

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING

DATE OF MEETING: Monday, May 4, 2020
TIME OF MEETING: 4:00 p.m.
PLACE OF MEETING: ZOOM (Planning Commissioners and presenters) & Facebook Live/Phone Number (public) – Facebook page is “City of Muskegon Government.” Call-In phone number for public is (231) 286-7650

AGENDA

- I. Roll Call
- II. Approval of Minutes from the regular meetings of January 16 and March 12, 2020.
- III. Public Hearings
 - A. Hearing, Case 2020-09: Request to amend the Planned Unit Development at 1875 Waterworks Rd; 1490 Edgewater St; and 3400, 3460, 3474 Wilcox Ave, by Damfino Development, LLC.
 - B. Hearing, Case 2020-10: Request for a special use permit for a Wireless Communication Service Facility at 1900 Beach St, by the City of Muskegon.
- IV. New Business
- V. Old Business
- VI. Other
- VII. Adjourn

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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 twenty-four 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

STAFF REPORT

May 4, 2020

Hearing, Case 2020-09: Request to amend the Planned Unit Development at 1875 Waterworks Rd; 1490 Edgewater St; and 3400, 3460, 3474 Wilcox Ave, by Damfino Development, LLC.

SUMMARY

1. The Docks PUD was approved by the City Commission on June 25, 2019.
2. In connection with the PUD, the City Commission approved an amendment to the Edgewater Plat, vacating Manhattan Ave and a portion of the existing cul-de-sac. This plat amendment has been challenged by private citizens and the deliberation could delay the plan indefinitely. Also, the reversal of the plat amendment would make the project unfeasible, since the Edgewater right-of-way would remain in place where multiple homes and the boat basing channel were planned. This amended plan does not rely on the success of the plat amendment.
3. The major changes in this proposed plan are the relocation of the boat basin, the addition of six additional housing units and an additional street connection to Edgewater St via Manhattan Ave.
4. The underlying zoning of the property is R-1, Single-Family Low Density Residential. If the land were to be developed without a boat basing, about 270 units could be placed on the property while still meeting the R-1 zoning density requirements. The amended plan does not change the density significantly, proposing a total of 245 units (previously approved for 239 units). However, the relocation of the boat basing results in less density on the north and west side of the marina basin and more density in the northeast section of the development. This shift in density requires another access point to the development according to the following sections of the International Building Code:
 - D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
 - D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

Per the Fire Marshall, "This is where the requirement for 2 separate, distal fire apparatus access roads comes from. The concerns with counting the connection to Harbour Town Circle are the number of residential units on the east side of the boat basin as well as the idea of having it be a gated, emergency access only connection. Not only would the gate cause delay in response times, but the connection would need to be maintained; plowed in the winter and cleared of growth in the summer."

STAFF RECOMMENDATION

Staff recommends approval of the amended PUD amendment. The plan does not significantly alter the scope of the project, provides better access points to the development and does not rely on the vacation of Edgewater St (north of the cul-de-sac).

DELIBERATION

Motion for consideration:

I move that the proposed Planned Unit Development amendment by Damfino Development, LLC be recommended to the City Commission for (approval/denial).

Hearing, Case 2020-10: Request for a special use permit for a Wireless Communication Service Facility at 1900 Beach St, by the City of Muskegon.

SUMMARY

1. Please see Section 2321 (Wireless Communication Service Facilities) of the zoning ordinance (enclosed). The section was amended on April 29, 2019 to include approved locations at the Water Filtration Plant and Marsh Field.
2. The project was approved for a height variance at the March 9, 2020 Zoning Board of Appeals meeting. Please see the enclosed minutes from that meeting. The variance allows an additional 100 feet in height, up to 300 feet tall.
3. Please see the enclosed plans for the proposed WCSF. The plans propose a 300 foot tall lattice tower. The current lattice tower on site would be removed and the new tower would go in its place.
4. City equipment needs to be around 220 feet high to communicate with City Hall. The additional height will be for four vertical slots of 20 foot each for wireless carriers.
5. Notices were sent to properties within 300 feet of the water filtration plant parcels. Please see the enclosed comments from the public.
6. Although the ordinance does not require a setback of 300 feet, some commenters have noted a 300 foot requirement in other ordinances. It should be noted that no property line is within 300 feet of the proposed WCSF.

300 foot radius around proposed WCSF



STAFF RECOMMENDATION

Staff recommends approval of the proposed WCSF as proposed.

DELIBERATION

Motion for consideration:

I move that the request for the Wireless Communication Service Facility at 1900 Beach be (approved/denied).