

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-18-5
May 14, 2018**

CALL TO ORDER

Chairperson Singerling called the meeting to order at 7:00 PM.

ROLL

Present: Hower, VandenBosch, Hughes, Singerling, Frein, Borushko

Absent:

Excused: Bouwman

Also Present: Planning and Zoning Administrator Brian Werschem, Recording Secretary Andria Muskovin, and 5 guests.

APPROVAL OF AGENDA

Motioned by Hower, supported by Borushko, to approve the agenda as submitted.

Motion carried.

APPROVAL OF MINUTES

Motioned by Hower, supported by Borushko to approve the minutes of April 9, 2018 with the correction of the spelling of college on the 2nd page.

Motion carried.

COMMUNICATIONS

Staff Report

Board Minutes from April 2, 2018 and April 16, 2018 provided

Staff report from Administrator Werschem provided.

UNFINISHED BUSINESS - None

NEW BUSINESS

1. PC 18-04 Public Hearing - Special Use Approval to Legal Nonconforming Structure

Name: Freeman Rogers, Jr.
Address: 2696 E. Laketon Ave., Muskegon, MI 49442
PP# 61-10-026-300-0034-00
Zoning: IP - Industrial Park

Purpose: Obtain a special use permit Per Section 58-8(b) of the MTZO to alter, repair or modernize a pre-existing non-conforming structure.

Open Public Hearing at 7:04 PM

Freeman Rogers 2696 E Laketon Ave, Muskegon, MI 49442 along with his wife Sabrina Rogers of the same address, would like to tear down existing garage (non-conforming) and replace it with a new (conforming) enclosed car port for cars and storage.

He is not extending residential dwelling, he is simply asking for structure to be allowed and it will not interfere with adjoining land.

Hughes asked about when he was planning to do it and he said once approved, he would start with tear down as it takes 4 weeks to order the carport.

Closed Public Hearing at 7:09 PM

Motion by Hughes, Supported by Hower to approve Special Use Permit to construct carport in industrial zone, on property as accessory to single family use.

Ayes: Hower, VandenBosch, Hughes, Singerling, Frein, Borushko

Nays: 0

2. PC 18-05 Site Plan Review Application - Popeye's

**Name: Eagle Ready Foods, LLC.
Address: 1891 E. Apple Ave., 1874 Ada Ave., 1025 Gordon St.
PP# 61-10-404-000-0286-00, 61-10-404-000-0288-10,
61-10-404-000-0287-00
Purpose: Demolish Residential Structure upon 1874 Ada, combine parcels and construct Popeye's Restaurant upon the three existing parcels.
Zoning: All Parcels Zoned C1**

James VandenBerg, 20655 Fox Ridge, Grand Rapids, MI, representing Chicago Diversified Foods, spoke regarding the proposed Popeye's Restaurant. He said the owner of Taco Bell on Apple Avenue, Tony Bacelli's grandson wanted to get in the business and created Eagle Ready Foods. The first Popeye's that he has put in is in Greenville, MI. He stated that they are not associated with the Popeye's in Norton Shores, and that they are friendly, clean and want to be good neighbors. Chairman Singerling voiced concern with the entrance and stated that MDOT and MCRC would have to approve. Mr. VandenBerg stated that they had to move the building up on the lot because of the Easement that runs through the property. He voiced concern with semi-truck turnaround if they have to move the entrance. Chairman Singerling also voiced concern with three parking spaces at the rear of the building because of the headlights shining into the house behind the site. He suggested either fencing or taller trees to block the headlights. Mr. VandenBerg was not opposed to that and even stated that they could go an additional few spaces to make it 5 or 6 parking spaces of fence or tall trees. Brian told him to add it to the site plan.

Chairman Singerling also stated that the Drain Commissioner will have to approve with the storm drain. Mr. VandenBerg was ok with that.

Chairman Singerling complimented Mr. VandenBerg with the drawings.

Mark Nicolai, Fire Inspector, said that everything looked good.

Hower asked what the hours of operation would be and Mr. VandenBerg said they would be 10:30 AM to either 10:30 or 11:00 PM. Frein asked about the dining room seating and Mr. VandenBerg said that there was either 71 or 77 seats, but the drive thru was about 65% of business.

Brian Werschem explained criteria from staff point (Building inspector, Fire) and said there is a 14 criteria check.

VandenBosch asked where they were with MDOT and Mr. VandenBerg was not sure. Mr. VandenBerg asked if the light would have to be moved if the driveway has to be moved and Brian Werschem stated that it probably would, but it would be determined by Consumers Energy.

Chairman Singerling thought the 14 Criteria looked good and asked if anyone else had any concerns. No Concerns.

Hower motioned to approve site plan contingent on all State, Federal and Local laws and on fencing along west property line for the six indicated parking spaces.

Ayes: Hower, VandenBosch, Hughes, Singerling, Frein, Borushko

Nays: 0

Brian also explained site plan amendment if there is any significant changes.

PUBLIC COMMENT –

Discussion on Dalton Township Planning Commission to hold public input sessions for Master Plans. Pre-planning sessions are also planning meetings.

NEXT MEETING

The next scheduled meeting for the Planning Commission is on June 11, 2018 at 7:00 PM in the Board Room at Town Hall.

ADJOURNMENT

Motioned by Hower Supported by Borushko to adjourn at 7:32 PM.

Motion Carried.

Respectfully submitted,

***Sandra Frein
Secretary***