

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
PLANNING COMMISSION MINUTES**

September 13, 2022

A regular meeting of the Grand Haven Planning Commission was called to order by Vice Chair Galligan at 7:00pm. Upon roll call, the following members were present:

Present: Debi Hulverson, Jennifer Smelker, Vice-Chair Ryan Galligan, Magda Smolenska, David Skelly, Tamara Owens

Absent: Andrew Alt, Robert Grimes, Mike Dora,

Also Present: City Planner Brian Urquhart and members of the public.

Approval of Minutes

Motioned by **Skelly**, seconded by **Smolenska** to approve the August 9, 2022 minutes. All ayes. **Motion passes.**

Call to the Audience; First Opportunity

No public comments were received.

Case 22-27: A zoning text amendment request to the Sec. 40-201.19, amending the definition of self-service storage facility.

Urquhart introduced the case as a request from Denny Dryer to amend the definition of self-service storage facility to be less than 500 sq. ft. of a separate, individual, and private storage spaces of varying sizes, without conditioned space or toilet/bath facilities, leased or rented on individual basis for varying periods of time. Urquhart stated a self-service storage facility is permitted by right in the I – Industrial District.

Dryer stated the purpose of the amendment is they are building storage units at 815 Verhoeks, and some of the spaces are not being used and the owners would like to rent them out. The definition needed review.

Owens made motion to close the public hearing. **Skelly** seconded. All ayes. Public hearing closed at 7:10pm.

Hulverson asked how the amendment would help the applicant. Dryer responded the amendment would allow the owners to rent out the space while not using it, and only two of 15 owners would like to rent them out. However, by definition, the owners would become a self-service storage unit by renting

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out the space. The units are 1,000 sq. ft. and thus the definition would provide more flexibility for the units at 815 Verhoeks.

Smolenska asked why the definition needs to be changed if the originally approval called for owner occupied and owner used. She stated this is a storage condominium.

Galligan stated that there are no criteria that the planning commission is obliged to follow for a text amendment based on Sec. 40-121.B. Urquhart also added approving the amendment could be contradictory the condition of approval found in PC Case 21-45 for site plan approval.

Owens added her main concern is the original approval required the warehouse units to be owner occupied.

Motion by Hulverson, seconded by Smolenska, to recommend denial of the zoning text amendment to Sec. 40-201.19 to the City Council based on the following finding of fact.

1. The proposed amendment does not comply with the condition of approval of PC Case 21-45.
2. The proposed amendment does not meet all the standards for approval per Sec. 40-121.B.

All ayes. **Motion passed.**

Urquhart added that a recommendation of denial does not defeat the text amendment request. The matter would still come before the City Council.

Case 22-28: A special land use request for a contractor's establishment located at 745 Park Ave. (parcel #70-03-28-153-010):

Urquhart introduced the case. A contractor's establishment is a permitted as a special land use in the TI-Transitional Industrial District. Urquhart said the building and site meets all standards for lot coverage, setback, building height, building materials, landscaping, lighting, and buffering. Urquhart stated all adjacent properties are zoned TI.

Owens made motion to close the public hearing. Skelly seconded. Public hearing closed at 7:30pm.

Smolenska asked out the dumpster enclosure. Getty Brooks of Callen Engineering stated the intent of Mr. Wilson is to have roll out carts for each unit.

Smelker inquired about sidewalks. Brooks responded that sidewalks will be in the parking lot

Motion by Skelly, seconded by Smolenska, to approve the special land use for a contractor's establishment at 745 Park Ave. (parcel #70-03-28-153-010).

All ayes: **Motion passed.**

Case 22-29: A site plan review request for a contractor's establishment at 745 Park Ave. (parcel #70-03-20-437-011):

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Urquhart introduced the case. He said the applicant would demolish the entire site and grade the site. Storm water would be self-contained. Urquhart also asked if any additional signs or directional signs will be installed.

Brooks stated they will provide storm water calculations and coordinate with DPW. Brooks said no wall signage or directional signage would be installed at this time.

Motion by Smolenska, seconded by Hulverson, to approve the site plan for a contractor's establishment at 745 Park Ave. (parcel #70-03-20-437-011) with the following conditions:

1. All conditions of the DPW are met.
2. Inspection is completed, and satisfactory, by the Fire Marshal.

All ayes. **Motion passed.**

Case 22-30: A site plan review for a dumpster enclosure at 815 Verhoeks St. (parcel #70-03-28-112-00):

Urquhart stated the dumpster enclosure does not satisfy the standards for dumpster enclosures in the zoning ordinance, and thus any waiver would require a planning commission approval.

Dryer said the reason for a chain link gate with slats because it's more affordable to replace. Dryer added the dumpster is not in clear site of view from the road or other properties. The exterior would be the same material as the building, but the gates need to be lighter weight for operation and maintained. Dryer said the main reason is to allow for recycling from a business that uses of the warehouse units.

