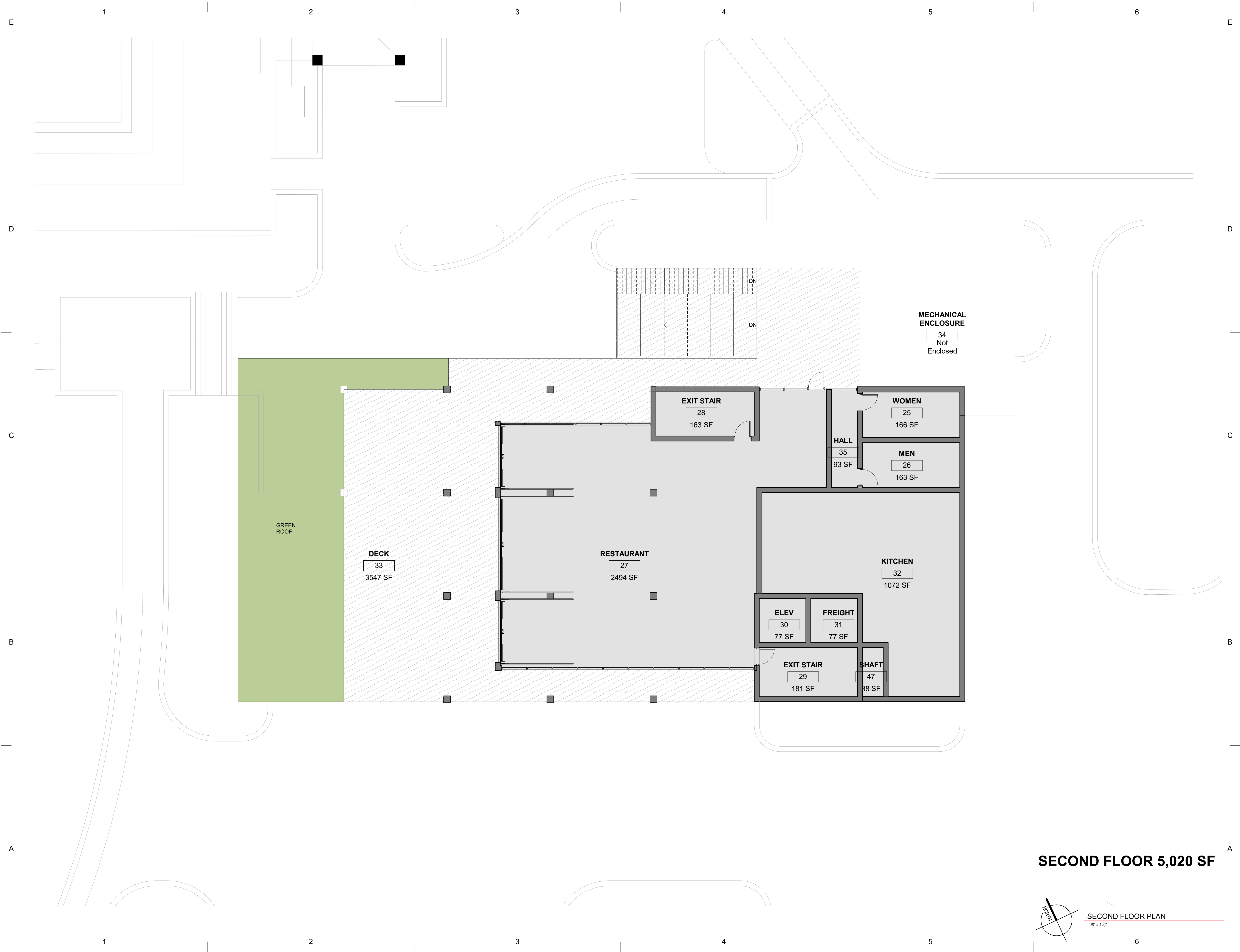
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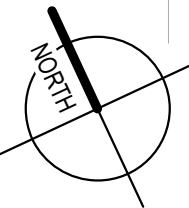
Project Phase: PUD SUBMITTAL

Sheet Title: **1ST FLOOR PLAN**

Sheet Number: **A-2.01**



SECOND FLOOR 5,020 SF



SECOND FLOOR PLAN

1/8" = 1'-0"

Project:



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

Consultants:



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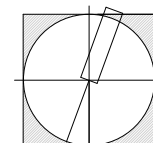
KORB + ASSOCIATES ARCHITECTS

648 N. PLANKINTON
AVE.
SUITE 240
MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:

Date: 10 AUGUST 2021

Project No: 1201



NORTH

Scale: AS INDICATED

Seal:

Project Phase:

PUD SUBMITTAL

Sheet Title:

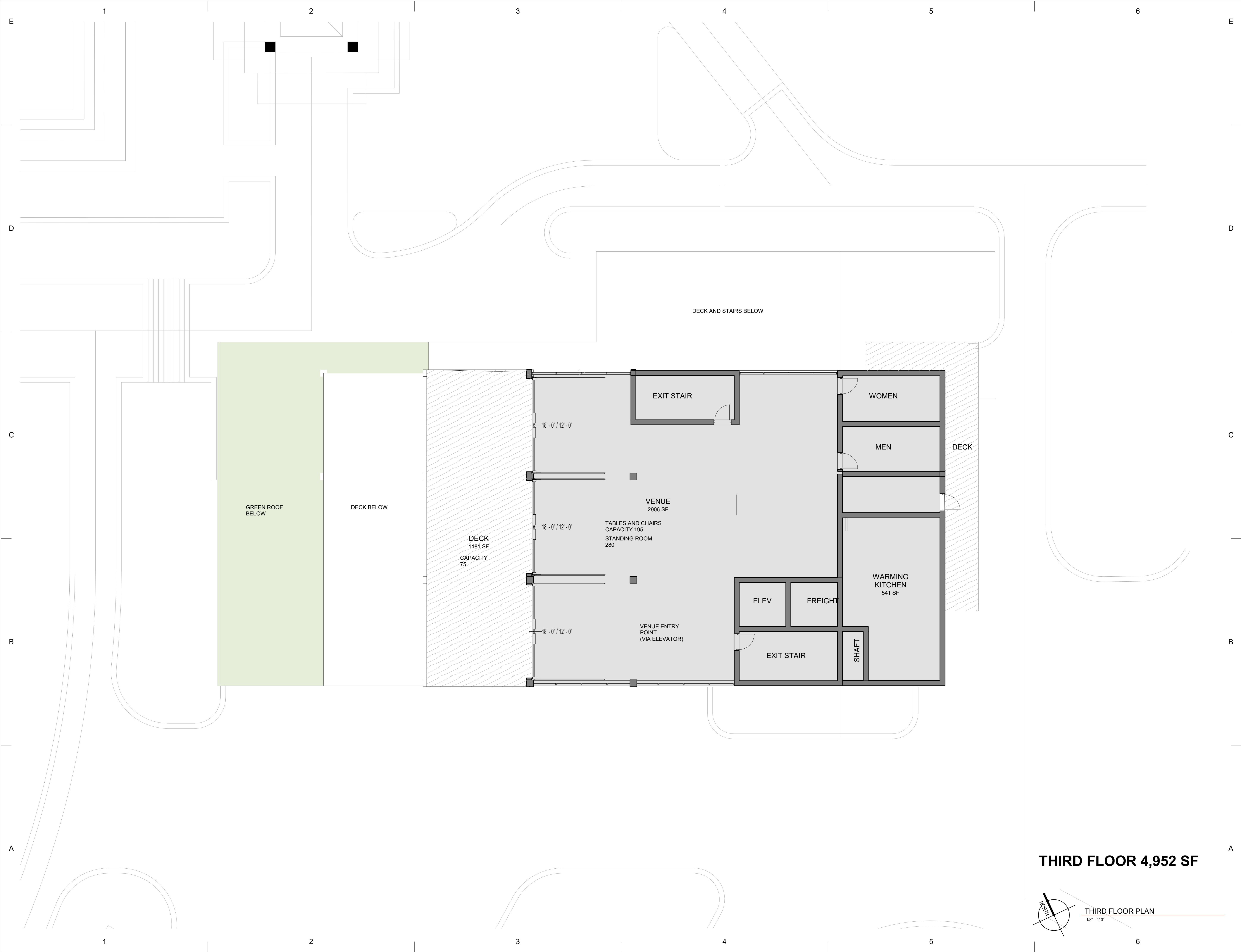
2ND FLOOR PLAN

Sheet Number:

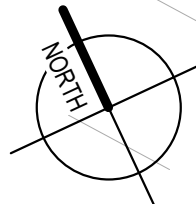
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THIRD FLOOR 4,952 SF



THIRD FLOOR PLAN
1/8" = 1'-0"

Project:



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
P: (855) MKG-LAKE
<https://www.adelaidepointe.com>

Consultants:



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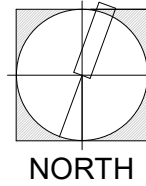


KORB + ASSOCIATES ARCHITECTS

648 N. PLANKINTON
AVE.
SUITE 240
MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:

Date: 10 AUGUST 2021
Project No: 1201



Scale: AS INDICATED

Seal:

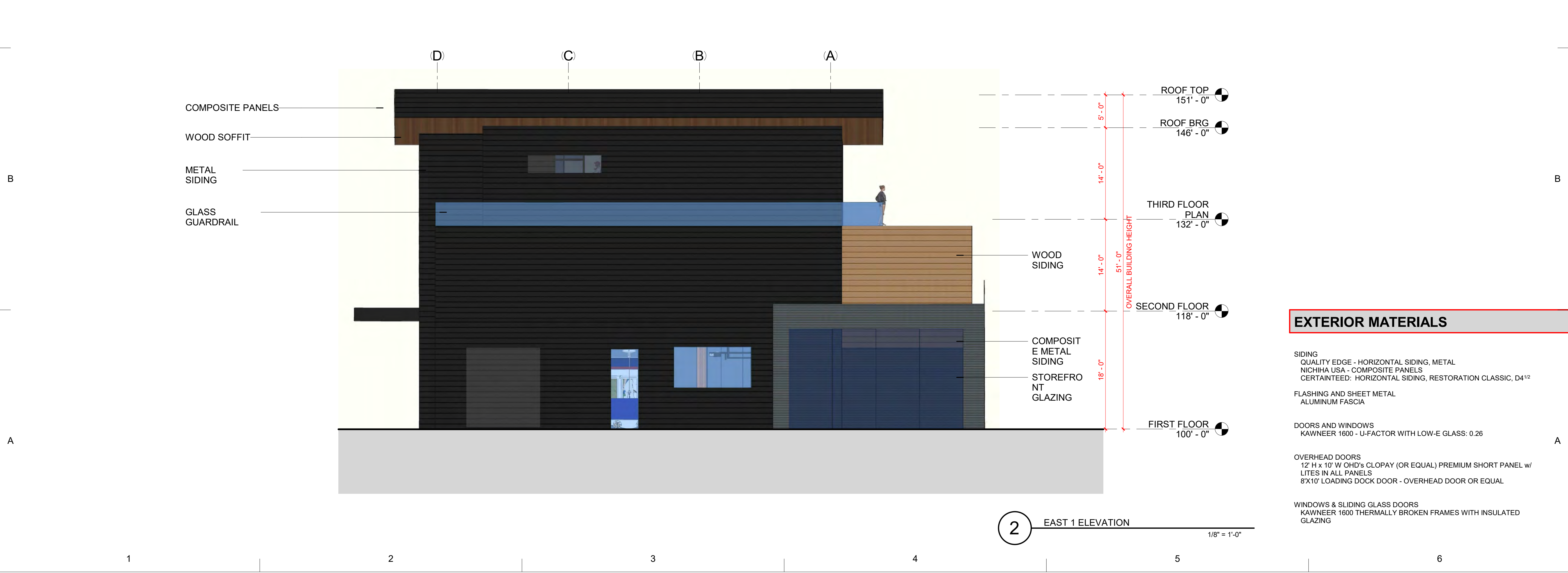
Project Phase: PUD SUBMITTAL

Sheet Title: 3RD FLOOR PLAN

Sheet Number:

