

**MUSKEGON CHARTER TOWNSHIP
PLANNING COMMISSION MINUTES
PC-24-02
February 12, 2024**

CALL TO ORDER

Chair Bouwman called the meeting to order at 6:00 p.m.

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

Excused: Hughes

Absent:

Also Present: Planner Werschem, Recording Secretary Vos, and 3 guests.

Approval of Agenda

Motioned by Singerling supported by Hower to approve the Agenda for the February 12, 2024 Planning Commission meeting.

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

Nays: None

Motion carried.

Approval of Minutes

Motioned by Singerling supported by Borushko to approve the minutes from January 8, 2024.

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

Nays: None

Motion carried.

January 2, 2024 and January 16, 2024 Board Minutes Reviewed

Staff Report acknowledged.

Unfinished Business – none

New Business –

1. PC 24-02 - Public Hearing - Zone Change

Name: Freeman Trust
Address: Vacant Lot S. Mill Iron
PP#: 61-10-036-400-0017-00
Zoning: Neighborhood Commercial (C1)

Purpose: Rezone to Single Family Residential (R1)

Public Hearing was opened at 6:01 p.m.

Planner Werschem explained that the Freeman's would like to build a single-family home on this vacant property. The property is zoned neighborhood commercial (C1), which is a very strange place to have commercial zoning. It appears that it was zoned commercial due to the storage facility adjacent to this lot even though storage and warehousing is not a commercial use. Single family residential would match the area and the Master Plan. The notice of public hearing was posted on January 27, 2024. No inquiries or responses were received.

Jalen Hoover, 2400 S Mill Iron, explained that there was nothing new to add and that they plan on starting the project soon.

Motioned by Singerling supported by Hower to close the public hearing.

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

Nays: None

Public Hearing closed at 6:04 p.m.

Sec. 58-432 (c)

(3) Planning commission consideration and recommendation. The planning commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies and any public comments. The planning commission shall identify and evaluate all relevant factors, and shall report its findings and recommendation to the township board. In considering an amendment to the official zoning map (rezoning), the planning commission shall consider the following factors in making its findings and recommendations:

- a. Consistency with the master plan. Consistency with the master plan's goals, policies, and future land use map. If conditions have changed since the master plan was adopted, the consistency with recent development trends in the area shall be considered.

PC determined the request is consistent with the Master Plan.

- b. Environmental features. Compatibility of all the potential uses allowed in the proposed zoning district(s) with the site's physical, geological, hydrological, and other environmental features.

PC determined the request is compatible with all the potential uses allowed in the proposed zoning district(s) with the site's physical, geological, hydrological, and other environmental features.

- c. Suitability with the law. Compatibility of all the potential uses allowed in the proposed district(s) with surrounding uses and zoning in terms of suitability, intensity, traffic impacts, aesthetics, infrastructure and potential influence on property values.

PC determined the request is compatible with all the potential uses allowed in the proposed district(s) with surrounding uses and zoning in terms of suitability, intensity, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- d. Capacity of public services and utilities. Capacity of available utilities and public services to accommodate all the potential uses permitted in the proposed zoning district(s) without compromising the health, safety, and welfare of township residents or burdening the township with unplanned capital improvement costs or other unplanned public expenses.

PC determined the capacity of public services and utilities is adequate.

- e. Capability of road system. Capability of the road system to safely and efficiently accommodate the expected traffic generated by all the potential uses permitted in the proposed zoning district.

PC determined the capability of the road system is adequate.

- f. Demand for uses. The apparent demand for the types of uses permitted in the proposed zoning district(s) in relation to the amount of land currently zoned and available in the Township and surrounding communities to accommodate the demand.

PC determined there is high demand for residential use.

- g. Scale of future development. The boundaries of the proposed district(s) in relationship to the surrounding area and the scale of future development on the site.

PC determined that the request will not have an adverse effect on the scale of future development.

- h. Other factors. Whether all of the potential uses in the proposed zoning district(s) are equally or better suited to the area than the current uses allowed.

PC determined the proposed zoning is better suited to the area than the current uses allowed.

Motioned by Hower supported by Singerling to recommend to the Township Board approval for a zone change to single family residential (R1) on parcel 61-10-036-400-0017-00 for having met the standards of Section 58-432 (c) (3) of the Muskegon Township Code of Ordinances.

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

Nays: None

Motion carried.

2. PC 24-03 - Site Plan

Name: Evanston Avenue Investments, LLC
Address: 3821 Evanston
PP#: 61-10-036-400-0004-00
Zoning: Neighborhood Commercial (C1)

Purpose: Site Plan amendment to expand existing storage.

Planner Werschem explained that this is a reapplication for site plan approval. The former approved site plan had expired after one year of no activity (September 2023). Further, the property has sold to a new individual and they are now making reapplication for site plan approval.

Evanston Avenue Investments, LLC proposes to expand its public storage facilities. The property is zoned Neighborhood Commercial (C1) where storage facilities are not permitted. However, Section 58-258 (6) allows existing storage unit facilities located in a C-1 zone may be allowed to expand based on the following criteria:

- (a) The proposed expansion will be operated so as to be harmonious and appropriate in appearance with the retail characteristic of the neighboring area, or intended land uses.

PC determined the proposed expansion is an improvement to the existing facility and will be operated so as to be harmonious and appropriate in appearance with the retail characteristic of the neighboring area.

- (b) The proposed expansion is not located within the first 100 feet of frontage of the parcel.

PC determined there are some changes within the first 100 feet. However, the proposed expansion of storage units is not located within the first 100 feet of frontage of the parcel.

- (c) Storage units shall not be used to manufacture, fabricate or process goods; conduct servicing or repair; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity.

PC determined the proposed expansion is proposed simply as additional public storage facilities and the storage units shall not be used to manufacture, fabricate or process goods; conduct servicing or repair; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity.

- (d) All property stored on the premises shall be entirely within an enclosed building.

PC determined the proposed plan has all property stored on the premises is entirely within an enclosed building. No outdoor storage of any kind is allowed.

- (e) The proposed expansion would not disturb existing or future neighborhoods, and it would not be a detriment to the economic welfare of the township.

PC determined the proposed expansion will not disturb existing or future neighborhoods, and it will not be a detriment to the economic welfare of the township. The facility is surrounded by existing mobile home parks.

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 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 the proposed stormwater system retains all stormwater onsite and is adequate.

- 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 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 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 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.

Municipal water and sewer is not required for public storage facilities.

- (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.

This should be a contingency in any approval.

Steven Chavez, 3131 N 168th Ave, identified himself and answered Planning Commissioners question saying he plans to remove two of the buildings and add 64 units. He also stated that he plans to start building in the spring.

Motioned by Hower supported by Singerling to approve the Site Plan for the expansion of Evanston Avenue Investments, LLC at 3821 Evanston, parcel 61-10-036-400-0004-00 having met the standards of Sections 58-258(6) and 58-487 of the Muskegon Charter Township Code of ordinances with the following conditions:

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

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

Nays: None

Motion carried.

Public Comments: None

Announcements: Next Planning Commission meeting will be March 11, 2024.

Motion by Singerling supported by Hower to adjourn the meeting at 6:11 P.M.

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

Nays: None

Motion Carried

Respectfully submitted by,

**Joseph Singerling
Secretary**