

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

June 13, 2019

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

MEMBERS PRESENT: T. Michalski, B. Mazade, E. Hood, J. Doyle, J. Montgomery-Keast, F. Peterson, S. Gawron, M. Hovey-Wright, B. Larson

MEMBERS ABSENT: None

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: I. Davis, 3290 Wilcox; D. Gaynor, Harbour Towne Condominium Association; S. Balaskovitz, 1683 Edgewater; H. Schaub, 3232 Thompson; P. Abbott, 3256 Thompson; T. Blake, 3222 Park Place; R. Schaub, 3232 Thompson; T. Weatherbee, 1747 Edgewater; M. Lipps, 3508 Wilcox; K. Spencer, 1456 E Harbour Towne Cir; J. Pena, 1851 Walnut; C. Strait, 560 Mart St; S. Abbey, 1458 E Harbour Towne Cir; Ben Evans, 3171 Lakeshore Dr. B. Broughton, 1650 Edgewater; L. Page, 1853 Cherry St; L. Page, 3328 Wilcox; R. Komarek, 1635 Nelson St; Blake Evans, 1712 Edgewater; R. Villate, 1872 Walnut; M. Poletti, 3244 Thompson; R. Knopf, 3212 Windward

APPROVAL OF MINUTES

A motion to approve the Minutes of the regular Planning Commission meeting of May 16, 2019 was made by B. Larson, supported by J. Doyle and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2019-17: Request for Final Planned Unit Development approval at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St by MiCOAST Properties, LLC. M. Franzak presented the staff report. A binder containing the final proposal for The Docks had been provided to board members. The preliminary plan was approved at the October 11, 2018 Planning Commission meeting with the following conditions: 1) All access points shall be eliminated with the exception of the proposed road over the dunes at Waterworks Rd; 2) Additional road connections as noted in the staff recommendation are eliminated; 3) The parking lot north of the condo building should be more separated from the existing homes; the setback should be increased and it should be fully screened with trees to create a buffer; and 4) The alleys or rear lanes are eliminated along properties on Edgewater St., Wilcox Ave. and Harbour Towne.

Staff reviewed the revised plan. The ordinary high-water mark of the lake is 580.4 feet and all buildings are required be constructed above this mark; this plan met that requirement. Although there was only one road leading into the development, a second “emergency access” route will be located near Sand Dock Ct in Harbour Towne. This road will be constructed with “grasscrete,” which is a type of pavement that is rated for heavy fire equipment, but will have grass growing on top of it. A sample picture of the product was provided. The final/revised proposal relied on the vacation of several non-improved street rights-of-way and the relocation of the existing cul-de-sac on Edgewater St, 90 feet to the south. These will be discussed at this meeting in the subsequent cases. There would be 34 parking spaces located on the first floor of the condo building. Staff would like to see more trees in the rights-

of-way along the main street that runs north-south. The developer has also suggested that they would like to work with City staff on designating certain existing trees to remain. Both the 1997 Master Land Use Plan and the recently approved Imagine Muskegon Lake Plan advocate for this type of development. The 1997 Master Land Use Plan calls for residential units with different types of housing options and recommends a Planned Unit Development. The Imagine Muskegon Lake plan calls for residential and mixed uses. Staff recommends approval of the PUD with the following conditions: Additional street trees are planted in the ROW of the main street that travels north-south, and the developer will work with staff to mark certain trees to remain. Notice was sent to property owners within 300 feet of the project boundaries and several comments were received and provided to board members.

