

CITY OF MUSKEGON

PLANNING COMMISSION MEETING

August 14, 2025 @ 4:00 PM
MUSKEGON CITY COMMISSION CHAMBERS
933 TERRACE STREET, MUSKEGON, MI 49440

MINUTES

CALL TO ORDER

L. Willett-Leroi called the meeting to order at 4:00 p.m. and roll call was taken.

ROLL CALL

Members Present: L. Willett- Leroi, J. Seyferth, S. Gawron, D. Keener, B. Mazade, S. Blake, and L. Simmons II.

Member(s) Absent: None

Member(s) Excused: K. Johnson and J. Montgomery-Keast

Staff Present: M. Franzak and S. Romine

Others Present: None

APPROVAL OF MINUTES

A motion to approve the Minutes of the regular Planning Commission meeting on July 14, 2025, was made by J. Seyferth, supported by L. Simmons II, and unanimously approved.

PUBLIC HEARINGS

- A. Case 2025-32: Request for an amendment to the Planned Unit Development (PUD) to install coolers, build a compactor enclosure, relocate and expand the outside bar, and add a fenced-in smoking area, at 3505 Marina View Point (Dockers).** Planning

SUMMARY

The restaurant (formerly Dockers) is located within the Harbour Towne PUD. Any changes to the footprint of the building require an amendment to the PUD.

The site plan includes the following changes to the PUD:

- An additional cooler/freezer area will be added near the NE corner of the property.
- The outdoor tiki bar will be slightly increased in size (to 480 sf) and will also be slightly realigned to fit within the property line.
- A fence will be installed and will be used for an outdoor smoking area for patrons.
- The existing dumpster and enclosure will be removed and be replaced with a slightly larger trash compactor and enclosure (12' x 40').

Notice was sent to all properties within 300 feet. At the time of this writing, staff had not received any comments from the public.

STAFF RECOMMENDATION

Staff recommends approval of the PUD amendment. None of the proposed improvements appears to have any effect on neighboring properties.

PUBLIC COMMENT

David C., Harbour Towne resident - Has noise concerns and doesn't believe that the restaurant is a good fit for that area.

Jim G., Harbour Towne resident - Supports the request and is looking forward to the reopening.

Kat R., Pigeon Key Marina - Supports the request and is also looking forward to the reopening.

CLOSE PUBLIC HEARING - MOTION

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

MOTION PASSES

MOTION

Motion by S. Gawron, seconded by B. Mazade, that the request to amend the Planned Unit Development to install coolers, build a compactor enclosure, relocate and expand the outside bar, and add a fenced-in smoking area, at 3505 Marina View Point, be recommended to the City Commission for approval with the following condition:

1. The screening around the compactor enclosure is at least 5 ft and is made of wood or masonry.

ROLL VOTE: Ayes: L. Willett-Leroi, J. Seyferth, S. Gawron, D. Keener, B. Mazade, S. Blake, and

L. Simmons II.
Nays: None

MOTION PASSES

- B. Case 2025-33: Staff-initiated request to rezone the following properties: 1181 Ransom St, 1200 Ransom St, 1176 Peck St, 1196 Peck St, 1208 Peck St, 1222 Peck St, 1250 Peck St, 1259 Peck St, 1275 Peck St, 1299 Peck St, 1302 Peck St, 1309 Peck St, 1314 Peck St, 1319 Peck St, 1322 Peck St, 1334 Peck St, 1337 Peck St, 1342 Peck St, 1347 Peck St, 1365 Peck St, 1377 Peck St, 1391 Peck St, 1410 Peck St, 1415 Peck St, 1422 Peck St, 1435 Peck St, 1440 Peck St, 1443 Peck St, 1470 Peck St, 1502 Peck St, 1516 Peck St, 1532 Peck St, 1542 Peck St, 1562 Peck St, 1576 Peck St, 1586 Peck St, 1596 Peck St, 1604 Peck St, 1624 Peck St, 1625 Peck St, 1632 Peck St, 1633 Peck St, 1640 Peck St, 1643 Peck St, 1649 Peck St, 1652 Peck St, 1659 Peck St, 1660 Peck St, 1669 Peck St, 1670 Peck St, 1691 Peck St, 1705 Peck St, 1715 Peck St, 1725 Peck St, 1735 Peck St., 19 Irwin Ave, 22 E. Southern Ave, 23 Strong Ave, 24 Morrall Ave, and 32 Iona Ave, from RM-1, Low Density Multiple-Family Residential to Form Based Code, Neighborhood Edge; 1765 Peck St, 1781 Peck St, Parcel # 61-24-205-465-0006-10, and 1778 Sanford St, from B-4, General Business, to Form Based Code, Neighborhood Core; 180 E. Laketon Ave and 1752 Peck St from B-4, General Business and MC, Medical Care, to Form Based Code, Neighborhood Edge; and 36 Catherine Ave, 1366 Peck St, 1378 Peck St, 1386 Peck St, 1394 Peck and 1469 Peck St from B-1, Limited Business, to Form Based Code, Neighborhood Edge.** Planning