A-2.03

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EXTERIOR MATERIALS

- SIDING
QUALITY EDGE - HORIZONTAL SIDING, METAL
NICHHA USA - COMPOSITE PANELS
CERTANTEED: HORIZONTAL SIDING, RESTORATION CLASSIC, D4^{1/2}
- FLASHING AND SHEET METAL
ALUMINUM FASCIA
- DOORS AND WINDOWS
KAWNEER 1600 - U-FACTOR WITH LOW-E GLASS: 0.26
- OVERHEAD DOORS
12' H x 10' W OHD's CLOPAY (OR EQUAL) PREMIUM SHORT PANEL w/
LITES IN ALL PANELS
8'X10' LOADING DOCK DOOR - OVERHEAD DOOR OR EQUAL
- WINDOWS & SLIDING GLASS DOORS
KAWNEER 1600 THERMALLY BROKEN FRAMES WITH INSULATED
GLAZING

Project:



ADELAIDE POINTE
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MUSKEGON, MI 49441
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Consultants:



Edgewater
resources
518 BROAD STREET
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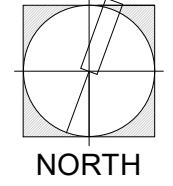
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SITE LOCATION:

Date:	10 AUGUST 2021
Project No:	1201



NORTH

Scale: AS INDICATED

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: ELEVATIONS

Sheet Number: A-3.01

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<https://www.adelaidepointe.com>

Consultants:

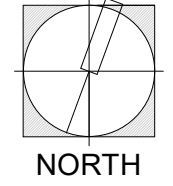
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MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:

Date: 10 AUGUST 2021
Project No: 1201



NORTH

Scale: AS INDICATED

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: ELEVATIONS

Sheet Number: A-3.02



Project:



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
MUSKEGON, MI 49441
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Consultants:

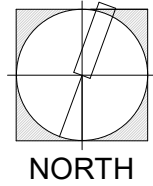
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SITE LOCATION:

Date:	10 AUGUST 2021
Project No:	1201



NORTH

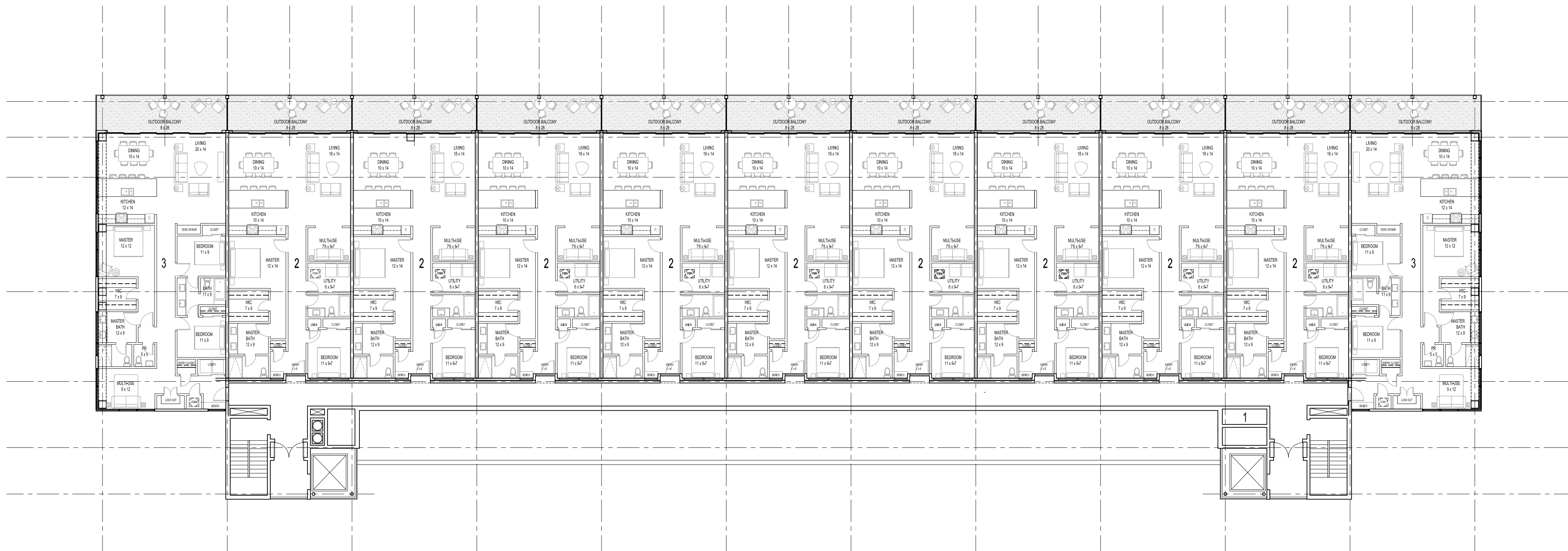
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Project Phase: PUD SUBMITTAL

