

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Thursday, May 12, 2022 at 4 pm
PLACE OF MEETING: Commission Chambers, First Floor, Muskegon City Hall

AGENDA

- I. Roll Call
- II. Approval of minutes from the special meeting of April 14, 2022.
- III. Public Hearings
 - A. Hearing, Case 2022-11: Request to rezone the property at 930 W Sherman Blvd from B-2, Convenience and Comparison Business to B-4, General Business, by 930 Sherman, LLC.
 - B. Hearing, Case 2022-12: Request for a special use permit to operate a car sales lot at 1320 S Getty St, by Maria Castanon.
 - C. Hearing, Case 2022-13: Staff initiated request to amend Section 404 of the zoning ordinance to create a height overlay district that would allow certain principal structures near or on Nelson St to be built up to three stories or 45 feet in height.
- IV. Other
 - A. Update on previous cases
 - B. Joint meeting with City Commission update
- V. Adjourn

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETING OF THE
CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

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, upon 24- hour notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or

calling the following:
Ann Meisch, City Clerk
933 Terrace Street
Muskegon MI 49440

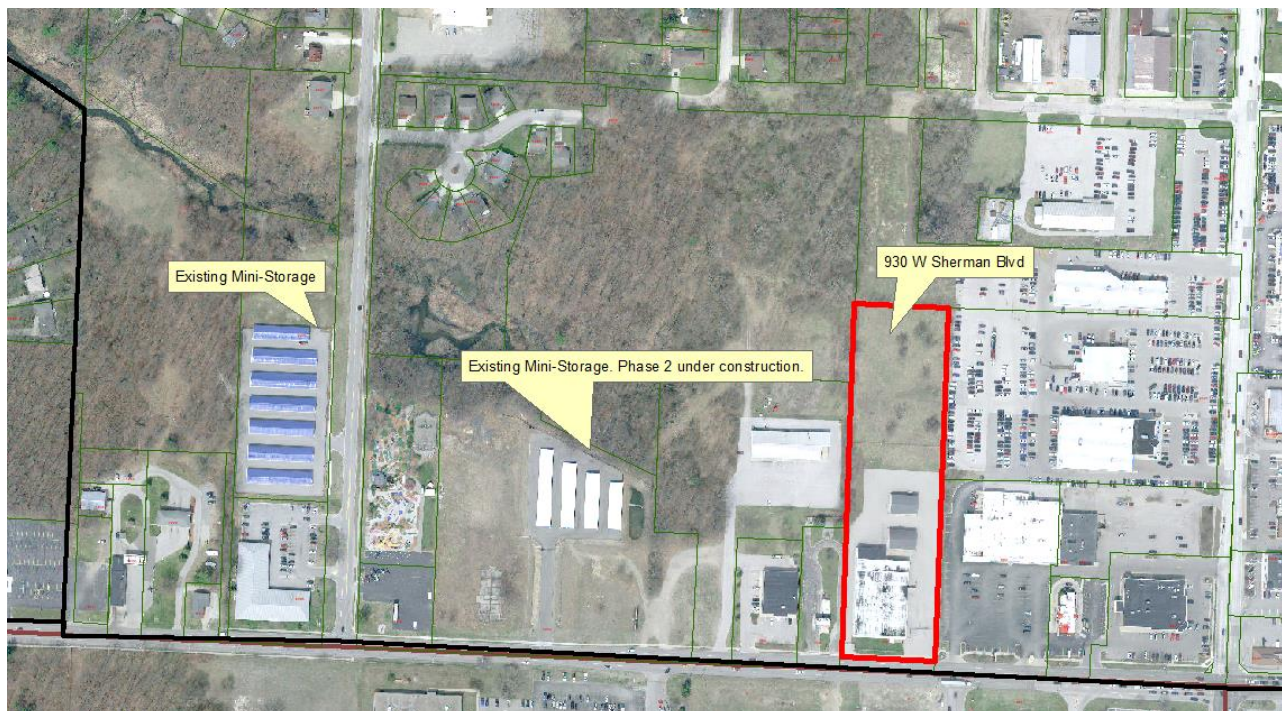
STAFF REPORT

May 12, 2022

Hearing, Case 2022-11: Request to rezone the property at 930 W Sherman Blvd from B-2, Convenience and Comparison Business to B-4, General Business, by 930 Sherman, LLC.

