

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

November 13, 2008

Chairman T. Michalski called the meeting to order at 4:05 p.m. and roll was taken.

MEMBERS PRESENT: B. Turnquist, L. Spataro, T. Harryman, B. Mazade,
 B. Larson, T. Michalski, B. Smith

MEMBERS ABSENT: J. Aslakson, S. Warmington, excused

STAFF PRESENT: L. Anguilm, D. Leafers

OTHERS PRESENT: E. Norwood, 1719 Cornerstone Dr.; J. Kilpatrick, Williams & Works

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of October 16, 2008 be approved, was made by B. Turnquist, supported by L. Spataro and unanimously approved.

PUBLIC HEARINGS

Hearing; Case 2008-29: Request for a Special Land Use Permit, per Section 1301 (#1) of article XIII (B-4, General Business Districts) of the Zoning Ordinance to allow a used car lot in a B-4 district at 135 Ottawa Street, by Ernest Norwood, Ernie's Auto & Trailer Sales, Inc. L. Anguilm presented the staff report. This property previously was the site of several used car lots, such as Seaway Motors, but has been vacant for several years. It was most recently issued a special land use permit in 2004 for a taxi/limousine service. That permit was dissolved in 2006, as the use was never established in the building. The applicant wishes to operate a used car dealership out of the building, along with an auto detailing shop and car wash. The property is zoned B-4, General Business, and only the auto sales portion requires a special land use permit. The other two uses are principal uses in the district. Zoning of properties to the northwest of the site is WM, Waterfront Marine, to the southwest is I-2, General Industrial and B-4, and to the east, across Seaway Drive, is B-4. The 1997 Master Plan Future Land Use Map identified this property as "Commercial". Used car lots are allowed in a B-4 under a special land use permit, with conditions. Ingress and egress to the outdoor sales area shall be at least 60 feet from the intersection of any two streets. This is not the case on this property, so curbing or curb stops must be installed along the street to limit access along the entire frontage of the property to 60 feet from the intersection. Also, no major repair or major refinishing shall be done on the lot, such use of land being permitted only in the I-1 or I-2 Industrial Districts. The applicant has submitted a site plan showing the proposed drives and sales area for the site. Since no changes are proposed for the building, it is not required as part of his special land use permit request. However, a site plan must be submitted to the Zoning Administrator "whenever three or more vehicle parking spaces are required for a given use of land". The submitted site plan has some issues, one being the ordinance requirement that clear vision be maintained up to 25 feet from the intersection. Staff has received no comments regarding this request and recommends approval, subject to the conditions listed in the staff report.

B. Smith arrived at 4:09 p.m.

L. Spataro asked E. Norwood if he was familiar with the conditions listed in the staff report. E. Norwood stated that he didn't see a problem with those conditions.

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

A motion that the special land use permit, per section 1301 (1) of Article XIII of the Zoning Ordinance, to allow a used car lot in a B-4, General Business zoning district at 135 Ottawa Street, by Ernest Norwood, Ernie's Auto & Trailer Sales, Inc., 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, with the conditions that 1) Ingress and egress to the outdoor sales area shall be a least 60 feet from the intersection of any two streets, 2) No major repair or major refinishing shall be done on the lot, 3) Must adhere to the clear vision section of the Zoning Ordinance, 4) No parking shall be allowed on grassy areas of the site, 5) A revised site plan shall be submitted to and approved by the Zoning Administrator, 6) No signs may be erected without a sign permit, 7) The owner shall permit the zoning administrator or other zoning staff in the premises at reasonable times to review compliance with this permit, 8) The Special Land Use Permit document shall be recorded with the Register of Deeds prior to occupying the building, and 9) The special land use permit shall become null and void within one year of the public hearing if the use has not been established or there is a violation of conditions 1-8, was made by T. Harryman, supported by B. Mazade and unanimously approved.

Hearing; Case 2008-30: Staff-initiated request to review the proposed Downtown Lakeshore Master Plan.

L. Anguilm presented the staff report. Williams & Works was contracted to develop a revised Master Plan for the City of Muskegon. Their work has been primarily focused on the downtown and lakeshore areas. The 63 day comment period has now expired, so the plan may move forward to the next step of the approval process. Williams & Works and the Planning Department are now submitting the "Downtown and Lakeshore Redevelopment Plan" for public hearing and Planning Commission recommendation to the City Commission.

J. Kilpatrick of Williams & Works provided background on the Master Plan process to date, and an overview of the Plan. The Michigan Zoning Enabling Act required this final public hearing before the document could be submitted to the Planning and City Commissions for approval. He stated that no comments were received during the distribution period. L. Spataro stated that his only issue with the Plan was how the core, historic, and lakeshore areas were divided. As it was now, there would be 2 different designs on one street and it seemed more like cutting the downtown in half rather than bringing it together. J. Kilpatrick and board members discussed possible changes to that part of the Plan and concurred that it made sense to expand the core district along Western Avenue so that it was not divided into two different sections.

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

A motion that the Downtown and Lakeshore Redevelopment Plan, as presented by Williams & Works, be recommended to the City Commission for approval, with the condition that the core district be expanded along Western Avenue to Seventh Street, was made by B. Turnquist, supported by T. Harryman and unanimously approved.

OTHER

None

There being no further business, the meeting was adjourned at 4:28 p.m.