S. Musselman with MiCoast Development introduced the revised plan and explained the changes that had been made since the preliminary approval. All road connections but one had been eliminated and an emergency-only access point was added near Harbour Towne, and there was a wetland area included in the new plan. They were no longer proposing a connection to the existing Harbour Towne marina channel; the new channel to The Docks would be accessed directly from Muskegon Lake. He stated that they had done additional research on traffic flow using data from the city and they had done a scientific groundwater study. These reports were provided in The Docks final PUD plan. M. Franzak pointed out changes to the plan that were made after the staff report was sent to the board, including the addition of a landscaping buffer between The Docks and Harbour Towne. Types of housing in the development would be single family homes, a 30-unit condo building, and townhomes. Amenities included private docks, marina docks, a kayak launch, boardwalks and sidewalks. M. Hovey-Wright asked if 50% of the shoreline would be open community space as required. S. Musselman stated that it would, and pointed out on the map where those areas were. T. Michalski asked if there was going to be a traffic circle at Lakeshore Dr and Beach St. L. Evans stated that it was scheduled to be installed in the fall of 2020. T. Michalski asked why Wilcox off of Beach St. was not considered as an access point. S. Musselman stated that it would put traffic closer to the beach meaning more congestion. F. Peterson stated an access point at Wilcox would necessitate left turns onto Beach St. for anyone leaving the development. B. Mazade asked what would preclude the developer from building homes in the buffer area at a later date. He also asked for information on the setbacks for lots 10, 11, and 13. S. Musselman stated that the buffer was part of the green space requirement so they were unable to build there. Regarding the setback information, he stated that he would be submitting a revised site plan showing that information. M. Franzak stated that the applicant would be required to come back to the Planning Commission if they did opt to add to the development in the future. He also stated that that the rear setbacks on lots 10 – 13 met the requirements. M. Hovey-Wright asked where plowed snow would be put. S. Musselman stated that it would be placed on the green space along the west edge of the development.

T. Michalski opened the public comments portion of the hearing. I. Davis asked about the height limitations on structures. S. Musselman stated that most residences were no more than 3 stories high and the condo building was 4 stories. D. Gaynor, president of the Harbour Town Condo Association, thanked the developer for being accommodating in listening to public input, and voiced his support for the project. S. Balaskovitz also thanked the developers for their efforts in addressing concerns and supported this revised plan. She asked about the depth of the proposed channel. S. Musselman stated that they would dredge 10 feet below the ordinary high water mark, which was the same as Harbour Towne. H. Schaub asked how the public would be able to access the Sand Docks beach. S. Musselman stated that that area was private property, not city-owned. Some audience members disagreed that the area was privately owned. P. Abbott asked how much the city was paid for the lakefront property that was being vacated. M. Franzak stated that it would go through the same process as all other street vacation requests. T. Michalski stated that the vacated portion of the street would go to the adjacent property owner, which was MiCoast in this case. K. Spencer was opposed to the request, and thought it would negatively affect her property values. J. Pena was opposed to the road through a critical dune area and had concerns about the waterway boat basin, drainage, and additional traffic. He provided a written list of his concerns to board members. C. Strait was a partner in the MiCoast and Damfino

companies. He discussed the history of the area and stated that there was specific language addressing property rights and a copy of the original plat that was included in the proposal they submitted. S. Abbey spoke against the request and was concerned about the possible negative effect on property values. I. Davis stated that he lived behind the proposed condo building and asked if the developer could build a sand hill buffer between his house and the development. S. Musselman stated that he would have to look at a grading plan. They were not allowed to push fill material onto a critical dune area. B. Evans was opposed to the request and had concerns about the effect on the environment, especially since Edgewater St. was already flooded. B. Broughton stated that he appreciated the efforts of the developers to take public concerns into consideration. He stated that he would like to see a public access walking path and a wider Lakeshore Drive by the traffic circle, to help ease traffic congestion. J. Page stated that he still didn't think traffic concerns had been adequately addressed. L. Page spoke on behalf of the Pigeon Hill Alliance and distributed a document showing a proposal that they would like to see in the area. He was concerned with the effect of the additional traffic on the fragile area which had narrow streets, and suggested that a traffic signal be installed at the intersection of Lakeshore and Waterworks. R. Komarek expressed concerns about the congestion on the beach and dock areas. Blake Evans had questions about the street vacation requests and how that would affect public access. S. Musselman explained that the original plat described ownership and riparian rights, and that Damfino owned the waterfront property. He stated that they had previously invited all affected property owners to a meeting, at which they had an attorney present that would have been able to answer those questions. R. Villate still thought that the density of the development was too high, and wanted to see another public entrance at Harbour Towne to help alleviate traffic congestion. M. Poletti stated that he was opposed to the request, as the additional traffic would have a negative effect on the beach and neighborhood. R. Knopf stated that he was in favor of the request, as MiCoast owned the property and had the right to develop it. He stated that they had already done more than required to try and accommodate the neighboring residents concerns.

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

A motion that the request for Final Planned Unit Development approval at 3400, 3460, 3474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St by MiCOAST Properties, LLC, including the relocation of the cul-de-sac on Edgewater St 90 feet to the south, be recommended to the City Commission for approval with the conditions that additional street trees are planted in the ROW of the main street that travels north-south, and the developer will work with staff to mark certain trees to remain, was made by F. Peterson, supported by E. Hood and approved, with T. Michalski, B. Mazade, E. Hood, J. Doyle, J. Montgomery-Keast, F. Peterson, S. Gawron, and B. Larson voting aye, and M. Hovey-Wright voting nay. B. Mazade reminded staff that the developer had stated that they would correct the setback error as had been mentioned earlier.

