

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Thursday, August 11, 2022 at 4 pm
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

AGENDA

- I. Roll Call
- II. Approval of minutes from the regular meeting of July 14, 2022.
- III. Old Business
 - A. Case 2022-19: Request for special use permit to operate a class B marihuana grow facility at 165 S Getty St.
- IV. Public Hearings
 - B. Hearing, Case 2022-20: Request for a special use permit to allow the Boys and Girls Club of the Muskegon Lakeshore to temporarily locate at 1128 Roberts St while their new facility is being renovated, by Fresh Coast Alliance.
 - C. Hearing, Case 2022-21: Request for preliminary and final Planned Unit Development approval for a micro-lodging development at 2033 and 2043 Lakeshore Dr.
 - D. Staff-initiated request to amend section 2319 of the zoning ordinance to reduce the minimum size requirements for single-family houses, rowhomes, duplexes and small multiplexes (up to 6 units) from 850 sf of living area to 550 sf (total) and to also change the minimum size requirements for large multiplexes (6 units and above) and mixed-use buildings from 650 sf of living area to 375 sf (total).
 - E. Hearing, Case 2022-23: Staff-initiated request to rezone the properties at 2043, 2051, 2065 and 2075 Dowd St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential.
- V. New Business
 - A. Request for a site plan review for a new building at 10,640 sf building at 381 E Laketon Ave by Midwest V, LLC.
- VI. Other
 - A. Update on previous cases
- VII. Adjourn

STAFF REPORT

August 11, 2022

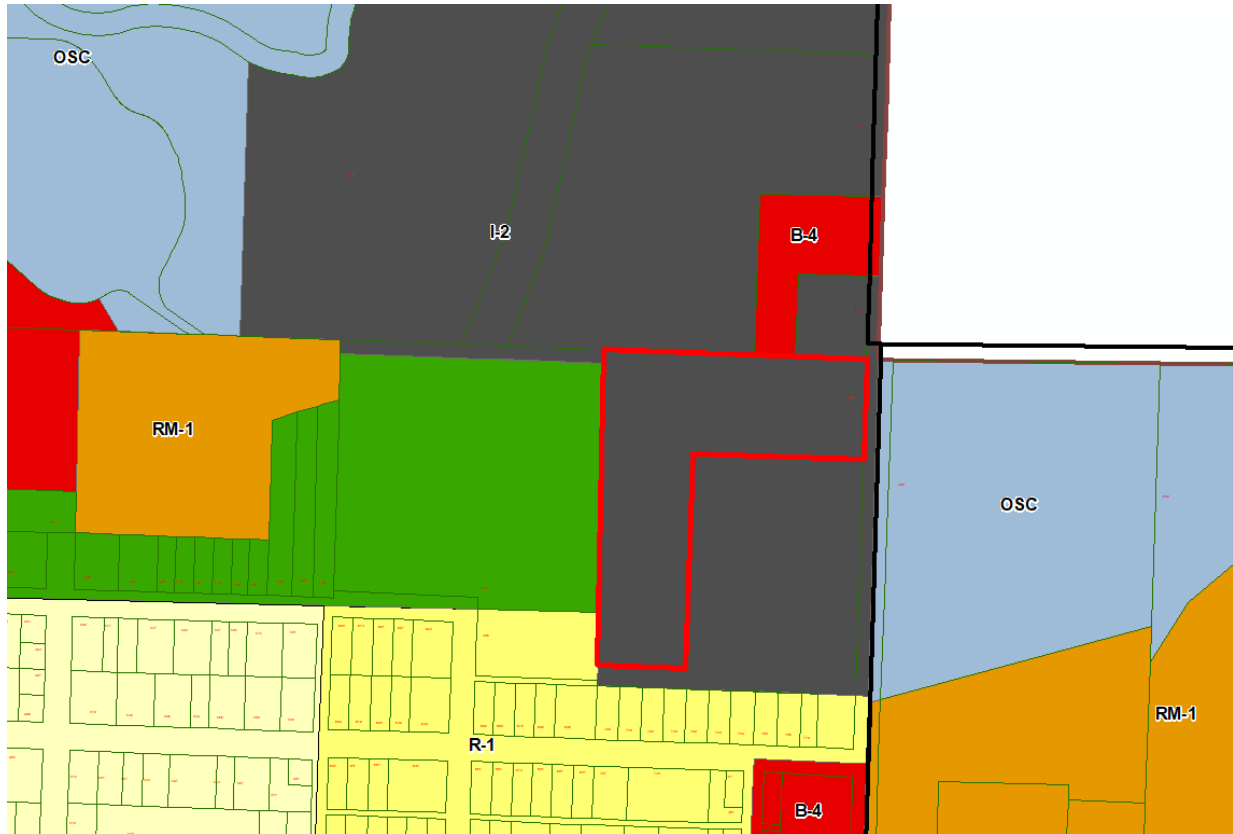
Hearing, Case 2022-19: Request for special use permit to operate a class B marihuana grow facility at 165 S Getty St.

