

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

January 12, 2023

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

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

MEMBERS ABSENT: E. Hood, D. Keener

MEMBERS EXCUSED: None

STAFF PRESENT: M. Franzak, S. Pulos, J. Eckholm, D. Santiago-Sweet,

OTHERS PRESENT: R. Leetsma

APPROVAL OF MINUTES

A motion to approve the Minutes of the Regular Planning Commission meeting on December 15, 2022 was made by J. Montgomery-Keast, supported by L. Spataro, and unanimously approved.

ELECTIONS

B. Mazade motioned, seconded by J. Montgomery-Keast, that Tim Michalski remain Chair of the Planning Commission. T. Michalski accepted the nomination.

B. Mazade motioned, seconded by J. Montgomery-Keast, that Joe Doyle remain Vice-Chair of the Planning Commission. J. Doyle accepted the nomination.

ROLL CALL VOTE

J. Seyferth: Yes

T. Michalski: No

J. Montgomery-Keast: Yes

J. Doyle: No

L. Spataro: Yes

B. Mazade: Yes

K. Johnson: No

BOTH MOTIONS PASS

OLD BUSINESS

None.

PUBLIC HEARINGS

Hearing, Case 2023-01:

Request to amend the Planned Unit Development at Hartshorn Village (920, 1050, 1060, 1000 and 1010 W Western Ave), by Harbor West, LLC.

SUMMARY

1. The original PUD was approved in February 2019 and included 55 detached single-family houses. It was amended in March of 2022 to remove 17 single-family homes west of Fricano's Place and to add a 17-unit multi-story residential building. The walking path connecting Fricano's Place to the bike path was also slightly modified.
2. This proposed amendment includes the following changes:
 - a. The next phase (Phase 2) of the single-family development has been reduced in size to what is now indicated on the plans. An additional 10 units (units 11-20) are proposed. With the reduced scope of Phase 2, the existing access from W Western to the parking area along the lake will remain. Development plans for the remaining property west of the access drive is yet to be determined. Once plans are finalized, the applicant will submit plans outlining the details. The parking lot to the north of the bike path, adjacent to the lake, will also remain. Previous plans depicted this area as public green space. There is a proposed gate separating this parking area from the Hartshorn launch ramp parking area.
 - b. For the west parcel adjacent to Adelaide Point a boat storage facility will be constructed in the area previously approved for eight single-family houses and a 17-unit condo building. The facility will provide winter storage and short-term seasonal storage and launching of boats for customers. Boats will need to be transported over the bike path. The proposed bike path is planned to stay in place, but it will be barricaded off when a boat is being launched. There will be a new alternate bike path around the building for when that happens. Please note that the Adelaide Point development is no longer planning on using their east basin to launch boats. Boats from that development will also be using the Hartshorn launch ramp as well as the general public.
 - c. The existing parking for Fricano's Place will remain as it currently is and the new parking to the west will be eliminated.
 - d. The Hartshorn Village Condominium will be amended and all documents revised to convert the condominium from a traditional condominium to a site condominium.
3. The Michigan Department of Environment, Great Lakes and Energy (EGLE) has determined that the area north of Fricano's parking lot is a designated wetland.
4. Notices were 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 if the following items are addressed.

- The City's application for floodplain fill and wetland was recalled by a joint request of the developer and the City due to the anticipated changes to this development. The trail and parking lot need to be adjusted per the previous application to protect the trail during high water and precipitation events, and previous versions of this development proposed a combined storm sewer system. Staff has questions on how these changes will affect the project:
 - How will this plan accommodate the necessary changes to the storm sewer system?
 - How will the proposed boat storage building be drained?
 - How will the City parking lot be rebuilt within the floodplain?

