

# CITY OF MUSKEGON

## PLANNING COMMISSION MEETING

**October 23, 2025 @ 4:30 PM**

**MUSKEGON CITY COMMISSION CHAMBERS  
933 TERRACE STREET, MUSKEGON, MI 49440**

**CALL TO ORDER:**

**ROLL CALL:**

**APPROVAL OF MINUTES:**

A. Approval of the minutes from the regular meeting of September 11, 2025. Planning

**PUBLIC HEARINGS:**

A. Case 2025-38: Request to rezone a portion of the property at 560 Mart St from Waterfront Marine (WM) to Waterfront Industrial PUD (WI-PUD), by West Michigan Dock & Market Corp. Planning

B. Case 2025-39: Staff-initiated request to rezone 501 E Western Ave from Open Space Recreation (OSR) to Waterfront Industrial PUD (WI-PUD). Planning

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**ANY OTHER BUSINESS:**

**GENERAL PUBLIC COMMENT:**

► Reminder: Individuals who would like to address the City Commission shall do the following: ► Fill out a request to speak form attached to the agenda or located in the back of the room. ► Submit the form to the City Clerk. ► Be recognized by the Chair. ► Step forward to the microphone. ► State name. ► Limit of 3 minutes to address the Commission.

**ADJOURNMENT:**

### **AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE CITY OF MUSKEGON AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES**

To give comment on a live-streamed meeting the city will provide a call-in telephone number to the public to be able to call and give comment. For a public meeting that is

not live-streamed, and which a citizen would like to watch and give comment, they must contact the City Clerk's Office with at least a two-business day notice. The participant will then receive a zoom link which will allow them to watch live and give comment. Contact information is below. For more details, please visit:

[www.shorelinecity.com](http://www.shorelinecity.com)

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 with twenty-four (24) hours' notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or by calling the following:

Ann Marie Meisch, MMC. City Clerk. 933 Terrace St. Muskegon, MI 49440. (231)724-6705.  
[clerk@shorelinecity.com](mailto:clerk@shorelinecity.com)

# CITY OF MUSKEGON

## PLANNING COMMISSION MEETING

**September 11, 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, D. Keener, B. Mazade, S. Blake, J. Montgomery-Keast, J. Seyferth, S. Gawron, and L. Simmons II (arrived at 4:08 pm)

Member(s) Absent: None

Member(s) Excused: K. Johnson

Staff Present: M. Franzak and S. Romine

Others Present: None

#### APPROVAL OF MINUTES

**A. Approval of the minutes from the regular meeting of August 14, 2025.**  
Planning

A motion to approve the Minutes of the regular Planning Commission meeting on August 14, 2025, was made by B. Mazade, supported by J. Seyferth, and unanimously approved.

#### PUBLIC HEARINGS

**A. Case 2025-36: Request to amend the Planned Unit Development at 2400 Lakeshore Dr and 2850 Lakeshore Dr (Windward Pointe) to reduce the number of residential lots and update the design criteria for housing units.** Planning

#### **SUMMARY**

The original PUD was approved in November 2023, and this is the first requested amendment. Due to the size, complexity, and expected duration of the development, the developer and their

team, along with the Michigan Department of Environment, Great Lakes & Energy (EGLE), have prioritized the planning for the Phase 1 (single-family homes) portion of the project (please see Phasing Plan attached). They are projecting to commence Phase 1 development in 2026 and are continuing to work through the planning for the other phases, and will have more specifics to share next year.

*Requested changes to the PUD*

Based on changes in construction methods, market conditions, and input from their consultants on Phase 1, they are requesting to convert some of the proposed staggered lot homes in the northeast corner of the site to aligned lots. They believe this will help with lot-marketability and create more variation in the homes in the area.

The existing PUD permits the construction of 223 single-family houses around the perimeter of the site. The Developer is proposing to convert the staggered lots (22' or 26' x 205') in the northeast corner of the site plan to 34' x 150'. The changes in this plan would reduce the total number of single-family residential lots from 223 to 208. The total number of housing units within the entire development will be reduced from 2,317 to 2,302.

The 205-foot depth was necessary to account for the staggered lot concept. If the homes are not staggered, the depth is not necessary and the road can be moved closer to the water, which is expected to provide better view sheds.

For comparison, the homes at Terrace Point Landing are on average approximately ½ the depth of what is being proposed at Windward Pointe. They anticipate more variety from home to home, and better visibility of the water from the road than what is permitted under the approved PUD for the site.

The "Building Details" attachment was adjusted to reflect the different lot dimensions for the single-family lots. The Condo/Apartment mansion lots were modified to add the depth that was removed from the waterfront lots.

The 10 lots that the City has an option to purchase remain at the same width (22'/26'), but the length is reduced to 150' due to the street relocation. The removed length was added to the planned forest park across the street.

They are proposing to move the street north by 55 feet, which will extend the length of the lots to the south. Moving the street north will also allow room for two more staggered lots that face east (overlooking Grand Trunk).

Please see the enclosed document that depicts the requested changes to the housing designs. These changes include a reduction in minimum building sizes, amending the front setback requirements for single-family houses, allowing more of the building facade to be comprised of garage doors, and increasing the size of rooftop decks on mansion lots.

The proposed site plan dated 9.11.25 has been included in the packet along with the previously approved plans from 11.6.23. All requested changes take place in the northeast corner of the project.

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

## STAFF RECOMMENDATION

Staff recommends approval of the requested amendments.

## PUBLIC HEARING COMMENCED:

J. Cross, resident: Has concerns about the environmental issues on the property.

F. Abdelkader: Lived and worked near the property and has concerns about environmental issues.

## CLOSE PUBLIC HEARING — MOTION

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

## MOTION PASSES

### MOTION

Motion by J. Seyferth, second by S. Gawron, to approve the request as a minor amendment to the PUD as presented in the staff report.