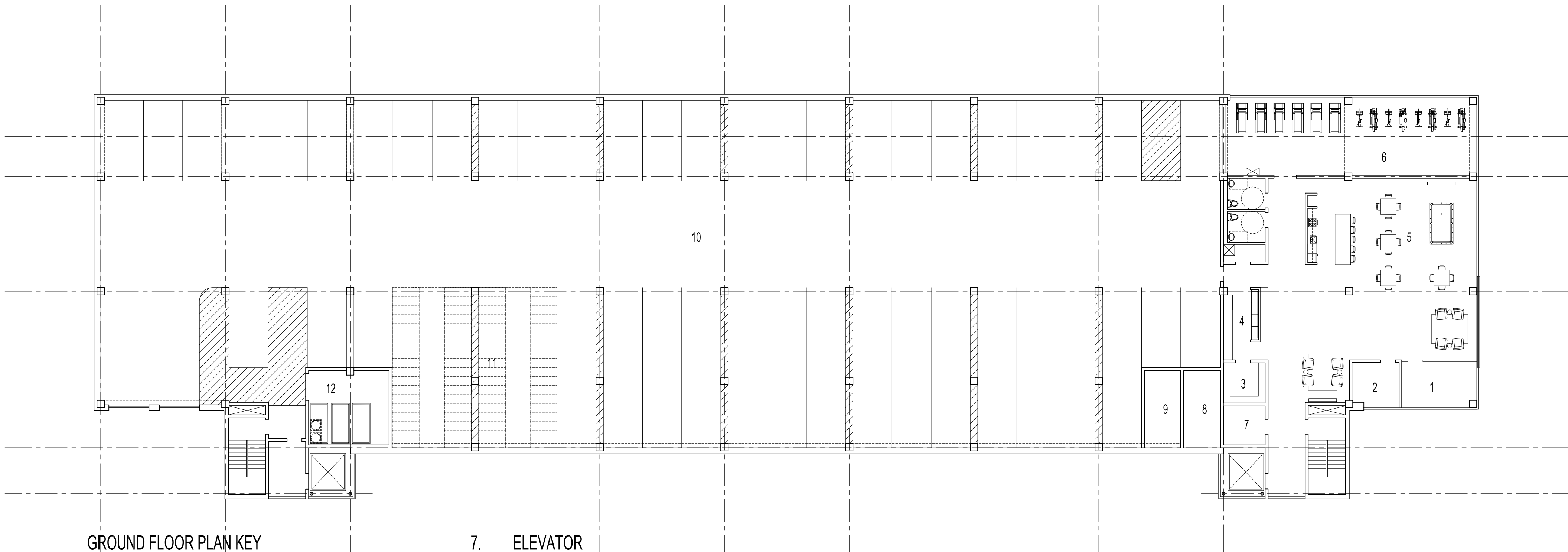
Sheet Title: 3D VIEWS

Sheet Number: A-3.03



SECOND - SIXTH FLOOR PLAN KEY

1.	TELE/ DATA/ STORAGE	GSF PER PLATE: 20,530 SF
2.	TWO BEDROOM + DEN	WASTE: 2,672 SF
3.	THREE BEDROOM	87.0% EFFICIENT



GROUND FLOOR PLAN KEY

1.	ENTRY VESTIBULE	7.	ELEVATOR
2.	OFFICE	8.	RISER
3.	PARCEL	9.	ELECTRICAL
4.	MAIL	10.	PARKING - 59 STALLS
5.	COMMUNITY	11.	BICYCLE PARKING - 72 STALLS
6.	FITNESS	12.	TRASH / RECYCLING

Project :



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
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Consultants:



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SUITE 240
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P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:

Date: 8/11/2021
Project No: 21-004



Scale: 1/16"=1'-0" @ 24x36

0 20' 40' 80'

Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: GROUND & TYPICAL FLOOR PLANS

Sheet Number:

A100



NORTH ELEVATION

EAST ELEVATION



SOUTH ELEVATION

WEST ELEVATION

Project :



ADELAIDE POINTE
1204 WEST WESTERN AVENUE
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<https://www.adelaidepointe.com>

Consultants:



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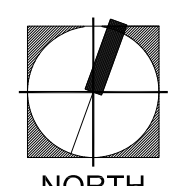


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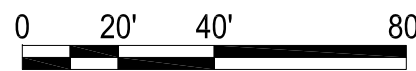


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SUITE 240
MILWAUKEE, WI 53203
P: (414) 273-8230
www.kaa-arch.com

SITE LOCATION:

Date:	8/11/2021	 NORTH
Project No:	21-004	

Scale: 1/16"=1'-0" @ 24x36



Seal:

Project Phase: PUD SUBMITTAL

Sheet Title: ELEVATIONS

Sheet Number: A200

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: Amendment to the Floodplain Management Ordinance - Second Reading
Submitted By: Mike Franzak	Department: Planning
Brief Summary: Staff-initiated request to amend Sections 26-401 through 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels from the National Flood Insurance Program.	
Detailed Summary: The only change is to the Flood Insurance Rate Map panels listed in Section 26-403.	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To approve the request to amend Sections 26-401 through 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels from the National Flood Insurance Program.	

CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

ORDINANCE NO. _____

An ordinance to amend Sections 26-401, 26-402, 26-403, 26-404 and 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels.

THE CITY COMMISSION OF THE CITY OF MUSKEGON HEREBY ORDAINS:

NEW LANGUAGE (additions in bold)

Sec. 26-401. Agency designated.

Pursuant to the provisions of the state construction code, in accordance with section 8b(6) of Act 230 of the Public Acts of 1972, as amended, the planning department of the City of Muskegon is hereby designated as the enforcing agency to discharge the responsibility of the City of Muskegon under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of Muskegon assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

Sec. 26-402. Code appendix enforced.

Pursuant to the provisions of the state construction code, in accordance with section 8b(6) of Act 230 of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this article.

Sec. 26-403. Designation of regulated flood prone hazard areas.

The Flood Insurance Study for Muskegon County, All Jurisdictions, effective October 7, 2021 and the Flood Insurance Rate Map (FIRM) panels: **26121CIND0B, 26121C0144E, 26121C0163E, 26121C0164E, 26121C0251E, 26121C0252E, 26121C0254E, 26121C0256E, 26121C0257E, 26121C0258E, 26121C0259E, 26121C0276E, 26121C0278E, 26121C0279E, effective October 7, 2021 and 26121C0165D, 26121C0277D, 26121C0285D, effective July 6, 2015** are adopted by reference for the purposes of administration of the Michigan Construction Code and declared to be a part of section 1612.3 of the Michigan Building Code, and to provide the content of the "flood hazards" section of table R301.2(1) of the Michigan Residential Code.

Sec. 26-404. Repeals. All ordinances inconsistent with the provisions of this article are hereby repealed.

Sec. 26-405. Publication. This article shall be effective after legal publication and in accordance with the provisions of the act governing same.

This ordinance adopted:

Ayes: _____

Nays: _____

Adoption Date: _____

Effective Date: _____

First Reading:_____

Second Reading:_____

CITY OF MUSKEGON

By: _____
Ann Meisch, MMC, City Clerk

CERTIFICATE

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 14th day of September, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon.

DATED: _____, 2021.

Ann Meisch, MMC

Clerk, City of Muskegon

Publish: Notice of Adoption to be published immediately after final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on September 14, 2021 the City Commission of the City of Muskegon adopted an ordinance to amend Sections 26-401, 26-402, 26-403, 26-404 and 26-405 of the City Code of Ordinances to adopt the new Flood Insurance Rate Map panels.