SUMMARY

1. This case was tabled at the July 14 meeting after the public hearing was held.
2. The property is zoned I-2, General Industrial.
3. The lot measures 5.9 acres and about half of it is considered undevelopable wetlands. The existing building on site measures 7,944 sqft and was most recently used as a VFW hall.
4. A Class B recreational grow license allows the cultivation of up to 500 plants.
5. Notice was sent to everyone within 300 feet of this property. At the time of this writing, staff had not received any comments from the public.



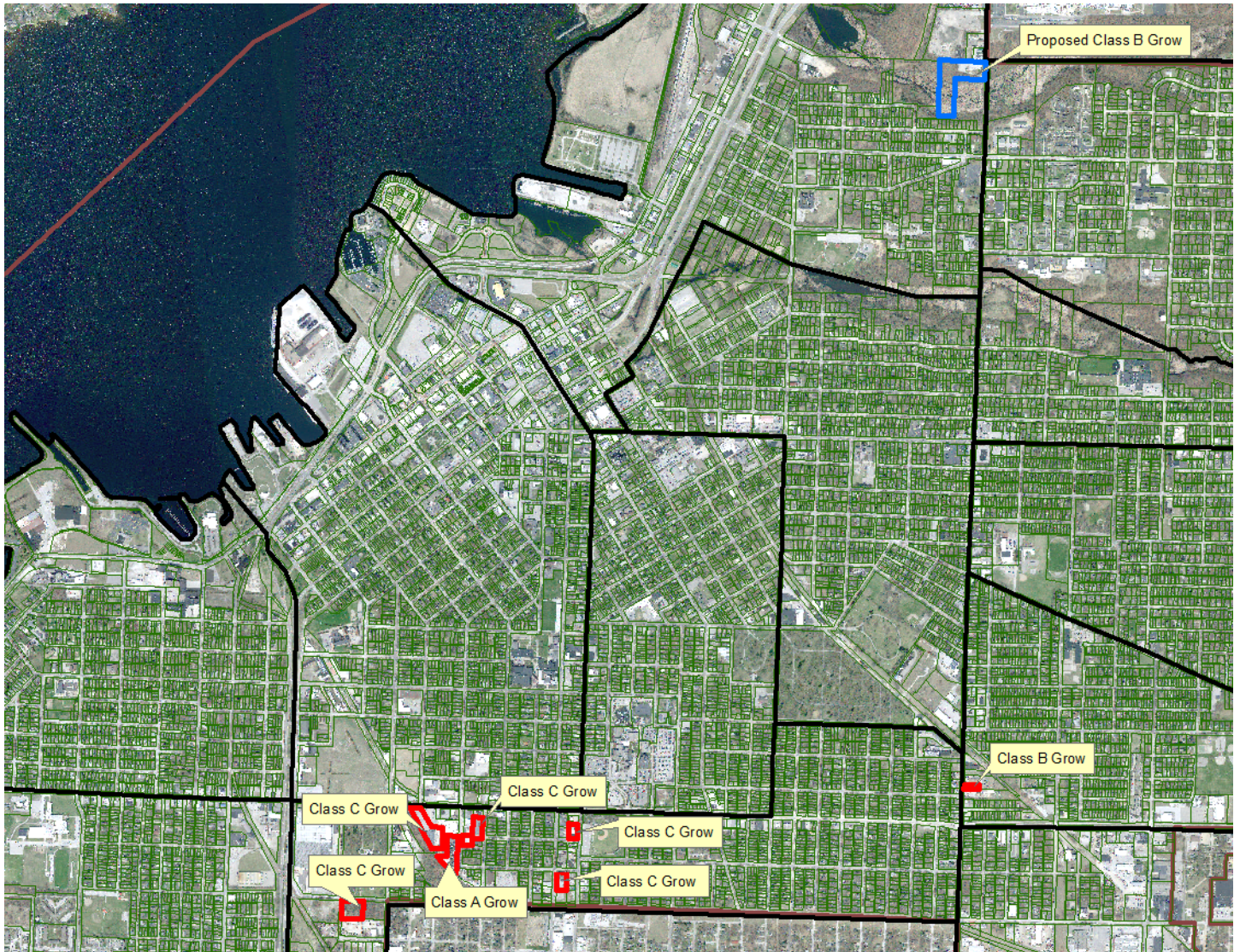
Zoning Map



Aerial Map



Existing Grow Facilities in Muskegon



STAFF RECOMMENDATION

Staff recommends approval of the special use permit with the condition that it be revoked if there are repeated issues with odor control.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request for a special use permit to operate a class B marihuana grow facility at 165 S Getty St. be (approved/denied) with the following condition:

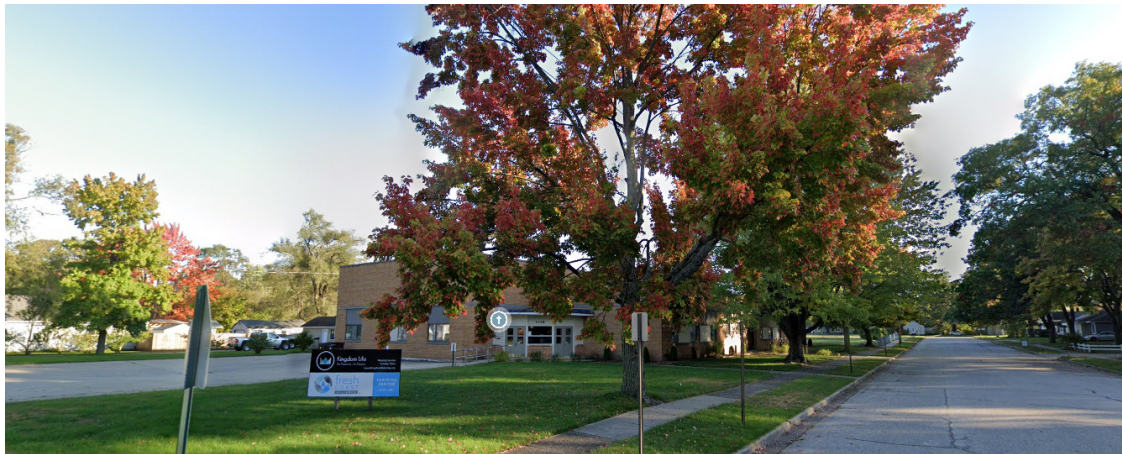
1. The special use permit shall be revoked if there are repeated issues with odor control.

Hearing, Case 2022-20: Request for a special use permit to allow the Boys and Girls Club of the Muskegon Lakeshore to temporarily locate at 1128 Roberts St while their new facility is being renovated, by Fresh Coast Alliance.

