

CITY OF GRAND HAVEN  
GRAND HAVEN, MICHIGAN  
PLANNING COMMISSION MINUTES



November 19, 2019

A regular meeting of the Grand Haven Planning Commission was called to order by Chair Mike Dora at 7:00 p.m. in the Grand Haven City Hall Council Chambers. On roll call, the following members were:

Present: Tim Deiters, Chair Mike Dora, Bill Ellingboe, Kevin McLaughlin, David Skelly, Kirsten Runschke, Mike Westbrook.

Absent: Robert Grimes.

Also present were Jennifer Howland, Community Development Manager and MaryAnn Poel, Administrative Assistant.

Motion by Ellingboe, seconded by Deiters, to approve the October 08, 2019 regular minutes was approved by voice vote with Skelly abstaining.

Chair Dora stated he wished to recognize former Chair Erin Von Tom for her service and dedication, he thanked Ryan Cummins for his service and congratulated him on being elected to City Council, and he welcomed new members Kevin McLaughlin and David Skelly.

**Elections:**

Motion by Runschke, seconded by McLaughlin, to nominate Bill Ellingboe for Vice Chair carried by voice vote.

Motion by Ellingboe, seconded by Westbrook, to nominate Runschke for Secretary carried by voice vote.

Motion by Runschke, seconded by Ellingboe, to nominate Deiters for ZBA Liaison carried by voice vote.

**Call to Audience:**

1. Lisa Royce, 17700 Navaho, owner of 816 Waverly, asked if she would be able to make comments during the Public Hearing portion and was told yes.
2. Ryan Cummins, 551 Gidley Circle, stated he was honored to have worked on the Planning Commission and with the members. He also thanked Howland for her knowledge and guidance and congratulated new members McLaughlin and Skelly.

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**Case 19-27: An application for a Special Use Permit for a proposed mixed use development (warehouse and Research & Development) located at 815 Verhoeks Street (parcel #70-03-28-112-002). This case will also require a Site Plan Review.**

Howland explained this was a Special Use application to construct two warehouse storage buildings with a total of 9 units and associated parking lot improvements on the vacant property at 815

Verhoeks Street. This case would also need a concurrent site plan review. She asked the applicant to further explain his proposal.

Mike Westra, 1234 Sheldon, stated the front building would be the Engineering & Research portion of the development for a small company to do research in industrial controls. Also electronic type of small construction projects like Foucault pendulums which were used in the educational community to help teach physics classes. He also helped fabricate things for the high school science Olympiad team. He stated there wasn't another of this type of consulting company anywhere around this area. He also did machine artwork and several of his pieces were around town including the pendulum piece next to the Snug Harbor restaurant.

Chair Dora opened the Public Hearing.

**Public:**

1. Lisa Royce, 17700 Navaho, owner of 816 Waverly which was at the end of Verhoeks. She stated this lot had been an eyesore for a very long time. Paving and landscaping would be a much needed improvement and she also hoped this would help get this road plowed more often. She wanted to know more about what was planned for the warehouse units.

**Correspondence:**

None

Motion by Runschke, seconded by Ellingboe, to close the public portion of the case carried by voice vote.

Westra stated there would be 4 units 20 ft x 40 ft and there would be 5 units 22 ft x 50 ft. He stated these would be fully enclosed along with a garage door and a service door for each. They would be used for large storage such as motorhomes and large boats. He didn't anticipate much traffic since this would be more long term storage like when a boat was put in storage for the season.

Deiters had a concern about the flare part of the driveway approach because it looked like it wasn't on the applicants' property. He felt it should not be on city property.

Westra stated he had a survey done so he would double check where the survey stakes were in relation to the flare.

Howland stated there may be room for it to be pulled back a couple of feet. She stated the Fire Marshall had reviewed the plan for any fire truck "swing" issues.

Ellingboe was comfortable with the vegetation on the south serving as the screening and had no other concerns.

Chair Dora felt the dumpster relocation brought up in the narrative should be included in the motion and to include whether the curb cut needed to be changed of if it was allowed to remain as it was.

