

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

September 19, 2023

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

Present: Magda Smolenska, Tamera Owens, Joe Pierce, Vice-Chair Ryan Galligan, David Skelly, Amy Kozanecki, Jennifer Smelker, and Chair Mike Dora

Absent: Debi Hulverson

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

Approval of Minutes

Motion by **Skelly**, seconded by **Galligan** to approve the minutes of August 8, 2023.

All ayes. **Motion passes.**

Approval of Agenda

Motion by **Galligan**, seconded by **Owens** to approve the agenda with moving PC Cases 23-32 and 23-34 right after Cases 23-31 and 23-33 respectively.

All ayes. **Motion passes.**

Call to the Audience; First Opportunity

Martin, 15424 Hoffa Dr., said he would be moving into 301 Franklin Ave. soon and did not want to look at a 4-story addition. He may sell the condo to another owner. He mentioned that the last time a development occurred, they would protect the 3 trees nearby, but did not happen.

Case 23-27: Special Land use request for a retaining wall over 48 inches in height located at 217 S. 1st St. (parcel #70-03-20-451-012)

Urquhart introduced the request. The city cited the contractor for not obtaining the necessary permit for a retaining wall. The contractor eventually submitted the necessary applications after receiving a stop work order.

Chair Dora opened the public hearing at 7:07pm. No comments.

Dan Dempsey of Novi, property owner, said he loved the location of 217 S. 1st St. but stated he didn't realize he needed a permit to construct a retaining wall.

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Smelker said she was concerned about the location of the retaining wall and lack of information on the site plan. Brandon Carroll of Mike Rose Landscaping, said the retaining wall is 10 to 12 ft. from the retaining wall and the survey stakes were already there.

Skelly asked about railing requirements and what materials will be used for the railing.

Motion by **Owens**, seconded by **Galligan** to close the public hearing. All ayes. Public hearing closed at 7:15pm.

Motion by **Galligan**, seconded by **Smolenska** approve the special land use permit for a retaining wall that exceeds 48 inches in height at 217 S. 1st St. (parcel #70-03-20-451-012) subject to the condition(s) below:

1. *A building permit shall be submitted.*
2. *A Right-of-Way Permit shall be submitted for any work in the right-of-way.*
3. *A land use permit shall be submitted for all landscaping and patio.*
4. *The applicant shall provide a site plan detailing all setbacks from property lines and existing structures, stormwater management plan, both must be approved by the City Planner prior to the issuance of the special land use permit.*
5. *Railing shall be installed per Michigan Building Code.*

All ayes. **Motion passed.**

Case 23-28: Special Land use request for a retaining wall over 48 inches in height located at Sandpiper Condominiums located near Howard St. and Sand Dr. (parcel #70-03-20-398-012)

Urquhart reviewed the special land use request. Urquhart said the applicant met with staff prior to submitting a retaining wall permit and special land use permit application.

Chair Dora opened the public hearing at 7:17pm.

Mike Mattson of Mattson Landscaping, provided details on why the landscape material will be used for the retaining wall replacement.

Cecil Bradshaw, 31 Sherman Ave., said the retaining wall is part of additional improvements to the condominium association.

Smelker asked if any trees would be removed. Mattson said no trees will be removed.

Motion by **Owens**, seconded by **Galligan** to close the public hearing. All ayes. Public hearing closed at 7:20pm.

Motion by **Smolenska**, seconded by **Pierce**, to approved the special land use permit for a retaining wall that exceeds 48 inches in height at Sandpiper Condominiums (parcel #70-03-29-398-019) subject to the condition(s) below:

1. *A building permit shall be submitted.*
2. *A Right-of-Way Work permit shall be submitted for any work in the right-of-way.*

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All ayes. **Motion passed.**

Case 23-31: A special land use permit for a mixed-use development located at 300 Washington Ave. (parcel #70-03-20-437-011).

Urquhart said a mixed-use development is permitted in the CB district by special land use. This is the second phase of the redevelopment project with an additional building located on the east side of the parcel with street level commercial space, 2 condo units, and 9 garages.

Chair Dora opened the public hearing at 7:24pm.

Jim Hagen, 400 Lake Ave., expressed concerns about the car lifts. He felt the city isn't adequate to properly address the zoning standards for car lifts.

Kirsten Runschke, 1609 Pine Ridge, addressed the concerns with the car lifts. Runschke also spoke towards the coordination with the Fire Marshal and the turning radii for apparatus truck. Runschke said the drawings were included in the packet reflected the proper width for access into the parking lot for fire protection. She mentioned the trees that were removed brought up during public comment occurred during a previous phase

Motion by **Smelker**, seconded by **Galligan** to close the public hearing. All ayes. Public hearing closed at 7:26pm.

Owens added that car lifts already exist in Grand Haven.

Galligan stated he liked the special land use request. Skelly was also in favor.

Motion by **Galligan**, seconded by **Pierce**, to approve Case 23-31, a request for a special land use for a mixed-use development located at 300 Washington Ave. (parcel #70-03-20-437-011).

All ayes. **Motion passed.**

Case 23-32: Site plan review for a mixed-use development at 300 Washington Ave. (parcel #70-03-20-437-011).

Urquhart reviewed the site plan for the additional stories to the main building, and the parking lot adjustments. The plans included the perspective drawings that were requested by the Planning Commission at the pre application meeting.

Kozanecki didn't like the location of the dumpster. Felt it lacked creativity. Smelker thought parking could be removed to provide another location for the dumpster.

