

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-23-7
June 12, 2023**

CALL TO ORDER

Chairperson Bouwman called the meeting to order at 6:30 p.m.

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

Excused: Frein

Absent:

Also Present: Recording Secretary Andria Muskovin, Planner Werschem, and 13 guests.

Approval of Agenda

Motioned by Singerling supported by Hower to approve the Agenda for the June 12, 2023 Planning Commission meeting.

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

Nays: None

Motion carried.

Approval of Minutes

Motioned by Singerling supported by Borushko to approve the minutes from May 8, 2023, with Frein being removed from roll call on PC 23-15.

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

Nays: None

Motion carried.

Communications

May 1 2023, and May 15, 2023 Board Minutes Reviewed

Staff Report acknowledged

Unfinished Business – none

New Business –

1. PC 23-17 Zone Change – Public Hearing

Name: Muskegon Township
Address: 102 Parcels
PP#: 102 Parcels
Zoning: Neighborhood Commercial (C1)
Purpose: Rezone to new General Commercial (GC)

Bouwman opened the public hearing at 6:31 P.M

Published on May 28, 2023 with multiple inquiries.

Parcels proposed to be changed:

1884 Whitehall	Parcel #	61-10-006-100-0036-00	891 S Mill Iron	Parcel #	61-10-024-300-0024-20
1894 Whitehall	Parcel #	61-10-006-100-0035-00	3672 E Apple	Parcel #	61-10-024-400-0003-00
1904 Whitehall	Parcel #	61-10-006-100-0034-00	3722 E Apple	Parcel #	61-10-024-400-0004-00
1920 Whitehall	Parcel #	61-10-006-100-0033-00	3742 E Apple	Parcel #	61-10-024-400-0005-00
1930 Whitehall	Parcel #	61-10-006-100-0032-00	3794 E Apple	Parcel #	61-10-024-400-0006-00
1948 Whitehall	Parcel #	61-10-006-100-0030-00	3884 E Apple	Parcel #	61-10-024-400-0009-00
1950 Whitehall	Parcel #	61-10-006-100-0029-00	3920 E Apple	Parcel #	61-10-024-400-0029-00
1960 Whitehall	Parcel #	61-10-006-100-0028-00	Vacant Apple	Parcel #	61-10-024-400-0030-00
1974 Whitehall	Parcel #	61-10-006-100-0027-00	3958 E Apple	Parcel #	61-10-024-400-0031-00
1986 Whitehall	Parcel #	61-10-006-100-0026-00	3972 E Apple	Parcel #	61-10-024-400-0032-00
2000 Whitehall	Parcel #	61-10-006-100-0025-00	3974 E Apple	Parcel #	61-10-024-400-0033-00
2004 Whitehall	Parcel #	61-10-006-100-0024-00	911 S Brooks	Parcel #	61-10-024-400-0028-00
2018 Whitehall	Parcel #	61-10-006-100-0023-00	3015 E Apple	Parcel #	61-10-026-200-0020-00
2040 Whitehall	Parcel #	61-10-006-100-0022-00	Vacant E Apple	Parcel #	61-10-026-200-0021-00
2050 Whitehall	Parcel #	61-10-006-100-0021-00	3059 E Apple	Parcel #	61-10-026-200-0022-00

