CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES

January 12, 2021

A regular electronic meeting of the Grand Haven Planning Commission was called to order by Chair Bill Ellingboe at 7:00 p.m. via Zoom. On roll call, the following members were:

Present: Collin Beighley, Ryan Galligan, Robert Grimes, Kevin McLaughlin, Tamera Owens, Kirsten Runschke, David Skelly, Chair Bill Ellingboe (all members were located in Grand Haven, MI)

Absent: Mike Westbrook

Also present were Jennifer Howland, Community Development Manager, Ashley Latsch, Assistant to the City Manager, and Pat McGinnis, City Manager.

Approval of Minutes
Motion by McLaughlin, seconded by Runschke, to approve the December 8, 2020 and December 15, 2020 minutes was approved unanimously by roll call vote.

Call to Audience – First Opportunity
Steve Prelesnik, 300 S First St, called to state that the retaining wall at 319 S First St was built to separate the property from WF-2 and preserve quality of life. He asks the planning commission to deny the rezoning request to maintain quality of life of Southside. He described Mr. Davis' ideas for the property if the rezoning didn't take place.

Mulligans Hollow Improvements
Derek Gajdos, Public Works Director, reviewed the proposed improvements to Mulligan's Hollow, including parking lot improvements north of the Imagination Station and new basketball courts east of the skate park. These are improvements identified in the master plan of the park. Beighley said it looked fine. Galligan looks forward to the improvement. Grimes wonders why the basketball courts aren't positioned at a slight angle to follow the roadway to allow more space at the bottom right hand corner of the courts. Gajdos said elevations are an issue; the land slopes down towards the skate park. Runschke, Owens, Skelly and McLaughlin like it. Ellingboe had no issues with deferring review to the zoning administrator.

Motion by Skelly, seconded by Runschke, to defer the site plan approval to the zoning administrator was approved unanimously on roll call vote.

Case 20-20: A proposed amendment to the approved landscape plan at Grand Landing Planned Development.
Howland introduced the case.

Kelly Larson, member of the Grand Landing association, said that they were just informed that an MDOT project will be happening on the corner that will severely affect the proposed plan. Any plantings removed by the roadwork must be replanted by the property owner. MDOT suggested waiting to plant new trees in the southern section. They also commented that dogwoods are not
good with road salt. The applicant is now considering just planting redbuds on the south corner and moving the planting of the trees in the south section to 2023.

Chair Ellingboe opened the public hearing. There were no comments.

Motion by Grimes, seconded by McLaughlin, to close the public hearing carried unanimously by roll call vote.

Stephanie Allaire of Waveland Property Management made changes based on commissioners’ feedback to create an enclave for the development. Canopy and colors were thoughtfully selected.

Skelly appreciates the changes made. He wants the tree caliper to be large enough to be mature trees. The adjustments to timing with MDOT makes sense, and he is good with the proposed number of trees. Runschke likes the phasing plan, but asked about the trees that were removed and not being replaced. Allaire wasn’t planning to add more trees beyond the proposed 14. She has no record of there being 17 trees there in the first place. Larson said their proposed trees have a bigger root ball and caliper. They are open to supplementing additional trees as long as the plants aren’t crowded. Runschke said she is satisfied with the proposal.

Owens likes the revised plans and the number of trees is appropriate especially given changes to the MDOT right-of-way. McLaughlin said the proposed plan will add nicely to the area. Grimes and Galligan had no issues.

Beighley asked about MDOT communication. Howland said she and DPW will reach out to them to find out their timeline. Pat McGinnis said the preferred alternative 15+ years ago included this work. The concept of moving the sidewalk so far that it will affect trees is concerning. McGinnis will get more updated scheduling information. Information was shared in 2017/2018 about the MDOT changes. He doesn’t expect a dramatic shift in the sidewalk.

Ellingboe appreciated the work done by the applicant.

Motion by Grimes, seconded by Runschke, to recommend approval of the amendment carried unanimously by roll call vote with the following conditions:

1. Approval from MDOT is required because majority of proposed trees are located on State of Michigan property adjacent to US-31.
2. Phasing of plantings are approved as follows: 7 new trees in 2021 on the north end and 7 new trees in 2023 on the south end.

