

CITY OF MUSKEGON  
PLANNING COMMISSION  
REGULAR MEETING  
MINUTES

**April 12, 2007**

Chairman T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: B. Mazade, L. Spataro, B. Larson, S. Warmington, T. Michalski,  
J. Aslakson, T. Harryman, B. Turnquist

MEMBERS ABSENT: B. Smith, excused

STAFF PRESENT: L. Anguilm, D. Leafers

OTHERS PRESENT: D. Posma, Dan Hoe Excavating, 13664 Rocky's Rd., Holland; D.  
Dunlap, Westshore Consulting, 2534 Black Creek Rd.

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of March 15, 2007 be approved, was made by B. Larson, supported by J. Aslakson and unanimously approved.

NEW BUSINESS/PUBLIC HEARINGS

L. Spataro arrived at 4:04 p.m.

Hearing; Case 2007-09: Request to rezone the property at 527 Young Ave., parcel 24-131-100-0006-10, from I-1, Light Industrial District, to I-2, General Industrial, by Dan Posma, Dan Hoe Excavating. L. Anguilm presented the staff report. The property is currently a vacant parcel, zoned I-1, Light Industrial. A site plan was approved for a truck garage on the site at the March 15, 2007 Planning Commission meeting. Although the City allowed the new owner to use this property last construction season for some concrete recycling in conjunction with a public works project, that use is not allowed in an I-1 zone. The applicant has since indicated that he wishes to continue to do concrete recycling and aggregate storage on the site. Since Dan Hoe Excavating works on many road construction projects in the area, a site to store and recycle concrete from these projects is essential to their operation. Properties to the south, east, and west are zoned I-1, Light Industrial. The property to the north is zoned I-2, General Industrial, and is the rear of the Brunswick property. A rezoning for this site would be a continuation of the existing I-2 zone. The properties to the south, east, and west, as well as the subject property, are included in the Seaway Industrial Park. It was originally thought that all properties in the park should be zoned I-1. However, staff feels that the location of the property is such that adjacent properties would be not be adversely affected by this zone change. The City's 1997 Master Plan's Future Land Use Map indicates the subject property as "Industrial". A Special Land Use Permit is also required for the intended use of this property, and is the subject of the next case. Staff has received no comments on this request and recommends approval, because the request conforms to the goals and recommendations of the City's 1997 Master Plan.

B. Turnquist was concerned about other industrial uses that would be allowed at this location under an I-2 zoning, if this business were to cease operations. He stated that it could be detrimental to adjacent properties.

A motion to close the public hearing was made by J. Aslakson, supported by L. Spataro and unanimously approved.

A motion that the request to rezone the property located at 527 Young Avenue from I-1, Light Industrial district to I-2, General Industrial district as described in the public notice, be recommended for approval to the City Commission pursuant to the City of Muskegon Zoning Ordinance, and the determination of compliance with the intent of the City Master Land Use and zoning district intent, was made by T. Harryman and supported by L. Spataro, with discussion continuing on the motion.

B. Larson was concerned about dust, air quality, and drainage at the site. J. Aslakson also had concerns about the aggregate storage and other uses allowed in an I-2 zoning. L. Spataro stated that he understood those concerns, but the reason for creating this industrial park was to entice businesses to the City. There was existing heavy industry adjacent to this site, and he stated that this business was compatible with others in the surrounding area. Board members discussed the Seaway Industrial Park and other businesses currently located there.

B. Mazade arrived at 4:11 p.m.

B. Turnquist asked if staff had received any comments from neighbors. L. Anguilm stated that she had not. J. Aslakson asked if there was a creek bed on the property. D. Posma stated that it was dry. Board members discussed the location of a large drain pipe near the property. A drawing of the parcel showed that it passed through a small area in the corner of the lot.

A vote was taken on the above motion to approve the rezoning, and was unanimously approved.

Hearing; Case 2006-10: Request for a Special Land Use Permit, per Section 1501 (#1) of Article XV of the Zoning Ordinance, to process, store and recycle concrete and aggregate at 527 Young Ave., parcel 24-131-100-0006-10, by Dan Posma, Dan Hoe Excavating. L. Anguilm presented the staff report. A site plan was approved for a truck garage on the site at the March 15, 2007 Planning Commission meeting. In addition to a truck garage, the owner would like to process, store, and recycle concrete and aggregate on the site. Some aggregate piles are existing on the site, probably left from road construction projects in 2006. The owner would be required to screen any outdoor storage from the right-of-way, and a 6-foot fence with privacy slats is proposed. The property is zoned I-1, Light Industrial, with a proposed rezoning to I-2. Properties to the south, east, and west are zoned I-1, and the property to the north is zoned I-2. DPW and Police have no concerns with the site plan. The Planning Department requires the following conditions of approval: a) any areas of the site used for future equipment parking shall be paved, and b) an amended site plan would be required to be submitted to and approved by the Planning Department for the additional paved areas. The Fire Marshal has no problems with the request. Engineering has the following conditions of approval: a) the proposed work within the right-of-way of Temple and Young must be applied for and approved by Engineering before any work takes place, and b) the proposal is approved in concept but the details for paving Temple and drives needs to be approved by Engineering. Staff has received no other comments regarding this request, and recommends approval with the conditions listed in the staff report.

D. Posma stated that he has a smaller, portable crusher. It is not a large-scale crushing operation.

A motion to close the public hearing was made by B. Larson, supported by T. Harryman and unanimously approved.

A motion that the request for Special Land Use Permit, per section 1501 (#1) of Article XV of the Zoning Ordinance, to allow for the processing, storage and recycling of concrete and aggregate in an I-2 zoning district at 527 Young Avenue, by Dan Hoe Excavating be approved based on compliance with the City's Master Land Use Plan and conditions set forth in Section 2332 of the City of Muskegon Zoning Ordinance based on the conditions that 1) all conditions of #6 and 8 of the staff report shall be met, 2) the owner/applicant shall permit the zoning administrator or other zoning staff in the premises at reasonable times to review compliance with this permit, 3) the special land use permit affidavit shall be recorded with the register of deeds prior to beginning construction, and 4) the rezoning of the property from I-1 to I-2 be approved by City Commission, was made by J. Aslakson, supported by B. Larson and unanimously approved.

#### OTHER

Downtown Parking L. Anguilm stated that staff was not quite ready to continue the downtown parking discussion at this meeting, but staff continues to work with Main Street and the DMDC on the issue.

There being no further business, the meeting was adjourned at 4:25 p.m.

dml  
4/12/07