SUMMARY

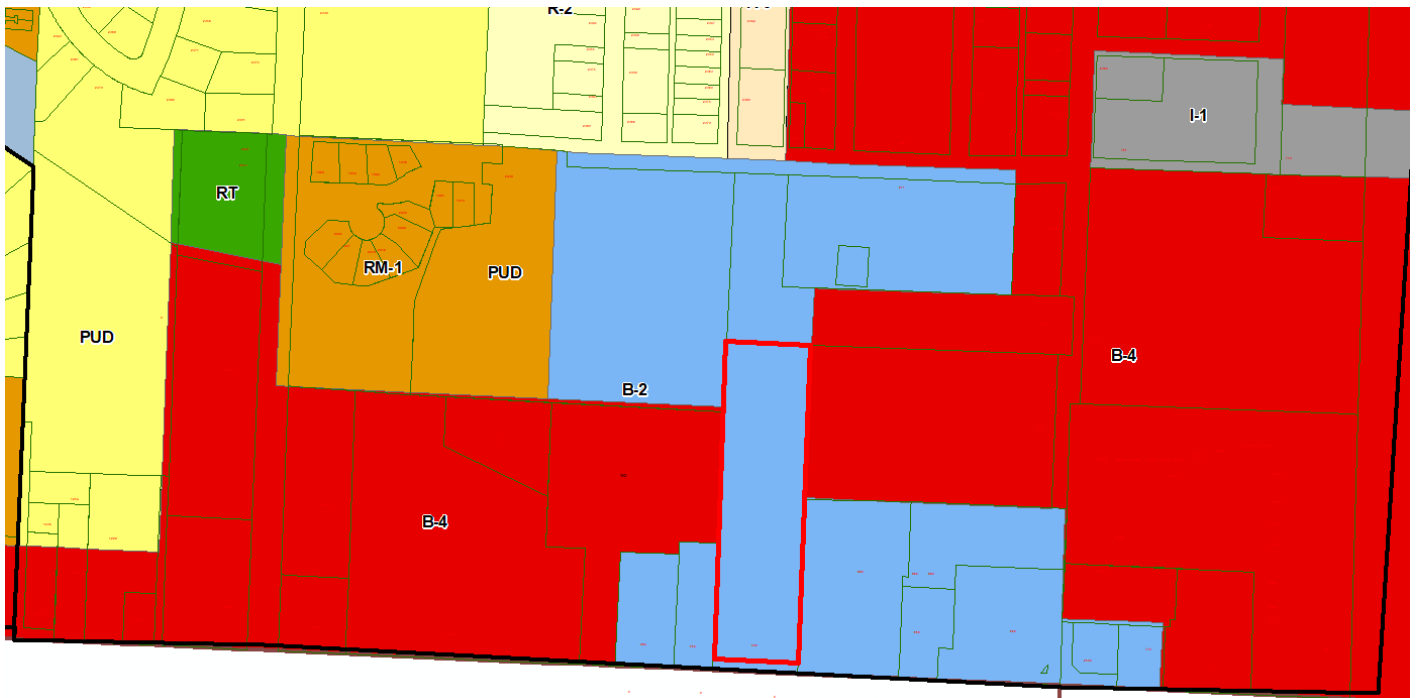
1. The property is zoned B-2 Convenience and Comparison Business. The applicant is requesting to rezone it to B-4, General Business in order to apply for a special use permit to build and operate a mini storage facility.
2. The property measures 4.1 acres and hosts a 2,500 sf building.
3. There are two other mini-storage facilities located just to the west. Phase two of construction is underway at the facility located to the east of the Bat-N-Club. That development reserved the out-lot fronting Sherman Blvd for commercial development and located the storage in the back, accessible by an easement.
4. 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.



Aerial Map



Zoning Map



STAFF RECOMMENDATION

Staff recommends approval of the rezoning. The northern most portion of this lot would otherwise be difficult to develop as it is set back so far from Sherman Blvd and is not suitable for most commercial options. Consideration could be given to keep the southern-most portion of the lot zoned B-2 to provide more commercial/retail uses available.

DELIBERATION

The following proposed motion is offered for consideration:

I move that the request to rezone the property at 930 W Sherman Blvd from B-2, Convenience and Comparison Business to B-4, General Business be recommended to the City Commission for (approval/denial).

Hearing, Case 2022-12: Request for a special use permit to operate a car sales lot at 1320 S Getty St, by Maria Castanon.