- The note regarding reconstructing the parking lot as required to allow for the boat forklift drop off area should be vague and should be revised. A specific plan of reconstruction should be required. This should include provisions for heavy-duty concrete in any areas where the forklift will operate, and for safe crossing of the trail and the City's boat launch access drive. The existing parking lot that is to remain on the north side of the bike path should create greenspace along the waterfront for fisherman.
- More information is needed on the proposed gate to the Hartshorn launch ramp.
- "Note #12" regarding utilities is insufficient. The Adelaide Pointe development does not provide sanitary sewer service in the area of the building. A plan for sanitary sewer service is required.
- The boat storage building, and possibly other parts of the development, will need to be submitted for storm water management review. Any grandfathering of the new storm water rules due to an approved PUD, if such was ever granted, would be removed by the substantial changes proposed.
- Will there be enough boat trailer parking spaces without the proposed parking lot west of Fricano's Place? Ideally, the parking for the development would be located west of Fricano's place, rather than in front of it.
- The size of the boat storage facility is not depicted. It should list the size and height and include renderings.

PUBLIC COMMENTS

Jamie Cross, 479 W Muskegon #2: She wanted to corrected the fact the permit was initially pulled by the mayor. She went on to thank the City and the Planning Commission. She stated that the acronym "PUD" is confusing to the public. She stated that the public probably didn't realize that public land is involved. She is concerned that the public launch will be used by a private building. She pointed out that the bathroom on the East Boat Basin is removed from the PUD – Adelaide Pointe plans. She asked the Planning Commission to make sure that the community has access and priority throughout the decisions made for this development.

Ted Fricano, 1050 W Western: He stated that he has 13 acres that is part of the PUD and he has been approached by the developer, Ryan Leetsma, about a large grey boat storage building. He described that it is his opinion that the boat launch is in disrepair and that this PUD will bring long overdue changes to the site. He said that he believes that the development makes sense and is happy about the added miles of bike path and that it is a good thing that the area of the path that floods will be fixed.

Ray McCloud, 1545 Middlebrook: he stated that the potential blocking and obstructing of the bike path is controversial. He stated that the value of the bike path may not be able to be bought by one person. He said that the PUD is not totally fleshed out and is not ready to be voted on yet.

John Allen, 354 W Muskegon: He lives at Hartshorn Marina a lot of the year. He stated that the ramp doesn't need upgrades. He stated that fence keeps the large boat basin keeps it safe. The pavilion is open to the public. He commented that the busy times on the bike path is from Memorial to Labor Day. He stated that the building needs repair, and that the previous developer did not make good on his promises to do that. He asked the commission who gets

precedence on the launch ramp? Public or private? He thinks that the plan needs more time and consideration.

John Patten, 333 Terrace Point Landing: His concern is regulating noise generated by the large boats that will visit the development.

Virginia Taylor, Boys and Girls Club: She said that the trees and berm blocked her vision coming and going from their facility. She asked that the development be mindful of the fitness center and clubhouse's need to access the site.

Cathy Evans, 1899 Barnes Rd: She wanted to remind the Commission that there is a lot of resiliency money available, even to clean up sediments in the boat basins. She mentioned Justice 40 funding and that this development wasn't the City's only shot at improving this location for the community.

LeAnne Markowski, 1607 Calleayye Dr W: She asked people to consider that boats are tourism and that is a benefit and view sheds are important. She stated that plans need include elevation drawings and consider high use times, noise levels and traffic on the lake.

Lora Swenson: She stated that we need to know what the lake carrying capacity for boats is and that we need to consider accommodations for small boats and kayaks.

Veania Coleman, 516 Marshall: She stated that she wants to have a public forum because a lot of the information is new to her. She said the citizens of Muskegon only get information after the fact, when it's too late. She said that the forum needs to be held on-site.

Mark Evans, 1899 Barnes Rd: Stated that Muskegon Lake is almost off the Area of Concern list. He said that his Facebook page has interactive site maps, Muskegon Lake Watershed Partnership.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

L. Spataro moved, seconded by J. Doyle, that the request to amend the Planned Unit Development at Hartshorn Village be recommended to the City Commission for approval, with the following conditions:

1. Stormwater permit is issued by the City Engineering Department.
2. 10-inch concrete to be installed where forklift operates.
3. Bike path is elevated near the wetlands.
4. Future community (building) and pool location be removed.
5. That the gate from the large boat basin be removed.

