

CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES

June 9, 2020



A special electronic meeting of the Grand Haven Planning Commission was called to order by Chair Bill Ellingboe at 7:30 p.m. via Zoom. On roll call, the following members were:

Present: Tim Deiters (arrived late following Call to the Audience), Ryan Galligan, Bob Grimes, Andrea Hendrick, Kevin McLaughlin, Kirsten Runschke, David Skelly, Mike Westbrook, Chair Bill Ellingboe.

Absent: None

Also present were Jennifer Howland, Community Development Manager and Pat McGinnis, City Manager.

Motion by Grimes, seconded by McLaughlin, to approve the May 12, 2020 and May 19, 2020 minutes was approved unanimously by roll call vote.

Call to Audience – First Opportunity

1. Sue Benson called to voice her opposition to the Did's Deli request. She also wrote a letter.
2. Craig Bessinger 16293 Suffolk Dr, Ferrysburg called to express his support for the Salvation Army request.
3. Josh Brugger, 626 Slayton Ave, Grand Haven expressed his support for the Salvation Army request and said he'd be available for questions during that agenda item.
4. DeVere Boyd of 433 Arlington St (owns property at 602 Jackson St (JSD Properties); he's opposed to rezoning because it is spot zoning. He doesn't want 602 Jackson rezoned or converted to commercial use. It is the wrong time, place and purpose for a rezoning consideration. Rezoning would change the quaint aesthetics of the neighborhood and transfers risk to other owners. He wished to clear up several points made by Denny Dryer. He does not represent Ms. Veihl at 606 Jackson. Dryer left the impression that DeVere was involved in negotiations. DeVere provided several options for purchasing his property but did not act on behalf of other owners.
5. Paul Parzecowski of 531 Madison Avenue, Grand Haven called and represents his wife too. He expressed concerns for Dids: it conflicts with the Master Plan, may have traffic impacts, and he's opposed to commercial zoning.
6. Facebook comment from Barbara Lee Van Hoorsen of 413 N 6th Street, Grand Haven, objecting to the rezoning request. She also sent a letter.

Case 20-11: An application for a Special Land Use Permit for a drive-through business (Consumers Credit Union) located at 901 South Beacon Boulevard (parcel #70-03-28-155-020). This also requires a Site Plan Review.

Howland introduced the case. Amy Manley with Bosch Architecture went over the project. She added the sidewalk connection per the Planning Commission's request during the work session.

She was available to take questions.

Ellingboe opened the public hearing. There were no comments. Motion by McLaughlin, seconded by Skelly, to close the public hearing carried unanimously by roll call vote.

The Planning Commissioners support the project and have no comments, aside from Chair Ellingboe stating that the lighting needs to be reduced along the south property line to comply with zoning.

Motion by McLaughlin, seconded by Grimes, to approve the Special Land Use Permit and Site Plan Review for a drive-through business (Consumers Credit Union) located at 901 South Beacon Boulevard with the condition that light spillover cannot exceed 1.0 foot-candle at the property lines carried unanimously by roll call vote.

Case 20-12: An application for a Zoning Change of 427 North 6th Street (parcel #70-03-21-302-009), 423 North 6th Street (parcel #70-03-302-010), and 532 Jackson Avenue (parcel #70-03-21-302-008) from OT, Old Town District to C, Commercial District.

Howland introduced the case and reviewed the existing zoning, land uses, future land use plan, and criteria for evaluating a rezoning request.

Ellingboe opened the public hearing.

Letters received by the Planning Commission in their packets were summarized by Howland.

Facebook comments were read by Pat McGinnis, City Manager:

- Kevin Van Singel and Rita Dekker, 408 N 6th St - opposed due to traffic and believe proposed use would be more appropriate in another area.
- Sue Benson – would like to know if there has been a traffic study, concerned about traffic backups, not concerned about medical marijuana facility but any use that could be there; opposed
- Jaci Clark – opposed (also sent in letter)
- August and Nancy Johnson of 520 Jackson Avenue are strongly opposed to rezoning

Bob Monetza, 945 Washington Avenue, Grand Haven, is the current mayor of Grand Haven. He was referenced in the memo from Denny Dryer and wished to clarify what happened. Dryer asked him about the subject property during the medical marijuana ordinance discussion, wondering if Old Town would be included. Monetza didn't think so but said rezoning was the only option to pursue. He didn't advocate for it.

Denny Dryer, 220 ½ Washington Avenue, Grand Haven, understands the concern about spot zoning, so that's why he originally included the two properties to the east. They held two meetings at Did's Deli early on to be public and open about what they wanted to do. They invited most of the neighborhood. DeVere Boyd expressed some interest and so Dryer included his and Veihl's property to show how a commercial redevelopment could look. Boyd requested \$950,000 for two properties which was not financially possible. Dryer said the site is unbelievably difficult to develop. If Did's remains a restaurant, if knocked down, it could be a 600 sq. ft. restaurant. The zoning doesn't allow retail east of 5th Street. So, they need to

combine it with other properties to make it large enough. Dryer would like to meeting with Boyd and Veihl to discuss their properties. The master plan doesn't show this property as commercial, but it doesn't show Wendy's as commercial either.