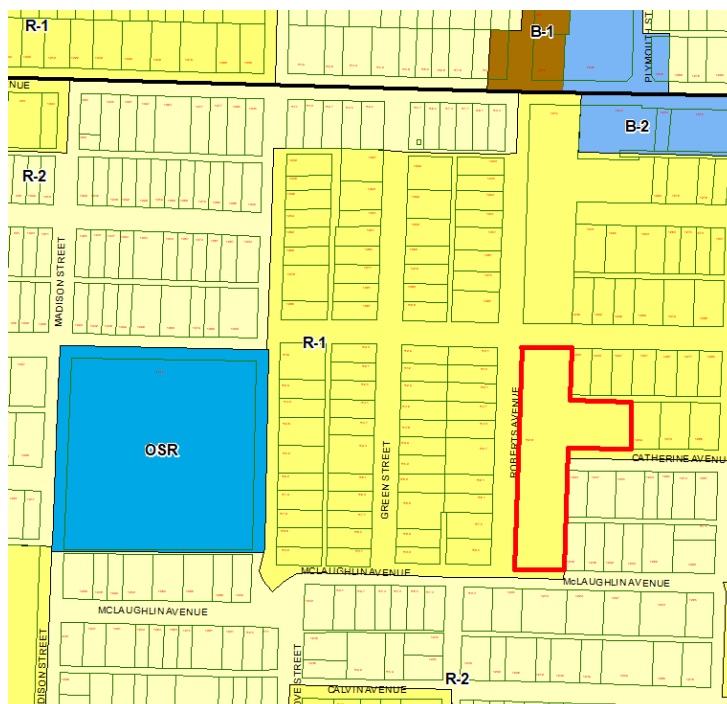
SUMMARY

1. The property is zoned R-1, Low Density Single Family Residential.
2. The lot measures 2.3 acres and has an existing 15,500 sf building.
3. Earlier this year, the applicant was approved for a special use permit at this address to allow a facility for recovery and support services for mental health and substance abuse.
4. The applicant is now requesting to temporarily allow the Boys and Girls Club of the Muskegon Lakeshore to operate in the same facility. The new Boys and Girls Club facility at 900 W Western Ave is being remodeled and is anticipated to be complete by May of 2023.
5. Notice was sent to all properties within 300 feet. At the time of this writing, staff had not received any comments from the public.

1128 Roberts St



Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the special use permit.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request for a special use permit to operate the Boys and Girls Club of the Muskegon Lakeshore at 1128 Roberts St be (approved/denied).

Hearing, Case 2022-21: Request for preliminary and final Planned Unit Development approval for a micro-lodging development at 2033 and 2043 Lakeshore Dr.