2054 Whitehall	Parcel #	61-10-006-100-0020-00	3079 E Apple	Parcel #	61-10-026-200-0023-00
2070 Whitehall	Parcel #	61-10-006-100-0019-00	Vacant E Apple	Parcel #	61-10-026-200-0024-00
2082 Whitehall	Parcel #	61-10-006-100-0018-00	1018 S Woodland	Parcel #	61-10-026-200-0025-00
2092 Whitehall	Parcel #	61-10-006-100-0010-00	Vacant E Apple	Parcel #	61-10-026-200-0026-00
2124 Whitehall	Parcel #	61-10-006-100-0008-00	3130 Lenore	Parcel #	61-10-026-200-0027-00
Vacant	Parcel #	61-10-006-100-0009-00	3145 E Apple	Parcel #	61-10-026-200-0028-00
2144 Whitehall	Parcel #	61-10-006-100-0002-00	3142 Lenore	Parcel #	61-10-026-200-0029-00
2190 Whitehall	Parcel #	61-10-006-100-0001-00	3189 E Apple	Parcel #	61-10-026-200-0030-00
701 W. River	Parcel #	61-10-006-100-0003-00	1041 S Dangi	Parcel #	61-10-026-200-0031-10
691 W. River	Parcel #	61-10-006-100-0004-00	3213 E Apple	Parcel #	61-10-025-100-0001-00
Vacant	Parcel #	61-10-006-100-0005-00	3231 E Apple	Parcel #	61-10-025-100-0002-00
Vacant	Parcel #	61-10-006-100-0006-00	3261 E Apple	Parcel #	61-10-025-100-0003-00
3010 E Apple	Parcel #	61-10-023-400-0012-00	3289 E Apple	Parcel #	61-10-025-100-0004-00
3006 E Apple	Parcel #	61-10-023-400-0011-00	3329 E Apple	Parcel #	61-10-025-100-0005-00
3038 E Appl	Parcel #	61-10-023-400-0010-00	Vacant E Apple	Parcel #	61-10-025-100-0019-00
3056 E Apple	Parcel #	61-10-023-400-0015-00	3373 E Apple	Parcel #	61-10-025-100-0020-00
3086 E Apple	Parcel #	61-10-023-400-0016-00	3413 E Apple	Parcel #	61-10-025-100-0021-00
3090 E. Apple	Parcel #	61-10-023-400-0017-00	3555 E Apple	Parcel #	61-10-025-100-0026-00
3104 E Apple	Parcel #	61-10-023-400-0026-00	3587 E Apple	Parcel #	61-10-025-100-0028-00
3116 E Apple	Parcel #	61-10-023-400-0027-00	3611 E Apple	Parcel #	61-10-025-200-0001-00
947 Jones	Parcel #	61-10-023-400-0025-00	1036 S Mill Iron	Parcel #	61-10-025-200-0002-00
917 Jones	Parcel #	61-10-023-400-0024-00	3639 E Apple	Parcel #	61-10-025-200-0003-00
900 Jones	Parcel #	61-10-023-400-0031-00	3649 E Apple	Parcel #	61-10-025-200-0004-00
3186 e Apple	Parcel #	61-10-023-400-0037-00	3683 E Apple	Parcel #	61-10-025-200-0005-00
955 S Dangi	Parcel #	61-10-023-400-0036-00	3711 E Apple	Parcel #	61-10-025-200-0006-00
3322 E Apple	Parcel #	61-10-024-300-0013-00	3737 E Apple	Parcel #	61-10-025-200-0007-00
Vacant Apple	Parcel #	61-10-024-300-0012-00	3743 E Apple	Parcel #	61-10-025-200-0008-00
3360 E Apple	Parcel #	61-10-024-300-0014-00	3787 E Apple	Parcel #	61-10-025-200-0009-00
3384 E Apple	Parcel #	61-10-024-300-0015-00	3807 E Apple	Parcel #	61-10-025-200-0010-00
Vacant Apple	Parcel #	61-10-024-300-0017-00	3827 E Apple	Parcel #	61-10-025-200-0018-00
Vacant Apple	Parcel #	61-10-024-300-0018-00	3837 E Apple	Parcel #	61-10-025-200-0019-00
Vacant Apple	Parcel #	61-10-024-300-0016-00	3867 E Apple	Parcel #	61-10-025-200-0020-00

3480 E Apple	Parcel #	61-10-024-300-0019-00	3895 E Apple	Parcel #	61-10-025-200-0021-00
3536 E Apple	Parcel #	61-10-024-300-0024-10	3925 E Apple	Parcel #	61-10-025-200-0022-00
3586 E Apple	Parcel #	61-10-024-300-0024-00	1035 S Brooks	Parcel #	61-10-025-200-0036-00
3592 E Apple	Parcel #	61-10-024-300-0024-30	1041 S Brooks	Parcel #	61-10-025-200-0037-00

This is the final step in the conversion of parcels from Neighborhood Commercial (C1) to General Commercial as planned in the 2022 Master Plan. The GC will allow properties affected to have more allowable uses.

Robert Packer, 875 S Brooks, asked if it was going to change his property taxes. Chairman Bouwman stated that taxes would not go up as a direct result of this zone change. Only on property values.

Nancy Beucler, 955 S Dangl stated that property had been changed from Residential to Commercial back in the 80's. She was concerned that if a tree fell on her house would she be able to fix or rebuild if there was a fire. Planner Werschem stated that if 50% of the value of the home needed to be replaced, it would not be allowed. This is because of its current zoning, not as a direct result of the zone change. Chairman Bouwman explained that this is something that would need to be discussed with Planner Werschem in the office, that it is a separate issue.

Virginia Chester, 1041 S Dangl stated that her property was split from Joe's Service Station. Planner Werschem stated that this property should not be included in the General Commercial zone change.