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

### MOTION PASSED

- B. Case 2025-37: Request to amend the Planned Unit Development (PUD) at 3400/3460/6474 Wilcox Ave, 1875 Waterworks Rd and 1490 Edgewater St (The Sand Docks) to modify parcel locations, modify parking layouts, add a sidewalk connection to the boardwalk, eliminate two multi-family buildings, and add seven single-family residential lots.** Planning

### SUMMARY

The original PUD was approved in June 2019, and this request would be the third amendment.

#### *Requested changes to the PUD*

The amendments to the site plan are described below and also within the attachment "The Sand Docks PUD Amendment — Pt 1," which also includes a descriptive map of what is changing. The complete updated site plan can be viewed in the attachment "The Sand Docks PUD Amendment — Pt 2."

Exhibit B (attachment 1)

\*Increasing lots 1-12 from 38-feet deep to 70-feet deep.

\*Lots 1-6 have been shifted to the south to allow for a sidewalk connection to the boardwalk, between lots 6 and 7.

\*The parking on the east side of the median was eliminated.

Exhibit C (attachment 1)

\*The configuration of the public road and alleys was simplified, placing lots on each side of the road.

\*The number of single-family home lots was increased from 19 to 26 in this section.

\*Two multi-family buildings with a total of 10 residential units were eliminated from this section.

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

**STAFF RECOMMENDATION**

Staff recommends approval of the PUD amendment. The site plan was updated after submittal, at the recommendation of the Engineering Department, to correct the revised on-street parking layout on the south end of the property (Exhibit B).

**PUBLIC COMMENT**

B. Lautenback, Harbour Towne resident: Supports the request, but has one concern regarding Exhibit B, as approved in 2024.

Harbour Towne resident: His property is adjacent to the development and has questions regarding the setback to the access road.

David C., Harbour Towne resident: Has traffic concerns for this project and the prior case on the agenda.

C. Blake, Lakeside Neighborhood: Likes the natural landscape of the land and thinks that the developer can do better to respect that.

**CLOSE PUBLIC HEARING — MOTION**

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

**MOTION PASSES**

**MOTION**

Motion by J. Seyferth, second by J. Montgomery-Keast, to approve the request as a minor amendment to the PUD as presented in the staff report.

**ROLL VOTE:** Ayes: L. Willett-Leroi, J. Montgomery-Keast, S. 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**

None

**GENERAL PUBLIC COMMENT**

None

**ADJOURNMENT**

The Planning Commission meeting adjourned at 5:03 p.m.

Respectfully Submitted,

Ann Marie Meisch, MMC City Clerk



# Agenda Item Review Form

## Muskegon Planning Commission

<b>Commission Meeting Date:</b> October 23, 2025	<b>Title:</b> Case 2025-38: Request to rezone a portion of the property at 560 Mart St from Waterfront Marine (WM) to Waterfront Industrial PUD (WI-PUD), by West Michigan Dock & Market Corp.
<b>Submitted by:</b> Mike Franzak, Planning Director	<b>Department:</b> Planning
<b>Brief Summary:</b> Request to rezone a portion of the property at 560 Mart St from Waterfront Marine (WM) to Waterfront Industrial PUD (WI-PUD).	
<b>Detailed Summary &amp; Background:</b> The applicant is requesting to rezone 23.5 acres of the 43.5 acre site to WI-PUD. The area to be rezoned is located behind the existing security fence (please see attachment). This area has historically been used for port-related activities. Although these uses are not allowed in the WM zoning district, they are considered legally non-conforming (grandfathered). Rezoning this portion of the property to WI-PUD would allow the applicant to apply for a PUD for port-related uses, which would allow them to become legally-conforming. The rest of the parcel would remain under Waterfront Marine (WM) zoning. Please see the enclosed zoning ordinance excerpts.  This rezoning request is related to the "land swap" project between the City, Mart Dock, and Verplank. More information regarding the project can be found here: <a href="https://muskegon-mi.civilspace.io/en/projects/connecting-community-to-the-water-ports-and-parks">https://muskegon-mi.civilspace.io/en/projects/connecting-community-to-the-water-ports-and-parks</a>  The land swap project would help complete several goals identified in city plans, including the following: <ul style="list-style-type: none"><li>○ Increasing publicly-accessible land along the waterfront - Imagine Muskegon Lake (page 10).</li><li>○ Increasing publicly-accessible shoreline - Imagine Muskegon Lake (page 10)</li><li>○ Increasing multi-use paths and trails align the shoreline - Imagine Muskegon Lake (page 10)</li><li>○ Increasing mixed-use development along the waterfront - Imagine Muskegon Lake (page 11)</li><li>○ Activating the Mart Dock property as an activity center - Imagine Muskegon Lake (page 37,40,41)</li><li>○ Habitat restoration at the future park on the Verplank site - Imagine Muskegon Lake (page 59)</li><li>○ Connecting the Western &amp; Central Waterfront Districts to Downtown - Imagine Muskegon Lake (page 15)</li><li>○ Become regionally and nationally designated by organizations that will bring visibility and economic development to Muskegon Lake - Master Plan (Economic Development, page 19)</li><li>○ Improve the environmental quality of greenway corridors by cleaning up contaminated sites, safeguarding areas highly susceptible to private land use, and reducing dumping - Master Plan (Natural Features, page 13)</li><li>○ Increase and enhance publicly-accessible amenities along the waterfront and soften</li></ul>	

- shorelines where possible - Master Plan (Economic Development, page 18)
- o Invest in placemaking opportunities that capitalize on community assets - Master Plan (Economic Development, page 10)
- o Increase access to the Muskegon Lake shoreline - Master Plan (Jackson Hill, page 11).

