

**MUSKEGON CHARTER TOWNSHIP  
PLANNING COMMISSION MINUTES  
PC-22-8  
August 8, 2022**

**CALL TO ORDER**

**Chairperson Singerling called the meeting to order at 7:00 p.m.**

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

**Excused: Bouwman, Frein**

**Absent:**

**Also Present: Planning / Zoning Administrator Brian Werschem,  
Recording Secretary Andria Muskovin and Chris Korey our Master  
Planner from McKenna as well as 3 guests.**

**Approval of Agenda**

**Motioned by Hower supported by Borushko to approve the Agenda for the  
August 8, 2022 Planning Commission meeting.**

**Ayes: Hower, Singerling, Borushko, Hughes**

**Nays: None**

**Motion carried.**

**Approval of Minutes**

**Motioned by Borushko supported by Hower to approve the minutes from  
July 11, 2022.**

**Ayes: Hower, Singerling, VandenBosch, Hughe Borushko**

**Nays: None**

**Motion carried.**

**Communications**

**July 5, 2022 and July 18, 2022 Board Minutes Reviewed**

**Staff Report acknowledged**

**Minor Change – 1746 E. Apple, Arby’s**  
**Minor Change – 1362 Whitehall Rd, Los Amigos North**

**Unfinished Business - None**

**New Business –**

**1. PC 22-18 Special Use Permit**

**Name: Pinnacle Construction Group**  
**Address: 2828 E. Apple Ave**  
**PP#: 61-10-023-400-0003-00 & 61-10-023-400-0004-00**  
**Zoning: Neighborhood Commercial (C1)**  
**Purpose: Automotive Repair with outdoor lot for staging of repairs.**

Chairman Singerling opened the Public Hearing at 7:01 PM. Published on July 24, 2022 with no responses.

Planner Werschem explained that Pinnacle Group proposes to acquire two properties at 2828 E Apple, adjust the property boundary creating an Apple Avenue parcel for Gerber Collision and retain the northern portion for future development. Gerber Collision will demolish the existing structures and build a brand new automotive repair facility with outdoor storage for vehicles for repair.

James Lewis, 105 Newberry St, Grand Rapids, MI 49503 of Pinnacle Construction Group stated that Gerber Collision had 50 locations in Michigan and is a National chain. This will be a \$3.5 Million investment. At this time it employees 8 but will increase to 14 employees.

Chairman Singerling stated that vehicles could only be in the fenced in waiting/storage area for no more than 60 days. Mr. Lewis had no concerns with that.

Motion by Borushko supported by Hower to close the Public Hearing at 7:08 PM.

Sec. 58-57. - General standards for making determinations.

The planning commission and township board shall, upon separate occasions, review the particular facts and circumstances of each proposal in terms of the following standards and shall find adequate evidence showing that the proposed use:

- (1) Will be harmonious with and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.

*PC determined that this is good use of this area and will be harmonious with and in accordance with the general objectives or with any specific objectives of the general plan or current adoption.*

- (2) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.

*PC determined that this is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.*

- (3) Will not be hazardous or disturbing to existing or future neighboring uses.

*PC determined this will not be hazardous or disturbing to existing or future neighboring uses.*

- (4) Will be a substantial improvement to property in the immediate vicinity and to the township as a whole.

*PC determined that this allowable use in the corridor is a substantial improvement to the property, property in the immediate vicinity and to the township as a whole.*

- (5) Will be served adequately by essential public facilities and services; such as highways, streets, police and fire protection, drainage structures, refuse disposal, or schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

*PC determined that essential public services and facilities shall be able to be provided under the proposed use. This plan has been reviewed and approved by the Fire Inspector as well.*

- (6) Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the township.

*PC determined that no additional requirements at public cost for public facilities and services anticipated.*

- (7) Will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

*PC determined that the use will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.*

- (8) Will be consistent with the intent and purposes of this chapter.

*PC determined that an auto repair facility is consistent with the intent and purposes of this chapter.*

**Motion by Hower, support by VandenBosch to recommend to the Township Board approval of a special use permit for an automotive repair facility at 2828 E Apple Ave Parcel # 61-10-023-400-0003-00 & 61-10-023-400-0004-00 having met the standards of Section 58-57 of the Muskegon Charter Township Code of ordinances with the following contingencies:**

- 1. Outdoor storage may only be for vehicles in for repair or awaiting pickup after repair.**
- 2. Outdoor storage may only occur within the indicated fenced in area of the site plan.**
- 3. Vehicles in for repair cannot remain on site for more than 60 days.**
- 4. Compliance with all federal, state, County and local rules, regulations and ordinances.**

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

**Nays: None**

**Motion carried.**

**2. PC 22-19      Site Plan**

**Name:            Pinnacle Construction Group**  
**Address:        2828 E. Apple Ave**  
**PP#:            61-10-023-400-0003-00 & 61-10-023-400-0004-00**  
**Zoning:         Neighborhood Commercial (C1)**  
**Purpose: Automotive Repair (Gerber Collision)**

James Lewis stated that the building will be high quality and will last a long time.