Randy Varney, 3038 E Apple Ave, wanted to know if this was going to affect his store and lock business on Apple. Planner Werschem stated that his existing storage can exist and additional storage can be added on to his vacant property with approval of a site plan, but no new property can be added.

Janet Varney, 3038 E Apple wanted to know if the property taxes would go up because of expanded uses. She also wanted to know what prompted this zone change. Chairman Bouwman explained that every 20 years, a new Master Plan is completed to make sure that changes made make sense in all areas of the Township. Chairman Bouwman stated that taxes would not go up as a direct result of the zone change, only because of property values.

Joshua Dooley, 2018 Whitehall Rd, wanted to know if he sold property could it be sold as residential. Chairman Bouwman explained that it is zoned commercial and would not change with this General Commercial zone change. Planner Werschem stated that in certain circumstances it could be sold as residential. If he wanted to put on an addition, it would be limited.

Janis Crowell, 3373 Apple Ave, stated she has acreage and was concerned about taxes going up with zone change. Chairman Bouwman explained that they would not go up as a direct result of the zone change, only do to property value. Planner Werschem also explained that on this property, where cars are sold, there is a

state law that only 3 cars that are owned by the property owner can be sold per year.

Motioned by Hower supported by Singerling to close public hearing at 6:55P.M.

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

Nays: None

Motion carried.

Motion by Singerling supported by Hower to approve the Zone Change from Commercial to General Commercial for the listed properties with the exception of 1041 S Dangl.

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

Nays: None

Motion carried.

2. PC 23-18 Ordinance Amendment – Public Hearing

Purpose: Modify the Fireworks ordinance to match state law.

Bouwman opened the Public hearing at 6:57 P.M.

Published on May 28, 2023 with no inquiries.

State law was amended in 2017.

Motion by Hower supported by Singerling to close the public hearing at 6:58 P.M.

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

Nays: None

Motion carried.

Motion by Hower second by Singerling to recommend to the Township Board approve Ordinance 23-07.

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

Nays: None

Motion carried.

3. PC 23-19 Site Plan Amendment

Name: VH Investment Group LLC
Address: 1390 Whitehall Rd.
PP#” 61-10-007-100-0001-00
Zoning: Neighborhood Commercial (C1)
Purpose: Site plan amendment for change of use to beauty salon

Planner Werschem stated that they are putting in a 10 chair salon with possible massage area. Approval from the Fire Inspector was given.

VH Investment Group, LLC. proposes to modify the former gas station at the corner of Whitehall road and Giles and change to use to a 10 seat beauty salon. Site Plan amendment.

ARTICLE VIII. - SITE PLAN REVIEW

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 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 the landscape is being 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. The most significant impact is in the area that has already been developed and the northern portions of the properties is being preserved.

(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 appropriate measures have been taken to ensure that removal of surface waters will not adversely affect neighboring properties, the public stormwater drainage system, or nearby bodies of water.

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

PC determined that provisions have been made to accommodate stormwater, prevent erosion and the formation of dust.

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

PC determined that detention / retention ponds are not possible and that the proposed leaching basins are existing and adequate.

- 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 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 standard 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 protective measures are proposed and 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.

Staff believes 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 entire facility does have existing 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 the pedestrian circulation system is proposed and 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 proposed 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.

Municipal water and sewer is existing, required and proposed.

- (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 proposed and adequate.

- (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.

Randy Klingel, 18258 168th St, Spring Lake is the realtor and stated that what planner Werschem said is correct.

PC Hughes stated that he is glad to see something going in. Planner Werschem commented that with the salon and Dahu site becoming Los Amigos, it is really going to spruce up that corner.

Motion by Hower supported by Borushko to approve the Site Plan amendment for VH Investment Group LLC at 1390 Whitehall Rd, PP# 61-10-007-100-0001-00 having met the standards 58-486 of the Muskegon Charter Township Code of ordinances with the following conditions:

Compliance with all federal, state, County and local rules, regulations and ordinances.

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

Nays:

Motion Carried

Public Comments: Chairman Bouwman thanked the guests for their participation in the zone change.

Davina Zamora asked where she could get a copy of the Master Plan for viewing. Chairman Bouwman stated she could come into the Township to see it and that it would soon be on the website.

Announcements: Next Planning Commission meeting will be July 10, 2023. Chairman Bouwman will be excused for this meeting.

Motion by Hower supported by Singerling to adjourn the meeting at 7:05 P.M.

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

Nays:

Motion Carried

Respectfully submitted by,

**Joseph Singerling
Secretary**