SUMMARY

The RM-1 zoning designation poses many problems for existing buildings/businesses along Peck St. The biggest issue with this zoning designation is that nearly all the properties are considered legally non-conforming (grandfathered) because they do not meet the area and bulk requirements. Nearly every property falls short of the following requirements: minimum lot width of 100 feet, maximum building width of 50% (as a portion of lot width), and minimum lot size of 10,890 sf. Many others do not meet the minimum side yard setback requirements of 8, 10, or 12 feet (depending on the height of the building). These non-conformities can cause issues such as limiting expansion efforts, refinancing problems, and property sales problems. The FBC-NE designation is similar to the RM-1 designation in that it allows many of the same uses, while also limiting buildings to the same height, which is three stories. Staff are recommending that a few of the parcels closer to Laketon Ave be rezoned to FBC-NC to allow for more density closer to the Laketon Ave corridor. This designation allows for larger buildings up to five stories and could encourage denser housing options along public transit routes.

The B-1 zoning designation is very limiting to the existing businesses in the area. The uses allowed are very limiting, only allowing smaller-type businesses that serve the adjacent residential area. It also limits each use to a maximum of 2,500 sf. Also, none of the businesses between Irwin and Isabella meet the required front and side setback requirements. These buildings are built to the correct scale and placement for walkability, even though it goes against the existing zoning requirements. A rezoning to FBC-NE would bring these buildings into conformity and allow for a greater variety of businesses.

Staff held a focus group with affected property owners in June about the potential of a rezoning. There were about 15 participants at the meeting, all of whom agreed that the rezoning effort would positively affect their situations.

Please see the enclosed maps that depict the current and proposed zoning of the parcels along Peck St. The map is broken down into North Peck and South Peck to make it easier to view.

Notice was sent to all properties within 300 feet of each parcel to be rezoned. At the time of this writing, staff had not received any comments from the public.

STAFF RECOMMENDATION

I move the request to rezone the properties as listed be recommended to the City Commission for approval.

PUBLIC COMMENT

A. Bloom, resident: Had questions about the new (proposed) zoning district and what it allows for.

C. Jones, 1533 Clinton St.: Is concerned about the light commercial/industrial uses that are allowed in the proposed zoning district and asked for clarification about what exactly would be allowed.

M. Mastenbrook, 1649 Peck St: Has concerns about 5-story buildings being built and what parking would look like.

CLOSE PUBLIC HEARING - MOTION

A motion to close the public hearing was made by J. Seyferth, supported by S. Gawron, and unanimously approved.

MOTION PASSES

MOTION

Motion by J. Seyferth, seconded by D. Keener, that the request to rezone the properties as listed be recommended to the City Commission for approval.

ROLL VOTE: **Ayes:** L. Willett-Leroi, J. Seyferth, S. Gawron, D. Keener, B. Mazade, S. Blake, and L. Simmons II.

Nays: None

MOTION PASSES

- C. Case 2025-34: Staff-initiated request to rezone 3172 Edgewater St, 3182 Edgewater St, 2976 Lakeshore Dr, 2984 Lakeshore Dr, 2986 Lakeshore Dr, 3002 Lakeshore Dr, 3084 Lakeshore Dr, 3088 Lakeshore Dr, and 3092 Lakeshore Dr, from Waterfront Marine (WM) to Form Based Code, Lakeside Mixed Residential (FBC-LMR).** Planning

SUMMARY

This request is intended to bring the houses in this area into conformity. The properties are zoned Waterfront Marine (WM), but this zoning designation does not allow for housing. However, it does allow for marinas. Staff were unsure of the future plans of these property owners, so a focus group was held in June to determine the best path forward in terms of zoning. At the meeting, staff learned that some property owners intend to use their land only for housing, while others would like to run a marina along with housing on the same site. Staff determined that the best path forward would be to rezone the properties to a zoning designation that allows for housing and marinas. The Form-Based Code, Lakeside Mixed Residential district allows for housing (up to six units), and a recent zoning amendment (second reading still needed on August 12) will now allow for marinas (only on properties that have Muskegon Lake frontage).

There were two recent requests that helped staff realize there was an issue with the current zoning. The property at 2984 Lakeshore Dr was recently forced to obtain a variance to rebuild their house, since houses are not allowed in WM districts. Although the variance was granted, they were still restricted in terms of where the house could be placed, since the side setback requirements are a minimum of 10 feet for a two-story house. Also, the owner of 3092 Lakeshore Dr recently demolished the house on the site with the intention of rebuilding another housing structure. Without a rezoning, it is very likely that these issues will continue to surface.

The future land use map in the master plans identifies this area as "Lakeshore," which is defined as mixed-use along the waterfront. This new zoning designation would allow for housing, marinas, and other commercial uses.