ROLL CALL VOTE

J. Seyferth: Yes

T. Michalski: No

J. Montgomery-Keast: Yes

J. Doyle: No

L. Spataro: Yes

B. Mazade: Yes

K. Johnson: No

MOTION PASSES

Hearing, Case 2023-02:

Request to amend the Planned Unit Development at Adelaide Point (1148 and 1204 W Western Ave), by Adelaide Point QOZ.

SUMMARY

1. The original PUD was approved in September 2021 and included 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 PUD was amended in June 2022 and included the following changes:
 - a. the addition of a new street (Adelaide Ave).
 - b. Adelaide Circle was turned into a one-way street with angled parking. All streets were noted to remain public.
 - c. Removed a condominium building and split two buildings on the east side of development.
3. The new PUD amendment is seeking the following changes to the site plan:
 - a. Condo building one (west waterfront side of development) rotated slightly to avoid the bike trail.
 - b. Swimming pool from condo building one removed.
 - c. East basin boat launch removed. Boats will now be launched at the Hartshorn launch ramp. It will remain open to the public and also be used to launch boats from the proposed Hartshorn Village boat storage building.
 - d. Boat condo structures (C6) combined into one building.
4. Notices were 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 if the following items are addressed.

- The applicant should depict in more detail how the boat launch operations will interact with the traffic on Adelaide Blvd and the bike path. Will the general public be able to access the boat launch from Adelaide Blvd? What will prevent them (and other vehicles on the street) from driving over the bike path?
- It may also be worth considering to put the bike path extension to Adelaide Blvd behind the buildings depicted as C5. These will be storage buildings with individual curb cuts. It would be safer to direct pedestrian traffic behind this building.

- Elevations for the boat storage building (C6) should be provided.

CLOSE PUBLIC HEARING – MOTION

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

MOTION

L. Spataro moved, seconded by J. Doyle, that the request to amend the Planned Unit Development at Adelaide Point be recommended to the City Commission for approval, as described.

ROLL CALL VOTE

J. Seyferth: A

T. Michalski: No

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

B. Mazade: Yes

K. Johnson: Yes

MOTION PASSES

NEW BUSINESS

Case 2023-03:

Request for a site plan review for a 36,000 ft² building addition at 2259 S Sheridan Rd, by Pacific Floorcare.

SUMMARY

1. The property is zoned I-2, General Industrial.
2. The property measures 11.5 acres and the current building measures 35,244 sf.
3. Please see the enclosed site plan.
4. The proposed addition is to the west of the current building and measures an additional 36,000 sf.
5. The new parking lot measures approximately 20,000 sf.
6. A stormwater detention basin is proposed to the north of the new parking lot.
7. Black Creek runs along the western edge of the property, but is over 100 feet away from any new development.
8. Approximately 1.6 acres of vegetation will be cleared to make room for the new building, parking lot and detention basin.
9. Some city departments are still reviewing the plans and additional comments will be made available at the meeting.

STAFF RECOMMENDATION

Staff recommends approval of the site plan, with the following condition:

1. A landscaping plan must be approved by staff. It must include new shrubs along the parking lot side of the addition and must also include landscaping islands in the new parking lot or additional landscaping must be planted along the edge of the parking lot.
2. A stormwater permit must be obtained from the Engineering Department.

MOTION

B. Mazade moved, seconded by J. Montgomery-Keast, that the site plan for the building at 2259 S Sheridan Rd be approved with the following conditions:

1. A stormwater permit is received from the Engineering Department.
2. That the plan is updated and approved by the fire-marshal as necessary.
3. And that a landscaping plan is provided to staff.

ROLL CALL VOTE

J. Seyferth: A

T. Michalski: Yes

J. Montgomery-Keast: Yes

J. Doyle: Yes

L. Spataro: Yes

B. Mazade: Yes

K. Johnson: Yes

MOTION PASSES

UPDATES ON PREVIOUS CASES

None.

OTHER

None.

ADJOURN

There being no further business, the meeting was adjourned at 6:58 pm.