DeVere Boyd requested to speak again. He was denied because he had already had his time.

Motion by Deiters, seconded by Runschke, to close the public hearing carried unanimously by roll call vote.

Dryer asked if there would be in person public meetings anytime this summer. Howland said the City is following the Governor's executive orders related to indoor gatherings, so public meetings will continue to be held virtually until further notice.

Deiters asked if the property is located within the school buffer. Howland confirmed it was not. He asked if rezoning would create two nonconforming uses. Howland confirmed that yes, the two houses would become nonconforming uses. Deiters has strong reservations about the buffer to the house to the south. It is virtually impossible to turn left onto Jackson or go straight across due to traffic; the only option is to turn right (east).

Galligan agreed with Deiters and added that the request doesn't follow the future land use plan and the neighborhood feels it would have a detrimental effect.

Grimes had no additional comments or questions.

Hendrick stated that the intent of the Old Town District supports current zoning. It is a transitional area and commercial is not appropriate. There are no grounds to rezone it to Commercial.

McLaughlin agreed; he can't support it from the neighborhood perspective. It would be considered spot zoning and should not be supported. Runschke and Skelly agreed.

Westbrook shared similar sentiments. There are a lot of concerns from neighbors, it's not in compliance with the future land use plan, it would create congestion and traffic, and would change the character of Old Town.

Ellingboe agreed and stated that traffic is getting worse and worse. Commercial rezoning is not the right way to handle this. When we discussed medical marihuana, we looked at key street segments in Old Town. There was debate about it, but ultimately the City Council didn't include Old Town as a district where medical marihuana facilities would be allowed.

Dryer asked if the applicant could get neighboring properties to the east to rezone to Commercial, would that change anyone's minds? Did's is closed and they are not reopening. What happens to the property? Ellingboe stated that it's a residential district, but won't speculate on hypotheticals. Adding properties to the east could alleviate the spot zoning concern, but rezoning on Jackson could exacerbate traffic concerns.

Dieters felt the commissioners' comments were clear. The other commissioners didn't think that adding properties to the request would change their minds and weren't interested in tabling the request.

Howland suggested that the Planning Commission look to the review criteria in the staff report when making a motion.

Dryer asked when the next Council meeting was. Howland said June 15th was the next meeting, and then it would be July 6th. Dryer asked to wait until the July 6th meeting.

Motion by Grimes, seconded by McLaughlin, to recommend denial because the request was spot zoning, which the commissioners weren't comfortable with, a large number of neighbors are in disagreement with the plan, and it doesn't fit in with the neighborhood carried unanimously by roll call vote.

Case 20-14: An application for a Site Plan Review for a building expansion at C&M Coatings located at 1730 Airpark Drive (parcel #70-03-34-176-002).

Howland provided an overview of the request.

Andrew Rossell (Milanowski & Englert, 403 Oak Street, Spring Lake) representing C&M Coatings was available to answer any questions. He stated the expansion was mainly for warehouse storage to support the existing business operations. Former tenants elevated the parking requirements, but the leased area has been reduced and employees counts are stable at 15. Therefore, no parking is needed for the expansion. They are working on an option for extending fire hydrant coverage on the site.

Deiters asked if there was a fire suppression system in the existing building. Rossell will review that to ensure it complies.

Grimes asked why this wasn't able to be administratively approved. Howland explained she doesn't have the authority to approve it, but the proposed zoning ordinance may allow such a project to be approved by staff. Ellingboe said this type of project should be for staff to review and should be looked at as an example for the ordinance update. The commissioners supported that.

Motion by McLaughlin, seconded by Runschke, to approve the site plan review for a building expansion at C&M Coatings located at 1730 Airpark Drive with the condition that a fire hydrant must be added on site per the fire marshal carried unanimously by roll call vote.

Case 20-15: An application for amendments to the approved site plan for Salvation Army located at 310 North DeSpelder Street related to rooftop mechanical screening and a dumpster enclosure (parcel #70-03-21-328-037).

Howland provided a brief overview of the request.

Josh Brugger, 626 Slayton Avenue, Grand Haven explained that cost was the primary factor in this request and they are hoping for accommodation. The dumpster enclosure is 3-5 feet from the property line. There are 6 foot fences all around neighbors' properties so they can't see it. He suggested the fence would be warmer and less imposing than a masonry enclosure.

There are 3 rooftop units on the existing building, which aren't required to be screened. The addition would have one unit further from the street.