Howland stated Westra had mentioned office use at the worksession but that was no longer included in this request. So she advised Westra if he ever desired to add that back in, he would need to come back before the Commission to revise the Special Use.

Deiters stated he would like to make sure the southern curb cut was on the owner's property.

Motion by Ellingboe, seconded by Runschke, to approve the Special Use and the site plan for the proposed mixed use development (warehouse and Research & Development) located at 815 Verhoeks Street (parcel #70-03-28-112-002) subject to the following conditions:

1. The warehouse units must be owner-occupied and not leased so the project cannot be classified as a self-service storage unit.
2. Existing vegetation along the south property line will serve as the required parking lot landscape screening.
3. Parking spaces must be 9 feet x 19 feet and drive aisles must be 22 feet wide.
4. The subject property will connect to the property to the north in order to provide fire protection. A recorded easement will be required to maintain this access.
5. The storm water management plan must be approved by the DPW Director prior to issuance of a building permit.
6. Southside curb cut shall be in front of the subjects parcel.
7. The dumpster must be relocated 15 feet to the west.

The motion passed on the following roll call vote: Ayes: Deiters, McLaughlin, Skelly, Westbrook, Runschke, Ellingboe, Chair Dora. Nays: None.

**Case 19-30: An application for a Special Use Permit for a proposed mixed use development (commercial recreational facility, marina, public assembly) located at 200 North Beechtree Street (parcel #70-03-28-112-002 and 70-03-21-427-001). This case will also require a Sensitive Areas Overlay Review and a Site Plan Review.**

Howland explained this was a request from Kris Fewless for a new marina and a banquet facility located at 200 North Beechtree Street which was the current location of Eastpointe RV Resort. The request is for 86 new boat slips for public use and to convert some of the current RV office building empty space into a 150-person banquet facility. There would also be a new parking lot in the northern portion of the site to provide the required parking for the marina. There already were 34 docks along the resort frontage that were private for the resort occupants.

Rick Pulaski, of Nederveld Inc, stated Fewless wished to expand inside the existing office building to include a banquet facility and to expand his existing marina to the north. He stated there were already 3 sets of bathroom facilities in the RV Park all within 500 feet of the marina.

Chair Dora opened the Public Hearing.

**Public:**

None

**Correspondence:**

None

Motion by McLaughlin, seconded by Ellingboe, to close the public portion of the case carried by voice vote.

Deiters stated he had no concerns now that the bathroom requirement was met.

Runschke asked if they were also approving the 34 docks that had already been installed without approval and Howland replied that was correct. She stated Fewless was working with EGLE for a retroactive approval.

Skelly asked Pulaski what the rationale was for putting in the 34 docks without prior approval from EGLE and Pulaski stated Fewless shouldn't have put them in but he did.

Howland pointed out the 34 existing smaller docks were only for the occupants of the RV Park. The new 86 docks would be for the public.

Chair Dora asked if the environmental survey had been done on any of the existing docks or for any of the new docks.

Pulaski stated there was a study that was required to be done to look for clam shells and mollusks along the shore area, but the window for that closed earlier this month so now he has to wait until June to perform that. Assuming that none were found, then hopefully they would get the approval from EGLE and get the permits.

Motion by Ellingboe, seconded by Deiters, to approve the request from Kris Fewless for a Special Use Permit, the Sensitive Areas Overlay, and the Site Plan for a Mixed Use Development (Recreational Facility, Marina, Public Assembly) located at 200 North Beechtree Street (parcel #70-03-28-112-002 and 70-03-21-427-001), subject to the following conditions:

1. All special use standards must be met, including those listed in Section 40-542 of the Zoning Ordinance related to Marinas.
2. Landscape screening requirements for the north and south lots are waived due to the presence of compatible land uses adjacent to the parking lots.
3. The lease agreement with the Wastewater Treatment Plant must be approved by all parties and parking lot access design and striping plan must be approved by City staff
4. Permits from EGLE and other state and/or federal agencies will be required prior to issuance of any construction permits.
5. Final occupancy of the banquet hall will be set by the building official but cannot exceed 180 people due to parking restrictions.
6. Detailed parking lot layouts must be submitted for approval by the Zoning Administrator.
7. Additional fire code features may be required to be added (standpipe, fire extinguishers, etc) by the Fire Marshal prior to issuance of any construction permits.