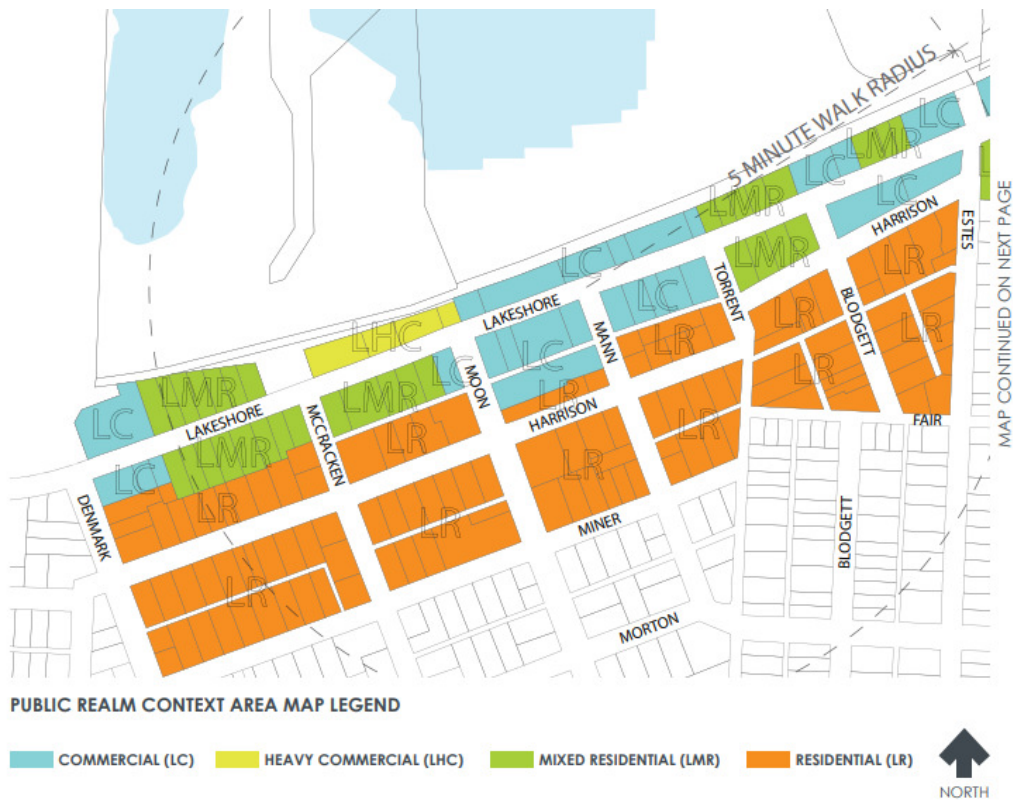
SUMMARY

1. The properties are zoned FBC-Lakeshore Commercial (2033 Lakeshore Dr) and FBC-Lakeshore Mixed Residential (2043 Lakeshore Dr). Both lots measure 60'x 120' for a total land area of 7,200 sqft. The property at 2033 Lakeshore Dr is currently vacant and the property at 2043 Lakeshore Dr contains a rental house, which will remain.
2. Please see the enclosed site plan.
3. The project includes the addition of 10 micro-lodging units and a storage shed. The lodging units measure 212 sqft and the shed measures 240 sqft. The lodging units will be constructed off site and then be brought on site, where they will be hooked up to electric, water and sewer. They will be placed on site in site in phases and it is anticipated that all 10 units will be located on site within 18 months.