Smolenska asked in chain link is allowed. Urquhart said the ordinance is not clear, but the material needs to be opaque.

Motion by Skelly, seconded by Smolenska, to approve the site plan for a dumpster enclosure at 815 Verhoeks St. (parcel #70-03-28-112-00) with the condition.

1. The applicant provided information stating the proposed materials are satisfactory to the planning commission and will be functional and not compromising to the aesthetics.

All ayes. **Motion passed.**

Case 22-26: A special land use permit for an Accessory Dwelling Unit located at 122 Franklin Ave. (parcel #70-03-20-410-025):

Urquhart said the Planning Commission made the motion to move the special land use to the September 13th meeting because of incomplete information submitted by the applicant.

Pollie Gilchrist said they provided the necessary scaled drawing and supporting materials for allowing an ADU in the carriage house, citing the intent of the Southside Zoning District. Mike Gilchrist said the total square footage per Michigan Residential Construction Code (MRC) takes into account only eating, living and sleeping space in the calculations, which equated to 945 sq. ft. The total square footage of floor area based on the zoning ordinance was 1,087 sq. ft.

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Urquhart said the zoning does not specify MRC in the definition of floor area. Further discussion ensued about the calculation of residential floor area.

Motion by **Smolenska**, seconded by **Owens**, to approve the special land use for an accessory dwelling unit in the carriage house at 122 Franklin (parcel #70-03-20-410-025) based on the information submitted for review, subject to the following findings of fact:

1. The special land use for an Accessory Dwelling Unit satisfies the intent of the Southside Zoning District per Sec. 40-408.01, based on the fact the Carriage House is located off Franklin Avenue, preserves historic architecture, and is encouraged to become a residential use.
2. The approval of Accessory Dwelling Unit does not imply Michigan Residential Code shall be used for calculating sq. ft. for subsequent Accessory Dwelling Unit requests.

All ayes. **Motion passed.**

Case 22-23: A special land use permit for a short term rental located at 122 Franklin Ave. (parcel #70-03-20-410-025):

Urquhart said the short-term rental was also moved to the September meeting after the August meeting. If the ADU was approved, the special land use can be approved with the necessary conditions.

Motion by **Hulverson**, seconded by **Smelker**, to approve the special land use for a short term rental in carriage house at 122 Franklin Ave. (parcel #70-03-20-410-025): based on the information submitted for review, subject to the following condition:

1. The sleeping occupancy shall not exceed twelve (12) persons.

All ayes. **Motion passed.**

Case 22-31: Discussion of a preliminary site plan review for a recreational park at 310 N. Despeldar (parcel #70-03-21-328-037):

Urquhart noted this item is just for discussion before a formal site plan is prepared. A recreational park is a permitted use in the NMU District. The site plan that was submitted was not complete.

Bill Holman of Salvation Army said they would like to clear the wooden southern portion of the property, and level it and convert the land into recreational playing fields. The preliminary plan called for an access drive off Fulton Ave. and connection to the existing parking lot at 310 N. Despeldar.

Dryer added the site is not a regulated wetland by EGLE, Army Corp. of Engineers because of its size, distance from the Grand River, and lack of connection to another water source. The site was formally a celery field and the soil removed caused drainage issue from a previous demolition and grading project.

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Urquhart said a site plan review and sensitive area overlay permit would be required based on the zoning map. Urquhart provided written correspondence verifying the next steps for the applicant to take in completing a jurisdictional determination of a wetland for the site. Dryer said he will initiate the conversation to begin a jurisdictional determination.

The Planning Commission agreed the use of a recreational park for that site seems appropriate, but a determination of the wetland is needed to proceed with Sensitive Area Overlay review.

Case 22-32: Discussion of amending the zoning map to extend a Key Street along 3rd Street in the OT – Old Town District.

Urquhart introduced the case.

John Loeffler said the request was for allowing for more flexible uses on a key street. Urquhart did mention a key street could allow for more short term rentals.

Galligan, Hulverson, Smolenska and other commission members stated their position they are not in favor of amending the zoning map. This would open it up too many short term rentals.

The commission was not in favor of the request, and recommended the applicant not pursue seeking a zoning map amendment.

Zoning Board of Appeals Liaison Report:
No report

City Planner Report:

Urquhart said the next Master Plan Steering Committee will be held on September 20, 2022 at the Community Center from 7pm to 9pm.

There is no update to the Noto's PD final development plan, nor any update to the Diesel Plant site plan.

Call to Audience; Second Opportunity:

No public comments received.

Adjournment:

Vice Chair Galligan adjourned the meeting at 8:35 pm.


Brian Urquhart
City Planner