Howland reviewed the ordinance and explained the latitude the Planning Commission would have with these requests. She suggested that the stickers be removed from the rooftop units.

Brugger offered to paint the units to match the building façade and remove the stickers.

Deiters never understood the reason for HVAC screening, other than a safety rail around the unit for maintenance. Screening gathers debris and is a maintenance concern. It's a part of any building. He has no problem with the proposed removal of the HVAC screening. He does have a concern about the fencing for the dumpster enclosure. Trash collectors may damage it when picking up trash.

Galligan stated it is a fairly secluded site. He has no issues with lack of screening or the chain link enclosure.

Grimes said the removal of stickers is a brilliant idea and paint is a good idea. He'd be more in favor of landscaping like arborvitae to screen the dumpster.

Hendrick said painting the rooftop units is a good idea. She sees the need for good aesthetics as the area redevelops, but it seems reasonable to paint it. She is not in favor of plastic chain link fence and would prefer landscaping if the zoning ordinance allows it.

McLaughlin is fine with painting the rooftop unit and removing stickers. He asked if Salvation Army would entertain the landscaping as a dumpster screen. Brugger said they could make that work and likes it better than a chain link fence. There's a playground next to it; arborvitae would be nice there.

Ellingboe asked for clarification about whether it would be screening on three sides and keeping it open on one side, or whether there would be a gate. Grimes said he'd support it being open due to the location. McLaughlin agreed.

Hendrick pointed out that there is a grade change; it goes down slightly, which already screens it from view from the street.

Major Holman of Salvation Army provided supporting comments.

Runsckhe is not always in favor of screening rooftop units because it can be a garbage collector. Paint and sticker removal is a good option. She preferred arborvitae over chain link for the dumpster screening.

Skelly asked Brugger if he had considered providing rooftop screening on just the north side and stated that paint and sticker removal would help. Brugger hasn't given additional thought to the north side of HVAC units. He has seen other areas in town use treated lumber with lattice, which isn't attractive. Salvation Army will do what is required of them. Skelly likes the 3-sided natural landscaping for the dumpster; Westbrook and Ellingboe agreed. Ellingboe suggested that we should consider dumpster enclosure alternatives to provide guidance in the zoning ordinance update.

Motion by Grimes, seconded by Deiters, to approve the amendment to the site plan for Salvation Army located at 301 North DeSpelder Street, with the conditions that all production stickers be removed from the rooftop unit and paint it to match new building, and a 3-sided dumpster enclosure be provided with arborvitae or similar screening, carried unanimously on roll call vote.

Call to the Audience – second opportunity

Magda Smolenska of 1609 Pine Ridge Drive likes Washington Avenue being closed downtown for outdoor dining and requested that all of Washington Avenue to be closed if appropriate.

Karen Losee of 426 Adams Avenue is opposed to the Did's Deli rezoning. Several people thanked the Planning Commission for their work. Mandi Breen of 222 Elliott Avenue believes that Wendy's is a different setting than Did's Deli and homes are located between Wendy's and Did's Deli.

Chair Ellingboe notified the commissioners that 1730 Airpark Drive is sprinklered per a comment received in the Zoom chat window.

Community Development Manager's Report

Howland informed the commissioners about the Waterfront Master Plan effort that will soon commence and run through March 2021. Williams + Works has been hired to help the community develop a plan for the Chinook Pier site and surrounding area and then put together an RFQ for a developer to implement the plan. Hendrick and McLaughlin will represent the Planning Commission.

The Zoning Ordinance chapters are being revised based on feedback collected to date and will be posted on the City's website soon. A flier was included in the June water/sewer bills to tell community members about the pending update and encourage them to provide feedback.

Ellingboe reviewed the protocol for collecting comments. Commissioners should share comments collected by private citizens with Jennifer and she will share with the larger group.

Deiters announced that he will not seek re-appointment because his son and family are moving back into town and he wants to focus on his family. The commissioners thanked him for his service. Ellingboe said that other members' terms are coming due June 30, 2020. Those members received a letter.

Hendrick would like to have access management requirements in the Zoning Ordinance.

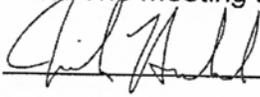
Howland stated cross-access is allowable but not required. The Planning Commission can require a traffic study and other special studies for projects.

Hendrick would like guidelines for curb cuts. She recognized that it can be a seasonal traffic issue but she would like the zoning ordinance to have some teeth.

Howland stated the zoning ordinance has commercial driveway spacing requirements, and Public Works reviews all curb cut requests during plan review, but there are no cross-access requirements. Howland invited the commission to send language they like from other ordinances to her for review.

Adjournment:

Motion by Deiters, seconded by McLaughlin, to adjourn was unanimously approved by roll call vote. The meeting adjourned at 9:27 p.m.



Jennifer Howland
Community Development Manager