

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

June 16, 2022

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

MEMBERS PRESENT: T. Michalski, L. Spataro, B. Mazade, L. Mikesell, K. Johnson, D. Keener, J. Doyle, J. Montgomery-Keast

MEMBERS ABSENT: E. Hood

STAFF PRESENT: M. Franzak, S. Pulos, J. Eckholm, J. Pesch, D. Alexander

OTHERS PRESENT: _____

APPROVAL OF MINUTES

A motion to approve the Minutes of the Regular Planning Commission meeting on May 12, 2022 was made by J. Montgomery-Keast, supported by J. Doyle and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2022-14:

Request to amend the Planned Unit Development at 1148 and 1204 W Western Ave.

SUMMARY

1. The PUD was approved on 9/28/21 and includes a waterfront community with condominiums, apartments, marina, marina services, commissary facilities, boat storage, public waterfront trails, restaurant, retail, light industrial, general business, storage yards and warehousing.
2. The proposed amended plan includes the addition of a new street (Adelaide Ave) and proposes to turn Adelaide Circle into a one-way street with angled parking. All streets will be private.
3. The proposed amended plan also removes building R5 (condominium) and splits buildings B1 and B3 (east side of development) into two separate buildings instead of one (identified as B2 on original plan). The buildings between Adelaide Ave and W Western Ave continue to change as the developer researches storage needs, but this area will remain warehousing/boat storage.
4. The Hartshorn Village PUD was recently amended to show Adelaide Blvd located halfway on the Hartshorn Village PUD and halfway on the Adelaide Point PUD. This plan does not depict that, but the developer is willing to amend the plans to accommodate.

STAFF RECOMMENDATION

Staff recommends approval of the amended PUD with the condition that Adelaide Blvd is a shared drive with Hartshorn Village and not two separate streets.

PUBLIC COMMENTS

None

CLOSE PUBLIC HEARING – MOTION

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

MOTION

Joe Doyle moved, seconded by Jill Montgomery-Keast, that the request to amend the Planned Unit Development at 1148 and 1204 W Western Ave be recommended to the City Commission for approval with the following condition:

1. Adelaide Blvd is moved to the east and will be a shared drive with Hartshorn Village, exact location to be determined. An updated plan will be approved by staff.

An amendment was made to the original motion: Moved by Larry Spataro, seconded by Jill Montgomery-Keast, that all entrance streets shall be public. The motion was accepted by Joe Doyle, who made the original motion.

ROLL CALL VOTE

T. Michalski: Yes	L. Spataro: Yes	B. Mazade: Yes	L. Mikesell: Yes
K. Johnson: Yes	D. Keener: Yes	J. Doyle: Yes	J. Montgomery-Keast: Yes

MOTION PASSES

Hearing, Case 2022-15:

Request for a special use permit to operate a single-room occupancy rental property for homeless veterans at 1435 Peck St, by Living Hope Properties, LLC.

SUMMARY

1. The property is zoned RM-1, Low Density Multi-Family Residential.
2. Adult Foster Care Large Group Homes and other similar uses are allowed in this zoning district with the issuance of a special use permit.
3. The applicant is requesting to run a non-profit operation, in conjunction with Community Encompass, to house up to seven homeless veterans in a single-room occupancy rental property. The occupants would live in the house independently and be checked in on and monitored by Community Encompass.
4. The zoning ordinance only allows one family to be housed in a residential unit. A family is defined as those related by blood or marriage and two additional people. In the past, the Planning Commission has approved special use permits to certain non-profits that assist in

housing groups of people not defined as family.

5. The lot measures just over 13,000 sq. ft. and the building measures 2,700 sq. ft.
6. 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.

STAFF RECOMMENDATION

Staff recommends approval of the special use permit as long as there are no objections from the neighbors.

PUBLIC COMMENTS

1. Todd Bowen, Living Hope: Stated that he works with non-profits, he likes that the property is all one level, he feels it's important, that veterans should be top priority, and stated that it will be closely monitored.
2. Kimi George, with Community enCompass, 1392 5th: Feels this is important due to the rising number of homeless vets and increasing rents. She believes that the business model of SRO (single room occupancy) is beneficial because it makes for affordable living and give veterans the opportunity to benefit from potential housing vouchers. She stated that she believes this will be a way to strengthen the community and that CenC is passionate about this as a way to serve the community.
3. Rattan K., 1167 Peck: Stated that he is in the rental business and that he believes there is a shortage of rentals, increased housing costs, housing vouchers do not usually satisfy rent amounts, that we are limited on how many people can stay in single family homes, and if SRO gets approved, that it would be good for our community.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

Motion by D. Keener and supported by K. Johnson:

I move that the request for a special use permit to operate a single-room occupancy rental property for homeless veterans at 1435 Peck St be approved.

ROLL CALL VOTE

T. Michalski: Yes	L. Spataro: Yes	B. Mazade: Yes	L. Mikesell: Yes
K. Johnson: Yes	D. Keener: Yes	J. Doyle: Yes	J. Montgomery-Keast: Yes

MOTION PASSES

Hearing, Case 2022-16:

Request for Preliminary and Final Planned Unit Development approval for a housing and rental cottage development at 2801 Lakeshore Dr, by Muskegon Club Property, LLC.