The motion passed on the following roll call vote: Ayes: McLaughlin, Skelly, Runschke, Westbrook, Deiters, Ellingboe, Chair Dora. Nays: None.

**Case 19-22: A public hearing for a zoning change request from OT, Old Town District to PD, Planned Development District and associated Preliminary Development Plan for Peerless Flats located on what is commonly referred to as the Stanco property (parcel #70-03-20-279-008, -017, -019, -020, -023, and -025; and 70-03-20-278-005, -006, and -015). The applicant has eliminated the affordable housing component from the project, which will require reconsideration of the Planning Commission's August 2019 recommendation to approve the project.**

Howland explained this was request for a zoning change from OT, Old Town District to PD, Planned

Development District and a Preliminary Development Plan for a proposed multi-family residential development at the property commonly referred to as the Stanco property bounded by Jackson, Fulton, First and Second Streets. The project was being reconsidered because the developer was now proposing to eliminate the affordable housing component, which changes the project for which the Planning Commission had originally recommended approval.

Kevin McGraw of River Caddis Development explained that after the August meeting where the Commission had recommended approval, MEDC and MSDHA had changed their criteria to require the MEDC units to be condo' d separately from the MSDHA units. They also have since cut down the financing two times. As a result, they could no longer have the 13 lower affordable housing units incorporated into the project. The site plan, number of buildings and number of units will remain the same, but just without the affordable housing that was going to be offered in buildings A and B. And he wanted to point out that the contamination on the site would not actually be "clean up" but rather it would be contained. One of the good things that would come out of this change was that the TIFF would now work better. He stated they were still working with MSDHA and EGLE, but that all seemed to be on track. He reminded them the Brownfield committee had already given their approval for the site. He stated this would be a beautiful project.

Chair Dora opened the Public Hearing.

**Public:**

None

**Correspondence:**

None

Motion by Runschke, seconded by Ellingboe, to close the public portion of the case carried by voice vote.

Deiters stated he understood the explanation about why they needed the change and he still felt this project was worth doing and it was still important to be able to clean up this site.

Runschke agreed with Deiters.

Ellingboe stated affordable housing was a big issue here but the Commission was also looking at making some changes to the zoning ordinance to potentially increase some density and he felt that was a better way of attaining affordable housing as opposed to seeking aid from the State for that purpose. He asked about the previous discussion about Payment in Lieu of Taxes and McGraw stated that would now go away. That was only in place for the affordable units and that's why the TIFF would now get the full revenue.

Westbrook felt the same way. He liked the parking and the environmental clean-up aspect and he was excited to see this project more forward.

Skelly was also agreeable for moving forward.

McLaughlin thanked McGraw for sticking with the project through all of the obstacles.

Chair Dora explained that he was struggling a bit with the loss of the affordable housing component

since that was a large part of what he considered to be the public benefit and why he was supportive of the PD zoning change in the prior approval.

McGraw wanted to point out that the site was very contaminated and this project would result in that contamination being contained and also monitored. They were still providing the extra parking and the lot that was going to be for the use of the City. This project would also provide the much needed year round residents for the downtown area.

Chair Dora agreed those were benefits but the clean-up could happen without the PD zoning, the parking was in exchange for closing a city street, and residential units could also happen without being a PD.

McGraw stated the PD was what allowed them to have the units they had. This would be a completely different project with less units and without the PD zoning they would have to start all over.

Howland stated McGraw had mentioned full time year round residents which would be great. In the former approval they had agreed that the only buildings that would allow ST rentals would be building C & D. She asked if they would be willing to go to a lower number of allowed ST rentals or perhaps limit the ST rentals to only being allowed in building C.

McGraw stated they really needed building C to be available for ST renting and building D may only be around 50% but they wanted to have the flexibility for those units in both buildings.

There didn't seem to be any support among the Commissioners to limit the previously approved number of ST rentals that would be allowed.