**Goal/Focus Area/Action Item Addressed:**

**Key Focus Areas:**

**Goal/Action Item:**

2027 Goal 2: Economic Development Housing and Business

**Amount Requested:**

N/A

**Budgeted Item:**

Yes		No		N/A	X	
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**Fund(s) or Account(s):**

N/A

**Budget Amendment Needed:**

Yes		No		N/A	X	
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**Recommended Motion:**

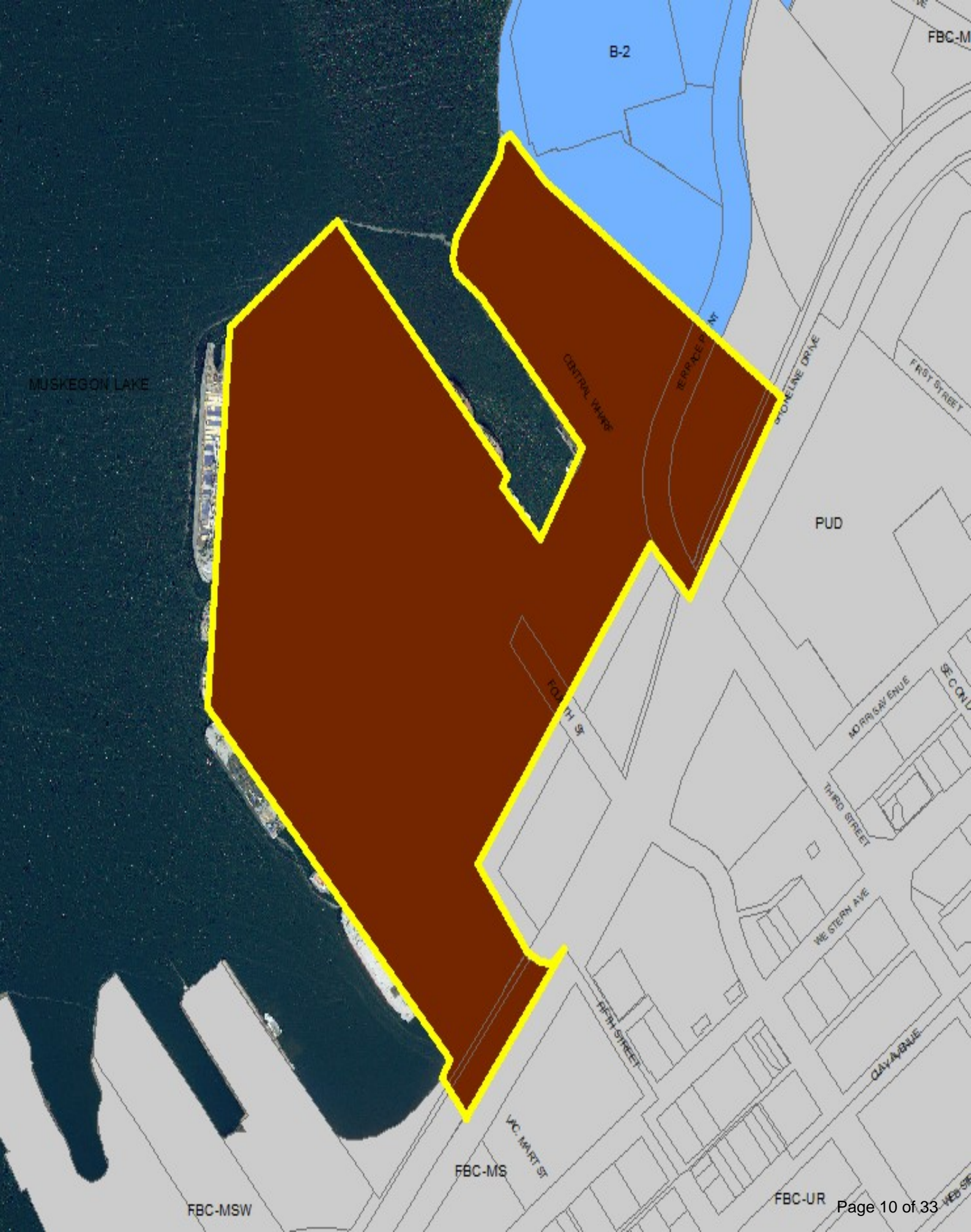
I move that the request to rezone a portion of the property at 560 Mart St from Waterfront Marine to Waterfront Industrial PUD be recommended to the City Commission for approval.

**Approvals:**

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

**Guest(s) Invited / Presenting:**

No



MUSKEGON LAKE

B-2

FBC-M

CENTRAL PARK

BERRILL

PUD

FOURTH ST

MORRISAY DRIVE

SECTION

THIRD STREET

NE STERN AVE

CAYLA BLVD

FIFTH STREET

VC MART ST

FBC-MSW

FBC-MS

FBC-UR

WEB SITE



MUSKEGON LAKE



Area: 23.5 Acres

TERRACE POINT

BR-31 SB  
BR-31 NB

MART

14TH

7 WES

**WI-PUD WATERFRONT INDUSTRIAL PLANNED UNIT DEVELOPMENT DISTRICTS**

**PREAMBLE**

The Waterfront Industrial PUD district is established primarily for water-dependent, commercial shipping of bulk, general cargo, or container goods by freighter, bulk carrier, tanker, tug barge, or other similar commercial vessels. The WI-PUD District is intended to promote the consolidation of commercial port activities at the eastern terminus of Muskegon Lake because of its proximity to the interstate, established industrial uses, and isolation from residential zones. The intent is to localize this district to promote symbiotic relationships among industrial port activities and to discourage the expansion of such activities elsewhere along Muskegon Lake frontage. It is further the intent of this district to require planned unit developments for all projects to ensure a mix of port uses that enhances the industrial economic base of the city. The planned unit development tool shall be applied to promote flexibility in development and to enhance functional relationships among uses in the district.

