

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

August 10, 2023

J. Doyle called the meeting to order at 4:02 p.m. and roll was taken.

MEMBERS PRESENT: K. Johnson, B. Mazade, J. Montgomery-Keast, L. Spataro, J. Doyle,
MEMBERS ABSENT: T. Michalski
MEMBERS EXCUSED: D. Keener, J. Seyferth, E. Hood
STAFF PRESENT: M. Franzak, S. Pulos, J. Pesch
OTHERS PRESENT: None

APPROVAL OF MINUTES

A motion to approve the Minutes of the Regular Planning Commission meeting on July 13, 2023 and the Minutes of the Special Planning Commission meeting on July 11, 2023 was made by J. Montgomery-Keast, supported by K. Johnson, and unanimously approved.

OLD BUSINESS

None.

PUBLIC HEARINGS

Hearing, Case 2023-18:

Request to rezone the property at 1225 E Laketon Ave from I-2, General Industrial to B-4, General Business, by Tread Monkey, LLC.

SUMMARY

1. The property is zoned I-2, General Industrial and is located at the northern edge of the Medendorp Industrial Center.
2. The applicant is seeking a rezoning in order to allow Tread Monkey (tire changing business) to locate there. They specialize in chaining tires at the scene, but would like to provide a physical location as well.
3. The B-4 district allows auto repair and similar businesses as long as work is done in a completely enclosed building. The building on site will not accommodate this type of use, but the applicant intends on building a small structure in which they will change tires. There appears to be adequate space to do so in front of the existing building.

4. Please see the enclosed ordinance excerpt for B-4, General Business districts.
5. Notice was sent to all properties within 300 feet of this address. At the time of this writing, staff had not received any comments from the public.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

J. Montgomery-Keast moved, seconded by K. Johnson, that the request to rezone the property at 1225 E Laketon Ave from I-2, General Industrial to B-4, General Business be recommended to the City Commission for approval

ROLL CALL VOTE

K. Johnson: Yes

B. Mazade: Yes

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

MOTION PASSES

Hearing, Case 2023-19:

Request to rezone the following parcels from R-3, High Density Single Family Residential to Form Based Code, Neighborhood Core: 139 Myrtle Ave; 140/148/158/168/174/186 Allen Ave, 159/169/185 Amity Ave; and 923 Jay St, by Spire Development.

SUMMARY

1. The properties are all zoned R-3, High-Density Single-Family Residential, but are located between higher-density developments. The lots combined total about 2.2 acres.
2. The applicant is seeking a rezoning in an effort to construct affordable residential apartments. The numbers of units could range between 50-100 as the details are still being finalized.
3. The Form Based Code, Neighborhood Core designation allows a variety of housing options, ranging from rowhouses to large multiplexes, with a maximum height of five stories.
4. Most of the houses in this area have been demolished, with only a few remaining. There are no houses remaining on the lots involved with the request.
5. Notice was sent to all properties within 300 feet of this address. At the time of this writing, staff had not received any comments from the public.

PUBLIC COMMENTS

Calvin McLaren, 223 Amity Ave: He would like the rezoning to be where it is, on the other side of the railroad tracks.

Franchell Crowley, 222 Amity Ave: She opposed commercial usage because it would be loud and would bring her property down.

Kevin Rost, 216 Allen: He is concerned about what will be done with the train tracks. I would prefer small houses be put on the properties.

Willeat Chambers, Spring Street Baptist Church, 912 Spring St: Wanted clarity about the plans for commercial use at these locations.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

J. Montgomery-Keast moved, seconded by B. Mazade, that the request to rezone 139 Myrtle Ave; 140/148/158/168/174/186 Allen Ave, 159/169/185 Amity Ave; and 923 Jay St from R-3, High Density Single Family Residential to Form Based Code, Neighborhood Core be recommended to the City Commission for approval.

ROLL CALL VOTE

K. Johnson: Yes

B. Mazade: Yes

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

MOTION PASSES

Hearing, Case 2023-20:

Staff-initiated request to amend Section 404 of the zoning ordinance to modify rear setback requirements and to create a front build-to zone in lieu of front setbacks in single-family residential zones.

SUMMARY

1. Staff is proposing certain modifications to Section 404 of the zoning ordinance to allow property owners to better maximize the usage of their property. The following are the major amendments to the proposed ordinance:
 - Change the minimum front setback requirements to a build-to-zone. This is the method used in the form-based code section of the ordinance. This would allow new houses to be placed anywhere from 10-30 feet from the front property line. They also have the option to move the house outside of the build-to-zone if it will match other houses on the block.
 - Reduce the rear setback requirements in R-1 and R-2 zones to match the 15-foot requirement of the R-3 zone. The new addition of the build-to-zone requirement in the front, along with the existing maximum lot coverage requirements, should result in almost all new houses to have at least a 30-foot rear setback anyway, since most lots in Muskegon are in excess of 100 feet long. However, this amendment will ease restrictions on odd-shaped lots. Those lots without much depth will have more opportunities to place their homes on buildable lots.
 - The current ordinance states that corner lots shall be considered as having two front yards and must meet the minimum setback requirements for both frontages. This amendment would state that the secondary street is a side yard and the rear property must also abide by the side setback requirements. With the build-to-zone in place, along with maximum lot coverage standards, this should only affect small, irregular lots that have previously been spilt.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

J. Montgomery-Keast moved, seconded by L. Spataro, that the request to amend Section 404 of the zoning ordinance to modify rear setback requirements and to create a front build-to zone in lieu of front setbacks be recommended to the City Commission for approval as proposed.

ROLL CALL VOTE

K. Johnson: Yes

B. Mazade: No

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

MOTION PASSES

Hearing, Case 2023-21:

Staff-initiated request to rezone the property at 417 Jackson Ave from R-1, Low Density Single-Family Residential to Form Based Code, Neighborhood Core.

SUMMARY

1. The property is currently zoned R-1, Low-Density Single-Family Residential. The seven-acre lot contains the former Froebel School building that measures 22,614 sf.
2. Staff is proposing to rezone the property in order to allow for the renovation of the former Froebel School building into affordable residential apartments. The condition of the building is deteriorating quickly and must be redeveloped soon to avoid demolition. Staff has shown the building to numerous developers over the years and has finally found an entity that is capable of its renovation.
3. The Form Based Code, Neighborhood Core designation allows a variety of housing options, ranging from rowhouses to large multiplexes, with a maximum height of five stories. This context area allows for large multiplex buildings, which this existing building would be considered if it were renovated to residential. This is the least-intense context area that allows for small multiplexes.
4. The eastern and southern edges of this property have severe development limitations since there is a lack of infrastructure to support new buildings. The topography of the site does not allow for the installation of new infrastructure without a costly lift station. Development of the southern and eastern edges of the property are unlikely.
5. Notice was sent to all properties within 300 feet of this address. At the time of this writing, staff had not received any comments from the public.

PUBLIC COMMENTS

Veania Coleman, 516 Marshall St: Before agreeing to rezoning, she wanted to know who the developer is that is set to develop the property at 417 Jackson. She is agreeable to apartment being put at the site, and mixed use if it's open to the community.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

L. Spataro moved, seconded by J. Montgomery-Keast, that the request to rezone the property at 417 Jackson Ave from R-1, Low Density Single-Family Residential to Form Based Code, Neighborhood Core be recommended to the City Commission for approval.

ROLL CALL VOTE

K. Johnson: Yes

B. Mazade: Yes

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

MOTION PASSES**UPDATES ON PREVIOUS CASES**

None.

OTHER

None.

ADJOURN

There being no further business, the meeting was adjourned at 5:18 pm.