4. There are no proposed parking spaces on site. The applicant has an agreement with Ghezzi's Market to utilize the extra parking spaces behind their building. It should also be noted that on-street parking is not required within the form based code district. There is an existing curb cut at 2033 Lakeshore Dr that will be replaced with new curbing.
5. A trash enclosure will be placed off the alley next to the shed.
6. A landscaping plan was not submitted but the applicant has agreed to place canopy trees in the terrace along Moon St. The ground cover will be grass with walking paths.
7. Notice was sent to all properties within 300 feet. At the time of this writing, staff had received one comment from the public. Please see the enclosed letter from Ellen Davis.

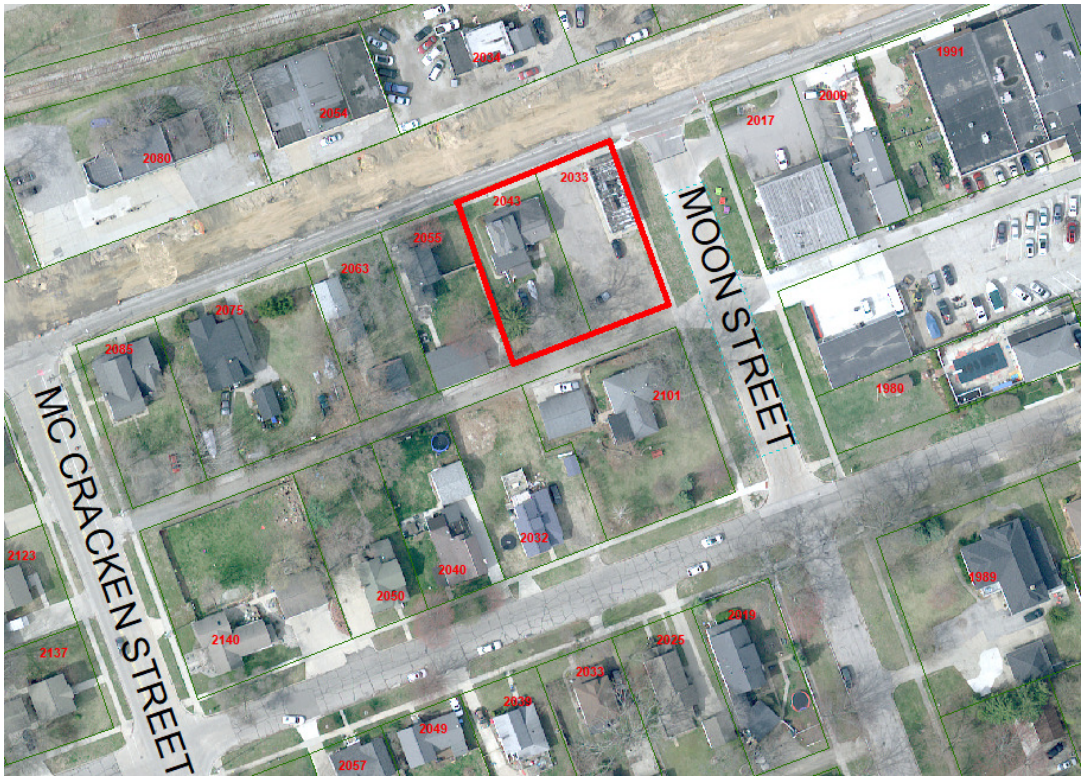
2033 & 2043 Lakeshore Dr with one micro-lodging unit on site



Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the PUD with the following condition:

1. A landscaping plan be submitted to staff that depicts at least five canopy trees along the terrace on Moon St.
2. The applicant is allowed up to 18 months to move all micro-lodging units on site, upon which the curb cut on Lakeshore Dr is removed and replaced with new curbing.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request for preliminary and final Planned Unit Development approval for a micro-lodging development at 2033 and 2043 Lakeshore Dr be recommended to the City Commission for (approval/denial) with the following conditions:

1. A landscaping plan be submitted to staff that depicts at least five canopy trees along the terrace on Moon St.
2. The applicant is allowed up to 18 months to move all micro-lodging units on site, upon which the curb cut on Lakeshore Dr is removed and replaced with new curbing.

Hearing, Case 2022-22: Staff-initiated request to amend section 2319 of the zoning ordinance to reduce the minimum size requirements for single-family houses, rowhomes, duplexes and small multiplexes (up to 6 units) from 850 sf of living area to 550 sf (total) and to also change the minimum size requirements for large multiplexes (6 units and above) and mixed-use buildings from 650 sf of living area to 375 sf (total).

SUMMARY

1. In an effort to address housing affordability and to provide residents with a wide range of housing choices, staff is proposing to reduce the minimum housing size requirements listed in the Residential Design Criteria section of the zoning ordinance.
2. Currently, single-family houses and duplexes are required to have a minimum living area (excluding all basement area) of 850 sqft for a one bedroom dwelling. For each bedroom thereafter, an additional 100 sqft of living space is required.
3. Living area is defined in the zoning ordinance as the area in a dwelling unit included in the determination of occupancy restrictions. It includes the sum of floor areas of bedrooms, and common living areas. The floor area of storage areas and closet, basements without a second egress, attached garages, breezeways, and enclosed and unenclosed porches shall be excluded.
4. Staff is proposing to reduce the minimum size of single-family houses, rowhomes, duplexes and small multiplexes (up to 6 units) to 550 sqft total (excluding all basement area) per unit, measured by the outside dimensions of the building, not by using the “living area” definition in the zoning ordinance. There would also be a stipulation that structures under the current minimum size of 850 sqft, which are to be placed on large lots, must be placed on the property in a way as to leave room for a potential lot split, if the property is large enough to split under its zoning designation regulations.
5. Staff is proposing to reduce the minimum size of apartment units in large multiplexes (6 units and above) and mixed-use buildings from 650 sqft of living space to 375 sqft total. The current size requirements are too large for developers to be able to provide traditional studio apartments.
6. Staff is only proposing the reduction in these minimum size requirements and to keep the rest of the residential design criteria section the same.