Case 20-26: An application for a Rezoning Agreement for 319 South First Street from S, Southside District to WF-2, Waterfront 2 District to allow Multi-Family Dwellings on the property.
Howland introduced the case.

Steve Davis wanted to clarify the master deed for the cottages to the west. He has learned from city staff that the cottages’ master deed doesn’t convey development rights to the subject property. He also wanted to comment on letters received. Harms said it felt like commercial creep. Davis wants the project to look like a single-family development. There will be no commercial uses.
Steve Prelesnik met with him; Davis never said he’d build crappy duplexes. Davis will live there. He did say that Southside would allow different exterior cladding materials. Prelesnik also had street parking concerns. Davis feels that’s a city issue. There will be 2-stall garages and plenty of parking on site. Regarding the Dexter’s retaining wall, it was built because cottage residents were using their property when the Dexters weren’t home. Oskandy said it was ok if it would be in harmony with the neighborhood. A resident from Sandpiper was opposed to high density residential, although they live in a high density development. Another person opposes the request due to traffic. Davis feels that is a city issue and has no merit on the project. Some were concerned about proposed curb cuts. Everyone will be pulling out of the site head first, which is safer. Von Tom said it was unreasonable. Davis said it is reasonable and of the same density as what is permitted in Southside. Davis said it will look like single family. He expects families will be year-round residents due to the large size of homes. He feels he is quite a distance from the Von Tom rental property. He finds her comments upsetting. The proposed use is residential. He thinks rezoning to WF-2 would create a better project.

Howland shared information about the rezoning request to the north that was received on Friday, which involves 3 parcels on First Street that propose to rezone from Southside to WF-2.

Chair Ellingboe opened the public hearing.

Facebook: Joni Pirrotta, 418 Sand Dr, opposed to the rezoning because it will negatively affect the neighborhood and property values, and it will set a precedent for rezoning.

Four people requested that their letters be read into the record. Howland read letters from Harms, Prelesnik, and Von Tom. Meyer’s letter was not received but she called in.

Caller: Denny Dryer – 220 ½ Washington, is the architect for the project. To design 3 duplexes that are too wide with 4 stalls of garage will look heavy and hard on the site. The current proposal for 6 homes will look like the rest of the neighborhood. WF-2 zoning will help the appearance of the project. He believes the use of a street as a buffer works well.

Caller: Diana Meyer, 318 S First St, is completely opposed. She is concerned about the parking situation. Several two-family properties in the neighborhood have been purchased and razed or converted into single family residences. People want larger lot sizes. There is good demand in the area for single family residential. She is in complete agreement with Prelesnik’s and Von Tom’s comments.

Facebook: Josh Brugger, 626 Slayton Ave, is in support of the rezoning request. The most ideal buffer is a road or natural feature. It is not an unreasonable request. Many questioned the split of WF-2 and Southside through residents’ backyards rather than a street in 2007. The request is a natural outflow of the rezoning in 2007 and is not spot zoning. It is west of First Street and contiguous to WF-2.

Facebook: Kara Brandt Hines, 315 Woodlawn Ave, is strongly opposed to rezoning. There is no space for such development and would negatively impact property values. Developers are taking over the town for their monetary benefit.

Howland noted that 13 letters were received. Ellingboe said the letters included mixed comments for and against the rezoning request.
Motion by McLaughlin, seconded by Runschke, to close the public hearing carried unanimously by roll call vote.

Galligan reminded the group that we just updated the zoning ordinance and reviewed the Southside District in detail. The Planning Commission decided that multifamily should not be in Southside. This proposal is multifamily. The threat of ugly duplexes is not a threat—it would require a special use from the Planning Commission and would be reviewed for architectural compatibility. He does not see a reason to rezone it.