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective immediately after the date of this publication.

Published _____, 2021.

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

PUBLISH ONCE WITHIN IMMEDIATELY AFTER FINAL PASSAGE.

Account No. 101-80400-5354

WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

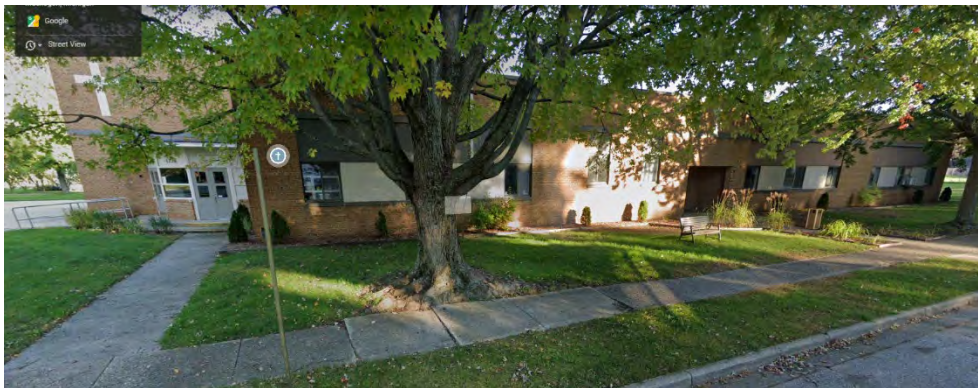
Commission Meeting Date: 9/28/2021	Title: Rezoning of 1128 Roberts St – TABLED ON 8/24/2021
Submitted By: Mike Franzak	Department: Planning
Brief Summary: Request to rezone the property at 1128 Roberts St from R-1 Single-Family Residential Low Density to MC Medical Care, by Fresh Coast Alliance.	
Detailed Summary: The Planning Commission unanimously (8-0, one absent) recommended approval of the rezoning and also unanimously approved the special use permit, contingent upon the rezoning approval by the City Commission. The case was tabled at the July 27 City Commission meeting. The Commission requested to prepare a separate agreement that would limit intensive medical zoning uses at the location. Please see the proposed Conditional Zoning Agreement below. This item was removed from the table on August 24, 2021 for further discussion and was then tabled until September 28, 2021.	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To (approve/deny) the request to rezone the property at 1128 Roberts St from R-1 Single-Family Residential Low Density to MC Medical Care,	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action:	

Planning Commission Excerpt

SUMMARY

1. The property is zoned R-1, Low Density Single Family Residential.
2. The lot measures 2.3 acres and has an existing building that measures 15,500 feet.
3. Please see the enclosed attachment from the applicant regarding their current and proposed uses. They are currently operating out of a portion of the building for social support and community benefit purposes related to the church. They are proposing to use the vacant land on site to develop two housing units for inpatient recovery support services.
4. A small 535 sf addition is proposed to the existing building.
5. The two proposed housing units would both measure 4,772 sf and include parking lot additions. It would also include the addition of a garage. The Muskegon County Drain Commissioner would have to approve the stormwater plan for these additions.
6. Both uses would require a rezoning to Medical Care. Any use that involves lodging of people requires a special use permit.
7. Notice was sent to applicants within 300 feet of the property. At the time of this writing, staff had received several emails (enclosed) in support of the project, however, none of them appear to be residents of the neighborhood.

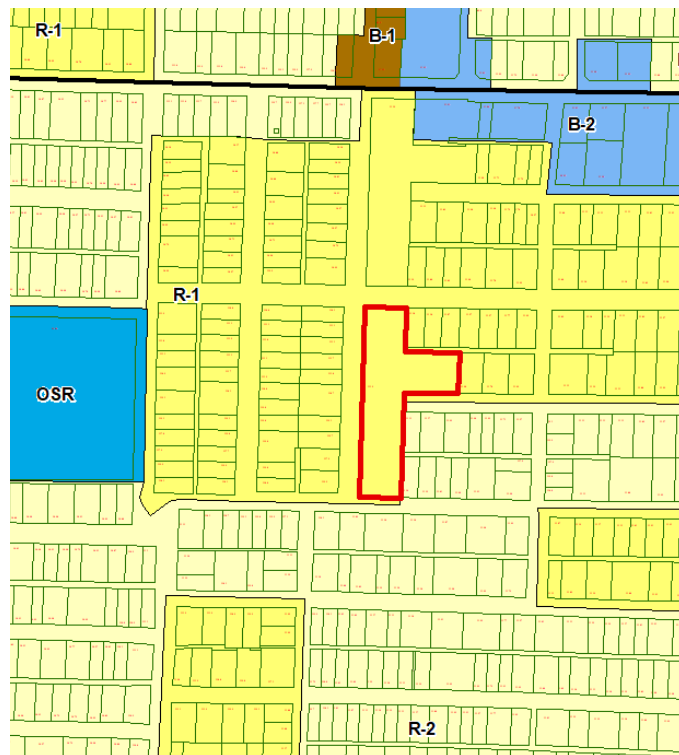
Existing building on site, north side of property



Vacant property on south side of property



Zoning Map



Aerial Map

Nayes: _____

Adoption Date: _____

Effective Date: _____

First Reading: _____

Second Reading: _____

CITY OF MUSKEGON

By: _____

Ann Meisch, MMC

City Clerk

CERTIFICATE (Rezoning 1128 Roberts St from R-1 to MC)

The undersigned, being the duly qualified clerk of the City of Muskegon, Muskegon County, Michigan, does hereby certify that the foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Muskegon, at a regular meeting of the City Commission on the 24th day of August, at which meeting a quorum was present and remained throughout, and that the original of said ordinance is on file in the records of the City of Muskegon. I further certify that the meeting was conducted and public notice was given pursuant to and in full compliance with the Michigan Zoning Enabling Act, Public Acts of Michigan No. 33 of 2006, and that minutes were kept and will be or have been made available as required thereby.

DATED: _____, 2021 _____

Ann Meisch, MMC

Clerk, City of Muskegon

Publish Notice of Adoption to be published once within ten (10) days of final adoption.

