

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Thursday, September 12, 2024 at 4 pm
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

AGENDA

- I. Roll Call
- II. Approval of the minutes from the meeting of August 15, 2024.
- III. Public Hearings
 - A. Hearing, Case 2024-23: Request for a special use permit to expand a non-conforming structure no more than 30%, at 3256 Wilcox Avenue.
 - B. Hearing, Case 2024-24: Staff-initiated request to amend Article II (Definitions) of the zoning ordinance to create a definition for “cat café.”
 - C. Hearing, Case 2024-25: Staff-initiated request to amend Article XX and Sections 1100 and 1300 to allow cat cafes as a special use permitted in Form-Based Code, Downtown; Form-Based Code, Mainstreet; Form Based Code, Neighborhood Core, Lakeside Form-Based Code, Lakeside Commercial, Lakeside Form-Based Code, Mixed Residential; B-2, Convenience & Comparison Business; and B-4, General Business districts.
- ^{D.}IV. New Business
 - A. Case 2024-26: Request for a site plan review for a new building at 2675 Olthoff St, by 2675 Olthoff, LLC.
- V. Old Business
- VI. Other
- VII. Adjourn

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OR SUBCOMMITTEES**

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk’s Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit: www.shorelinecity.com

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting with twenty-four (24) hours’ notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC. City Clerk. 933 Terrace St. Muskegon, MI 49440. (231)724-6705. clerk@shorelinecity.com

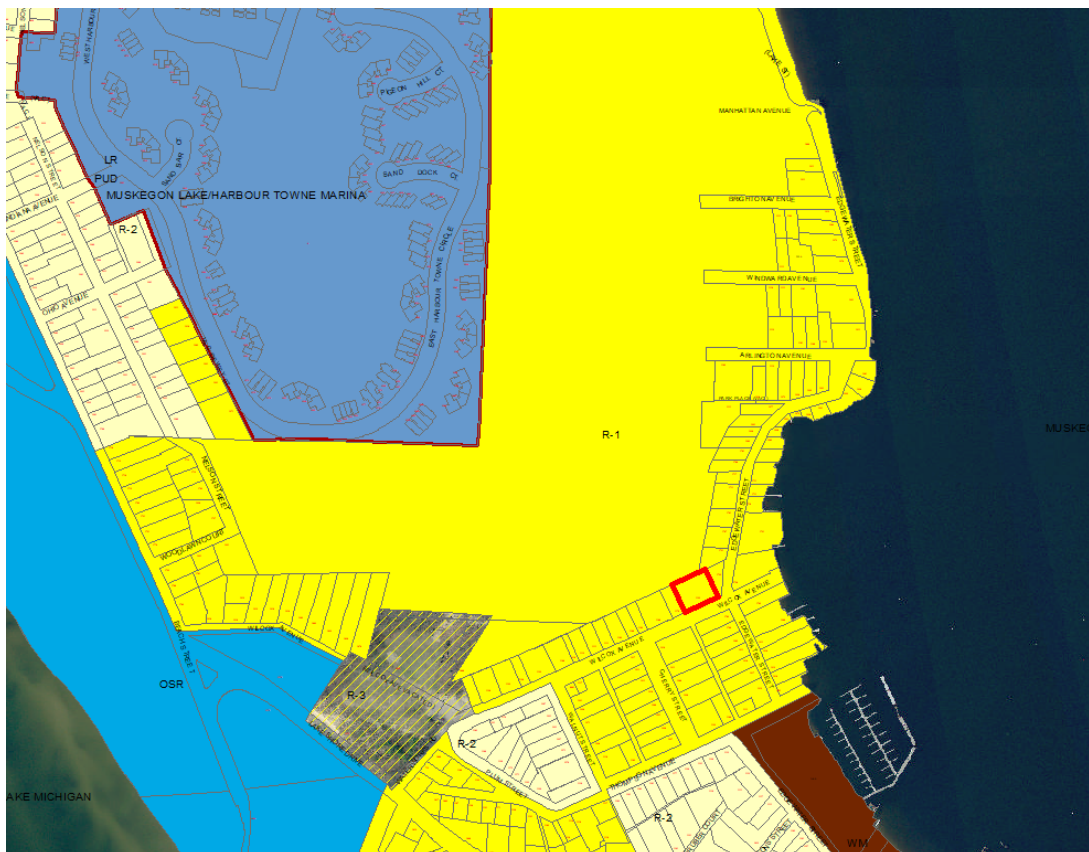
Staff Report
August 15, 2024

Hearing, Case 2024-23: Request for a special use permit to expand a non-conforming structure no more than 30% at 3256 Wilcox Avenue.