Grimes doesn't agree with Galligan. Grimes looks at it from a case by case perspective. There is no threat of duplexes. He clarified that rezoning would force Davis to use higher quality cladding materials. The size of the houses is reasonable. Overall, it kind of works. Grimes believes that if Davis requested 6 units of affordable housing, it would have been approved quickly. We are giving him more grief because it is more expensive and the developer will live there. The idea of drawing a line between two lots instead of following streets wasn’t a good idea in the first place. They probably drew the zoning lines because they didn’t want businesses on First Street. There will be no vacation rentals, which is a huge advantage. This is the exact scenario like 715 Robbins Road. If this proposal came to that property, we’d be happy with that request. Because this is right downtown in Southside, it’s a different story, which doesn’t make sense.

McLaughlin doesn’t agree with Grimes. We already got another request to rezone more parcels on First Street. We should not support the zoning creep. He agrees with the neighbors. Some people in other parts of the city were in favor of the project, but he’s not sure that’s relevant. We should not rezone the property.

Owens asked for clarification on the staff analysis related to the future land use map. Howland reviewed the map. Considering other applicants to the north and the future land use map, Owens is not sure how she feels about the request.

Beighley received mixed comments from the community. What would stop this from being turned into short term rentals? Howland said the conditional rezoning, which excludes short term renting, would run with the land. Beighley agrees with Brugger that there is an adequate buffer with the street and is in support of the rezoning request.

Runschke appreciates input on both sides. She likes the development idea but is still against the rezoning because it doesn’t fit the future land use map and impedes on Southside and the lower density district. Southside residents have been against higher density residential. She asked about other land uses. Howland said only multi-family is being proposed with the conditional rezoning; no other land uses in WF-2 would be allowed.

Grimes asked if the property can be separated into 3 two-unit dwellings. Howland said it is possible, subject to special land use review and lot split approval.

Skelly asked why the duplex concept is being shown, and he asked if long term renting would be possible. Howland said long term renting is not a separately listed land use and can be long term rented. The duplex design was to illustrate what is possible if the property is not rezoned. Skelly reaffirmed his opposition to the rezoning.
Runschke asked if a future owner of one of the lots/units could ask to short term rent. Howland said the rezoning terms run with the land and if they wanted to change it, it would require a rezoning and would not be a straightforward process.

Ellingboe said the terms of the proposed conditional rezoning are very rigid. He thinks it’s a good use of the large property, and that it is not a creep into the neighborhood. It’s a transition from WF-2 to Southside.

Davis said that 6 written comments are in favor and 7 are opposed. He asked Galligan what changed his mind from the prior meeting. Galligan said the two-unit dwelling would be a special land use. Davis said they still need a special land use regardless of rezoning. He questioned why there is an uproar to the request, when the request leads to a better plan for the land.

Grimes said that in reality, from a rental perspective, if anyone winds up with a rental permit, they will buy it, live out of town, rent it in the winter and enjoy it themselves in the summer. He thinks parking will not be a concern due to garages and driveways. Additional curb cuts will stop people from parking on the road so safety equipment will be able to get through easier.

Davis asked commissioners in opposition if they prefer 3 two-unit dwellings on the property. Owens said she likes the proposed plan more than 3 duplexes, but doesn't think the future land use map supports the rezoning. Runschke said that two-unit dwellings will have more driveways which would further reduce on street parking available. Davis said either plan, there will likely be no street parking. Runschke said details of the two-unit option or the multifamily option would be evaluated by the Planning Commission at a later date.

McLaughlin will not evaluate the two-unit plan right now. He won’t comment on which plan is best.

Motion by Grimes, seconded by Beighley, to recommend approval of the conditional rezoning of 319 South First Street, with the below applicant-imposed conditions failed on the following roll call vote: Ayes: Grimes, Beighley, Ellingboe. Nays: Owens, Galligan, McLaughlin, Skelly, Runschke.
1. Land uses on the property are limited to Multi-Family Dwellings.
2. Build no more than 6 cottages buildings
3. Buildings to have no less than 8.5 feet in between cottages
4. Build no more than 6,500sqft (at the foundation measurement)
5. Have no more than 5 curb cuts (will reduce to four if site design allows)
6. Keep landscape buffer as is on western property line.