Skelly asked if there would be a live roof on the building.

Galligan liked how the applicant and the Fire Marshal addressed the emergency access issue.

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Motion by **Skelly**, seconded by **Galligan**, to approve Case 23-32, a request for a site plan review for a mixed-use development located at 300 Washington Ave. (parcel #70-03-20-437-011), subject to the following conditions:

1. *All conditions of the DPW shall be met.*
2. *All conditions of the BLP shall be met.*
3. *All conditions of the Fire Marshal shall be met.*
4. *The applicant shall apply for a lot split application prior to any issuance of permits for the new mixed-used building.*
5. *A shared parking agreement shall be recorded within 90 days upon any change of ownership with the new parcel.*

Roll call vote. Ayes: Dora, Owens, Skelly, Smolenska, Galligan, Pierce. Nays: Kozanecki, Smelker. **Motion passed 6-2.**

Case 23-33: A special land use permit for a drive-through business located at 805 S. Beacon Blvd. (parcel #70-03-28-155-019).

Urquhart said the proposal is located in part of a larger multi-tenant commercial establishment in the Commercial district at 805 S. Beacon. Because the applicant would be utilizing a drive-through lane for business, the special land use is necessary.

Chair Dora opened the public hearing at 7:44pm.

After receiving no public comments, motion by **Galligan**, seconded by **Owens**, to close the public hearing. All ayes. Public hearing closed at 7:45pm.

Motion by **Smolenska**, seconded by **Galligan**, to approve Case 23-33, a request for a special land use for a drive-through business located at 805 S. Beacon Blvd. (parcel #70-03-28-155-019).

All ayes. **Motion passed.**

Case 23-34: Site plan review for a drive-through business at 805 S. Beacon Blvd. (parcel #70-03-28-155-019).

Jeffrey Parker of Grand Rapids introduced the site plan. He said Caribou Coffee would place a 600 sq. ft. building onto the existing green space in the parking lot. The driveways would be adjustment for access management.

Urquhart listed a few concerns, including window transparency, access management, and width of the turning radius. Urquhart said the current minimum transparency requirement for ground floor frontage in the Commercial District is 60%, however the Planning Commission may reduce the transparency no less than 40% for a building located on a corner lot. Urquhart said the lot is corner lot of Taylor, Beacon, and Bowman Ct.

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Skelly asked about the site plan and the turning radius question. Parker added the pavement would need to be extended.

Smelker asked about signage for traffic flow. Parker said they would have small directional signs. Skelly asked about the size of the building.

Owens inquired about the parking.

Dora asked about the hours of operation. Parker said Caribou Coffee would operate 7 days a week from 5 to 9am. He noted those hours would not conflict with Papa Murphy's Pizza or the other uses in the multi-tenant commercial facility.

Commissioners expressed concern over the failure to meet the transparency requirement. Parker said the cabin like design doesn't allow for enough window coverage, and the placement of the equipment cause conflict with the intent of the ordinance. He said the east wall was 22% clear glass, and the north and south walls were 32%. He noted the windows could be widened along the front façade, and windows could be added to the north and south wall.

Commissioners expressed concerns about the site plan's failure to meet the transparency requirement. They asked if they could lower the amount. Urquhart said the applicant would need to file a variance with the ZBA to go below 40%.

Motion by **Kozanecki**, seconded by **Pierce**, to approve Case 23-34, a request for a site plan review for a drive-through business located at 805 S. Beacon Blvd. (parcel #70-03-28-155-019), subject to the following conditions:

1. *All conditions of the DPW shall be met.*
2. *All conditions of the BLP shall be met.*
3. *The site plan shall be amended to provide a minimum 40% ground floor transparency for the south, east, and north walls, which may be approved by the City Planner.*
4. *Directional signs shall be installed and pavement markings shall be shown on the site plan to ensure parking circulation is compatible with the current drives and entrances.*
5. *Front turning radii shall be increased by 5 feet.*
6. *MDOT permission to remove existing tree shall be provided to the planning department.*
7. *Signs must satisfy standards in the C – Commercial District.*

All ayes. Motion passed.

Case 23-29: Site plan review for a parking lot expansion at 1711 Tiles Ct. (parcel #70-03-28-326-001).

Urquhart introduced the case. SPI Pharma would be adding several parking spaces to the northern part of the lot. The existing tree would be removed, and he recommend a land use permit. All drainage, lighting, landscaping were addressed in site plan review by the Dept. of Public Works.

Motion by **Smolenska**, seconded by **Smelker**, to approve Case 23-29, a request for a site plan review for a parking lot addition at 1711 Tiles Ct. (parcel #70-03-27-340-027), subject to the following conditions:

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1. *The storm water management plan must be approved by the DPW Director prior to issuance of any permits.*
2. *A land use permit shall be required for the parking lot expansion.*

All ayes: Motion passed.

Zoning Board of Appeals Liaison Report:

Galligan said the ZBA approved two variances at the September 6th meeting, one for a driveway extension in the front yard at 536 Oakes, and one for a rear yard setback at 310 Franklin Ave.

City Planner Report: Urquhart said there could be a special meeting in October

Call to Audience; Second Opportunity:

Jim Hagen, 400 Lake Ave., said he did not like the dumpster location at 300 Washington Ave.

Adjournment:

Chair Dora adjourned the meeting at 8:45 pm.



Brian Urquhart, City Planner