Current ordinance excerpt:

SECTION 2319: [RESIDENTIAL DESIGN CRITERIA]

In the case of a one (1) family or two (2) family dwelling unit which is of standard construction, a mobile home, a premanufactured, or a precut dwelling structure, and any additions or alterations thereto, erected or placed in the City of Muskegon, other than a mobile home located in a licensed mobile home park approved under the provisions of Article V, MHP Mobile Home Park Districts, shall conform to the following regulations in addition to all other regulations of this Ordinance:

1. The dwelling unit shall have a minimum living area (excluding all basement area) of eight hundred and fifty (850) square feet for a one (1) bedroom dwelling. For each bedroom thereafter, an additional 100 square feet of living space shall be provided.

In the case of a multi-family (more than 2 units) dwelling structure which is of standard construction, a mobile home, a premanufactured, or a precut dwelling structure, and any additions or alterations thereto, erected or placed in the City of Muskegon, other than a mobile home located in a licensed mobile home park approved under the provisions of Article V, MHP Mobile Home Park Districts, shall conform to the following regulations in addition to all other regulations of this Ordinance:

1. Each dwelling unit shall have a minimum living area (excluding all basement area) of six hundred and fifty (650) square feet for a one (1) bedroom unit, of eight hundred and seventy-five (875) square feet for a two (2) bedroom unit, and of twelve hundred (1200) square feet for a three (3) bedroom unit. For each bedroom thereafter, an additional 100 square feet of living space shall be provided.

Proposed ordinance:

All single-family houses, duplexes, rowhouses and small multiplexes (3-6 units), other than a mobile home located in a licensed mobile home park approved under the provisions of Article V, MHP Mobile Home Park Districts, shall conform to the following regulations in addition to all other regulations of this Ordinance:

1. Each dwelling unit shall have a minimum size of 550 sqft, excluding all basement area.
2. If a principal structure is less than 850 sqft and is to be located on a lot that is large enough to split under the zoning regulations, it must be placed in such a fashion as to allow enough room to split the lot and create an additional buildable lot. The lot does not actually have to be split at the time of construction and may be done at a later date at the property owners discretion.

All dwelling units within large multiplexes (6 units and above) and mixed-use buildings shall conform to the following regulations in addition to all other regulations of this Ordinance:

1. Each dwelling unit shall have a minimum size (excluding all basement area) of 375 sqft.

DELIBERATION

The following proposed motion is offered for consideration:

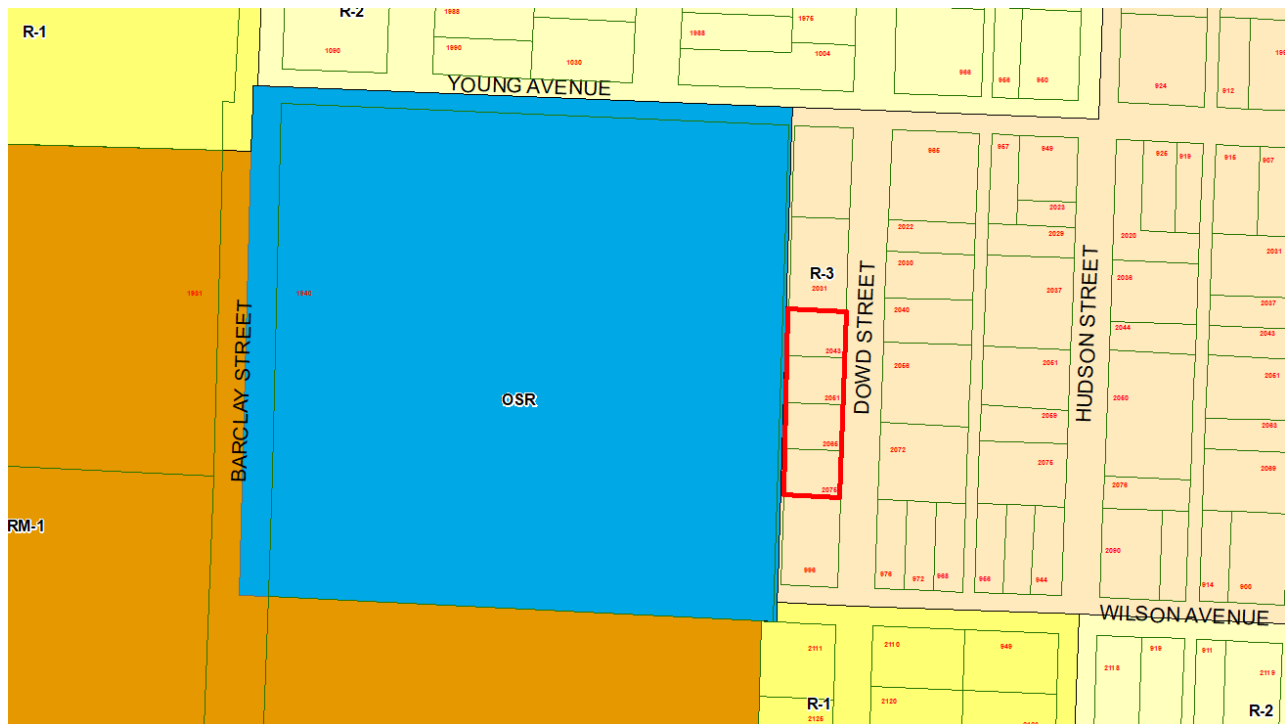
I move that the request to amend section 2319 of the zoning ordinance to reduce the minimum size requirements for one and two family dwelling units from 850 sf of living area to 550 sf (total) and to also change the minimum size requirements for more than two dwelling units (multi-family) from 650 sf of living area to 375 sf (total).

Hearing, Case 2022-23: Staff-initiated request to rezone the properties at 2043, 2051, 2065 and 2075 Dowd St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential.

SUMMARY

1. The City owns the vacant lots at 2043, 2051, 2065 and 2075 Dowd, which are currently zoned R-3, High Density Single Family Residential.
2. The lots each measure 61.8' x 75' and are located behind Campbell Playground.
3. The FBC-UR designation would allow for single-family houses, rowhouses, duplexes, and small multiplexes (3-4 units). The city is currently working with a developer that would like to construct duplexes on site.
4. These properties are located about 600 feet north of the duplexes currently being constructed at the corner of Hackley/Dowd. Those properties were approved for a rezoning in 2021. There are also large apartment complexes located just to the southwest of these parcels.
5. Notice was sent to all properties within 300 feet. At the time of this writing, staff had not received any comments from the public.

Zoning Map



Aerial Map



DELIBERATION

The following proposed motion is offered for consideration:

I move that the request to rezone the properties at 2043, 2051, 2065 and 2075 Dowd St from R-3, High Density Single Family Residential to Form Based Code, Urban Residential be recommended to the City Commission for (approval/denial).

Request for a site plan review for a new building at 10,640 sf building at 381 E Laketon Ave by Midwest V, LLC.

SUMMARY

1. The property is zoned B-2, Convenience and Comparison Business and measures just under one acre in size.
2. The former Dollar General on site was demolished after a fire in 2021.
3. The new Dollar General building measures 10,640 sqft and will be better situated on site with parking located on the side and rear of the building.
4. There are 34 parking spaces provided on-site, which meets the zoning ordinance requirements.
5. The dumpster location is located in the rear of the building and will be screened.
6. The front setback measures 38 feet and most of it will be used as a stormwater basin.
7. The landscaping plan goes beyond the zoning ordinance requirements and will add some much-needed street trees along Wood St and Smith St. However, there are no canopy trees located along Laketon Ave.

Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the site plan with the condition that at least 5 canopy trees be placed along the Laketon Ave street frontage.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the site plan for a new building at 10,640 sf building at 381 E Laketon Ave be (approved/denied) with the following condition:

1. The landscaping plan is amended to include the addition of at least five canopy trees along Laketon Ave.