Motion by McLaughlin, seconded by Runschke, to recommend denial of the conditional rezoning of 319 South First Street from Southside District to Waterfront 2 District with the below applicant-imposed conditions passed on the following roll call vote: Ayes: Owens, Galligan, McLaughlin, Skelly, Runschke. Nays: Grimes, Beighley, Ellingboe.
1. Land uses on the property are limited to Multi-Family Dwellings.
2. Build no more than 6 cottages buildings
3. Buildings to have no less than 8.5 feet in between cottages
4. Build no more than 6,500sqft (at the foundation measurement)
5. Have no more than 5 curb cuts (will reduce to four if site design allows)
6. Keep landscape buffer as is on western property line.

Case 20-33: A proposed amendment to the Grand Plaza Planned Development to add
Medical Marihuana Provisioning Center, Medical Office, and Professional Service Establishment to the permitted uses and to review the proposed Special Land Use Permit application for a Provisioning Center located on vacant property on Jackson Avenue (parcel #70-03-21-199-021).

Howland introduced the case.

Rebecca Neil, applicant, was present. Phase 1 would be a 3,000 sq. ft. building. They developed a good neighbor plan for the provisioning center and reached out to the neighbors. They have received favorable comments. Immediate concerns came from city staff, and traffic concerns on Jackson, which is a busy street. They like the back exit to the development, providing access to northbound US-31. Tenants are not committed at this time. The parking design has been updated this week. Agreements with neighboring properties are in concept. They are open to adding landscaping around the site.

Howland said that a revised plan was submitted yesterday. The parking spaces in Phase 1 will not go onto LMCU property; they will be compact vehicle spaces. This arrangement may not work into Phase 2, as the ordinance limits compact spaces to 20% of the available parking.

Ellingboe opened the public hearing. There were no comments.

Motion by Grimes, seconded by McLaughlin, to close the public hearing carried unanimously by roll call vote.

Runschke is excited to see the project. She’s concerned about snow removal, dumpster locations, and compact parking spaces. Neil said there are no commitments for tenants at this time. Rollout garbage cans will be used in Phase 1.

Denny Dryer, architect for the project, said that all parking spaces have been moved onto the subject property. Snow storage can be accommodated in the proposed parking islands. He also provided details of hydrant locations.

Skelly asked if they know the timetable for the phases. Neil said they are obligated for one year after the ordinance is approved to construct the provisioning center in Phase 1. They will then need to retain the tenants for future phases.

Beighley asked if future phases will match the look of the Phase 1 building. Neil confirmed. Beighley, Galligan, McLaughlin and Owens have no concerns.

Grimes asked for more information on the timeline. Neil said other phases are based on finding tenants. They do not intend to wait 10 years to finish the development. Howland said that the zoning ordinance will set timelines for expiration of approval. Ellingboe said it’s important for each phase to stand on its own.

Ellingboe said that traffic will increase as a result of this project. MDOT is planning improvements to Jackson/US-31. Neil likes the feature that there is access to northbound US-31 through the development.

Howland said that the PDFs received are incorrect. The applicant emailed the updated/correct
plan during the meeting and staff displayed it on the screen. It was confirmed that proposed parking spaces will be located entirely on the subject property, but that landscaping and cross-access would require agreements with the neighbor.

Motion by Grimes, seconded by McLaughlin, to recommend approval of the proposed amendment to the Grand Plaza Planned Development to add Medical Marihuana Provisioning Center, Medical Office, and Professional Service Establishment to the permitted uses located on vacant property on Jackson Avenue (parcel #70-03-21-199-021) carried unanimously by roll call vote with the following conditions:

1. The project will be constructed in three (3) phases.
2. Exterior cladding materials and transparency shall match the requirements of the Commercial District.
3. Signage requirements shall match the requirements of the Commercial District.
4. A cross-access and joint maintenance agreement is required between the subject property and 951 Jackson Avenue because landscaping and drive aisles cross the property lines.
5. A special land use permit for a Medical Marihuana Provisioning Center is required and will be considered at the same time as the final development plan and sensitive areas overlay review.