CITY OF MUSKEGON
NOTICE OF ADOPTION

Please take notice that on August 24, 2021, the City Commission of the City of Muskegon adopted an ordinance amending the zoning map to provide for the change of zoning for 1128 Roberts St from R-1 to MC:

CITY OF MUSKEGON SEC 28 T10N R16W S 128 FT OF N 966 FT OF E 5 ACRES OF W 10 ACRES NW 1/4 NE 1/4 ALSO E 132 FT OF W 165 FT NW 1/4 NE 1/4 SD SEC EXC N 661.6 FT NW 1/4 NE 1/4

Copies of the ordinance may be viewed and purchased at reasonable cost at the Office of the City Clerk in the City Hall, 933 Terrace Street, Muskegon, Michigan, during regular business hours.

This ordinance amendment is effective ten days from the date of this publication.

Published _____, 2021

CITY OF MUSKEGON

By _____

Ann Meisch, MMC

City Clerk

PUBLISH ONCE WITHIN TEN (10) DAYS OF FINAL PASSAGE.

Account No. 101-80400-5354

CONDITIONAL REZONING AGREEMENT

This Conditional Rezoning Agreement (the "Agreement") is made this _____ day of August, 2021 (the "Effective Date"), by and between the City of Muskegon, a Michigan Municipal Corporation, with offices at 933 Terrace Street, Muskegon, Michigan 49443 (the "City"), and Fresh Coast Alliance, Michigan non-profit corporation with offices at 1190 E. Apple Avenue, Muskegon, Michigan 49442 ("FCA").

RECITALS

WHEREAS, the City is organized and existing under and pursuant to the Michigan Home Rule Cities Act MCL 117.1 et. al. and exercising all of the powers provided for therein and pursuant to the laws of the State of Michigan.

WHEREAS, FCA is a non-profit corporation in good standing in the State of Michigan and is authorized to conduct business pursuant to the laws of the State of Michigan.

WHEREAS, FCA has entered into two purchase agreements, one agreement with Church in the City of Muskegon and the other agreement with Unlikely 3, LLC (collectively "Current Owners") to purchase 2.33 acres of real property located at 1128 Roberts, City of Muskegon, County of Muskegon, State of Michigan, which is currently zoned R-1 (as depicted and legally described in **Exhibit A** attached hereto and incorporated herein, the "Property").

WHEREAS, under and pursuant to Section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL 125.3405 et. seq. "Zoning Act"), certain conditions voluntarily offered, including an agreement between the City and FCA, may become a condition of rezoning the Property.

WHEREAS, on or about June 23, 2021, FCA with the consent of the Current Owners submitted to the City, (1) an application ("FCA Application") to rezone the Property from Single-Family Residential Low Density ("R-1") to MC Medical Care District ("MC").

WHEREAS, on or about July 15, 2021 the City of Muskegon Planning Commission ("Planning Commission") conducted a public hearing regarding the FCA Application to rezone the Property from R-1 to MC after which the Planning Commission unanimously

recommended to the City of Muskegon City Commission ("City Commission") to rezone the Property to MC.

WHEREAS, on or about July 27, 2021 the City Commission conducted a meeting ("City Commission Meeting") which included the review and consideration of the Planning Commission's recommendation to rezone the Property from R-1 to MC.

WHEREAS, during the City Commission, FCA voluntarily offered conditions to the rezoning of the Property from R-1 to MC in accordance the Zoning Act as more fully set forth in this Agreement herein below.

WHEREAS, the conditions offered by FCA as contained in this Agreement were not required by the City, rather they were offered voluntarily by FCA.

WHEREAS, the conditions contained in this Agreement as offered by FCA have been confirmed by the City, to be compatible with the surrounding land uses and the goals of preserving the character of the area and the promoting of public safety and welfare.

WHEREAS, FCA intends to develop and use the Property inclusive of the existing building ("Existing Building") as shown in Exhibit A for a treatment and rehabilitation facility/center inclusive of substance abuse counseling/therapy, mental health counseling/therapy, indoor and outdoor recreational facilities, behavioral therapy, administrative offices, counseling services, life skill services, work training services, community and family reclamation services collectively ("Treatment Services"), specialize lodging facilities and services for persons undergoing Treatment Services ("Lodging Use"), surface parking, related accessory uses, and such uses similar to the foregoing uses (collectively the "FCA Use").

WHEREAS, on or about June 23, 2021 FCA applied to the Planning Commission for special land use approval for the Lodging Use ("Special Land Use Application").

WHEREAS, on or about July 15, 2021 the Planning Commission conducted a public hearing with regard to FCA's Special Land Use Application and following the public hearing unanimously granted special land use approval for the Lodging Use subject to conditions which included the rezoning of the Property from R-1 to MC.

WHEREAS, the City has relied on FCA's representations that it will act in conformance with the conditions set forth in this Agreement, so that the development of the Property will accomplish the above-stated goals and objectives of the City;

WHEREAS, the FCA has relied on the City's representations that it will act in conformance with the conditions set forth this Agreement, so that FCA will be able to develop, construct and occupy the Property as authorized by this Agreement;

WHEREAS, on or about August ____, 2021 the City Commission voted to rezone the Property from R-1 to MC subject to the terms and conditions contained in this Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing Recitals which are incorporated in this Agreement and the mutual promises hereinafter set forth, the City and FCA agree as follows:

1. **USE OF PROPERTY.** Subject to FCA obtaining (1) site plan approval as provided by applicable law and the Muskegon Zoning Ordinance ("Zoning Ordinance"), and (2) such other lawfully required and applicable permits and approvals, FCA shall be entitled to develop, occupy and use the Property in accordance with the MC zoning and as otherwise provided in the Muskegon Zoning Ordinance, ("Zoning Ordinance") including, but not limited to the FCA Use, provided however, that notwithstanding the Zoning Ordinance to the contrary, the Property shall not be developed, used and occupied with the following uses:

- Hospitals
- Animal hospitals
- Urgent care facilities.
- Medical laboratories and research facilities.
- Pharmacies.
- Medical appliance sales and servicing.
- Ambulance services and maintenance facilities.
- Parking decks.
- Mobile medical units.
- Surgical services.
- Power plants.
- Helipads, heliports and helistops.