The general categories of uses permitted in the WI-PUD district are associated with standard industrial classifications, major group industry 44, "Water Transportation" as found in the 1987 Standard Industrial Classification Manual prepared by the Executive Office of the President, Office of Management and Budget.

**SECTION 1504: USES PERMITTED**

The following uses, and their accessory buildings and accessory uses, shall be permitted as planned unit developments. Planned unit developments shall be reviewed and approved by the Planning Commission and City Commission subject to the conditions outlined below.

**PRINCIPAL USES:**

1. Water transportation of freight.
2. Railroad and auto passenger ferries.
3. Marine cargo handling; loading, unloading and stevedore facilities.
4. Marine terminal uses including ancillary inter-modal transportation operations.
5. Any use with outside storage of aggregate, limestone, coal, slag, salt, sand or other bulk materials shipped by commercial watercraft vessels and or barges.
6. Grain elevators.
7. Bulk and warehouse storage of goods shipped by commercial maritime vessels.
8. Towing and tugboat services for commercial freight water vessels.
9. Barge fleetling, mooring and servicing.
10. Lighterage.
11. Commercial engine and hull repair.

## WI-PUD WATERFRONT INDUSTRIAL PLANNED UNIT DEVELOPMENT DISTRICTS

12. Marine dock, breakwater, harbor construction and repair contracting.
13. Marine dredging contractors.
14. Palletizing, decanning, container stripping and packing operations associated with maritime shipping and transport.
15. Bulk liquid facilities of non-hazardous materials.
16. Material recovery facilities that are entirely contained in buildings.
17. Commercial fishing facilities.
18. Manufacturing that is dependent on port facilities.
19. Any other uses which meet the intent of this district as deemed by the Planning Commission and City Commission; except that in no case shall a prohibited use be permitted.

### ACCESSORY USES:

1. Docks, wharves, piers or transit sheds or related facilities used in connection with the transfer, handling, storage and transit and incidental processing of cargo from or to waterborne craft.
2. Truck or rail freight terminal supporting water freight transport.
3. Offices associated with port facilities and functions.
4. Parking decks.
5. Watchmen quarters employed on the premise.
6. Lift equipment to load and unload ships.
7. Weigh stations.
8. Lighthouse.
9. Fuel dock.
10. Seaplane base.

### SECTION 1505: PROHIBITED USES

1. Asphalt batching.
2. Cement processing.
3. Storage of petroleum products stored in excess of 1,000 gallons.
4. Hazardous material or hazardous chemical storage or transport.

5. Ship cleaning.
6. Salvage yards, ship scrapping, dismantling and wrecking operations not wholly contained in buildings.
7. Livestock holding.
8. Marine Salvage.
9. Open storage of fertilizers, agricultural lime and other chemicals.
10. Billboards.

SECTION 1506: REVIEW STANDARDS

The Planning Commission shall approve, deny or modify preliminary planned unit development plans, based upon the site plan review and landscaping standards of this ordinance and the following standards below. Likewise, the City Commission shall approve, deny, or modify final planned unit development plans (after review and recommendation by the Planning Commission) based upon the following standards:

1. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience of any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties, or the environment.
2. The uses proposed should be consistent with the land use plans adopted by the City.
3. The amount of open space provided is compatible with and meets the requirements of this ordinance, which the Planning Commission or City Commission may modify, even though such modifications do not conform to that required in other sections of this ordinance.
4. The amount of off-street parking areas is adequate, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
5. The amount of landscaping and buffering areas provided are compatible with and meet the requirements of this ordinance, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
6. The design provides for the protection or enhancement of significant natural, historical, or architectural features within the proposed development area.
7. The uses proposed will result in safe, convenient, uncongested and well defined vehicular and pedestrian circulation systems.
8. The land uses presented shall provide a mix of uses to perpetuate an economically viable, mixed use port.
9. The project shall demonstrate adequate support services for all activities.

10. Stockpiles of salt and agricultural lime must be covered or sufficiently isolated from the surface water to prevent leaching.
11. Aggregate, salt, lime, or soil stockpiling areas shall not occupy more than 50% of the site or district.
12. Truck freight terminals shall not occupy more than 30% of the site area or district. Trucks shall be stored a minimum of two hundred (200) feet from the ordinary high water mark.

SECTION 1507: AREA AND BULK REQUIREMENTS

The following are meant as general guidelines. Through the process of the Planned Unit Development process, the Planning Commission may determine that changes to the standards are appropriate to both meet the needs and objectives of the project and the city.

1. Minimum lot size: 43,560 sq. feet.
2. Maximum lot coverage:  
Buildings: 75%  
Pavement: 25%
3. Lot width: 150 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
4. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
5. Height limit: 3 stories or 50 feet.

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

6. Front Setbacks:  
Minimum:  
Expressway or Arterial Street: 30 feet  
Collector or Major Street: 20 feet  
Minor Street: 10 feet
7. Rear setback: 10 feet.
8. Setback from the ordinary high-water mark or wetland: 75 feet (principal structures only).
9. Side setbacks:

- 1-story: 10 feet and 20 feet
- 2-story: 15 feet and 25 feet
- 3-story: 20 feet and 30 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.

10. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided:
  - a. The building has an approved fire rating for zero-lot line development under the building code.
  - b. The building has adequate fire access preserved pursuant to fire code requirements.
  - c. The zero lot line side is not adjacent to a street.
  - d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
  - e. It is not adjacent to wetlands, or waterfront.
11. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero-lot-line is employed for a structure or fire access. At least fifty percent of all required front setbacks shall be landscaped and adjacent to the road right-of-way. An average minimum greenbelt of 10 feet shall be maintained along each street frontage.

**ARTICLE XIX – WM WATERFRONT MARINE DISTRICTS**

**PREAMBLE**

The WM Waterfront Marine Districts are designed to accommodate boating and water-oriented land and building use along with those activities and services related to harbor and waterway improvements, thereby facilitating navigation, and providing safe and economical waterfront developments.

**SECTION 1900: PRINCIPAL USES PERMITTED**

In the WM Waterfront Marine District, no building or land shall be used and no building shall be erected, structurally altered, be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance:

1. Marinas including the out of water seasonal storage of boats.
2. Commissary facilities for the provision of food, beverages, and the like to be stores aboard boats.
3. Municipal or private beaches.
4. Retail businesses which supply commodities for persons using the facilities of the District, such as the sale of boats, engines and accessories, fishing equipment, and other similar items.
5. Restaurants and cocktail lounges.
6. Hotels and motels.
7. Accessory buildings and accessory uses customarily incidental to the above Principal Uses Permitted.
8. Uses similar to the above Principal Uses Permitted.

**SECTION 1901: SPECIAL LAND USES PERMITTED**

The following uses, and their accessory buildings and accessory uses, shall be permitted under the purview of Section 2332 after review and approval of the use (and a site plan, if required) by the Planning Commission, after Public Hearing, subject to the applicable conditions, and any other reasonable conditions imposed by the Planning Commission:

1. Engine and hull repair shops.
2. Marine contracting.
3. Commercial fishing and processing facilities.
4. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.
5. Seasonal recreational camper, trailer parks and facilities.
6. Museums.

7. Uses similar to the above Special Land Uses Permitted.

SECTION 1902: PLANNED UNIT DEVELOPMENTS

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the WM Waterfront Marine Districts is to allow mixed land uses, which are compatible to each other, while prohibiting uses which would not be compatible or harmonious with permitted uses.

SECTION 1903: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 21,780 sq. feet.
2. Density (see definition in Article II): 24 dwelling units per buildable acre.
3. Dedicated open space requirement: 15%
4. Maximum lot coverage:  
Buildings: 60%  
Pavement: 25%
5. Lot width: 150 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
6. Maximum building width: 50% (as a portion of the lot width).
7. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
8. Height limit: 4 stories or 60 feet

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

9. Front Setbacks:  
Minimum:  
Expressway or Arterial Street: 30 feet  
Collector or Major Street: 20 feet  
Minor Street: 10 feet

10. Rear setback: 10 feet
11. Setback from the ordinary high-water mark or wetland: 75 feet (principal structures only).

12. Side setbacks:

- 1-story: 8 feet and 12 feet
- 2-story: 10 feet and 14 feet
- 3-story: 12 feet and 16 feet
- 4-story: 16 feet and 20 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.

13. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided:

- a. The building has an approved fire rating for zero-lot line development under the building code.
- b. The building has adequate fire access preserved pursuant to fire code requirements.
- c. The zero lot line side is not adjacent to a street.
- d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
- e. It is not adjacent to wetlands, or waterfront.

14. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero-lot-line is employed for a structure or fire access. At least fifty percent of all required front setbacks shall be landscaped and adjacent to the road right-of-way. An average minimum greenbelt of 10 feet shall be maintained along each street frontage.



# Agenda Item Review Form

## Muskegon Planning Commission

<b>Commission Meeting Date:</b> October 23, 2025	<b>Title:</b> Case 2025-39: Staff-initiated request to rezone 501 E Western Ave from Open Space Recreation (OSR) to Waterfront Industrial PUD (WI-PUD).
<b>Submitted by:</b> Mike Franzak, Planning Director	<b>Department:</b> Planning
<b>Brief Summary:</b> Staff-initiated request to rezone 501 E Western Ave from Open Space Recreation (OSR) to Waterfront Industrial PUD (WI-PUD).	
<b>Detailed Summary &amp; Background:</b> Staff is requesting to rezone a portion of Fisherman's Landing (501 E Western) to WI-PUD to allow for port activities on-site. Once the property is rezoned to WI-PUD, the owner would be able to apply for a PUD for port-related activities. The remainder of the property will remain OSR zoning, and the boat launch, fishing areas, and bathrooms will remain open to the public. About 3.5 of the 5 parking lots on-site will remain (about 46 parking spaces to be eliminated). Please see the enclosed map depicting the portion of the property to be rezoned and the zoning ordinance excerpts for WI-PUD and OSR.  This rezoning request is related to the "land swap" project between the City, Mart Dock, and Verplank. More information regarding the project can be found here: <a href="https://muskegon-mi.civilspace.io/en/projects/connecting-community-to-the-water-ports-and-parks">https://muskegon-mi.civilspace.io/en/projects/connecting-community-to-the-water-ports-and-parks</a>  The land swap project would help complete several goals identified in city plans, including the following: <ul style="list-style-type: none"> <li>○ Increasing publicly-accessible land along the waterfront - Imagine Muskegon Lake (page 10).</li> <li>○ Increasing publicly-accessible shoreline - Imagine Muskegon Lake (page 10)</li> <li>○ Increasing multi-use paths and trails align the shoreline - Imagine Muskegon Lake (page 10)</li> <li>○ Increasing mixed-use development along the waterfront - Imagine Muskegon Lake (page 11)</li> <li>○ Activating the Mart Dock property as an activity center - Imagine Muskegon Lake (page 37,40,41)</li> <li>○ Habitat restoration at the future park on the Verplank site - Imagine Muskegon Lake (page 59)</li> <li>○ Connecting the Western &amp; Central Waterfront Districts to Downtown - Imagine Muskegon Lake (page 15)</li> <li>○ Become regionally and nationally designated by organizations that will bring visibility and economic development to Muskegon Lake - Master Plan (Economic Development, page 19)</li> <li>○ Improve the environmental quality of greenway corridors by cleaning up contaminated sites, safeguarding areas highly susceptible to private land use, and reducing dumping - Master Plan (Natural Features, page 13)</li> <li>○ Increase and enhance publicly-accessible amenities along the waterfront and soften</li> </ul>	