Beighley had technical difficulties and did not vote on this case, but re-joined the meeting immediately afterwards.

Case 20-35: A Special Land Use Permit to operate a short-term rental located at 69 Poplar Ridge (parcel #70-03-29-323-007).

Howland provided an overview of the project. Stephanie Stano, property owner and applicant, was present.

Ellingboe opened the public hearing. There were no comments.

Motion by Runscheke, seconded by Grimes, to close the public hearing carried unanimously by roll call vote.

Stano is happy to be returning back to the area and would love to live in the home and work remotely. The goal is to make the property a year-round residence, but it is currently uninsulated. It will likely take a few years to renovate it.

All commissioners were supportive of the request. Ellingboe asked about the use of a management company; Stano said there would be a local management company to improve response time.

Motion by McLaughlin, seconded by Beighley, to approve the special land use permit for a short term rental located at 69 Poplar Ridge, subject to the condition below, carried unanimously by roll call vote.

1. Sleeping occupancy cannot exceed 6 people based on there being 2 dedicated parking spaces for the property.

Case 20-34: A preliminary plat for a proposed major subdivision called Robinson Landing, a 32-unit single-family residential development on the north side of Comstock Street
(parcel #70-03-34-200-042).

Howland provided an overview of the approval process. Marilyn Crowley, applicant, presented her project.

Crowley is not interested in pursuing a development to the north. They have had prelim conversations with a developer who has a purchase agreement in Grand Haven Township. She is not set on a connection to the north. A connection cannot be guaranteed at this time because they don't control the site. Homes will be 840 sq. ft. 1421 sq. ft. and priced between $150K and $250K. Half of the lots will be given to the community land trust to preserve affordability.

Crowley reviewed staff comments received. If a formal agreement for a future connection is a requirement, they will eliminate the connection to the north. The connection is nice, but the street would be quieter without the connection. The cost of a sprinkler system will affect affordability, so they may reduce the number of homes to 30. The sidewalk on the west side of Robinson Street is not shown on the plans. There are no homes along there, and a sidewalk would reduce the landscape buffer if it is required to be installed. The sidewalk also requires a retaining wall on adjacent property. She would like to have native landscaping along the west end. Crowley believes all of these issues can be overcome and asks for direction from the commissioners.

Crowley will send revised plans showing the layout to the northwest. She'll run numbers on the sprinkling system, to inform their decision about number of homes. Her bigger question is about whether to connect to the north. Constructing a cul-de-sac is not an option. It takes too much land.

Derek Gajdos, Public Works Director, said that if it is a dead end, it needs a cul-de-sac. If the developer wants to change the lot layout and not connect, that's fine. The water connection was planned to connect to the north, which could cause issues, or maybe an easement could be provided.

McLaughlin asked about utilities. Gajdos said the city is bringing utilities to the site and the developer does the rest. Howland said that the code of ordinances requires the sidewalk, and native landscaping is fine as long as it is no taller than 30 inches between the sidewalk and curb.

McLaughlin has no concerns and likes the project.

Grimes said this is an appropriate project. He asked if the township developer needs the connection to Robinson Street/Comstock Street; Crowley said they have at least 2 accesses to Robbins Road, so no they do not need to connect. He asked if there is a concern about reorienting the northwest lots. Crowley said they were less desirable because they faced the industrial park, so reorienting them would be fine.

There was discussion about the sidewalk. Per Gajdos, it can abut the curb but must be one foot wider if so. This will reduce the landscaping on the west end. Staff did not know of a mechanism for a variance to the code of ordinances.

Ellingboe agrees that it doesn't make sense to provide a sidewalk and lose landscaping. For the connection to the north, he thinks that can't move forward due to lack of control over the northern property.
Crowley said if it is an extraordinary burden to construct the western sidewalk, what is the process to change the code of ordinances? Howland said it doesn’t involve the Planning Commission; Council approves changes to the code.

Ellingboe said that some proposed conditions may need to be altered. McLaughlin asked if they could make a motion with no conditions. Howland said yes.