Notice was sent to everyone within 300 feet of the affected properties. At the time of this writing, staff had not received any comments from the public.

STAFF RECOMMENDATION

Staff recommends that the request to rezone the properties as listed be recommended to the City Commission for approval.

PUBLIC COMMENT

S. Schiller, resident: Supports the request.

D. Ghezzi, resident: Has issues with the limit of 6-unit multiplexes that are allowed in the proposed zoning district and would prefer that 8 units be allowed.

S. Vanderstelt, resident: Has the same concerns as the previous speaker.

Jeff, The Vikings: Supports the request, but does have issues with multiple units being built because parking is an issue.

CLOSE PUBLIC HEARING - MOTION

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

MOTION PASSES

MOTION

Motion by S. Gawron, seconded by L. Simmons II, that the request to rezone the properties as listed be recommended to the City Commission for approval.

ROLL VOTE: **Ayes:** L. Willett-Leroi, J. Seyferth, S. Gawron, D. Keener, B. Mazade, S. Blake, and L. Simmons II.
 Nays: None

MOTION PASSES

D. Case 2025-35: Request for a special use permit to operate a drive-thru for a restaurant at 431 E. Laketon Ave, by Luis Santillanes. Planning

SUMMARY

The property is zoned B-2, Convenience & Comparison Business. Drive-thru restaurants are allowed with the issuance of a special use permit. There are two requirements that must be met in order to receive the special use permit:

1. A setback of at least 60 feet shall be provided from the street right-of-way line of any existing or proposed major thoroughfare.
2. Ingress and egress points shall be located at least 60 feet from the intersection of any two streets.

This request meets both of these requirements. It is not located on a major thoroughfare, and both points of ingress/egress are located over 100 feet away from the intersection.

Traffic for the drive-thru will enter the property off of Manz St, then turn right to enter the drive-thru, then exit onto Laketon Ave. Using this approach to traffic flow will provide the safest route for customers to enter and exit the premises by providing enough stacking spaces for cars waiting in line for the drive-thru. The

location of the drive-thru window will cause the driver to have to make the transaction out of the passenger-side window. However, this is not unprecedented, as other drive-thrus (Checkers on Laketon) also use this approach.

Notice was sent to all properties within 300 feet. At the time of this writing, staff had not received any comments from the public.

Planning Exercise

Prior to authorization of any Special Land Use, the Planning Commission shall give due regard to the nature of all adjacent uses and structures. It shall determine the consistency with the adjacent use and development. In addition, the Planning Commission shall find that the proposed use or activity would not be offensive or a nuisance, by reason of increased traffic, noise, vibration, or light. Further, the Planning Commission shall find that adequate water and sewer infrastructure exists or will be constructed to service the Special Land Use or activity.

Staff will answer the following questions and ask the Planning Commissioners if they disagree with each statement at the meeting (Staff answers in italics).

Would the proposed expansion be considered offensive, or a nuisance, because of any of the following:

1. Increased traffic - *No*
2. Increased noise - *No*
3. Increased vibration - *No*
4. Increased light - *No*

Does adequate water and sewer infrastructure exist, or will it be constructed to service the Special Land Use or activity? *Yes, it currently exists.*

STAFF RECOMMENDATION

Staff recommends approval of the special use permit as long as the following items are addressed on the site plan and approved by staff.

1. Traffic arrows are painted on the pavement that indicate the one-way flow of traffic.
2. The parking stripes are repainted to face the appropriate direction.
3. A barrier is installed near the north-west corner of the building to prevent parking traffic from colliding with drive-thru traffic.

PUBLIC COMMENT

None

CLOSE PUBLIC HEARING - MOTION

A motion to close the public hearing was made by S. Gawron, supported by L. Simmons II, and unanimously approved.

MOTION PASSES

MOTION

Motion by B. Mazade, seconded by S. Gawron, that the request for a special use permit to operate a drive-thru for a restaurant at 431 E. Laketon Ave, with the following conditions, based on the findings of fact in the planning exercise in the staff report:

1. Traffic flow arrows are painted to indicate the flow of traffic.
2. The parking lot lines are repainted to face the appropriate direction of traffic flow.
3. A barrier is installed near the north-west corner of the building to prevent parking traffic from colliding with drive-thru traffic.

ROLL VOTE: **Ayes:** L. Willett-Leroi, J. Seyferth, S. Gawron, D. Keener, B. Mazade, S. Blake, and L. Simmons II.
 Nays: None

MOTION PASSES

UNFINISHED BUSINESS

None.

NEW BUSINESS

None.

ANY OTHER BUSINESS

A. Strong Towns article - Parking minimums Planning

M. Franzak provided the Planning Commissioners with an article regarding parking minimums and how some cities are combating parking requirements.

GENERAL PUBLIC COMMENT

None.

ADJOURNMENT

The Planning Commission meeting adjourned at 5:11 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC City Clerk