SUMMARY

1. The property is zoned R-1, Low Density Single Family Residential.
2. The property is a combination of two lots and measures 145' x 125'.
3. There are two garages and a shed located on the property. All of the accessory structures are located in the front yard, making them legally non-conforming. Also, only one garage and one shed may be located on a property, so the second garage is also considered legally non-conforming because the number of accessory structures.
4. The applicant is requesting to combine the two garages. This will create 140 sf of additional garage space between the two units.
5. Non-conforming structures are allowed to increase in size up to 30% with the issuance of a special use permit. The two garages measure 700 sf together, so they would be allowed up to an additional 210 sf to be within the 30% requirement.
6. Please see the enclosed site plan.
7. Notice was sent to all properties within 300 feet, at the time of this writing staff has not received any comments.

Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the special use permit. Combining the garages would bring the property closer to conformance since there would no longer be two garages. Also, the size of the new garage would meet the zoning standards.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request for a special use permit to expand a non-conforming structure no more than 30% by combining the two garages as presented at 3256 Wilcox Avenue be approved.

Hearing, Case 2024-24: Staff-initiated request to amend Article II (Definitions) of the zoning ordinance to create a definition for “cat café.”

SUMMARY

1. Staff has been receiving requests from potential business owners that would like to operate a “cat café” in Muskegon. A cat café is a theme café whose attraction is cats who can be watched and played with and are often up for adoption.
2. This use has recently become more popular over the past few years and several cat cafes have opened around the state.
3. The zoning ordinance defines “commercial kennel” as “any premises on which more than three dogs or more than four cats, older than four months old, are kept on any premises which offers cats or dogs for sale on a reoccurring basis.”
4. This new “cat café” definition would allow these types of businesses to operate, under certain regulations, without violating the commercial kennel zoning regulations.

Proposed Definition:

Cat café: a restaurant or cafe, which also houses adoptable or therapeutic cats for clientele to interact with, and which may incorporate cat adoption services in addition to the restaurant services.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request to amend Article II (Definitions) of the zoning ordinance to create a definition for “cat café” be recommended to the City Commission for approval.

Hearing, Case 2024-25: Staff-initiated request to amend Article XX and Sections 1100 and 1300 to allow cat cafes as a special use permitted in Form-Based Code, Downtown; Form-Based Code, Mainstreet; Form Based Code, Neighborhood Core, Lakeside Form-Based Code, Lakeside Commercial, Lakeside Form-Based Code, Mixed Residential; B-2, Convenience & Comparison Business; and B-4, General Business districts.

SUMMARY

1. This amendment would allow cat cafes as a special use permitted in the following zoning districts: B-2; B-4; FBC, DT; FBC, MS; FBC, NC; LFBC, LC; and LFBC, MR.
2. Please follow this [link](#) to see cat cafes that are currently in operation throughout Michigan.
3. To operate a cat café, an applicant would have to apply for a special use permit and attend a public hearing. The proposed regulations for a cat café are listed below.

Proposed Special Use Permit Regulations:

Cat Cafes, under the following conditions:

1. Keeping of domestic animals shall be consistent with the provisions of Article XX, noise, and Article XX nuisances/littering of the City's Code of Ordinances.
2. Limited to cats (felines) only.
3. Capacity: The establishment must provide 62 square feet per one (1) cat and no more than 15 on-site at any one time.
4. The cats shall always be kept separate from food preparation areas.
5. The boarding of cats shall take place entirely indoors.
6. Any cats leaving the establishment must be in a carrier.
7. A sign indicating a 24-hour emergency phone number shall be kept current and posted on the site in a place clearly visible from the exterior.