Motion by Ellingboe, seconded by McLaughlin, to recommend approval to City Council for a zoning change from OT, Old Town District to PD, Planned Development District and the associated Preliminary Development Plan for Peerless Flats located on what is commonly referred to as the Stanco property (parcel #70-03-20-279-008, -017, -019, -020, -023, and -025; and 70-03-20-278-005, -006, and -015), based on the information submitted for review and subject to the following conditions:

1. The Elliott Street right-of-way will be vacated between First Street and Second Street.
2. The 24-space parking lot in the southeast corner will be dedicated to public parking.
3. A lot split and combination application will be submitted with the Final Development Plan application that includes all applicable easements. The application must be approved prior to issuance of any construction permits.
4. The developer will construct perpendicular on-street parking spaces per the plan.
5. A public sidewalk will be constructed around the site at the developer's expense and will be located in a public easement.
6. Short-term renting will be a permitted use in Buildings C and D only.
7. The site will provide bicycle parking facilities for residents.
8. One additional sign shall be allowed at the First Street entrance.

The motion passed on the following roll call vote: Ayes: Westbrook, Runschke, Skelly, Deiters, Ellingboe, McLaughlin, Chair Dora. Nays: None.

**Case 19-34: A work session to determine whether the application for a zoning change of 215 North Beacon Blvd, 714 Elliott Ave, 222 North 7th St, 729 Fulton Ave (vacant), 727 Fulton Ave,**

**721 Fulton Ave, 719 Fulton Ave, and 715 Fulton Ave from NMU, Neighborhood Mixed Use District to C, Commercial District is complete and ready to schedule a public hearing.**

Howland explained that new owners Kurt, Kyle and Norm Kamps wished to expand the existing car wash and the vacuuming station area in the existing parking lot. Howland had summarized the items for the Commission to consider:

- Existing Land Uses: car wash, oil change, and 4 single-family dwellings. The car wash and oil change were nonconforming uses in the NMU District. The houses were conforming uses in the NMU District.
- Rezoning to C District would allow the car wash and oil change to expand via a special use process but the 4 homes would become nonconforming.
- Adjacent to the subject properties were an office building, two houses, and a laundromat.
- The Future Land Use Map designated the property as Traditional Neighborhood Mixed Use, which would not support the zoning change to C District. To the east on the other side of Beacon Blvd and further to the north was a Service/Commercial future land use area, which would support a zoning change to the Commercial District.
- Commercially zoned properties were to the immediate south and east of the subject parcels, so the rezoning would be contiguous to the existing Commercial District boundary.
- The properties fell within the Centertown Sub Area Plan of the Master Plan, as well as the Centertown Vision Plan from 2014. The only direct concept/recommendation related to these properties was the possibility for a pocket park at the corner of Elliott and Seventh.

She stated although the applicant's narrative described future expansion to the existing commercial businesses, she wanted to emphasize that rezoning to the Commercial district would open up the full list of permitted and special land uses and would not be limited to what the applicant was proposing at this time. She reminded the Commission to review and take into consideration whether all of those uses listed for the C District would be appropriate for this area.

Norm Kamps stated they purchased all the properties in August. They wanted to make improvements but learned from Howland that the car wash was non-conforming and therefore couldn't be expanded. After some discussion they decided that the only way to be able to add vacuum stations in the car lot and make upgrades to the car wash was to request the properties be rezoned. He stated the existing 2 vacuum stations would be removed and 6 new ones would be added.

Deiters stated almost all of the parcels around this area were already some type of business. He felt the area was already more commercial so he was in support of the rezoning.

Runschke agreed with Deiters and felt it was ready for the public hearing.

Ellingboe agreed it was mostly commercial but there were still those existing homes. He pointed out that affordable housing was a pretty important issue so he advised the applicants to be prepared to speak to making those existing homes be non-conforming.

Skelly also agreed the area was currently more commercial than residential.

Ellingboe asked if they would be willing to ask to rezone less parcels at this time and Kamp replied they wanted to do it all at once.

Chair Dora asked if the homes were currently rented and Kamp stated yes.