- shorelines where possible - Master Plan (Economic Development, page 18)
- o Invest in placemaking opportunities that capitalize on community assets - Master Plan (Economic Development, page 10)
- o Increase access to the Muskegon Lake shoreline - Master Plan (Jackson Hill, page 11).

**Goal/Focus Area/Action Item Addressed:**

**Key Focus Areas:**

**Goal/Action Item:**

2027 Goal 2: Economic Development Housing and Business

**Amount Requested:**

N/A

**Budgeted Item:**

Yes		No		N/A	X	
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**Fund(s) or Account(s):**

N/A

**Budget Amendment Needed:**

Yes		No		N/A	X	
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**Recommended Motion:**

I move that the request to rezone a portion of the property at 501 E Western Ave from Open Space Recreation to Waterfront Industrial PUD be recommended to the City Commission for approval.

**Approvals:**

Immediate Division Head	X	
Information Technology		
Other Division Heads		
Communication		
Legal Review		

**Guest(s) Invited / Presenting:**

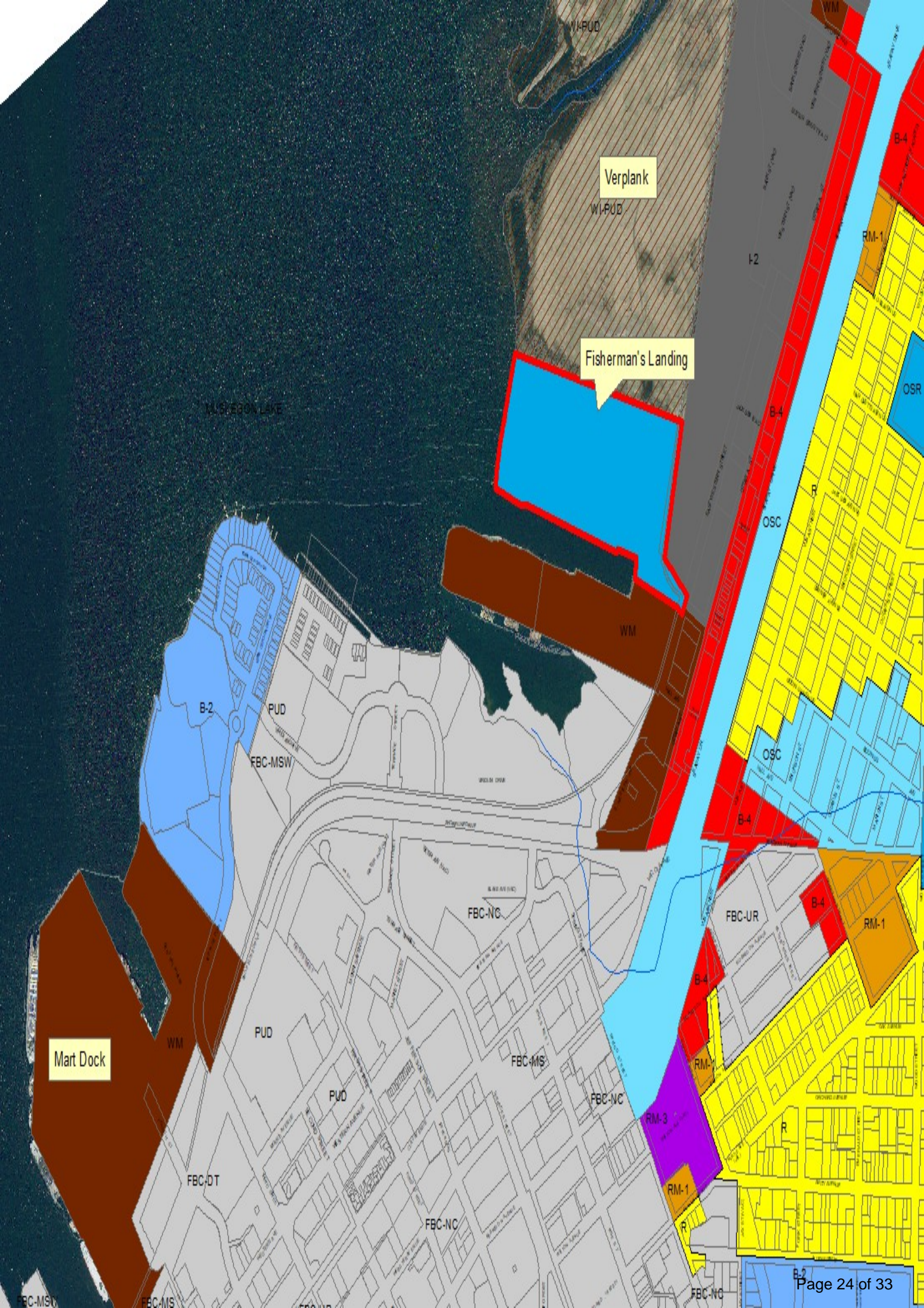
No



Verplank

Fisherman's Landing

Mart Dock



Verplank

Fisherman's Landing

Mart Dock

**WI-PUD WATERFRONT INDUSTRIAL PLANNED UNIT DEVELOPMENT DISTRICTS**

**PREAMBLE**

The Waterfront Industrial PUD district is established primarily for water-dependent, commercial shipping of bulk, general cargo, or container goods by freighter, bulk carrier, tanker, tug barge, or other similar commercial vessels. The WI-PUD District is intended to promote the consolidation of commercial port activities at the eastern terminus of Muskegon Lake because of its proximity to the interstate, established industrial uses, and isolation from residential zones. The intent is to localize this district to promote symbiotic relationships among industrial port activities and to discourage the expansion of such activities elsewhere along Muskegon Lake frontage. It is further the intent of this district to require planned unit developments for all projects to ensure a mix of port uses that enhances the industrial economic base of the city. The planned unit development tool shall be applied to promote flexibility in development and to enhance functional relationships among uses in the district.