DELIBERATION

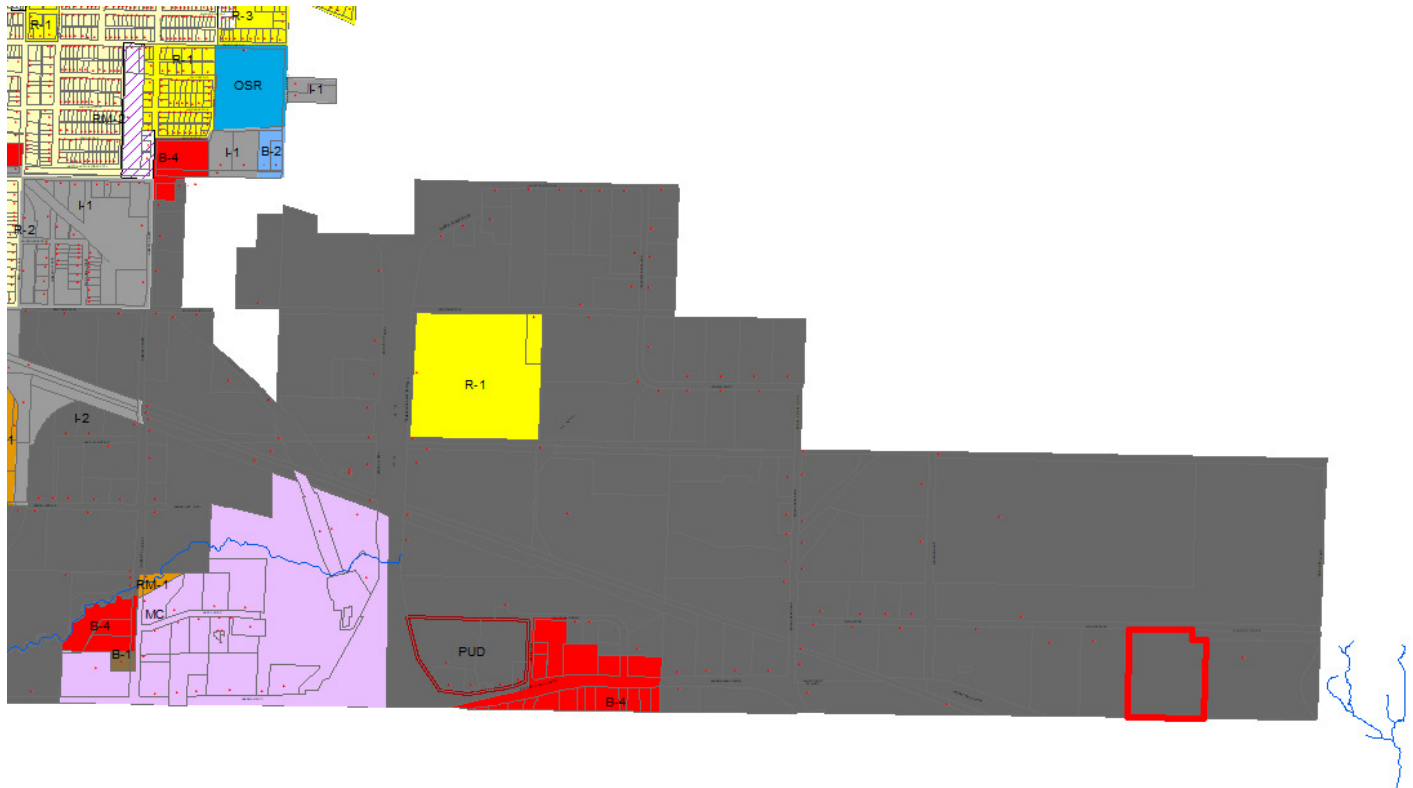
The following proposed motion is offered for consideration:

I move that the request to amend Article XX and Sections 1100 and 1300 to cat cafes as a special use permitted in Form-Based Code, Downtown; Form-Based Code, Mainstreet; Form Based Code, Neighborhood Core, Lakeside Form-Based Code, Lakeside Commercial, Lakeside Form-Based Code, Mixed Residential; B-2, Convenience & Comparison Business; and B-4, General Business districts be recommended to the City Commission for approval.

SUMMARY

1. Please see the enclosed “Site Plan” and “Revised Site Plan” documents.
2. The new building measures 195,000 sf and will be used for an industrial company. The property is currently owned by the City, it was acquired from the Muskegon County Correctional Facility.
3. The revised site plan depicts a new driveway ingress/egress as requested by the Engineering Department. The revised plans will be incorporated into the Site Plan documents after approval.
4. There are 254 parking spaces proposed, which appears to be more than adequate.
5. A stormwater permit will be required from the Engineering Dept.
6. Portions of the south property line show grading at steeper than 1:2 slopes. A retaining wall or other slope stabilization will be needed.
7. The Fire Department may require additional fire hydrants.
8. A landscaping plan has not been submitted.

Zoning Map



STAFF RECOMMENDATION

Staff recommends approval of the site plan with the following conditions:

1. The Fire Marshall approves the fire hydrant locations.
2. A stormwater permit is obtained from the Engineering Dept.
3. A retaining wall or other slope stabilization method is approved by the Engineering Dept.
4. A landscaping plan is approved by the Planning Dept.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the site plan for a new building at 2675 Olthoff St be approved with the following conditions:

1. The Fire Marshall approves the fire hydrant locations.
2. A stormwater permit is obtained from the Engineering Dept.
3. A retaining wall or other slope stabilization method is approved by the Engineering Dept.
4. A landscaping plan is approved by the Planning Dept.