2. **ADVISORY BOARD.** During the period that FCA occupies the Property for the FCA Use, subject to the cooperation and agreement of the Sheldon Park Neighborhood Association, FCA shall use reasonable efforts to establish and maintain an advisory board ("Advisory Board") with duly appointed representatives of the Sheldon Park Neighborhood Association for the purpose of obtaining and maintaining a forum to provide an open dialogue between FCA and the Sheldon Park Neighborhood with regard to the FCA Use.

3. **ZONING AMENDMENT DATE.** Notwithstanding anything to the contrary, the rezoning of the Property from R-1 to MC shall not take effect until such time as FCA provides written notice to the City Attorney that FCA has acquired ownership of the entire Property and taken occupancy of the Property in whole or in part ("Ownership Notice"). The Ownership Notice shall include copies of the deeds to the Property in the name of FCA. In the event that FCA does not take ownership of the entire Property and commenced occupancy of the Property in whole or in part within three hundred sixty five (365) days from the Effective Date, , this Agreement shall be deemed null and void and the rezoning from R-1 to MC shall not take effect and the Property shall remain zoned R-1.

4. **AGREEMENT CONTROLS.** To the extent any provision of this Agreement directly conflicts with the Zoning Ordinance and/or any amendment to the Zoning Ordinance or with any City code and/or other ordinance of the City, the provisions of this Agreement shall control the development, construction, use and occupancy of the Property.

5. **AGREEMENT CONSISTENT WITH POLICE POWERS.** The action of the City in entering into this Agreement is consistent with land use and police power objectives of the City.

6. **DEFAULT.** In the event that FCA or the City is in default/breach of this Agreement, and such default/breach is not cured within thirty (30) days of written notice of such default/breach, or the cure has not commenced within 30 days of such written notice of default/breach where the cure cannot be achieved in said 30 days, the non-defaulting party shall have the right to seek and obtain such remedies as provided by law and/or equity (in a court of proper jurisdiction in the State of Michigan), including, but not limited to any and all damages arising from and related to the default/breach and/or specific performance/injunctive relief as the non-defaulting party shall be deemed to have suffered irreparable harm arising from said default/breach.

7. **DURATION.** The approval of the MC rezoning and this Agreement shall be binding upon and inure to the benefit of FCA and the City, and also their respective grantees, vendees, trustees, heirs, tenants, successors, assignees, receivers and transferees. FCA is deemed to have vested rights to develop the Property pursuant to this Agreement and any rezoning of the Property by the City prior to construction on the Property shall not terminate Developer's vested right to develop, construct and use the Property as authorized by this Agreement. Provided that all development and use of the Property is in compliance with this Agreement, a use and development hereby authorized may continue indefinitely and shall be deemed lawfully conforming with the Zoning Ordinance and any amendment to the Zoning Ordinance. This Agreement shall not preclude the City from lawfully rezoning the Property provided that all uses and development on the Property pursuant to this Agreement shall be deemed lawfully conforming to any zoning amendment to the Zoning Ordinance. The terms of this Agreement shall not be deemed to prevent the Developer and/or its successors, grantees, transferees and assigns from developing, reconstructing, redeveloping and occupying the Property for such other uses, and buildings as are permitted and authorized in accordance with applicable law including the Zoning Ordinance.

8. **ENTIRE AGREEMENT.** This Agreement, the exhibits attached hereto, if any, and the instruments which are to be executed in accordance with the requirements hereof set forth all the covenants, agreements, stipulations, promises, conditions, and understandings between the City and FCA concerning the Property as of the date hereof, and there are no covenants, agreements, stipulations, promises, conditions or understandings, either oral or written, between them other than as set forth herein.

9. **RELATIONSHIP OF THE PARTIES.** The relationship of the City and FCA shall be defined solely by the expressed terms of this Agreement, including the

implementing documents described or contemplated herein, and neither the cooperation of the parties hereunder nor anything expressly or implicitly contained herein shall be deemed or construed to create a partnership, limited or general, or joint venture between the City and FCA, nor shall any party or their agent be deemed to be the agent or employee of any other party to this Agreement.

10. **MODIFICATION.** This Agreement may only be modified or amended by a written instrument expressly duly and lawfully approved and executed by the City and FCA.

11. **MICHIGAN LAW TO CONTROL.** This Agreement and the rights and obligations of the parties hereunder shall be construed in accordance with Michigan law.

12. **DUE AUTHORIZATION.** The City and FCA each warrant and represent to the other that this Agreement and the terms and conditions thereof have been duly authorized and approved by, in the case of the City, its City Commission, and all other governmental agencies whose approval may be required as a precondition to the effectiveness hereof, and as to FCA, by the appropriate officers of the corporation, and that the persons who have executed this Agreement below have been duly authorized to do so.

13. **NO PERSONAL LIABILITY.** The obligations hereunder of the City and FCA shall constitute solely the obligations of the respective entities to be satisfied solely from their respective assets, and no officer, City Commissioner, Mayor, agent, employee, or partner of any of said entities shall have any personal obligation, responsibility, or liability for the performance of the terms of this Agreement.

14. **AGREEMENT TO RUN WITH THE LAND; RECORDING.** This Agreement shall be binding upon and inure to the benefit of the parties to this Agreement and their respective heirs, successors, assigns and transferees, and shall run with the Property. This Agreement shall be recorded by FCA at its expense with the office of the Muskegon County Register of Deeds and a copy provided to the City.

15. **COUNTERPARTS.** This Agreement may be signed in counterparts and pages containing original signatures shall be attached to the Agreement with photocopies and scanned signatures of the Developer and City hereto, shall be deemed duplicate signatures.

16. **NOTICE.** Notices required by this Agreement shall be sent by either certified mail return receipt requested or by a nationally recognized overnight delivery company. Notice to the City shall be sent to City Manager, City of Muskegon at the address and by e-mail to Frank.Peterson@shorelinecity.com and notice to FCA shall be sent to Joseph Whalen, Fresh Coast Alliance at the address written above and by e-mail to joew@freshcoastalliance.org.

SIGNATURES TO THE AGREEMENT ARE ON THE FOLLOWING TWO PAGES

SIGNATURE PAGES TO CONDITIONAL REZONING AGREEMENT

IN WITNESS WHEREOF, the parties hereto have executed this Conditional Rezoning Agreement on the date first set forth above.