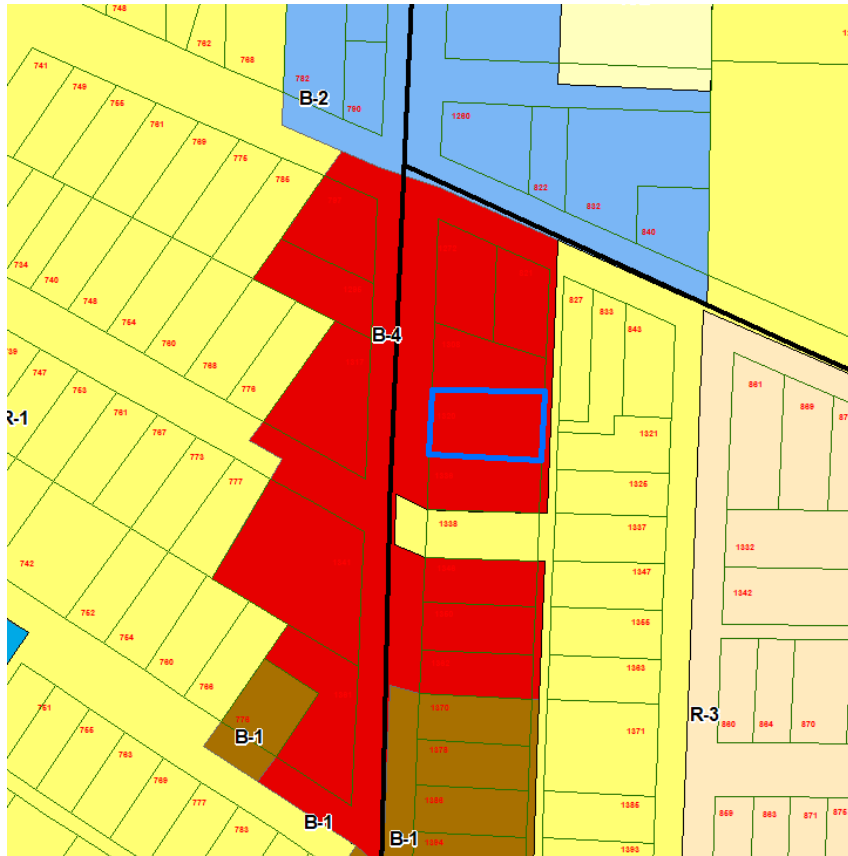
SUMMARY

1. The property is zoned B-4, General Business and measures 8,680 sqft. An 1,800 sqft building is located onsite.
2. Car sale lots are allowed with the issuance of a special use permit as long as the following conditions are met:
 - a. Ingress and egress to the outdoor sales are shall be at least 60 feet from the intersection of any two streets.
 - b. No major repair or major refinishing shall be done on the lot.
3. The property is only 70 feet wide and the buildings placement in the front leaves little room for vehicle display. The site plan provided does not indicate which parking spaces will be for customers and employees and which will be for display for sale.
4. The property can be accessed from the alley in the rear, although it is more likely that customers will access the property from Getty St.
5. The aerial map on the following page shows a significant number of tires improperly stored on site. Staff witnessed a reduced number of improperly stored tires upon inspection this week.

1320 S Getty St



Zoning Map



Aerial Map



STAFF RECOMMENDATION

Staff recommends approval of the special use permit as long as an updated site plan defines where automobiles will be displayed and it shows enough parking for four customers/employees.