Hearing, Case 2019-18: Request to vacate the existing cul-de-sac portion of Edgewater St (north of Lot 80). This request to allow for the development of lots 115 and 116 of The Docks had been discussed in the previous case. Edgewater street would be vacated north of Lot 80, and a new cul-de-sac would be installed just to the south of the one that currently exists. Notice was sent to all affected property owners and staff did not receive any comments from the public prior to the meeting. Staff recommends approval of vacation request.

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

A motion that the request to vacate the existing cul-de-sac portion of Edgewater St (north of Lot 80) be recommended to the City Commission for approval was made by J. Montgomery-Keast, supported by B. Larson and unanimously approved, with T. Michalski, B. Mazade, E. Hood, J. Doyle, J. Montgomery-Keast, F. Peterson, S. Gawron, and B. Larson and M. Hovey-Wright voting aye.

Hearing, Case 2019-19: Request to vacate the unimproved streets within the Edgewater Plat, those being (a) Arlington Ave, west of lot 24; (b) Windward Dr, west of Lot 46; (c) Brighton Ave, west of

Lot 66; (d) Manhattan Ave, west of the existing cul-de-sac portion of Edgewater St; and (e) Edgewater St north of the existing cul-de-sac. This request to vacate these unimproved streets is necessary in order to replat the map to allow for The Docks development. Notice was sent to all affected property owners and staff did not receive any comments from the public. A map was provided in the binder (under Tab 8), which depicted the lots by number. Staff recommends approval of vacation requests. There were no public comments at the meeting for this case.

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

A motion that the request to vacate the unimproved streets within the Edgewater Plat, those being (a) Arlington Ave, west of lot 24; (b) Windward Dr, west of Lot 46; (c) Brighton Ave, west of Lot 66; (d) Manhattan Ave, west of the existing cul-de-sac portion of Edgewater St; and (e) Edgewater St north of the existing cul-de-sac; be recommended to the City Commission for approval, was made by J. Doyle, supported by B. Larson and unanimously approved, with T. Michalski, B. Mazade, E. Hood, J. Doyle, J. Montgomery-Keast, F. Peterson, S. Gawron, and B. Larson and M. Hovey-Wright voting aye.

Hearing, Case 2019-20: Staff initiated request to amend section 2319 (Residential Design Criteria) of the Zoning Ordinance to lower the minimum living area for one-family and two-family housing units. M. Franzak presented the staff report. Staff recommends amending the residential design section of the zoning ordinance to allow smaller single-family and duplex homes. Homes are trending smaller across the country and many of the recently proposed homes in Muskegon have had difficulty meeting the current standards. Reduced minimum size and storage standards will also help the City meet our visitability and livability goals as well as reduce overall home prices, which will create a more diverse housing stock. Staff reviewed other sections of the ordinance and determined that some information needed to be updated, as it no longer applied (such as H, Historic zoning, front and rear setbacks). A document showing proposed revisions to the Residential Requirements zoning excerpt was provided. Staff also provided an example of a recently proposed home that was unable to be approved under the current standards.

M. Franzak stated that the current minimum house size requirement was 960 square feet plus another 100 square feet for each added bedroom. The new language lowered the minimum square footage requirement to 850 square feet and reduced the storage space requirements. M. Hovey-Wright asked how making homes smaller would be beneficial. M. Franzak stated that smaller houses were the national trend and there were many vacant lots in the city available for people who wanted to build. B. Mazade asked if The Docks development project intended to use this smaller size requirement. M. Franzak stated that it wouldn't apply to them, since they had a PUD.

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

A motion that the request to amend section 2319 of the zoning ordinance to lower the minimum living area for one family and two-family housing units as proposed, be recommended to the City Commission for approval was made by S. Gawron, supported by M. Hovey-Wright and unanimously approved, with T. Michalski, B. Mazade, E. Hood, J. Doyle, J. Montgomery-Keast, F. Peterson, S. Gawron, and B. Larson and M. Hovey-Wright voting aye.

OLD BUSINESS

None

OTHER

There being no further business, the meeting was adjourned at 5:48 p.m.

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