City of Muskegon

By: _____

Stephen J. Gawron

Its: Mayor

And:

By: _____

Ann Meisch

Its: Clerk

State of Michigan)
) ss
County of Muskegon)

On this _____ day of _____, 2021, before me personally appeared Stephen J. Gawron, Mayor of the City of Muskegon, and Ann Meisch, Clerk of the City of Muskegon, to me known to be the persons described in and who executed the foregoing Agreement and acknowledged before me that they executed the same as their free act and deed.

Printed Name: _____

Notary Public; _____ County, MI

Acting in Muskegon County, Michigan

My Commission expires: _____

Fresh Coast Alliance

By: _____
Joseph Whalen
Its: Executive Director

State of Michigan)
) ss
County of Muskegon)

On this ____ day of _____, 2021, before me personally appeared Joseph Whalen, Executive Director on behalf of Fresh Coast Alliance, to me known to be the person described in and who executed the foregoing Agreement and acknowledged before me that he executed the same as his free act and deed.

Printed Name: _____
Notary Public; _____ County, MI
Acting in Muskegon County, Michigan
My Commission expires: _____

**Jointly Drafted By Fresh Coast Alliance
and the City of Muskegon
and after recording return to:**

Timothy A. Stoeper
Dickinson Wright PLLC
200 Ottawa Avenue NW, Ste.1000
Grand Rapids, MI 49503

Exhibit A

Legal Description of Property

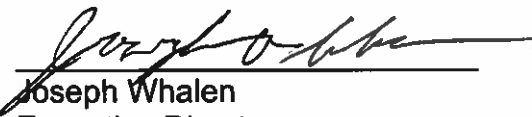
The South 128 feet of the North 966 feet of the East 5 acres of the West 10 acres of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 28, Town 10 North, Range 16 West, City of Muskegon, Muskegon County, Michigan. Also the East 132 feet of the West 165 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section, except the South 190 feet thereof. Also except the North 661.6 feet of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section.

and

The South 190 feet of the East 132 feet of the West 165 feet of the Northwest $\frac{1}{4}$ of the Southeast of Section 28, City of Muskegon, County of Muskegon, State of Michigan

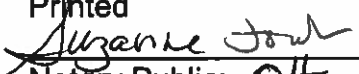
4811-5216-5110 v1 [91972-1]

Fresh Coast Alliance

By: 
Joseph Whalen
Its: Executive Director

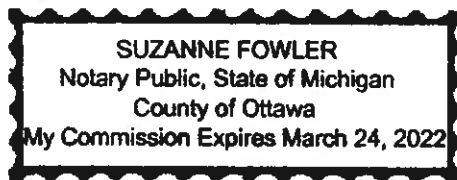
State of Michigan)
) ss
County of Muskegon)

On this 16th day of August, 2021, before me personally appeared Joseph Whalen, Executive Director on behalf of Fresh Coast Alliance, to me known to be the person described in and who executed the foregoing Agreement and acknowledged before me that he executed the same as his free act and deed.

Suzanne Fowler
Printed _____ Name: _____

Notary Public; Ottawa County, MI
Acting in Muskegon County, Michigan
My Commission expires: 3/24/22

**Jointly Drafted By Fresh Coast Alliance
and the City of Muskegon
and after recording return to:**

Timothy A. Stoepker
Dickinson Wright PLLC
200 Ottawa Avenue NW, Ste.1000
Grand Rapids, MI 49503



WATCH MUSKEGON

Agenda Item Review Form Muskegon City Commission

Commission Meeting Date: September 28, 2021	Title: DDA Liquor License – 1208 8 th St
Submitted By: Mike Franzak	Department: Planning
Brief Summary: Request for issuance of a DDA On-Premise Liquor License for Motu Lakeshore Wine Bar, LLC at 1208 8 th St.	
Detailed Summary:	
Amount Requested:	Amount Budgeted:
Fund(s) or Account(s):	Fund(s) or Account(s):
Recommended Motion: To approve the request for a DDA On-Premise Liquor License for Motu Lakeshore Wine Bar, LLC at 1208 8 th St.	
Check if the following Departments need to approve the item first: Police Dept. ☐ Fire Dept. ☐ IT Dept. ☐ For City Clerk Use Only: Commission Action	

**City of Muskegon
Muskegon County, Michigan
Resolution No. _____**

A resolution concerning the issuance of a Downtown Development Authority District On-Premise Liquor License pursuant to 436.1521a(1)(b) of the Michigan Compiled Laws at 1208 8th St.

The City Commission of the City of Muskegon hereby RESOLVES.

Recitals

1. Motu Lakeshore Wine Bar, LLC has applied for a Development District On-Premise Liquor License for the premises at 1208 8th St, Muskegon, Michigan 49440, which is located within an area established by the City Commission as a redevelopment project area pursuant to 436.1521a(1)(b) of the Michigan Compiled Laws.
2. It is required that the City Commission approve a specific applicant, at a specific location "ABOVE ALL OTHERS."
3. This resolution was approved at the regular meeting of the City Commission on September 28, 2021.

City Commission Findings

The City Commission is satisfied that:

1. That the applicant has expended at least \$75,000 for the rehabilitation or restoration of the building that houses the proposed licensed premises within the last 5 years, as is required by the Michigan Liquor Control Commission.
2. That the licensed business shall be engaged in dining, entertainment or recreation, that is open to the general public, with a seating capacity of not less than 50 persons.

NOW, THEREFORE, THE CITY COMMISSION RESOLVES:

The City Commission deems it to be in the best interest of the City of Muskegon to approve the application of Motu Lakeshore Wine Bar, LLC, for a new liquor license issued under MCL 436.1521a(1)(b) with applicable permits, to be located at 1208 8th St, Muskegon, Michigan 49440, and recommends to the Michigan Liquor Control Commission the issuance of said requested license to Shoreline Inn, LLC "ABOVE ALL OTHERS."

Adopted this 28th day of September, 2021.

Ayes: _____

Nayes: _____

Absent: _____

By: _____
Stephen J. Gawron
Its Mayor

By: _____
Ann Meisch, MMC
Its Clerk

1208 8th St