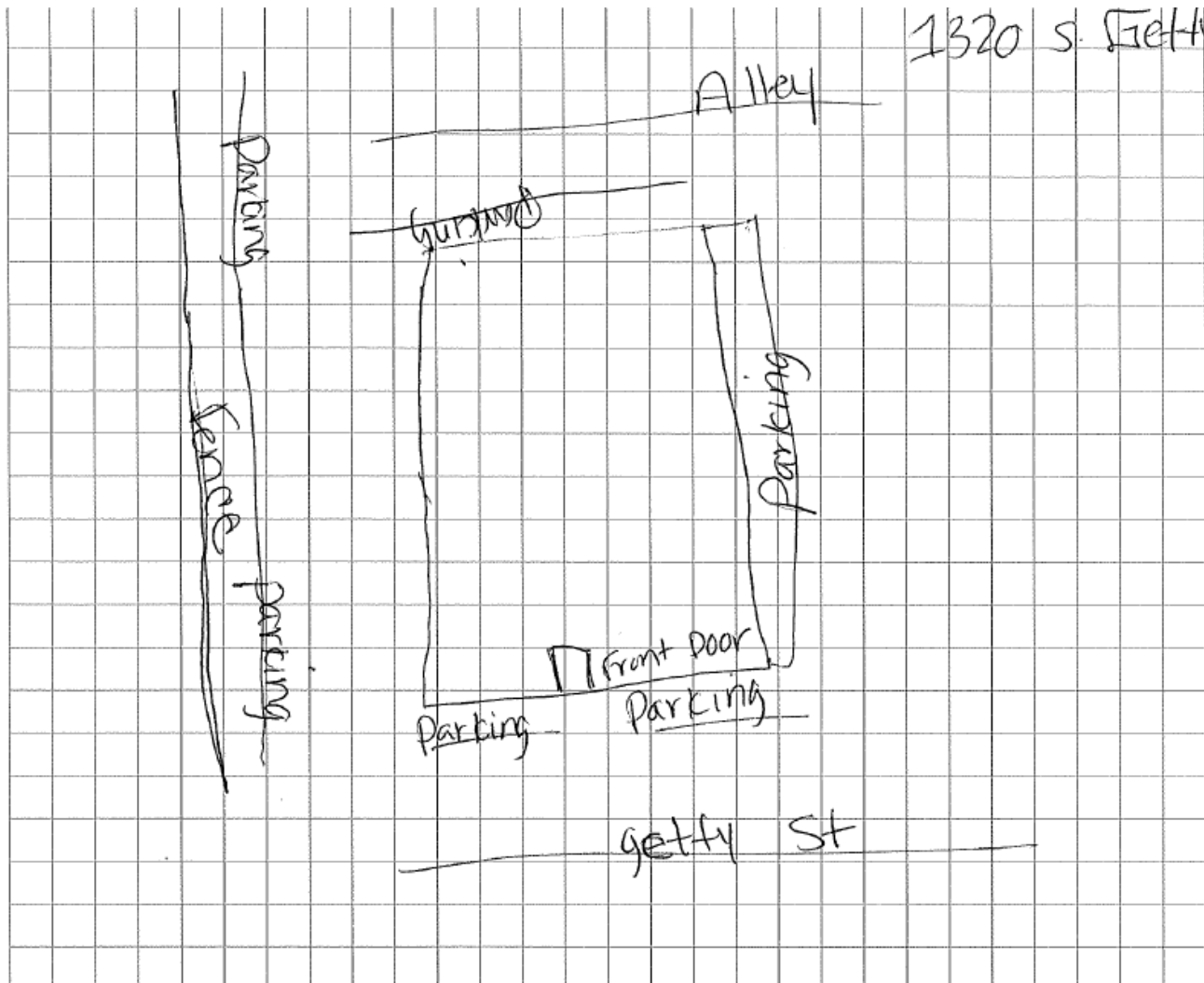
DELIBERATION

The following proposed motion is offered for consideration:

I move that the request for a special use permit to operate a car sales lot at 1320 S Getty St be (approved/denied) with the following conditions:

1. An updated site plan depicts the location of automobile displays and at least four parking spaces for customers/employees.
2. The special use permit shall be revoked if tires are illegally stored on site.

1320 S Getty St – Site Plan



Hearing, Case 2022-13: Staff initiated request to amend Section 404 of the zoning ordinance to create a height overlay district that would allow certain principal structures near or on Nelson St to be built up to three stories or 45 feet in height.

SUMMARY

1. The Imagine Muskegon Lake plan identified certain areas that may benefit from allowing increased height maximums for residential properties.
2. One area identified was along Lakeshore Drive, overlooking Muskegon Lake. This was addressed in a 2020 ordinance amendment with the creation of the Lakeside Form Based Code, which allows three-story homes in certain areas.
3. The other location identified was along Nelson St in the Beachwood/Bluffton neighborhood.
4. Single-family homes in most areas of the city are restricted to two stories (35 feet) in height. Staff is proposing to allow up to three stories (45 feet) in height within the proposed “Height Overlay District.”
5. Most of the proposed “Height Overlay District” is zoned R-1 and a small portion is zoned R-2. The setback requirements would remain the same. Please see the “Area and Bulk Requirements” chart below.
6. Please see the information on the following pages that depicts the proposed area and the information contained in the Imagine Muskegon Lake plan.
7. Notification of the proposed ordinance amendment was sent to all properties depicted on the “Notice Map.”

SECTION 404: AREA AND BULK REQUIREMENTS [amended 4/00]

	R-1	R-2	R-3
Minimum Lot Size	6,000 sf	4,000 sf	3,000 sf
Minimum Lot Width	50 ft	40 ft	30 ft
Maximum Lot Coverage	Buildings: 50% Pavement: 10%	Buildings: 60% Pavement: 15%	Buildings: 70% Pavement: 20%
Height Limit*	2 stories or 35 feet**	2 stories or 35 feet**	2 stories or 35 feet**
Front Setbacks***	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 15 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet	Expressway/Arterial Street: 30 ft Collector/Major Street: 25 ft Minor Street: 10 feet
Rear Setback	30 ft	20 ft ^	15 ft^
Side Setbacks#:	1 story: 6 2 story: 8	1 story: 6 2 story: 7	1 story: 5 2 story: 5

Imagine Muskegon Lake Plan Excerpt



ADVANCE

Utilize unique topographic conditions (height and proximity to water) to enable context sensitive development.

SUCCESS METRIC

Amend the City's zoning ordinance to include a building height overlay along Nelson Street that allows increased height with a 3rd story step back and gables oriented toward the water, as well as allowing for temporary buildings within the Ovals to support beach-related activities as a means of enhancing and prolonging the summer season.

Ordinance amendment is adopted.

Proposed Overlay District Boundaries



Notice Map



DELIBERATION

The following proposed motion is offered for consideration:

I move that the request to amend Section 404 of the zoning ordinance to create a height overlay district as depicted on the map be recommended to City Commission for (approval/denial).