The general categories of uses permitted in the WI-PUD district are associated with standard industrial classifications, major group industry 44, "Water Transportation" as found in the 1987 Standard Industrial Classification Manual prepared by the Executive Office of the President, Office of Management and Budget.

**SECTION 1504: USES PERMITTED**

The following uses, and their accessory buildings and accessory uses, shall be permitted as planned unit developments. Planned unit developments shall be reviewed and approved by the Planning Commission and City Commission subject to the conditions outlined below.

**PRINCIPAL USES:**

1. Water transportation of freight.
2. Railroad and auto passenger ferries.
3. Marine cargo handling; loading, unloading and stevedore facilities.
4. Marine terminal uses including ancillary inter-modal transportation operations.
5. Any use with outside storage of aggregate, limestone, coal, slag, salt, sand or other bulk materials shipped by commercial watercraft vessels and or barges.
6. Grain elevators.
7. Bulk and warehouse storage of goods shipped by commercial maritime vessels.
8. Towing and tugboat services for commercial freight water vessels.
9. Barge fleetling, mooring and servicing.
10. Lighterage.
11. Commercial engine and hull repair.

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12. Marine dock, breakwater, harbor construction and repair contracting.
13. Marine dredging contractors.
14. Palletizing, decanning, container stripping and packing operations associated with maritime shipping and transport.
15. Bulk liquid facilities of non-hazardous materials.
16. Material recovery facilities that are entirely contained in buildings.
17. Commercial fishing facilities.
18. Manufacturing that is dependent on port facilities.
19. Any other uses which meet the intent of this district as deemed by the Planning Commission and City Commission; except that in no case shall a prohibited use be permitted.

### ACCESSORY USES:

1. Docks, wharves, piers or transit sheds or related facilities used in connection with the transfer, handling, storage and transit and incidental processing of cargo from or to waterborne craft.
2. Truck or rail freight terminal supporting water freight transport.
3. Offices associated with port facilities and functions.
4. Parking decks.
5. Watchmen quarters employed on the premise.
6. Lift equipment to load and unload ships.
7. Weigh stations.
8. Lighthouse.
9. Fuel dock.
10. Seaplane base.

### SECTION 1505: PROHIBITED USES

1. Asphalt batching.
2. Cement processing.
3. Storage of petroleum products stored in excess of 1,000 gallons.
4. Hazardous material or hazardous chemical storage or transport.

5. Ship cleaning.
6. Salvage yards, ship scrapping, dismantling and wrecking operations not wholly contained in buildings.
7. Livestock holding.
8. Marine Salvage.
9. Open storage of fertilizers, agricultural lime and other chemicals.
10. Billboards.

SECTION 1506: REVIEW STANDARDS

The Planning Commission shall approve, deny or modify preliminary planned unit development plans, based upon the site plan review and landscaping standards of this ordinance and the following standards below. Likewise, the City Commission shall approve, deny, or modify final planned unit development plans (after review and recommendation by the Planning Commission) based upon the following standards:

1. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience of any combination thereof, on present and potential surrounding land uses. The uses proposed will not adversely affect the public utility and circulation systems, surrounding properties, or the environment.
2. The uses proposed should be consistent with the land use plans adopted by the City.
3. The amount of open space provided is compatible with and meets the requirements of this ordinance, which the Planning Commission or City Commission may modify, even though such modifications do not conform to that required in other sections of this ordinance.
4. The amount of off-street parking areas is adequate, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
5. The amount of landscaping and buffering areas provided are compatible with and meet the requirements of this ordinance, which the Planning Commission or City Commission may modify even though such modifications do not conform to that required in other sections of this ordinance.
6. The design provides for the protection or enhancement of significant natural, historical, or architectural features within the proposed development area.
7. The uses proposed will result in safe, convenient, uncongested and well defined vehicular and pedestrian circulation systems.
8. The land uses presented shall provide a mix of uses to perpetuate an economically viable, mixed use port.
9. The project shall demonstrate adequate support services for all activities.

10. Stockpiles of salt and agricultural lime must be covered or sufficiently isolated from the surface water to prevent leaching.
11. Aggregate, salt, lime, or soil stockpiling areas shall not occupy more than 50% of the site or district.
12. Truck freight terminals shall not occupy more than 30% of the site area or district. Trucks shall be stored a minimum of two hundred (200) feet from the ordinary high water mark.

SECTION 1507: AREA AND BULK REQUIREMENTS

The following are meant as general guidelines. Through the process of the Planned Unit Development process, the Planning Commission may determine that changes to the standards are appropriate to both meet the needs and objectives of the project and the city.

1. Minimum lot size: 43,560 sq. feet.
2. Maximum lot coverage:  
Buildings: 75%  
Pavement: 25%
3. Lot width: 150 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
4. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
5. Height limit: 3 stories or 50 feet.