Sec. 58-486. - Standards for approval.

- (a) The intent of the planning commission is to minimize any adverse impacts that a proposed site plan may have on the neighboring properties, the neighborhood in general and its character, and the community as a whole.
- (b) Each site plan shall conform to all applicable provisions of this chapter and the following standards:
  - (1) All elements of the site plan shall be designed to take into account the site's topography, the size and type of the lot, the character of adjoining property

and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.

*PC determined that all elements of the site plan are designed to take into account the site's topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site is to be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this chapter.*

- (2) The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this chapter. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

*PC determined that the landscape is being preserved in so far as practical.*

- (3) Stormwater and erosion protection.

- a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public stormwater drainage system, or nearby bodies of water.

*PC determined that that the proposed stormwater system is adequate with the overflow into the County drainage system. MDot and the Water Resource Commission will need to approve.*

- b. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust.

*PC determined that a soil erosion permit will be required from Muskegon County DPW.*

- c. The use of detention/retention ponds may be required.

*PC determined that the detention / retention are required and proposed.*

- d. Surface water on all paved areas shall be collected at locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.

*PC determined that surface water on all paved areas are being collected at existing locations so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water that may interfere with this traffic.*

- e. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.

*PC determined that no swales, wetlands, ponds, or swamps exist so this requirement does not apply.*

- f. Catch basins or other protective measures may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system. Other provisions may be required to contain runoff or spillage from areas where hazardous materials are stored, or proposed to be stored.

*PC determined that adequate measures will be required by the state, county and local permits to assure proper collection of any waste material.*

- g. Compliance with the requirements of [section 58-487](#) shall also be demonstrated.

*PC determined that the requirements of section 58-487 are demonstrated.*

- (4) The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

*PC determined that no dwelling units are proposed so this standard does not apply.*

- (5) Every structure or dwelling unit shall have access to a public street, unless otherwise provided in an approved PUD.

*PC determined that the structure does have access to public streets.*

- (6) A pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system shall be provided.

*PC determined that the pedestrian circulation system provided is adequate.*

- (7) Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site shall be provided. Drives, streets and other elements shall be designed to promote safe and efficient traffic operations within the site and at its access points.

*PC determined that safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within the site is existing and adequate.*

- (8) The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area.

*PC determined that the arrangement of existing public or common ways for vehicular and pedestrian circulation is connected to existing or planned streets and pedestrian or bicycle pathways in the area.*

- (9) All streets shall be developed in accordance with [chapter 42](#), subdivisions and the county road commission specifications.

*PC determined that no streets are required so this section does not apply.*

- (10) All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the fire and police departments.

*PC determined that all buildings or groups of buildings are arranged so as to permit necessary emergency vehicle access as required by the fire and police departments. Fire department has approved the layout.*

- (11) The site shall be adequately served by water supply and sewage collection and/or treatment.

*PC determined that Municipal water and sewer is required and proposed along with fire suppression.*

- (12) All loading or unloading areas and outside storage areas, including refuse storage stations, shall be screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.

*PC determined that all loading or unloading areas and outside storage areas, including refuse storage stations, are screened from view of the street and/or adjacent properties by a vertical screen consisting of structural or plant materials.*

- (13) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.

*PC determined that no light trespass will occur from this development.*

- (14) Site plans shall conform to all applicable requirements of state and federal statutes and approval must be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

*PC determined that this should be a contingency in any approval.*

**Motion by Hower, second by Borushko to approve the site plan for an automotive repair facility with outdoor storage of vehicles for repair for Pinnacle Construction Group for 2828 E Apple, parcel 61-10-023-400-0003-00 and 61-10-023-400-0004-00 having met the standards of Section 58-487 of the Muskegon Charter Township Code of ordinances with the following conditions:**

- 1. Approval of the special use permit by the Muskegon Charter Township Board**
- 2. Compliance with all federal, state, County and local rules, regulations and ordinances.**

**Roll Call**

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

**Nays: None**

**Motion carried.**

**3. PC 22-20                      2022 Master Plan                      Public Hearing**

Chairman Singerling opened the public hearing at 7:14 PM

Discussion about what a great job was done on the Master Plan and that it could be looked at in 10 years and not need to be changed. Borushko commented that it goes well with the ordinance changes over the years and the good input from zoning, and residents. Chris Korey from McKenna thanked the committee for the input with such detail to the land.

**Motion by Hower support by Borushko to close the Public Hearing at 7:19 PM.**

**Roll Call**

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

**Nays: None**

**Motion carried.**

**Motion by Hower, supported by VandenBosch to recommend the Master Plan to the Township Board.**

**Roll Call**



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

**Nays: None**

**Motion carried.**

**Public Comments: No comments**

**Announcements: Next Planning Commission meeting will be September 12, 2022.**

**Motion by Hower supported by Borushko to adjourn the meeting at 7:23 P.M.**

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

**Nays:**

**Motion Carried**

**Respectfully submitted by,**

**Sandra Frein  
Secretary**