SUMMARY

1. The PUD request involves the development of two portions of the 170-acre golf course site. One portion of the development would include the addition of 25 rental cottage units (ranging from single-family to 4-plex) on the northern edge of the property. Although cottage sizes have not yet been identified for this preliminary plan, they are anticipated to be smaller than the minimum size required by the ordinance (850 sq. ft). The other portion would include the addition of 39 single-family houses located on two new private streets at the southwest corner of the property. The density of this proposed development is much lower than what is allowed by the ordinance.
2. There are currently 211 parking spaces on site that serve the golf course and restaurant/event space. This plan proposes to increase the amount of parking by adding 84 additional spaces. The increase is proposed to serve the proposed cottages and increased membership to the gold course/club house.
3. Please see the two-separate write-ups enclosed that describe the projects in more detail.
4. Please see the preliminary and final PUD site plans enclosed.
5. The applicant is seeking preliminary approval of the PUD, which includes both portions of the project, the cottages and the permanent homes.
6. The applicant is seeking final PUD approval for the permanent homes on the southwest corner of the property.
7. 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.

PUBLIC COMMENTS

None.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

Larry Spataro moved, seconded by Jill Montgomery-Keast, that the request for Preliminary Planned Unit Development approval for a housing and rental cottage development at 2801 Lakeshore Dr be approved, also, that the request for Final Planned Unit Development approval for the development of 39 single-family homes and two new private streets be recommended to City Commission for approval, with consideration on the sidewalks on both sides to be being extended to Beach Street on the west and East Sherman on the south. Larry Spataro amended his motion to reflect that garages cannot exceed 60% of the front façade of any housing unit and if there is a third stall, it would have to be offset.

ROLL CALL VOTE

T. Michalski: Yes	L. Spataro: Yes	B. Mazade: Yes	L. Mikesell: Yes
K. Johnson: Yes	D. Keener: Yes	J. Doyle: Yes	J. Montgomery-Keast: Yes

MOTION PASSES

Hearing, Case 2022-17:

Staff-initiated request to revoke Section 2310 (Critical Dunes) of the zoning ordinance.

SUMMARY

1. The City took control of critical dune enforcement (from EGLE) in 2019 in an effort to speed up review times for applicants and to reduce their fees.
2. The City accepts critical dune permit applications and forwards them to our consultant, Point Blue, for review. Point Blue then makes a recommendation on the issuance of the permit.
3. The State (EGLE) allows themselves up to 90 days to respond to critical dune applications. In talking with previous applicants, staff has learned that EGLE often approves applications well before that deadline, but sometimes may wait until the deadline to respond.
4. The City usually processes critical dune applications in about 20-30 days.
5. Under an EGLE review, fees for a new home appear to cost about \$1,100, but fees for a deck addition range from \$150-\$250.
6. The City charges \$1,500 for a critical dune permit. This was recently increased from \$1,100 because EGLE is now requiring that we conduct post-construction inspections, which will need to be done with our consultant. Refunds may be given if the consultant fees are not as much as anticipated, but that is a rare occurrence. Sometimes the consultant fees exceed the amount of the application fee. The Deck expansion in 2019 cost \$2,100, but the applicant was only charged \$1,500. The consultant fees for the project at 3561 Woodlawn Ct in 2021 to bury power lines were \$1,168, but the application fee was only \$1,100.
7. Consulting fees for smaller projects appear to cost a lot more than they would if reviewed by EGLE. The consulting fee for a fence addition at 1550 Nelson was \$431.
8. Staff has processed 20 applications since 2019.
9. Each application takes approximately 3-4 hours of staff time.
10. Additional calls about potential projects take approximately 1 hour of staff time per week.
11. We have been audited twice since 2019 and anticipate that we will be audited every year from now on. Each audit takes about 40 hours of staff time and additional costs from the consultant.
12. We have just completed the second audit and are no longer in violation.
13. Revoking the ordinance would return critical dune enforcement to EGLE.

Permits Issued			
Year	Public	Private	Total
2019	3	3	6
2020	0	2	2
2021	1	5	6
2022	0	6	6
Total	4	16	20

PUBLIC COMMENTS

None.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

Motion by K. Johnson and supported by D. Keener:

I move that the request to revoke Section 2310 (Critical Dunes) of the zoning ordinance be recommended to the City Commission for approval.

ROLL CALL VOTE

T. Michalski: Yes

L. Spataro: Yes

B. Mazade: Yes

L. Mikesell: Yes

K. Johnson: Yes

D. Keener: Yes

J. Doyle: Left at 6pm.

J. Montgomery-Keast: Yes

MOTION PASSES

NEW BUSINESS

none

OLD BUSINESS

none

UPDATES ON PREVIOUS CASES

OTHER

ADJOURN

There being no further business, the meeting was adjourned at 6:04 pm.