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

6. Front Setbacks:  
Minimum:  
Expressway or Arterial Street: 30 feet  
Collector or Major Street: 20 feet  
Minor Street: 10 feet
7. Rear setback: 10 feet.
8. Setback from the ordinary high-water mark or wetland: 75 feet (principal structures only).
9. Side setbacks:

- 1-story: 10 feet and 20 feet
- 2-story: 15 feet and 25 feet
- 3-story: 20 feet and 30 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.

10. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided:
  - a. The building has an approved fire rating for zero-lot line development under the building code.
  - b. The building has adequate fire access preserved pursuant to fire code requirements.
  - c. The zero lot line side is not adjacent to a street.
  - d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
  - e. It is not adjacent to wetlands, or waterfront.
11. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero-lot-line is employed for a structure or fire access. At least fifty percent of all required front setbacks shall be landscaped and adjacent to the road right-of-way. An average minimum greenbelt of 10 feet shall be maintained along each street frontage.

**ARTICLE XVII – OSR OPEN SPACE RECREATION DISTRICTS**

**PREAMBLE**

The OSR Open Space Recreation Districts are intended to provide for permanent open spaces in the City and are designed to provide recreational activities that are limited to country clubs, marinas, and the like. These Districts are further intended to safeguard the natural features of the City, and the health, safety, and welfare of the citizens of Muskegon and the adjacent area by limiting developments to locations where police and fire protection, or protection against flooding by high water table or storm water, or dangers from excessive erosion are not possible without excessive costs to the City.

**SECTION 1700: PRINCIPAL USES PERMITTED**

In the OSR Open Space Recreation Districts, no building or land shall be used and no building shall be erected, structurally altered, or occupied except for one (1) or more of the following specified used, unless otherwise provided in this Ordinance:

1. Fishing docks and piers.
2. Hiking, bicycling, jogging, or ski trails.
3. Wildlife preserves or refuge structures.
4. Watershed or erosion protection facilities.
5. Parks, playgrounds, and playfields.
6. Accessory uses customarily incidental to the above Principal Uses Permitted.
7. Uses similar to the above Principal Uses Permitted.

**SECTION 1701: SPECIAL LAND USES PERMITTED**

The following uses, and their accessory buildings and accessory uses, shall be permitted under the purview of Section 2332 after review and approval of the use (and a site plan, if required) by the Planning Commission, after Public Hearing, subject to the applicable conditions, and any other reasonable conditions imposed by the Planning Commission:

1. Country clubs.
2. Marinas for the berthing and servicing of boats, but without major repair or storage facilities.
3. Public and private utilities and services.
4. Seasonal, recreational, campers and trailer parks, and facilities.
5. Amusement facilities excepting outdoor theaters, adult theaters, and adult bookstores.
6. Seasonal or year-round craft shops.

## ARTICLE XVII – OSR OPEN SPACE RECREATION DISTRICTS

7. Conference and reception auditoriums.
8. Galleries and museums.
9. Open air amphitheatres.
10. Restaurants and cocktail lounges.
11. Any other similar uses or activity requiring buildings or structures.
12. Accessory buildings and accessory uses customarily incidental to the above Special Land Uses Permitted.
13. Uses similar to the above Special Land Uses Permitted.

### SECTION 1702: PLANNED UNIT DEVELOPMENTS

Planned developments may be allowed by the Planning Commission under the procedural guidelines of Section 2101. The intent of Planned Unit Developments in the OSR Open Space Recreation Districts is to allow mixed land uses which are compatible to each other, while prohibiting uses which would not be compatible or harmonious with permitted uses.

### SECTION 1703: AREA AND BULK REQUIREMENTS

1. Minimum lot size: 21,780 sq. feet.
2. Maximum lot coverage:  
Buildings: 20%  
Pavement: 15%
3. Lot width: 100 feet (shall be measured at road frontage unless a cul-de-sac, then measured from setback).
4. Width to depth ratios: The depth of any lot(s) or parcel(s) shall not be more than three (3) times longer its width.
5. Height limit: 2 stories or 35 feet.

Height measurement: In the case of a principal building, the vertical distance measured from the average finished grade to the highest point of the roof surface where the building line abuts the front yard, except as follows: to the deck line of mansard roofs, and the average height between eaves and the ridge of gable, hip, and gambrel roofs (see Figure 2-2). If the ground is not entirely level, the grade shall be determined by averaging the elevation of the ground for each face of the building (see Figure 2-3).

6. Front Setbacks:

Minimum:

Expressway or Arterial Street: 30 feet

Collector or Major Street: 20 feet  
Minor Street: 10 feet

7. Rear setback: 10 feet
8. Setback from the ordinary high-water mark or wetland: 75 feet (principal structures only).
9. Side setbacks:
  - 1-story: 6 feet and 10 feet
  - 2-story: 8 feet and 12 feet

Note, setback measurement: All required setbacks shall be measured from the right-of-way line to the nearest point of the determined drip line of buildings.

10. Zero lot line option: New principal buildings may be erected on the rear lot line and/or one side lot line provided:
  - a. The building has an approved fire rating for zero-lot line development under the building code.
  - b. The building has adequate fire access preserved pursuant to fire code requirements.
  - c. The zero lot line side is not adjacent to a street.
  - d. A maintenance access easement is granted by the adjacent property owner and recorded with the County Register of Deeds and provided to the zoning administrator with the site plan or plot plan.
  - e. It is not adjacent to wetlands, or waterfront.
11. All required side and rear setbacks shall be landscaped, greenbelt buffers, unless zero-lot-line is employed for a structure or fire access. At least fifty percent of all required front setbacks shall be landscaped and adjacent to the road right-of-way. An average minimum greenbelt of 10 feet shall be maintained along each street frontage.