Motion by Grimes, seconded by McLaughlin to recommend approval of the preliminary plat for a proposed major subdivision called Robinson Landing, a 32-unit single-family residential development on the north side of Comstock Street (parcel #70-03-34-200-042) carried unanimously by roll call vote with the following conditions:

1. Landscaping in the public right-of-way must meet City code and be approved by the Public Works Department.
2. If Robinson Street does not connect to a future development to the north, a full cul-de-sac will be required by the Public Works Director.
3. Fire code requires that either homes have a sprinkler system, the unit count be reduced to 30, or a connection to the north future development be provided. If the latter, a recorded agreement must be in place ensuring a connection to the north, which will provide secondary access (to Robbins Road).

Case 21-02: A final development plan review for Peerless Flats Planned Development, located on the property commonly referred to as the Stanco property (parcel #70-03-20-278-005, -006, -015, and 70-03-20-279-008, -017, -019, -020, -023, -026).

Howland provided an overview of the approval process.

Pete Lazdins, Progressive AE land planner, provided highlights of the project:
- Formalized connections across Jackson Ave.
- Added a dog run to amenity building area.
- Northeast corner will have a city wayfinding sign
- Bike racks throughout development
- Mailbox/package areas external and internal to building H
- Making changes to site plan to reflect plan review team comments
- Public street lights will be added to the perimeter in coordination with DPW and BLP, focusing on intersections.

Grimes said that we reviewed it a lot in the past; it is a great development. The city parking lot should only have one access point to increase on-street parking.

Owens said it was well thought out. Beighley and Galligan had nothing to add. Runchske said they made great progress over the years and is waiting for them to break ground. McLaughlin said it is a great development; confirmed with Lazdins that they agree to all staff conditions. Skelly thanked the applicant for updating commissioners on changes since their last review.

Ellingboe asked about plowing on-street parking spaces; Howland said that will be coordinated between Public Works and Public Safety.

Motion by Grimes, seconded by Runchske to approve the final development plan for Peerless Flats Planned Development, located on the property commonly referred to as the Stanco property.
(parcel #70-03-20-278-005, -006, -015, and 70-03-20-279-008, -017, -019, -020, -023, -026) carried unanimously by roll call vote.

**Case 20-31: A retroactive site plan review for a parking lot expansion and truck loading area at 1500 South Beechtree Street (parcel #70-03-27-355-002).** The planning commission tabled this request at their December 8th meeting to allow the applicant time to revise the plans.

Howland provided an overview of the request. The question before the Planning Commission is whether the commissioners are comfortable with the amount of proposed pavement (a 30 foot lane connecting the south lot to Eaton Drive and the truck dock area), leaving the rest of the area gravel for trailer parking. Steve Witte, Nederveld Engineering, reviewed the proposed changes.

Skelly asked how often are trailers moved. Trevor Petrolje said less frequently than daily or weekly. Beighley is satisfied with the revisions. Galligan agrees, as long as the rest of the gravel area will be used for storage. McLaughlin said that it is appropriate because it is behind the building. Grimes wants to make sure the amount of landscaping is appropriate and will cover up the trailers. He believes that it will be sufficient. Renschke wanted to clarify that 17 trees were being added to the berm; Witte confirmed. Other commissioners were in support of the proposed project.

Motion by McLaughlin, seconded by Beighley, to approve the retroactive site plan review for a parking lot expansion and truck loading area at 1500 South Beechtree Street (parcel #70-03-27-355-002) carried unanimously by roll call vote.

**Zoning Board of Appeals Liaison Report**

McLaughlin reported that at the November meeting, a request for a second curb cut at 1138 S Harbor Drive was denied.

**Community Development Manager's Report**

Howland announced that the zoning ordinance was adopted on January 4th and will take effect 20 days later.

**Call to Audience – Second Opportunity**

No comments.

**Adjournment:**

Motion by McLaughlin, seconded by Renschke, to adjourn was unanimously approved by roll call vote. The meeting adjourned at 11:05 p.m.

[Signature]

Jennifer Howland
Community Development Manager