Chair Dora realized it was not supported by the Master Plan but stated the Master Plan got reviewed every 5 years. He also agreed this block was already mostly commercial and felt the request was ready to set a public hearing.

Motion by Runschke, seconded by Ellingboe, to set the public hearing for the case for the December 10th meeting carried by voice vote.

**Case 19-13: The Planning Commission will review proposed regulations governing medical marijuana facilities and may set a public hearing for December 10, 2019.**

Howland stated at the last meeting the Commission gave her direction to finalize recommended special use standards, create a provisioning center map that included the entire NMU District plus WF-2 and WF districts, and bring a template to the meeting that would illustrate a 1,000 foot radius so potential separation standards and other buffers map can be evaluated at the meeting.

She stated in regards to Special Use regulations, Provisioning Centers weren't really an active store front since they weren't allowed to display product. Howland felt that made it more of a waiting room type front area. She had spoken to the MSDDA Director Jeremy Swiftney and the R&R Committee of the MSDDA about the concept of allowing provisioning centers in the MSDDA District. Generally speaking, they didn't really consider a Provisioning Center to be retail but rather more of a service organization. A customer would have to have a medical card in order to make a purchase so this wasn't a place that would be available for the general public to come in to shop.

Howland stated she was looking to get some consensus at this meeting in order to be able to set a public hearing for the December 10th meeting. She had created a couple of maps and put them on the overhead. The first 2 maps were for Provisioning Centers. The first map was all the districts that allowed retail and drug free zone buffer was in red. This included the WF district but only on key street segments since that was where retail could be allowed. The second map was of the C and TI Districts and the drug free zone buffer was in red. This map didn't include NMU, CB, WF or WF-2 since that seemed to be the consensus for Provisioning Centers in these districts at the last meeting. The maps for Secure Transporter, Grower, and Safety Compliance have stayed the same over the last few months. The Commission also talked last month about possibly adding a 1,000 foot buffer between Provisioning Centers.

McLaughlin stated he was agreeable with the C and TI districts.

Westbrook stated the medical marijuana being more service than retail made sense to him.

Ellingboe agreed but he could see this flip flop if the recreational use ever came into play. Then he would see businesses wanting to be in the more tourist type areas and in the downtown area. He didn't feel there was much difference between the first 2 maps. He did notice that one area that got eliminated for the Provisioning Center was the B district.

Howland stated the B District had a zero front yard setback and that's why she took it out.

Ellingboe wasn't sure if they actually came to consensus about the 1,000 foot buffer between uses.

Runschke agreed with Ellingboe about possibly including the B District especially if they had eliminated the downtown area.

Deiters stated he was in favor of the first map. Since the State of Michigan had recently approved the recreational he could see one building being able to utilize both uses.

Runschke pointed out the previous case requesting to rezone to Commercial could possibly be part of that now.

Chair Dora stated he would like to hear more from the DDA at the December meeting. He was more agreeable to the second map. The biggest problem with the Beechtree District was that there was not enough parking. He would not be in favor of including Beechtree at this time. He wanted to put a map out and hoped that they would get good public feedback.

Ellingboe asked if they could have both maps offered at the public hearing and Howland stated she would need to check with the city attorney. She hoped the Tribune would run an article about it.

Ellingboe wanted to hear what the public thought. He stated it was possible that there would be overwhelming support for allowing it in more areas.

Deiters agreed and was in favor of the first map and then see what the public thought. It could always be scaled back if there wasn't support.

Chair Dora stated that might be a good idea since they might get comments about where the public didn't want it allowed.

McLaughlin suggested that the city may need to put out its own news release.

Howland asked if there were any thoughts on the Special Use standards.

Ellingboe asked if they were okay with the 1,000 foot buffer between uses and there was consensus for that.

Motion by Ellingboe, seconded by Deiters, to set the public hearing for the December 10th meeting with the larger map was carried by voice vote.

**B. ZBA Liaison Report** –There was no meeting last month.

**Adjournment:**

Motion by Deiters, seconded by Runschke, to adjourn was unanimously approved by voice vote. The meeting adjourned at 9:18 p.m.

  
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MaryAnn Poel  
Administrative Assistant  
Community Development Department